

Monday, 14 September 2020

**ADJOURNED CABINET**

An Adjourned meeting of **Cabinet** will be held on

**Tuesday, 29 September 2020**

commencing at **5.30 pm**

The meeting will be held remotely via Zoom (the links to the meeting are set out below)

<https://us02web.zoom.us/j/82972106993?pwd=L3BDMjNETkUzTWp0SDI1M2lrNTJwdz09>

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Meeting ID: 829 7210 6993

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**Members of the Committee**

Councillor Steve Darling (Chairman)

Councillor Long

Councillor Stockman

Councillor Morey

Councillor Law

Councillor Carter

Councillor Cowell

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**A prosperous and healthy Torbay**

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**Lisa Antrobus, Town Hall, Castle Circus, Torquay, TQ1 3DR**

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# ADJOURNED CABINET AGENDA

## 1. Apologies

To receive apologies for absence.

## 2. Disclosure of Interests

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda.

**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.

**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

## 3. Matters for Consideration

### 4. Adult Social Care - Annual Local Account

(Pages 4 - 42)

To consider the Local Account for Adult Social Care which sets out what has been achieved for local people in relation to adult social care.

### 5. Proposed Extension of Shared Services Arrangement for Trading Standards

(Pages 43 - 97)

To consider a report that proposes a renewal of the Legal Agreement to the joint Devon County Council, Somerset County Council & Torbay Council Shared Trading Standards Service.

### 6. Freehold Disposal of Land adjacent to Broomhill Way, Torquay.

(Pages 98 - 105)

To consider a report on the above.

### 7. Council Redesign Programme - Transformation Plan

(Pages 106 - 122)

To consider a report that seeks approval of the Transformation Plan which sets out the objectives of the Redesign Programme together with the Design Principles for Torbay Council moving forward.

## 8. **Budget Monitoring 2020/21 - Period Four**

(Pages 123 - 147)

To note the submitted report on the latest budget monitoring position and to consider any recommendations from the Overview and Scrutiny Board.

### **Instructions for the Press and Public for joining the meeting**

If you are using an iPad you will need to install Zoom which can be found in the App Store. You do not need to register for an account just install the software. You only need to install the software once. For other devices you should just be taken direct to the meeting.

### **Joining a meeting**

Click on the link provided on the agenda above and follow the instructions on screen. If you are using a telephone, dial the Zoom number provided above and follow the instructions. (**Note:** if you are using a landline the call will cost up to 13p per minute and from a mobile between 3p and 55p if the number is not covered by your inclusive minutes.)

You will be placed in a waiting room, when the meeting starts the meeting Host will admit you. Please note if there are technical issues this might not be at the start time given on the agenda.

Upon entry you will be muted and your video switched off so that only the meeting participants can be seen. When you join the meeting the Host will unmute your microphone, ask you to confirm your name and update your name as either public or press. Select gallery view if you want see all the participants.

If you have joined the meeting via telephone, your telephone number will appear on screen and will be displayed for all to see until the Host has confirmed your name and then they will rename your telephone number to either public or press.

### **Meeting Etiquette - things to consider when attending a virtual meeting**

- Background – the meeting is public and people will be able to see what is behind you therefore consider what you will have on display behind you.
- Camera angle – sit front on, upright with the device in front of you.
- Who else is in the room – make sure you are in a position where nobody will enter the camera shot who doesn't want to appear in the public meeting.
- Background noise – try where possible to minimise background noise.
- Aim to join the meeting 15 minutes before it is due to start.

**Meeting:** Adjourned Cabinet

**Date:** 29 September 2020

**Wards Affected:** All

**Report Title:** Adult Social Care - Annual Local Account

**Is the decision a key decision?** No

**When does the decision need to be implemented?** For Information

**Executive Lead Contact Details:** Councillor Jackie Stockman, Cabinet Member for Adult Services and Public Health, email: [Jackie.Stockman@torbay.gov.uk](mailto:Jackie.Stockman@torbay.gov.uk)

**Supporting Officer Contact Details:** Joanna Williams, Director of Adult Social Services. 01803 207175 or 07766 160574 [joanna.williams@torbay.gov.uk](mailto:joanna.williams@torbay.gov.uk)

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### **1. Purpose and Introduction**

- 1.1 The Local Account for Adult Social Care sets out what we have achieved for local people in relation to adult social care and outlines our level of performance for last financial year and our commitment to future service delivery. The Government has asked that Local Accounts are put in place to offer councils the opportunity to share a common approach to the performance of adult social care. It also outlines the details of our multi agency approach to adult safeguarding. This reflects the view of government that adults safeguarding is on a statutory basis in the same manner that children's safeguarding is a statutory responsibility as outlined in the Care Act.
- 1.2 The attached Annual Local Account document has been delayed in publication in 2020 due to the CV19 pandemic.

### **2. Reasons for Proposed Decision**

- 2.1 To enable the Local Account to be published in accordance with Government requirements

### **3. Recommendation/ Proposed Decision**

- 3.1 That the Local Account set out in Appendix 1 to the submitted report be approved

### **Appendices**

Appendix 1 Local Account



# Adult Social Care Local Account

Torbay Annual Report 2019-2020

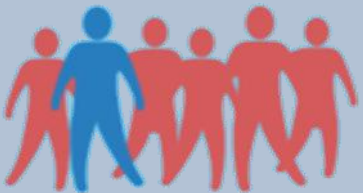
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**TORBAY COUNCIL**



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## Foreword by Councillor Jackie Stockman Cabinet Member for Adult Services and Public Health

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*In 2019/2020 we have been engaging with our communities and have continued to build on our relationships with the Community and Voluntary Sector. We've also been fully involved in the Developing Integrated Care System across wider Devon, in order to make sure Torbay's priorities are included and that we benefit from the work being done regionally. We've asked the regional system to focus on mental health, deprivation and wellbeing.*

*2019/2020 was the last year of our 3 year deal to integrate Adult Social Care with local Health Services, and I'm pleased to tell you that we were able to agree to continue those integrated services for another three years. This means that social workers continue to work alongside nurses and therapists to make sure they only tell their story once and services are holistic and comprehensive.*

*Of course, we still have serious financial challenges and we've agreed an Improvement Plan for our shared focus in 2020. The plan focuses on continuing to help people to live independently, helping those who are experiencing problems with their mental health and helping people access their local community for support.*



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**Councillor Jackie Stockman**  
**Cabinet Member for Adult Services and Public Health**

## Foreword by Sir Richard Ibbotson and Liz Davenport, Chair and Chief Executive of Torbay and South Devon NHS Foundation Trust



This Adult Social Care Annual Account gives a snapshot of how our Local Care Partnership is developing, and we know that there is lot more work to do to keep the momentum going. Despite the Covid-19 pandemic and the related challenges, we have continued to achieve a number of successes for our local population.

Working with partners in 2019/20 we have been actively engaged in improving the quality of life and services for our local people in relation to wider determinants of health and wellbeing.

During 2019/20 we have worked alongside the National Development Team for Inclusion (NDTI) Community Led Support Programme with our staff taking part in national conferences and workshops to develop further our asset-based approach.

Covid -19 has also enabled us to accelerate the effort to enable us to work more collaboratively with other organisations and partners, share ideas and learnings to help our populations. This is informing the shape of social care in Torbay with an emphasis on working closer with our communities to develop further our services in the Bay.

During the Covid crisis we have also had key volunteers come forward to work with us. We hope that they will continue their invaluable contribution, and we will foster these relationships to go from strength to strength.

Thank you to everyone working in adult social care, both paid and unpaid, for your continued efforts and commitment to maintain Torbay's reputation as a leader in quality, integrated partnership.

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**Sir Richard Ibbotson**  
Chair

**Liz Davenport**  
Chief Executive



## Introducing themes for Torbay Social Care for the next five years



Welcome to the 2019/20 Local Account of Adult Social Care Services in Torbay, intended to report on the performance and use of resources for this crucial area of the Council.

In 2020 we began a new commitment to integrate Adult Social Care with local health services, continuing our long standing shared delivery of services to make sure people get the best we can offer. Torbay Council is a partner in the emerging Integrated Care System, and we continue to make sure our local issues remain centre stage.

Locally, we remain positive and excited by our strengthened commitment to the working with the local community. This year we have further developed our approach to Social Care, in last year's Local Account, we said that working with the community, the voluntary sector and individuals was our focus for 2019/20, and we have stuck to that commitment. We have further strengthened our relationships and commitment to working together.

This year we have implemented our new home care contract, with a focus on co-design with providers and improving the range of services we have available. We've also benefited from the 'Proud to Care' initiative which is celebrating care as a career and working to attract local people into social care as a profession.

It wouldn't be 2020 without mentioning COVID 19, which started to affect us in March. Our care homes initially experienced severe difficulties with COVID 19 and managing infection. I must mention how sad we are at the loss of both people living in care homes and one staff member. Since those early days we've learned quickly and developed very close supportive relationships with all of our providers, from supportive conversations to providing staff and PPE.

So, thanks to everyone who has volunteered, worked and cared for people who need support!

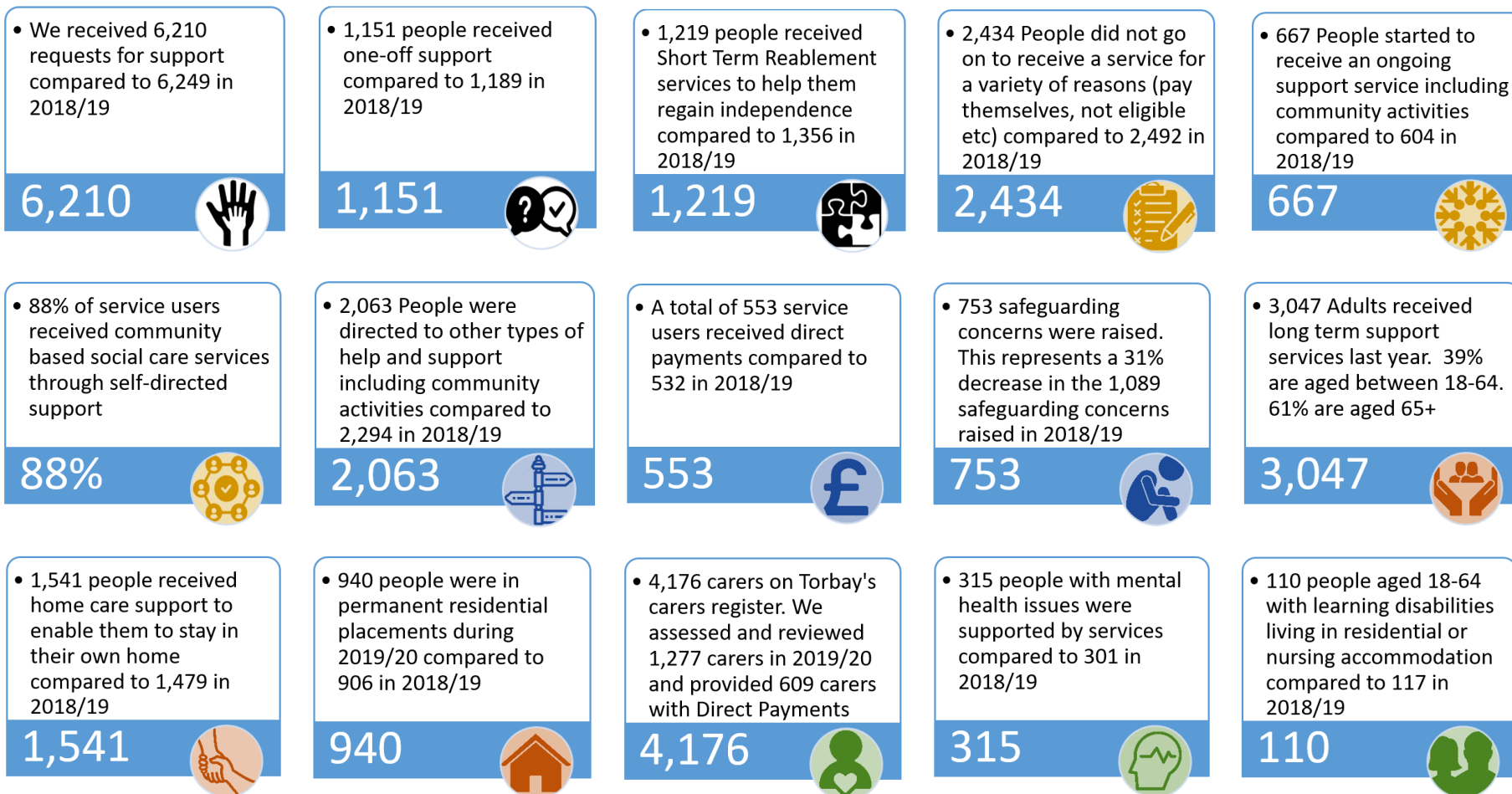
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**Joanna Williams**  
**Director of Adult Social Care Services**  
**Torbay Council**

## Torbay Social Care in 2019/2020

### At a glance

Adult social care is provided by Torbay and South Devon NHS Foundation Trust and commissioned by Torbay Council. We support adults who have care needs to be as safe and independent as possible.



## Outcome 1: Enhancing the quality of life for people with care and support needs

Our aim is for all adults in the Torbay community to be enabled to live their lives to the full, maintain their independence and receive the right level of high-quality support. Often this is about providing services at the right time and in the right place to maintain the person's desired quality of life.

### How are we performing?

Working with partners in 2019/20 we are actively engaged in working to improve the quality of life and services for people in relation to wider determinants of health and wellbeing. Key areas of focus are promoting independent living and/or employment for people experiencing poorer mental health and a learning disability; supportive services for people with dementia and access to services for people with no current abode.

We have good performance in carrying out assessment of people's needs in a timely way and keeping people informed about the proposed cost of care. We have stable performance in people receiving care in a timely way, and giving people the freedom to arrange to buy their own care instead of social care services, where people meet thresholds for financial assistance.

### Focus on Mental Health

The Mental Health Social Care Team assess, develop support plans and review residents of Torbay who are open to Secondary Mental Health Services and need care and support. The team seek to understand the wishes and views of eligible clients and develop packages of support that promote their wellbeing.

The under 65 Mental Health Service aims to build and improve links with the community to ensure that support is available to all residents of Torbay that require assistance to improve their mental health and wellbeing. The Service wishes to ensure that community led preventative services are available. This will include the development of mental health carers support services.

The under 65 Mental Health Service aims to work with commissioners and providers to ensure there is adequate provision of supported accommodation to help Service Users live as independently as possible whilst maintaining safe and secure accommodation.

The under 65 Mental Health Service aims to build on positive developments with regards to transitions work for young people receiving support with their mental health so that their care and support needs can be assessed and support plans developed ready for when they become adults.

## Focus on Learning Disability

Summer of 2019 saw the co-design of the terms of reference and membership for the new Torbay Learning Disability Partnership Board, and it was launched in December 2019. There are going to be 8 Learning Disability self-advocates (ambassadors) to ensure that people with learning disabilities are involved in decisions about all new services, strategies and policies.

The Ambassadors are supported by Devon Link-up, to talk to others and share any news from the LDPB, and also gather common issues to raise at the LDPB. The issues closest to people's hearts were housing, support services and health. People wanted greater choice about where they lived and whilst supported living framework has improved the quality of delivery, people want more self-contained supported living accommodation and more person-centred care. The views of people with learning disability are being fed into our market development plan which will bring the STP Housing Strategy for people with LD, Autism and Mental Health issues to life.

## Focus on Autistic Spectrum Conditions

During 2019, in recognition of a lack of post-diagnostic support in Torbay for people with ASC, a multi-stranded ASC post-diagnostic project was launched, which included the following:

- A new accessible information and advice service, to help improve access to employment, education and welfare benefits.
- The development of Peer Support for people with ASC through seed funding of small groups (one for adolescents and one for adults)
- Employment of a 0.4FTE specialist ASC Social Worker
- Autism awareness training for social care staff to ensure compliance with the Core Capabilities Framework commissioned by Health Education England, and which is a key objective for workforce development in delivering the Autism Strategy.
- Free training for local providers of supported living on ASC awareness, Positive Behaviour Support, Crisis Planning and community treatment reviews

It is hoped that these measures will contribute towards the reduction in people admitted to hospital under the mental Health Act by improving understanding, skills, knowledge and support in community services.

There are also plans to develop and sustain an ASC Programme Board (during 2020) – which is a mandatory requirement.

Torbay Council has been a key partner in the development and delivery of the STPs Joint Learning Disability and Autism Strategy and action plan, and a member of the Transforming Care Partnership.

### **Focus on Dementia**

In 2017/18 we started a new, innovative, multi-disciplined team collaboration between Torbay and South Devon NHS Foundation Trust (TSDFT) and Devon Partnership Trust (DPT) that focused on improving the quality of life for people with Dementia in Care Homes. The case study on page 10 describes the impact of this intervention and how the team worked with the provider to improve the quality of life for that person.

The Care Home Education and Support Team (CHES) continues to build effective working relationships with Residential and Nursing Homes within the Torbay area. This model was so successful that a collaboration between DPT and Devon County Council (DCC) was trialled in South Devon and remains operational today. Our last survey highlighted that 62.5% of Care Homes said the CHES team had a positive impact on the person's quality of life. 85% Of Care Homes surveyed responded that there was a positive impact on their knowledge of working with residents with Dementia. A new survey will be commissioned shortly with providers to assess the impact of Covid-19 on the service and how the offer could be further developed under the ASC Redesign process.

In 2018/19 the service was further expanded and the CHES team commenced working with people in their own homes supporting families and carers to maintain their loved one in an environment that is familiar to them. In 2020, the team suspend all usual business as a result of the Covid-19 epidemic and formed part of the overall Crisis Response to the Torbay community.

### **Focus on Homelessness**

An integrated team consisting of a social worker, drug and alcohol treatment worker, housing staff, outreach team and the new Housing First team have worked to remove barriers for people who are homeless to access housing, health and care services. The new Housing First team work with those whose needs have not been previously met; housing people straight from the streets into the community, and providing intensive support to help people maintain the accommodation. The team work across 7 days a week and have a case load of only 5 people to ensure that they can provide the levels of support that people need.

**In summary** Despite the challenges we face of an increasing older population, the demographics of our population, complexity of presentation across all age groups, and resultant social care activity, and Covid-19 challenges, we will continue expand our approaches to improving the quality of life for all sections of the community demonstrated in our case studies below.

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## CASE STUDIES

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### Space

Hi. My name is J. Over the last year Space (Support Planning) have helped me to move on in my life. Last year my Support Planner helped me to get voluntary work. I've been doing gardening and even helping at the Christmas Grotto with the Rotary Club. Last year I became homeless after my relationship ended. Space worked to find me my own flat. This was great because I know lots of people in the area. I've been able to help other people to do their gardens. I get support from Summon Bonum to help me to plan meals and manage my money.

Late last year my daughter came to live with me full-time. My one-bedroom flat wasn't big enough. I've just moved again. Space worked with my social housing landlord to get a two- bedroom flat. My daughter has her own bedroom for the first time ever. I had help to decorate the new flat. Staff from a day centre, Summon Bonum and Space did loads. It looks fantastic. I'm really proud to have my daughter living with me.

Because people all worked as a team around me and my daughters support, things are looking great for our future. I want to thank my Social Worker and my daughter's Social Worker, Summon Bonum, Mayfield School, Hollacombe CRC and Space. This year I want to get a paid job and make sure that me and my daughter have a happy home. I'm also an Ambassador for the Torbay Learning Disability Partnership Board. I hope that I can help other people to be more independent, learn new skills and get jobs.

## Partnership working to achieve a desired based outcome

G found living independently without support challenging and after experiencing a period of mental health crisis, she ended up having a lengthy psychiatric inpatient stay in hospital. Following this admission, G was discharged into a Residential Care home. G reported to be happy in Residential Care and remained in the setting for a significant period of time.

The Under 65 Mental Health Social Care Team reviewed G's needs and sought her views, she spoke of her desire to have more independence whilst also receiving support with certain tasks. The team worked with G and local providers to identify supported accommodation where G could experience a greater degree of independence whilst benefitting from support that ensured her needs were met and further periods of mental health crisis could be avoided. G has flourished in this environment and has been able to start new hobbies and build local connections

## Focus Strength-Based Outcomes through Technology

The Trust has developed, with NRS Healthcare and Cascade3d, a solution which allows patients with complex/high risk needs to manage their own health at home using health monitoring devices which Bluetooth results to a dashboard and video device to link in directly with their community nurse for scheduled visits and/or when an exasperation occurs.

The first patient trailed this solution in November 2019 after over 100 days of non-elective hospital admissions that year, including 8 non-elective admissions (NEAs) within a 12-week period. This patient has complex conditions including brittle asthma so a certain level of hospital admissions should be expected however the focus was to reduce the frequency and length of stay in hospital settings and the other clinical and primary care consultations. During the 7 months since the system was installed the patient has only had 1 NEA requiring only 3 nights in the hospital. This demonstrates that she is managing her health better, only going to hospital when required, but going at the right time so the recovery time in hospital is less. She has reported feeling less anxious and pleased with the solution.

This solution was expedited during the Covid-19 season to around 40 patients. Positive feedback from both staff and patients who report use of music, audiobooks, games & links with family as well as the health devices. The project is now being progressed with Sarah Bradley for clinical and locality management to formalise processes, ensure efficiencies through changing workforce practice and establish clear inclusion/exclusion to ensure after 6 months we have a clear analysis of the whole group.

## Outcome 2: Delaying and reducing the need for care and support

Our aim is to give people the best opportunity possible to manage their own health and care independently and proactively in their own home wherever possible. To do this we aim to provide integrated services, which empower people to live their lives to the full. The knock-on effect is that for some people dependency on intensive care services will be delayed or reduced.

### How are we performing?

Performance within this area has been strong with the number of people able to live independently for longer increasing, which reduces a small amount of pressure in the care home market.

Over the past four years the Trust, the Council and Voluntary Sector have worked closely together to improve services for people that help them stay in their own home. This has happened via the local Prevention Strategy and the development and implementation of the local integrated Model of Care that has prevention and wellbeing services sitting at the heart of everything that we do.

We have worked in partnership to develop the care sector and more integrated community multidisciplinary service provision. This helps people improve and regain their independence and prevent people from having to go into long term care.

### Supported living provision

Torbay's Supported Living framework has been in place since April 2018, during 2019 the tender was re-opened with additional providers joining the framework. Together we have been working to promote the delivery of an outcomes-based service with reportable quality measures; providing an enabling environment in promoting greater independence and improved health, wellbeing and quality of life. Whilst we are now better placed with regard to our Supported Living services in Torbay we do recognise this is as an area of potential growth as we move away from more institutionalised care. There is on-going work to identify gaps in the market and for which client groups there is a lack of provision. We have seen some movement of people out of Supported Living into more independent accommodation as their confidence and skills have increased / improved and also people moving out of their family homes on their journey to increasing independence.

During the year, working in partnership with the Trust, some of our framework providers have identified opportunities for the provision of additional accommodation supporting our intention to support more people to remain living in their own community. Unfortunately, due to COVID19 these discussions have stalled creating a delay in further development at this time with these expected to continue into 2020/21.



## Enhanced Intermediate Care

We have invested in Enhanced Intermediate Care services to help people stay independent at home longer. Intermediate care also aims to avoid hospital admission if possible and delay people being admitted to residential care until they absolutely need to. Intermediate Care also is a key requirement in facilitating early discharges from the hospital. We work to ensure Enhanced Intermediate Care is fully embedded working with GPs and Pharmacists as part of the health and wellbeing teams within Torquay, Paignton and Brixham. We also have a dietician in the Torquay locality

We have developed stronger links with the ambulance service and the acute hospital which means that patients experience a more seamless service between settings. We work with the Joint Emergency Team in the Emergency Department (ED) to prevent an unnecessary admission into the hospital when they present in ED.

We have recently started doing a virtual multi-disciplinary team meeting with the Care Home Visiting Service, Older Mental Health Services, dietician, pharmacist and Health Care for the Older Person Consultants. This happens weekly and we refer any patients in our Intermediate Care service who we feel would benefit from this specialised group of clinicians. This results in the patients receiving suggested care by the consultants without having to attend an appointment

The average age of people benefitting from this service is 83 years old. The deeper integration of these services has helped ensure people have shorter stays in hospital. The average length of stay for people admitted to Torbay Hospital in an emergency is amongst the lowest in the country and the number of people experiencing a delay in their discharge is minimal.

We are in the top third in the country for our performance here. The implementation of a 'discharge to assess at home' pathway has further developed the ability of the organisation to care for people at home – 'the best bed is you own bed'.

### **Extra Care Housing**

We have seen an increasing number of people of all ages moving out of residential care into Extra Care housing or accessing Extra Care as an alternative to residential care. Working with parents we have been able to support their adult children, with regular and on-going support and care needs, wishing to move out of the family home into Extra Care housing. Demand for this type of accommodation continues to outstrip supply, the Trust holds a waiting list of people meeting eligibility for this type of accommodation. The Council, with their partners, which includes the Trust and CCG, has established an Extra Care project group to identify the need, inform design and work towards the provision of additional Extra Care Housing in the Bay.

### **Wellbeing services with the Voluntary Sector**

During 19/20 the Voluntary Sector Friends Centre (H&WBC for Brixham) became operational and have focused upon getting activity up and running to consolidate for the future. The later part of the year the centre has to closed due to COVID-19 and Brixham Does Care refocus on supporting local people by providing a helpline service and supporting isolated people in their own homes.

The planned Health and Well Being Centre at the Paignton Library site did not proceed as envisaged last year as the scheme was not affordable. The H&WBC continues to operate effectively at the former Paignton Hospital site whilst the Trust re-evaluate service and estates options. A full range of services continue to operate from the H&WBC, however longer term the estate is not sustainable as the facility is more than 100 years old. The Paignton and Brixham Stakeholder group has been briefed with regard to the current state of play”

### **Voluntary and Community Sector**

Close working relationships between Voluntary and Statutory sector partners continue to develop in Torbay and have been enhanced by a strong community response to the COVID-19 challenges.

The Trust continues to fund and support a range of core contracts. During COVID-19 the Voluntary sector set up a highly effective phone help and referrals line to support local people including recruitment of volunteers and support to the newly established Torbay Food Alliance. The Trust’s Volunteers Service works ever more closely with the Voluntary Sector, sharing resources and setting up ‘passporting’ of volunteers between various organisations.

Since March 2020 a Steering group including representatives from Torbay Council, Torbay and South Devon NHS Foundation Trust, Public Health, Healthwatch and representation from the voluntary sector including Torbay Community Development Trust who led the helpline, Citizens Advice, Age UK, local faith groups and many others.

The group has worked with an excellent sense of common purposes and meets on a regular basis. Looking ahead we are keen to capture the ethos of this period by always working on a co-design basis with the voluntary sector and endeavouring to incorporate the helpline function into ongoing arrangements are part of developing a community-based offer as part of the Adult Social Care three-year plan. We will continue to show leadership when engaging with supporting stakeholders and work in a transparent fashion in our engagement and partnership working

### Community Led Support

In January 2019, we embarked upon the Community Led Support change programme in Adult Social Care. The programme aims to break down the barriers between statutory services and communities, enabling earlier intervention and supporting people to achieve the outcomes that matter most to them; in a way which is more flexible, sustainable, and takes into account their own assets and strengths. There are three key focus areas in the programme, in which we made good progress through 19/20:

- Shifting our culture towards one which empowers individuals to take ownership of their own wellbeing, helps them to identify their own strengths and assets, and connects them to resources in the community that can assist them in staying well and living a fuller life.
- Changing our systems and tools to enable our staff to work differently; reducing bureaucracy and ensuring that our response is proportionate. This includes changing how we assess a person's needs, plan how those needs are met, and allocate a budget. In 19/20 we worked with staff to redesign these tools, which are being implemented in 2020.
- Adopting an outreach-based delivery model, where we can engage with individuals in community settings (which we call "Talking Points"), alongside independent and voluntary sector partners. This can include formal assessments or informal signposting and advice. We know that local communities hold a wealth of resource, skills and knowledge; which we can build upon by working together. By doing so, we can reconnect people to their local communities and all the things around them which will help them to stay as well and independent as possible. Between January and October 2019, we established 10 Talking Points in a Bay-wide pilot, and supported 365 people this way.

## Technology Enabled Care Services (TECS)

In Torbay the Trust commissioned a TECS service to support private clients to find solutions which prevent and delay the requirement for formal services; for people eligible within the care act TECS will be considered before other care is put in place and enable people to remain in their own homes. TECS offer opportunities to transform lives for people as well as those caring for them in a convenient, accessible and cost-effective way enabling people to engage and take control of their wellbeing and manage their care in a way that is right for them.

2019/20 was the first full financial year for this service. A large investment was given in training staff and managing the impact of culture change. The service had a slow initial uptake however referrals increased significantly which led to substantial avoidance of cost and capacity to other formal care. There was a 20% increase in private clients accessing the service which demonstrates people sourcing their own solutions to remain independent at home.

For 2020/21 the TEC provider is putting together a 2-year delivery plan to extend the reach of technology to the private sector with more 'upstream' preventative, delay technology solutions and to consider how to meet the technology challenges in the community following Covid-19. A full restructure of the referral service including an online ordering system and online training for equipment is being implemented. With a marketing strategy, technology solution refresh and revised training and simpler access we expect to see more activity for the service which will be logged on the benefits realisation tracker which records the impact to the wider system.

### **In summary**

We have performed strongly in this outcome through development of the care sector and development of health and wellbeing centres in Torbay. We are proud to have won the Local Government Award for integration of our services in recognition of this. We will continue expand our approaches to embedding high quality integrated and personalised care as demonstrated in our case studies below.

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## CASE STUDIES

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### Technology Enabled Care Services (TECS)

Insight to how people manage when they are on their own is difficult to obtain however it is required in order to make good and proportionate decisions with clear evidence.

An elderly client and his family strongly believed he was not coping and should move into a residential care home. A set of passive monitors were installed to establish nutrition, hydration, night time activity and independence levels. These monitors are intuitive, learning patterns and raise alerts when people deviate from those regular behaviours. For this gentleman the social worker reviewed the dashboard of data which confirmed the level of day time care required, but also gave her full confidence that he did not have significant night time needs and did not require residential care, so he could remain safely in his own home.

### Young Adult Carers

I have been registered with Young Adult Carers for just over 4 years for support in my caring role for a parent and one of my siblings. The last few years have been particularly tough on my own emotional and physical well-being.

Through ongoing support from the Young Adult Carers Team I was able to go on a sailing experience with the Tallships Trust, this was life changing for me – I learned to address some of my own ‘nightmares’ head on and learn new skills and grow in confidence. I was also able to access a variety of sailing trips with the help of Young Adult Carers; all these experiences have had a direct impact on my emotional wellbeing – they have helped me to grow as a person and improve my self-esteem and confidence along the way. Through Young Adult Carers I was referred to the Healthy Lifestyles Team (exercise referral) and was able to access a gym where I did weekly circuit training. Yes one of the workers came with me for my initial viewing of the gym but thereafter I was able to go on my own, the benefits of going to the gym meant I felt healthier in mind and body. What was also really helpful is that the young adult carer team were readily available Monday to Friday for a chat, coffee and to give some reassurance.

Through Young Adult Carers these positive experiences have led me into employment with TSDFT, applying for university and being able to form a group of friends with a mutual love of cars. I have done things I wouldn't have thought possible – gone fishing with friends, attended car shows and much more.

## Talking Points

A gentleman in his 50s began to attend Eat That Frog CIC; which hosts one of the weekly social care Talking Points. He has learning difficulties and Diabetes, which at the time he was struggling to manage with insulin; despite frequent GP visits. He had always lived with his mother until she passed away, so was not used to living alone and managing a household. He visited the community fridge at Eat That Frog a few times, as he was struggling with money and needed food. Staff there also noticed that he was not taking good care of himself; he had lost a lot of weight and was withdrawn. After building trust, staff at Eat That Frog persuaded him to meet with our social worker, at the weekly Talking Point.

Through talking together, the gentleman admitted that he was struggling and felt ashamed. He wanted support to connect with others, gain some life skills such as budgeting and cooking, manage his diabetes better, and have a sense of purpose again. He also wanted to see his brother in Dover, who was terminally ill.

Working in partnership with a number of groups and with the gentleman we were able to secure some free community courses for him. These have built his capability around cooking, nutrition, budgeting, self-care and household management. We also found him a volunteering placement with Food in Community, and together were able to fund his bus fares to his placement through the charity. Through these opportunities, he has built confidence and made friends; his health and wellbeing continue to flourish. We also secured funding from the Lions Club charity for the gentleman to visit his brother before he passed away. M is now volunteering at another community food charity. No paid services were required at all

## Outcome 3: Ensuring people have a positive experience of care

Our aim is to ensure people and carers have the most positive experience of care and support possible and that people can easily access information and advice in a way that is sensitive to their needs.

### How are we performing?

More than 1400 Carers of Adults received an assessment / health and wellbeing check this year, which is 40% of people receiving Adult Social Care services against a target of 36%. Significant work was done to improve Carers experience when supporting someone in hospital, with measures such as the Carers' Hospital Passport, orange lanyard and Family / Carer Supporters on wards to improve the identification of and support to Carers. We also worked with partners across the whole of Devon to ensure their 'Commitment to Carers' to improve the identification and support for Carers. We started work on the GP Carers Quality Markers, which contributed to a 14% increase in Carers identified in Doctors' practices, and there was a 24% increase in people joining the Carers Register which links them into additional support.

### Focus on experience of care and support

Our strategy for improving people's experience of care and support is based on the recognition the need to work proactively with people on their wellbeing. It is about thinking in a personalised way about what matters to the person and how this will facilitate self-care and improve their experience of care and support. We seek to emulate Carers' experience of care and support across whole population and system. In 2018/19 we have continued to make progress in our whole system journey in moving towards more ways of working with people's strengths. We are further embedding integrated services which focus on people's ability to live life independently and planning in a more personalised way for living well: such as Enhanced Intermediate Care, Wellbeing Co-ordination.

## 📌 The Hope (Help Overcoming Problems Effectively) Programme

In previous editions we described how we commenced developing and growing our holistic 6 week supported self-management programme HOPE, which is now so successful that we are supporting its role out across Devon. Follow this link if you want to know more, or participant in a programme for yourself – you’d be very welcome.

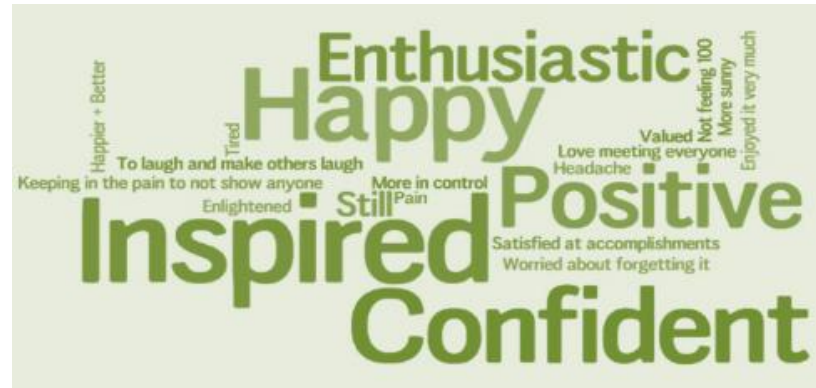
<https://www.torbayandsouthdevon.nhs.uk/services/hope-programme/>

By April 2020 we had over 106 trained and active facilitators who between them ran over 50 courses. At the time of writing, over 1,000 people have participated in a locally coordinated HOPE programme.

Our facilitators hail from a wide variety of partner organisations with around 18% being people with lived-experience who have previously attended a programme as a participant in their own right, we believe that this is a testament to the value it brings to people’s lives.

A recent independent evaluation of our local HOPE programme indicates that “attending the Hope Programme resulted in significant and meaningful improvement in participants’ knowledge, skills and confidence to self-manage (patient activation) and mental wellbeing” that are sustained over a 12 month period. This programme has been embraced locally and is a fabulous example of collaborative partnerships.

Read for yourself what one of our participants said:



<p>So I started a hope course 3 weeks ago          I was in a mess and couldn't seem to find a way out since attending hope my outlook had changed i have met some wonderful people and got this little tattoo to remind myself of the bad times I have had but also the fact their is always hope          For me hope stands for hold on pain ends</p>	
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### Focus on information and advice

During 2019/20, Torbay Council, along with its partners in the NHS, voluntary and private sectors, continued to provide information and advice on health and care to the people within our community. Torbay Council and Torbay and South Devon NHS Foundation Trust have a long-standing commitment, and track record, to ensure that people who use both health and social care services have integrated care – services that work together to give best care based on a person’s personal circumstances.

The Care Act 2014 further develops this principle by the shift from the local authority’s duty to provide services to meeting needs. We offer information and advice to help everyone understand what support they will need to help them better plan for the future. We are closely working with others, such as voluntary and community sector organisations to co-produce changes, and to communicate with service users and residents, to involve them in the implementation of the Care Act. An example is the FAIR (Financial Advice, Information & Resilience) project, making advice and financial information services more accessible for people over 50.

Towards the end of 2019/20, the emergence of the COVID-19 pandemic has meant that partner agencies have had to significantly shift their focus with regards to the provision of information and advice, to support the people in our community with dealing with this crisis.

Examples include: the joint NHS and local authority Shielding Hub team supporting vulnerable people needing extra help while following advice to ‘shield’ at home; and the Torbay Helpline (for people in need because of illness or isolation and also for those that are prepared to offer help) a group of organisations from the charity and voluntary sector in the Bay including the Torbay Community Development Trust, Brixham Does Care, Age UK Torbay, Healthwatch Torbay, Ageing Well Torbay, Citizens Advice Torbay, the Torbay Advice Network, Homemaker Southwest and What’s Your Problem, all working alongside Torbay Council and the Torbay and South Devon NHS Trust

During 2020/21, Torbay Council, along with its partners in the NHS, voluntary and private sectors, will be undertaking a strategic review of information, advice and guidance related to adult social care, to build on our existing approaches so that people are better informed when making decisions about their health and care needs.

### Carers Support

The Trust will continue to deliver their legal requirements for Carers of Adults in Torbay and the priorities agreed in the Carers’ Strategy 2018-21. Progress against Strategy Action Plan attached at Appendix 1, but includes Carers’ Assessments / Health and Wellbeing Checks for Carers of Adults. 2019-20 targets have been met, but 2020-21 will undoubtedly have been affected by the coronavirus pandemic, to:

- Support to maintain Carers' health and wellbeing
- Carers' advocacy
- Promoting identification and support of Carers across the wider health/social care community, with national recognition of our work in our local hospitals
- Support to commissioners about market development to meet the needs of Carers and those of the people they care for, particularly around replacement Care
- Ensuring Carers' performance indicators are met
- Implementing NICE 'Supporting Adult Carers' guidance

We are working with our STP partner organisations to embed the 'Commitment to Carers', where each organisation commits to having an action plan to address the following seven principles.

1. Identifying Carers and supporting them
2. Effective Support for Carers
3. Enabling Carers to make informed choices about their caring role
4. Staff awareness
5. Information-sharing
6. Respecting Carers as expert partners in care
7. Awareness of Carers whose roles are changing or who are more vulnerable

In late 2020, consultation will take place with all registered Carers in Torbay about the priorities for the multi-agency Carers' Strategy 2021-24.

### **In Summary**

Our performance is good on the experience of care and support and information sources for Carers within this outcome. We are stable in people's satisfaction with services and will continue expand our approaches to embed personalised care experiences such as the HOPE programme. For more about the new online resource and Sarah's experience of the HOPE programme please see our case studies the next page.

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## CASE STUDIES

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### HOPE Programme

Written by S to new HOPE participants.

*To, A very special person,*

*You won't realise it yet but yes you are a very special person indeed!*

*Right now you are going to be feeling so many conflicting emotions, probably all negative. Fear of the group, the programme, yourself and your illness as well as feeling that the programme will not work for you. I can't urge you enough to stick with it because you can and will change!!!*

*On day 1 and first attendance to the programme I was scared, hated the fact that it was a group and instantly closed myself to any 'new' ideas, you have already tried everything right? Wrong, I have spent many years seeing varying professionals for depression anxiety and stress with new and some rather interesting techniques but nothing really worked.*

*HOPE turned out to be a new and enlightening experience for me and without trying to over exaggerate, it really has started a new and more positive chapter in my life, give it some time and embrace everything and I promise you it will make a change to you.*

*Take a look around the table, all these strange faces with people who have totally different problems to you right? Again wrong, you will soon become more emotionally intelligent and realise that these people are very similar to you, similar problems, similar issues, similar hopes and the wish to be happier.*

*Support each other open up and embrace, just go for it, you really can be happier and change your life. Just remember to take small steps and you will soon discover you have actually taken giant leaps forward.*

*You have now become part of a very special and very exclusive band of brothers and sisters, who will always be there for each other, good luck to you on this very special journey ☺*

## Community outreach coordination

Working as a community outreach coordinator for plus sized housebound individuals living in Torbay involves a 1:1 goal focused approach using health coaching conversational skills to support and empower individuals to achieve what matters most to them. We work with some of the most vulnerable individuals of society with a multitude of complex needs who have often experienced traumatic pasts, so empathy is essential to allow good therapeutic relationships to form with our clients.

We use Patient Activation Measures (PAM) questionnaire, at the start and end of engagement, as an outcome measure with the view that after 6-12 weeks engagement, their knowledge, understanding and confidence (their activation) of their health condition, is improved and thus they are more likely to make better choices and management strategies.

### Challenges and Progress of 2019/2020

Upon commencing the post in June 2019, it was daunting and a challenge to become known as a service with the community teams that we sit. With this role being new to healthcare and the NHS, even when the role was explained to former community colleagues, the full understanding of this role was still lacking. Pitches were made to teams but in order to feel more prepared and be consistent, I produced a PowerPoint presentation to outline in more detail what we do in our role, some case examples, referral process and extra things that we can offer in partnership with the fire service and links with the HOPE programme. By presenting this to community teams improved awareness and increased referrals from community colleagues, allowing a more collaborative approach. In the past 12 months, the community outreach coordinator post for plus sized, housebound individuals has progressed and developed having expanded our role awareness across community teams, gaining a partnership with Torbay fire service for free home safety fire assessments for our clients, working with the HOPE programme for our clients and developing a virtual delivery means for this programme allowing positive peer support to be established, working well with other teams to meet client's needs and goals, e.g. healthy lifestyles team, physio, OT, nurses, GP, Age, Wellbeing Coordinators and other community support groups.

Barriers still faced within this role are the lack of inclusion with some key professional roles with our housebound clients, this being said with COVID-19's changes to how people work, virtual contact may be possible with this service and our clients going forward.

## Success stories and what our service means to our clients

V



One lady, V, had been restricted to the inside grounds of her residential nursing home setting, spending most days in her flat with low self-esteem and found it hard focusing on future goals. V has complex health needs and when I first met her she voiced to be feeling isolated and missed having social occasions. From this she decided that she would like to have a tea party in her flat with a select number of close friends/residents because having social occasions meant a lot to her. To begin organising this event, V, with support was encouraged to create her own invitations, something she never thought she could do, she commented “I feel like I have achieved something for once” “I never realised how rewarding crafts could be” “I never thought my hands would be any good at being creative, I’ve surprised myself” “I feel so happy”. Following this V decided to join the residential home crafting team where she was able to achieve making things and get enjoyment from socialising with others who shared similar interests to her. On discussion V said that she would have remained in her flat rather than join this group as she never thought it would be something she would enjoy. (unfortunately, due to COVID-19 the tea party is on hold)

During our sessions V would often use it as a safe space to share things with me and from that we would discuss what support she would find useful and I would then signpost or support accordingly. V shared “I now feel I have someone I can talk to who will help me” “I feel safer since your input”. At the end of a visit with V, she decided to come outside with me where she enjoyed some sunshine, V mentioned that she had not been outside for over 6 months.

Additional involvement with V, was to increase her confidence to re-gain some independence as her current wheelchair was deemed unsafe. With OT involvement V was able to get a safer, better fitting chair which enabled her to access the community again with her partner, in confidence allowing her to feel “wonderful” and “finally have her freedom back”. Since involvement V summarised “the input from people like you has completely changed my life and I am very grateful for that. Thank you”. “I feel organised and able to focus on things that are important to me, which I didn’t used to do”. “I feel great”. “life is rosy but it will only get rosier”. “I am more assertive now and learning to enjoy life”.



## J

I was first introduced to J through Physio but he was also on our high risk identified list, he was one of my first clients. J has been housebound as a result of his plus size for many years. He has a diagnosis of depression and can find his mood a challenge when wanting to achieve things, in hand with lack of sleep it often made him “put off things”. J has made improvements over the years and no longer has alcohol, recognising that this exasperated his situation. As a therapeutic relationship began to form, J felt more comfortable opening up about his past and his current daily struggles and stresses, one of which was his finances. By supporting J with the correct contact details of appropriate companies and being a second ear for the calls, J was able to sort out some troubling debts which he commented to now “feel calmer with his finances”. Jon also said “I have got my mind back where it should be to function properly because of your intervention and assisting with energy refund”.



J also had a goal of wanting to organise and sort through his garage which is where he housed his tools and workshop but had been unable to access it for a number of years. After providing some suitable contacts, J independently organised a skip and together with help from a friend of his we managed to de-clutter and organise his garage so that he was able to access his workshop to sort through his tools in time. Having achieved this Jon commented that he “is in the best mental state he has been in for years and feels a 100lb weight has been lifted off his shoulders”. With partnership of Torbay fire service, J had a home safety fire assessment completed to provide advice, reassurance and they fitted a new smoke alarm to increase safety precautions.

Through engagement with J his actions of managing his health and situation became noticeably more positive as time went on. J began to take control of his goals and would often have achieved it and more in between our sessions. Prior to COVID, J had started engagement with healthy lifestyles team to focus on healthy eating and had been granted online slimming world membership. On discussion with J he commented “now the only way is up, I can see light at the end of the tunnel” “I am in the happiest place, brain wise I have been all my life”.

## How the community outreach coordinator role can develop in the future?

Ideally a specialist multi-disciplinary team whose primary goal is to support and empower housebound plus sized individuals to accomplish what they wish for their lives would be beneficial.

As we acknowledge, our clients have often experienced traumatic pasts, and for some to have specialist support with this, could help them on their journey of leading the life they wish to live therefore to have a psychologist/counsellor on the team would be of great benefit. Including a specialist weight management dietician would be ideal to support our clients when they wish to have this as their personal goal. Having the team based at the same location would enable better sense of team support and drive. Secondary to this, having the community care coordinators based together and having an allocated specialist within each area e.g. physio, OT, Dietician, psychologist etc would enable consistency and a true holistic understanding of our team goal to support and empower our clients to achieve what matters most to them.

Going forward, if we had psychology as part of our service package, then expanding out to clients who are housebound for a variety of reasons, not just plus sized would widen our scope of practice and be beneficial for more of our population. From experience we have had to decline a number of referrals who are housebound due to other means e.g. mental health issues.

Continuing the links and delivery of the HOPE programme to clients through virtual means to allow accessibility to housebound individuals, use of health coaching skills and partnership with the fire service would remain as part of the service offers. To expand further and allow better inclusion, widening out to South Devon area would be ideal practice.

## Outcome 4: Safeguarding people whose circumstances make them vulnerable and protecting them from avoidable harm

Our aim in the broadest sense is for the public, volunteers and professionals to work together to ensure everyone is treated with dignity and respect, and that people have choice, control and compassionate care in their lives.

'Safeguarding' is a term used to mean both specialist services and other activity designed to promote the wellbeing and safeguard the rights of adults where harm or abuse has or is suspected to have occurred. Our responsibilities within care services are to: make enquiries or cause others to do so where safeguarding concerns are identified; co-operate with key partner agencies, to carrying out timely Safeguarding Adult Reviews; to share information to meet the aim of protecting vulnerable adults and to train our staff to respond effectively to safeguarding concerns.

### How are we performing?

99% of concerns are triaged within 48 hours with high risk recorded as 100%. Repeat referrals have decreased to 6.9% during the past 12 months. People say that risk is either reduced or removed as a consequence of interventions and that responses fully or partially achieve peoples preferred outcomes.

In 2019-2020 in excess of 2000 contacts were made to the Safeguarding Adult Single Point of Contact. 752 of these were triaged as adult abuse concerns with 148 proceeding to safeguarding enquiries.

The Trust's work in this area primarily divides between the community operational teams who respond to safeguarding concerns and our Quality, Assurance and Improvement Team (QAIT) which works with care homes and domiciliary care providers to promote high quality care and proactively monitoring quality standards.

We work closely with Devon and Cornwall Police, Devon Partnership Trust and the Care Quality Commission both in causing enquiries to be made and maintaining strong local partnership arrangements.

Ultimate accountability for safeguarding sits with the Torbay Safeguarding Adults Board (TSAB) a well-established group that provides a sound basis for the strategy on delivering these legislative requirements. The Board has a Business Plan to reflect key priorities identified by members.



## Learning from Safeguarding Adult Reviews

Torbay Safeguarding Adults Board (TSAB) must arrange a Safeguarding Adults Review (SAR) when an adult in its area dies as a result of abuse or neglect, whether known or suspected, and there is a concern that partner agencies could have worked more effectively to protect the adult.

TSAB must also arrange a SAR if an adult in its area has not died, but the SAB knows or suspects that the adult has experienced serious abuse or neglect. Boards may also arrange for a SAR in any other situations involving an adult in its area with needs for care and support.

Following the publication of a safeguarding adults review executive summary in March 2019, an action plan was created and agreed in October 2019. A task and finish group is overseeing the completion of the action plan. In addition, practice learning briefings, screensavers and learning review posters were widely distributed. The group have also considered two more SAR referrals during this period, but to date, no new reviews have been commissioned. We have also worked to ensure that our response processes align with colleagues in Devon County Council for consistency of approach.

## Advocacy for people unable to make decisions for themselves

We continue to use advocacy services across the three legal frameworks: Mental Health/IMHA, Mental Capacity/IMCA and Care act this is via a contract with Devon Advocacy consortium. We have not been using the Care Act advocacy service to the same level as we use the IMCA service. A recent promotion of this (Care Act) advocacy service has been undertaken, and a rigorous monitoring will be undertaken to ensure people who use are services are appropriately supported at all times. The IMCA service is really well used, and we regularly refer people through. Advocacy continues to take place to ensure the human rights of people lacking capacity are upheld during the Covid -19 pandemic. It is done via remote contact taking into consideration relevant caselaw and Court guidance to inform practice.

## Deprivation of Liberty

This is a key Safeguarding issue where sharing experience together as partners is critical. Safeguarding in this context is about ensuring that those who lack capacity and are residing in care home, hospital and supported living environments are not subject to overly restrictive measures in their day-to-day lives, but the risk of high risk of harm is mitigated. This is known as Deprivation of Liberty Safeguards (DoLS) Safeguarding - for example due to the serious onset of dementia an individual's capacity to act safely is significantly affected. In 2019/2020 the Trust has ensured local care provider services networks were kept up to date with current national and local picture on issues, holding engagement sessions with providers and disseminating information on best practice and legal risks to provide updates.

## Learning and Improvement

The TSAB learning and Improvement sub group has focused on several work streams including multi-agency case audit; training and competency framework review; embedding learning into practice and the interface between domestic abuse and sexual violence with safeguarding adults.

## Safeguarding Quality Checkers

We are delighted to have commissioned Torbay Healthwatch to undertake discovery interviews to capture service user / representative feedback on how well local safeguarding responses supported them. Every person or their representative will be asked if they consent to providing feedback following which a random sample of people giving consent will be contacted by specially trained safeguarding quality checkers. Anonymised Independent reports will be submitted to TSAB and then used to directly inform local safeguarding systems and practices. The project began in April 2019 and has demonstrated some successes and its future provision is being reviewed.

### **In summary**

Whilst our performance is good, we must constantly strive to understand emerging issues for Safeguarding Adults in Torbay and act proactively to keep our performance good. A key message is that safeguarding is everyone's business and we are all part of our local safeguarding adult team. When adult abuse concerns are raised we work in a multi-disciplinary and multi-agency context to understand risk and ensure responses are person centred, include the right people and include the right partner agencies.

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## 5. Financial position and use of resources

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Our aim with this section of the review is to describe the financial resources available and how they have been used in the care sector. On 1st October 2015 an Integrated Care Organisation (ICO) was formed and this organisation's remit was to provide Adult Social Care (ASC) on behalf of the population of Torbay. From a financial perspective the Council's role as a commissioning body is to provide a funding contribution to the overall running costs of the ICO. In 2019/20 this contribution was £41.9m.

The ICO provides a diverse range of service, of which ASC is a part. The ASC aspect specifically comprises of care management and social care support across Torbay and includes the cost of social workers, community care workers, occupational therapists, physiotherapists, finance and benefit assessors and support service staff. The Council contribution towards ICO running costs therefore aims to cover the cost of these staff, in addition to the actual cost of client care (outlined in more detail below).

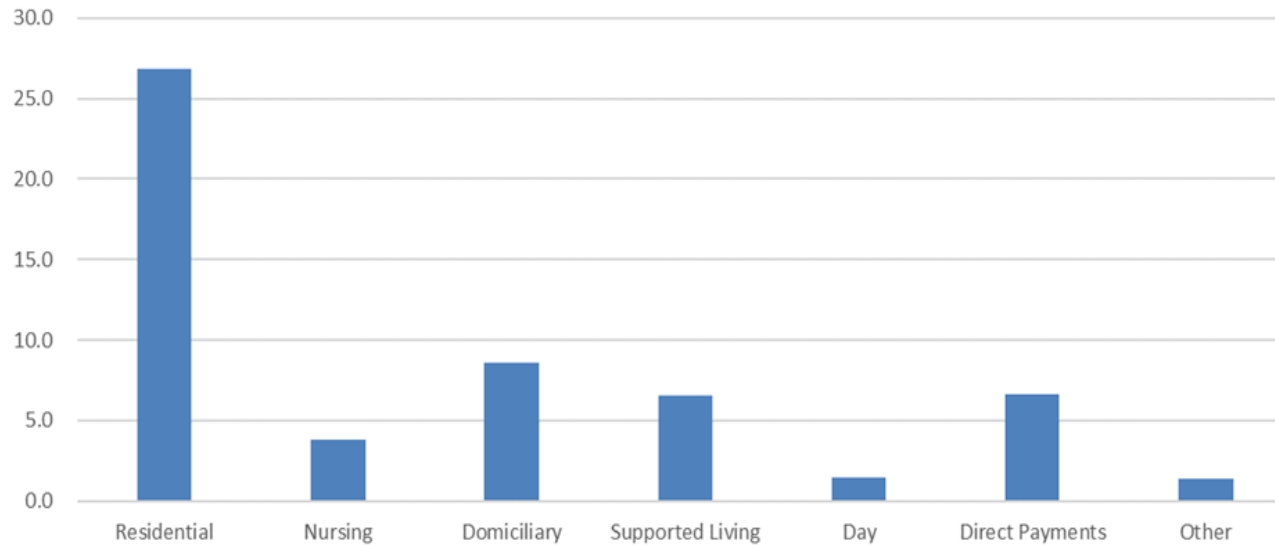
The vast majority of Adult Social Care spend is on the purchase of client care (including residential, nursing, day and domiciliary care) from independent providers. The majority of these providers are based within Torbay; however, the ICO also funds some specialist residential care provided out of area. At any point in time there is on average 2,300 people receiving a service of some type.

Net expenditure on Adult Social Care totalled £44.0m in 2019-20. This is the net figure after taking in to account all client contributions towards the cost of care.

Under national legislation people assessed as having a social care need are also given an individual financial assessment. This assessment can result in a client being asked to contribute towards the cost of any care that the Council then puts in place. The income collected from these client contributions in 2019/20 amounted to £11.4m. The total (gross) expenditure on services was therefore £55.3m and the allocation of this gross expenditure across different types of services is illustrated in the chart on the next page.

These services are provided to clients aged 18 to over 100 years old, with a range of needs such as learning disabilities, mental health issues, dementia, as well as those with sensory or physical disabilities, vulnerable people, and the frail and elderly.

Independent Sector Gross Expenditure Breakdown 2019/20 £ms



### Financial outlook for 2020-21 and beyond

The main challenge will link to the impact COVID-19 has on this area, the full ramifications of which may not be known until later in the year. Such issues will likely be centred around the financial viability of independent providers, whether that is due to reductions in the number of placements or through changes necessitated through social distancing. The ICO is committed to working with its providers over this time to ensure support is available and that any relevant funding is passed on in a timely manner.

Even with this issue aside, there continues to be significant operational and financial pressures facing Health and Social Care across the Country. These range from economic issues such as continued increases to the cost of care, ongoing funding constraints and a significant elderly demographic compared to other parts of the country. Despite these issues the Council and its partner organisations are committed to ensuring resources are managed so that we can provide the best level of care, for the highest number of clients.

## 6. Performance overview

Our aim with this section of the report is to provide an overview of performance and how we have performed by comparison to the average last year in England for each measure.

In overview, 80% of our performance is 'Good', this importantly includes our performance on day to day delivery in assessing care needs and starting care provision in a timely way and people's satisfaction with services. It also includes indicators which tell us our strategy for integration to enable independence at home is starting to have impact with a reduction people placed permanently in residential home and care home use.

We will always actively engage in improving and have identified the main areas which need improvement as: the number of people receiving written care support plans and a review of that plan; supporting people with poorer mental health into independent living and employment and how easily people can find information about services. The table below shows how well the performance targets have been met using the following system:

Green	Exceeded, achieved or within 5% of the performance target
Amber	Narrowly missed performance target by between 5% and 10%
Red	Performance needs to improve, target missed by 10% or more

Domain & KPI	2018/19 Outturn	2019/20 Outturn draft	2018/19 Target	2019/20 Target	2018/19 England Average
<b>Domain 1: Enhancing quality of life for people with care and support needs</b>					
ASC 1A: Social care-related quality of life	19.4	19.8	19.7	19.7	19.1
ASC 1B: The proportion of people who use services who have control over their daily life	80.2%	83.6%	81.5%	82.0%	77.6%
ASC 1C part 1A: The proportion of people using social care who receive self-directed support (adults aged over 18 receiving self-directed support)	92.6%	88.2%	94.0%	94.0%	89.0%
ASC 1C part 1B: The proportion of people using social care who receive self-directed support (carers receiving self-directed support)	88.5%	92.5%	85.0%	85.0%	83.3%
ASC 1C part 2A: The proportion of people using social care who receive direct payments (adults receiving direct payments)	26.6%	25.1%	28.0%	28.0%	28.3%
ASC 1C part 2B: The proportion of people using social care who receive direct payments (carers receiving direct payments for support direct to carer)	88.5%	92.5%	85.0%	85.0%	73.4%
ASC 1D: Carer-reported quality of life	7.5	n/a	9.0	n/a	7.5
ASC 1E: Proportion of adults with a learning disability in paid employment	7.0%	8.3%	6.4%	7.0%	5.9%
ASC 1F: Proportion of adults in contact with secondary mental health services in paid employment (commissioned outside ICO)	4.0%	1.7%	6.4%	6.4%	8.0%
ASC 1G: Proportion of adults with a learning disability who live in their own home or with their family	76.6%	78.6%	76.0%	80.0%	77.4%
ASC 1H: Proportion of adults in contact with secondary mental health services who live independently, with or without support (commissioned outside ICO)	55.0%	49.2%	68.0%	60.0%	58.0%
ASC 1I part 1: Proportion of people who use services who reported that they had as much social contact as they would like	51.8%	50.8%	50.0%	50.0%	45.9%
ASC 1I part 2: Proportion of carers who reported that they had as much social contact as they would like	32.4%	n/a	41.5%	n/a	32.5%
ASC 1J: Adjusted Social care-related quality of life – impact of Adult Social Care services	0.386	0.399	no tgt	no tgt	0.403
D40b: % clients receiving a review within 18 months	88.7%	80.3%	93.0%	93.0%	n/a
SC-007b: Number of OOA placements reviews overdue by more than 3 months (snap shot)	3	0	0	0	n/a
D39: % clients receiving a Statement of Needs	84.3%	80.9%	90.0%	90.0%	n/a
NI132: Timeliness of social care assessment	76.1%	70.7%	80.0%	80.0%	n/a

<b>Domain 2: Delaying and reducing the need for care and support</b>					
ASC 2A p1: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 1 - younger adults	18.8	24.2	14.0	14.0	13.9
ASC 2A p2: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 2 - older people	490.2	526.4	450.0	450.0	579.4
ASC 2B p1: Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services. Part 1 - effectiveness	76.7%	80.3%	76.5%	76.5%	82.4%
ASC 2B p2: Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services. Part 2 - coverage	6.2%	6.3%	5.0%	5.0%	2.8%
ASC 2C p1: Delayed transfers of care from hospital per 100,000 population. Part 1 - total delayed transfers	8.1	10.1	8.4 (TBC)	TBC	10.3
ASC 2C p2: Delayed transfers of care from hospital per 100,000 population. Part 2 - attributable to social care	2.6	4.5	2.6 (TBC)	no tgt	3.1
ASC 2C p3: Delayed transfers of care from hospital per 100,000 population. Part 3 - jointly attributable to NHS and social care	0.3	0.4	no tgt	no tgt	0.8
ASC 2D: The outcomes of short-term support % reablement episodes not followed by long term SC support	87.5%	85.9%	83.0%	83.0%	79.6%
LI-404: No. of permanent care home placements at end of period	605	632	600	600	n/a
BCF-01: Non-elective hospital admissions (general and acute)	15,267	TBC	no tgt	no tgt	n/a
LI-451: % of social care service users receiving 5 hours or less of dom care per week only	10.1%	10.3%	8.0%	10.0%	n/a
% of people (65+) given reablement prior to a social care package of care	58.0%	52.9%	70.0%	no tgt	n/a
LI-452: % Intermediate Care placements not resulting in short or long term placement	85.3%	83.6%	75.0%	85.0%	n/a
LI-453: Number of people discharged from hospital into permanent residential care (social care funded)	8	13	no tgt	no tgt	n/a

<b>Domain 3: Ensuring that people have a positive experience of care and support</b>					
ASC 3A: Overall satisfaction of people who use services with their care and support	69.7%	68.5%	70.0%	70.0%	64.3%
ASC 3B: Overall satisfaction of carers with social services	41.2%	n/a	46.4%	n/a	38.6%
ASC 3C: The proportion of carers who report that they have been included or consulted in discussions about the person they care for	70.4%	n/a	75.7%	n/a	69.7%
ASC 3D part 1: The proportion of people who use services who find it easy to find information about services	72.2%	72.5%	80.0%	80.0%	69.7%
ASC 3D part 2: The proportion of carers who find it easy to find information about services	72.2%	n/a	75.0%	n/a	62.3%
NI135: Carers receiving needs assessment, review, information, advice, etc.	29.3%	39.6%	36.0%	36.0%	n/a
<b>Domain 4: Safeguarding adults who circumstances make them vulnerable and protecting from avoidable harm</b>					
ASC 4A: The proportion of people who use services who feel safe	68.0%	70.8%	72.3%	72.3%	70.0%
ASC 4B: The proportion of people who use services who say that those services have made them feel safe and secure	83.1%	84.0%	85.0%	85.0%	86.9%
QL-018: Proportion of high risk Adult Safeguarding Concerns where immediate action was taken to safeguard the individual	100%	100%	100%	100.0%	n/a
TCT14b: % repeat safeguarding referrals in last 12 months	8.3%	7.8%	8.0%	8.0%	n/a

The notes are described on the following page.

## Notes:

1. The proportion of clients informed about the cost of their care (self-directed support)
2. The proportion of clients who receive direct payments
3. Proportion of adults in contact with secondary mental health services in paid employment
4. Proportion of adults with a learning disability who live in their own home or with their family
5. Proportion of adults in contact with secondary mental health services who live independently, with or without support
6. Proportion of clients receiving a review within 18 months
7. Proportion of clients receiving a care support plan
8. Proportion of assessments completed within 28 days of referral
9. Permanent admissions to residential and nursing care homes for older people (65+), per 100,000 population [a low value is better]
10. Number of people living permanently in a care home as at 31 March [a low value is better]"
11. Overall satisfaction of people who use services with their care and support - from annual user survey
12. The proportion of people who use services who find it easy to find information about services - from annual user survey
13. Carers receiving needs assessment, review, information, advice, etc.
14. Safeguarding Adults - % of high-risk concerns where immediate action was taken to safeguard the individual
15. Proportion of repeat adult safeguarding referrals in last 12 months [a low value is better]"



## 7. Looking after information

Our aim in this section is to set out that we take our responsibility of safeguarding the information we hold very seriously. All incidences of information or data being mismanaged are classified in terms of severity on a scale of 0-2 based upon the Health and Social Care Information Centre *“Checklist Guidance for Reporting, Managing and Investigating Information Governance and Cyber Security Serious Incidents Requiring Investigation”*.

Risks to information are managed and controlled by applying a robust assessment against the evidence collected as part of the national data security and protection toolkit return. During the period 1 April 2018 to 31 March 2019 the following breaches of confidentiality or data loss were recorded by the Trust which required further reporting to the Information Commissioner’s Office and other statutory bodies

<b>Date of Incident</b>	<b>Nature of Incident</b>	<b>Summary of Incident</b>	<b>Outcome and Recommendations</b>
09/07/2018	Paper: N/A	Letter sent to incorrect address containing Carers Emergency Card and returning information as provided by the carer; this includes detailed information about the carer and the cared-for parties’ situations.	Staff member spoken to and checking process amended, dedicated area now designated for inputting in order to reduce interruptions and subsequent errors.
28/09/2018	Electronic: N/A	Personal Health Budget email sent to third-party commercial exercise provider in error, contained medical diagnosis and wellbeing information	Discussed with staff and duty of candour completed
29/01/2019	Electronic: Patient Record	Wrong patient selected in system meant Intermediate Care Placement disclosed to wrong provider, includes Next-of-Kin details and mental health needs of other individuals.	ONGOING as patient has been affected by this error previously and investigation and correction of details is ongoing.

The three cases above relate to adult social care, a total of 32 out of 33 cases (1 ongoing) were reported to the ICO during this period have been reviewed and a decision was made by the ICO to close the case as no further action required. Any other incidents recorded during 2018/19 were assessed as being of low or little significant risk.

The Trust published the Data Security and Protection toolkit by 6 June 2019, this is recorded as ‘Standards Not Met’ pending approval and agreement of an approved action plan by NHS Digital; this work is overseen by the Information Governance Steering Group which is chaired by the senior information risk owner (SIRO).

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## 8. Healthwatch response to the Local Account 2019-20

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Healthwatch Torbay is the local consumer champion for health and social care. We ensure the voice of the consumer is strengthened and heard. We do this through a variety of methods including direct contact and the use of digital and social media. We use the knowledge we gain to report on the quality of the care people receive. We know that this is valued and used to improve future care.

We know that most people consider that those involved in providing our social care services are doing the best that they can. They look to this service to support them to remain safe and independent and to provide reliable support and information without delay and without confusion about the choices available as their need for care changes.

The Local Account report gives an opportunity for the public to gain a better understanding of what the service offers, how well it is performing now and what the future holds. Torbay NHS and Adult Social Care is well known for its commitment to working together with an aspiration for wrapping the service around the person. The real-life stories described in the report explain how this is making a difference. They also explain how the system works, something which remains a mystery to most people until they are, themselves, the story. The report also highlights the introduction of new ways of working, including implementation of Community-Led Support, the new Domiciliary Care contract, re-establishing the Learning Disability Partnership Board and forming a combined Voluntary and Statutory Partnership Steering Group. Healthwatch Torbay welcomed the opportunity to be involved with each of the new developments and has provided strong representation to ensure the voice of the individual remains central.

As part of our role in engaging with the public we have worked with Torbay Adult Safeguarding Board to gather feedback from individuals (through our Healthwatch Volunteer Quality Checkers) around Making Safeguarding Personal. The anonymised report was shared with Torbay Adult Safeguarding Board and used to inform local safeguarding systems and practices.

The health and social care system is rapidly changing at all levels and, along with added financial pressures, faces increasing demands to deliver high quality services to our communities. As from 1st April 2020, under a new Healthwatch Partnership contract, we welcome the opportunity to build on the existing good work of the current three separate local Healthwatch services in Torbay, Plymouth and wider Devon and to strengthen the community voice across the wider Devon area to help our stakeholders maintain and shape future services to meet these demands.

Overall, we consider that the Local Account presents a realistic overview of the performance and intentions for Adult Social Care and identifies appropriate internal controls and assurances.

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Dr Kevin Dixon  
Chair of the Board of Trustees, Healthwatch Torbay

**healthwatch**  
Registered Charity No: 1153450  
FREEPHONE 08000 520 029  
**Torbay**

**Meeting: Cabinet**

**Date: 22<sup>nd</sup> September 2020**

**Wards Affected: All**

**Report Title: Proposed Extension of Shared Services Arrangement for Trading Standards**

**Is the decision a key decision? Yes**

**When does the decision need to be implemented? 1<sup>st</sup> April 2021**

**Cabinet Member Contact Details: Christine Carter, Cabinet Member for Community and Customer Services, [Christine.Carter@torbay.gov.uk](mailto:Christine.Carter@torbay.gov.uk)**

**Supporting Officer Contact Details: Steve Cox, Environmental Health Manager, 01803 208029, [Steve.Cox@torbay.gov.k](mailto:Steve.Cox@torbay.gov.k)**

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**1. Proposal and Introduction**

- 1.1 This report summarises a proposal for a renewal of the Legal Agreement to the joint Devon County Council, Somerset County Council & Torbay Council Shared Trading Standards Service for 10 years from 01 April 2021. It also proposes an extension of the Joint Service to include Plymouth City Council. The Full Business Case is attached in Appendix 1.
- 1.2 The report asks for approval in principle of the renewal and extension of the Joint Service Legal Agreement, subject to oversight of the final Legal Agreement by the Joint Service Review Panel.

**2. Reason for Proposal and associated financial commitments**

- 2.1 The existing Partnership will be dissolved and replaced with the new arrangements from the 1<sup>st</sup> April 2021, so the proposal is seeking support in principle.
- 2.2 The proposals contained in this report will commit the Council financially in respect of:  
£251,100, which is existing money already allocated as Torbay Council's contribution to the partnership, which predominantly pays for the 4.4 FTE staff that transferred under TUPE arrangement's, plus the annual inflation pay rises, which remain Torbay Council's responsibility.

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**3. Recommendation(s) / Proposed Decision**

- (i) **that approval be given to the proposed renewal of the current shared Trading Standards Service arrangement with Somerset County Council and Torbay Council for a ten-year period starting from 01 April 2021,**
- (ii) **that approval be given to the proposed extension of the current shared service arrangement with Somerset County Council and Torbay Council**

for delivery of the Trading Standards Service to also include Plymouth City Council;

## Appendices

Appendix 1: Full Business Case

### Background Documents

### Report Clearance

<b>Report clearance:</b>	<b>This report has been reviewed and approved by:</b>	<b>Date:</b>
Chief Executive	Steve Parrock	17 <sup>th</sup> August 20
Monitoring Officer	Anne-Marie Bond	17 <sup>th</sup> August 20
Chief Finance Officer	Martin Phillips	17 <sup>th</sup> August 20
Relevant Director/Assistant Director	Tara Harris	17 <sup>th</sup> August 20

## Section 1: Background Information

<b>1.</b>	<p><b>What is the proposal / issue?</b></p> <p>The proposal is to extend the current and existing joint service partnership arrangements but to extend this to include Plymouth City Council. The current joint service had another two years to run on the current contract, but it made financial and business sense to start a new four way agreement than to merge Plymouth into the existing agreement, which would then need to be reviewed in two years' time.</p>
<b>2.</b>	<p><b>What is the current situation?</b></p> <p>On 1 May 2013, Devon County Council formally entered into a shared service agreement with Somerset County Council for the provision of a joint Trading Standards Service. Devon County Council agreed to host the Joint Service and the ex-Somerset staff transferred across under TUPE arrangements. On 1 May 2017, the shared service agreement was extended to include Torbay Council and the Torbay staff also transferred across under TUPE arrangements.</p> <p>The Joint Service has widely been held to be a success with regular reports to the Joint Service Review Panel (created as a cross-council governance group).</p> <p>The four authorities involved in the proposals presented in this report, like many others nationally, face similar challenges in ensuring that their regulatory services continue to meet customer needs at a time of significant financial pressure, regulatory change and increasing demand and expectations. One of the objectives of the Joint Service was to develop the capability to respond to possible changes in role, scope or budget by expanding the scope of the service either geographically and/or by broadening the range of functions within its remit.</p> <p>During the financial year 2019/2020, discussions were initiated between the Devon, Somerset, Torbay and Plymouth Councils and an initial report was submitted to relevant Members of each Authority via the Joint Service Review Panel.</p> <p>It was agreed that the project should proceed to the completion of a Full Business Case in respect of the proposal and project governance has been through the Joint Service Review Panel.</p>
<b>3.</b>	<p><b>What options have been considered?</b></p> <p>The only other option would be to bring this back under the management of Torbay Council, though this would entail greater costs, as well as require new additional management capacity. The consequences would also be a less resilient and arguably less effective service.</p>

<p><b>4.</b></p>	<p><b>What is the relationship with the priorities within the Partnership Memorandum and the Council’s Principles?</b></p> <p>The existing arrangements and therefore the new arrangements, support three of the four of the Council’s priorities. This is by supporting our residents, businesses and visitors so they are protected against fraud, doorstep crime and to protect food safety. There is a significant element of business support included within the partnership work, which also aligns the Growth Hub, Better Business for All and Buy with Confidence with regulatory services. The latter also supports vulnerable residents, by providing a list of trusted trade’s people. The delivery mechanism, through the partnership, is aligned to the priority of a Council fit for the future.</p> <p>The principles are achieved through a shared service and include:</p> <ul style="list-style-type: none"> <li>• greater resilience in the combined service in respect of service delivery, professional expertise and knowledge and the ability to respond to major incidents</li> <li>• “greater clout” in tackling major investigations</li> <li>• improved intelligence sharing</li> <li>• economies of scale from shared expertise and an opportunity to develop greater specialisms; to more effectively service the communities of Devon, Somerset, Torbay and Plymouth whilst still maintaining local responsiveness, choice and identity</li> <li>• maintaining achievement of key outcomes in the face of any reduced budget over the next three years</li> <li>• maintaining the ability of all four councils to fulfil statutory obligations</li> <li>• an easily accessible and consistent approach for those businesses that cover the Heart of the South West Local Enterprise Partnership area</li> <li>• greater efficiency in training and maintenance of staff competencies.</li> </ul>
<p><b>5.</b></p>	<p><b>How does this proposal/issue contribute towards the Council’s responsibilities as corporate parents?</b></p> <p>The Partnership is dedicated to providing business support, which helps achieve a thriving economy and the benefits that brings to disadvantaged families. Its regulatory protection, notably the protection against unsafe products and preventing underage sales support our role as Corporate Parents.</p>
<p><b>6.</b></p>	<p><b>How does this proposal/issue tackle poverty, deprivation and vulnerability?</b></p> <p>The answer above also demonstrates how the Partnership helps to tackle poverty, deprivation and vulnerability, which is also supported by the Buy with Confidence scheme, which wouldn’t be possible in Torbay without the support of the Partnership. This allows people to choose from a list of traders who are Trading Standards Approved.</p>

7.	<p><b>How does the proposal/issue impact on people with learning disabilities?</b></p> <p>The proposal has no positive or negative impact on these matters.</p>
8.	<p><b>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</b></p> <p>As this is a renewal of an existing service, there are no plans to consult with the public or existing stakeholders.</p>

## Section 2: Implications and Impact Assessment

<b>9.</b>	<b>What are the financial and legal implications?</b>  There are no financial implications, as this is a renewal of an existing arrangement. Legal will be consulted on the final legal agreement, all be it will be very similar to the current agreed agreement.
<b>10.</b>	<b>What are the risks?</b>  There are no new risks, unless Torbay Council withdrew from the Partnership and by doing so, the service provided to our businesses and residents would be of a poorer quality.
<b>11.</b>	<b>Public Services Value (Social Value) Act 2012</b>  This is not applicable as all parties are Local Authorities.
<b>12.</b>	<b>What evidence / data / research have you gathered in relation to this proposal?</b>  See Full Business case, appendix 1.
<b>13.</b>	<b>What are key findings from the consultation you have carried out?</b>  None undertaken as this is not a new proposal but a renewal of an existing arrangement.
<b>14.</b>	<b>Amendments to Proposal / Mitigating Actions</b>  None as this is not a new proposal but a renewal of an existing arrangement.



## Equality Impacts

15.	<b>Identify the potential positive and negative impacts on specific groups</b>			
		<b>Positive Impact</b>	<b>Negative Impact &amp; Mitigating Actions</b>	<b>Neutral Impact</b>
	Older or younger people	X		
	People with caring Responsibilities			X
	People with a disability			X
	Women or men			X
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			X

Religion or belief (including lack of belief)			X
People who are lesbian, gay or bisexual			X
People who are transgendered			X
People who are in a marriage or civil partnership			X
Women who are pregnant / on maternity leave			X
Socio-economic impacts (Including impact on child poverty issues and deprivation)	X		
Public Health impacts (How will your proposal impact on the general	X		

	health of the population of Torbay)			
16.	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	None		
17.	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	None		



## **Trading Standards Joint Service Devon, Somerset, Torbay & Plymouth**

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### **Full Business Case**

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## **1. Context and background**

### **1.1 Context**

The Trading Standards Joint Service, Full Business Case (FBC) sets out the case for implementing a joint trading standards service across Devon, Somerset, Torbay and Plymouth Councils. It has been developed jointly by the four councils and will be the basis of recommendations to all four councils on whether to proceed to implement a Joint Service.

The four authorities face similar challenges in ensuring that their services continue to meet customer needs at a time of significant financial pressure, regulatory change and increasing demand and expectations. Each of the four authorities is engaged in reviewing all service delivery areas under programmes of change designed to deliver new operating models.

In May 2013, Devon County Council (DCC) and Somerset County Council (SCC) formed a single service, known as the Devon and Somerset Trading Standards Service to cover the local authority areas of Devon and Somerset. This agreement enables Devon to discharge Somerset's Trading Standards functions under Section 101 of the Local Government Act 1972 and the Somerset staff transferred across to DCC under a "TUPE" agreement.

The initial agreement with SCC was for a period of 10 years and when Torbay joined to form Devon, Somerset and Torbay Trading Standards Service on 01 May 2017, the agreement was for a period which brought it into line with the termination date of the agreement with SCC (so that renewal of a tri-partite arrangement could be considered simultaneously). An umbrella agreement, between all three councils, sat above this to ensure that a full, tri-partite Joint Service was created.

Plymouth City Council are now engaged in formal discussions with the other three councils with regards to forming a four-council Joint Service, which would then cover all of the Heart of the South West Local Enterprise Partnership (HotSW) geographical area.

As all the current agreements are due to expire on 30 April 2023, it is proposed that, rather than introducing further interim agreements to incorporate Plymouth, a new, single legal agreement is negotiated between the four councils. It is proposed that this would be for an initial period of 10 years, with appropriate provisions in place to both enable the agreement to be terminated early or to be extended beyond the initial 10 years.

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## 1.2 The Current Services

### 1.2.1 Activities

A comparison of the services provided by Devon, Somerset & Torbay Trading Standards Service (DST TSS) and Plymouth Trading Standards Service (PTSS) has shown that there is a significant alignment between the priorities and activity of the two services. Priorities for trading standards activity tend to follow a national pattern with some specific local variations. In this case, the major difference between the two services is the amount of Animal Health and Agriculture work; a core activity for DST TSS but minimal in the Plymouth geographical area.

Area	DST	Plymouth	Notes
Business advice/support	25%	15%	Basic business advice, Primary Authority, Buy with Confidence
Fair Trading activity	15%	25%	Mis-description of goods/services, pricing, metrology
Animal Health, Agriculture & Food	25%	5%	Animal health, animal disease protection, animal feed, food
Community Safety	35%	55%	Doorstep crime, product safety, illegal tobacco, scams
% external income	21%	9%	2019/20 As reported to Association of Chief Trading Standards Officers <sup>1</sup>

### 1.2.2 Budgets

The budgets of the two services in 2020/21 are as follows:

	DST TSS (£'000)	PTSS (£'000)
2020/21 Total of contributions	3402	367
2020/21 Contributions excluding support services element	3204	360
2020/21 Gross Expenditure	3666	399

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The overall per capita spend for DST TSS is £2.46 and for PTSS, £1.52<sup>1</sup>. The per business spend equates to approximately £47.49 and £51.382 respectively<sup>2</sup>. However, DST TSS allocates approximately 25% of its resources to Animal Health and Agriculture related work whereas in Plymouth this is estimated at approximately 5%. In addition, Plymouth will not be transferring the regulatory responsibility for petroleum and explosives licensing nor for simple food safety work; all of which will remain with their Environmental Health teams. It is felt that for comparison of pro-rata spend an overall adjustment of -25% to the DST TSS spend would give a more reasonable like-for-like figure on spend against transferred activities.

The DST TSS spends per capita and per business, weighted to take into account these additional functions carried out in the current DST TSS area are approximately £1.85 and £35.63 respectively.

Within DST TSS approximately 21% of funding is derived from external income, whereas in PST this figure is approximately 9%.<sup>3</sup>

Apart from Food Standards Agency funded Agricultural Feed sampling, the key sources of external income for DST TSS are the Buy With Confidence Scheme, Primary Authority Partnership contracts and their metrology lab, which undertakes work for other authorities and private sector clients and is one of the top 5 most accurate labs in the country. All of these income generation sources would be capable of being scaled up through operation in the Plymouth business catchment area. Plymouth is potentially an 'untapped resource' for income generation into TS. Also, with pooled resources there is potential for more animal feed income from work at Plymouth port (100,000 tonnes is imported each year).

<sup>1</sup> Devon, Somerset & Torbay population – 1,490,500. Plymouth – 263,100

<sup>2</sup> Devon, Somerset & Torbay VAT registered businesses – 77190, Plymouth - Source: Office for National Statistics (2018) <http://www.nomisweb.co.uk/reports/lmp/la/1946157352/report.aspx#tabrespop>

<sup>3</sup> Figures and method of calculation from Association of Chief Trading Standards Officers Impacts and Outcomes Report 2019/20

### 1.2.3 Staffing

Within both services over 90% of the budget is accounted for by direct staff costs. The relative staff numbers within DCC and PCC are shown below. A revised structure will be required for a Joint Service.

Staff Numbers:

	DST TSS (FTE as is)	PTSS (FTE as is)
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Senior Management	1.5	1.0
Operational Management	9	0
<i>MANAGEMENT TOTAL</i>	<i>10.5 FTE</i>	<i>1.0</i>
Authorised Officers	53.4	7.2
Support Officers	8.47	0
<b>OVERALL TOTAL</b>	<b>72.37 FTE</b>	<b>8.29 FTE</b>

When weighted as above to account for resources allocated to Animal Health and Agriculture, etc, the staffing levels in both services are broadly in line with the customer (population and business) base of the two geographical areas.

The current service structures are shown at Appendix 1. The services are structured quite differently and there is no direct parallel in the roles undertaken at each level in the two structures

PTSS is integrated with other unitary regulatory services, Environmental Health and Licensing

DST TSS is organised into two main teams, focussing on business advice and support and intelligence and investigations, with two smaller teams offering more general operational support. There is extensive flexible working across teams.

The premises used by the two services are as follows:

- PTSS
  - Windsor House, Plymouth (offices)
- DST TSS
  - Barnstaple, Devon (offices)
  - Chelston, Wellington, Somerset (offices and metrology lab)
  - County Hall, Exeter, Devon (offices and metrology lab)
  - Kingsteignton, Devon (offices)
  - Torquay, Town Hall (offices)

### 1.3 External factors impacting on Trading Standards

There are a number of future changes (external to the service) which will potentially impact upon trading standards service delivery across Devon, Somerset, Torbay and Plymouth:

- Nationally there has been a significant reduction in the amount of resources devoted to regulatory services, to the extent that those in some authorities are assessed as failing and no longer sustainable. This trend is likely to continue.
- The general economic climate, on the other hand, is seeing an increase in regulatory crimes and consumer “scams” at the same time as it is forcing

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many consumers to look for cheaper options (which are generally of an increased risk).

- Most Trading Standards services try to operate on an intelligence led and evidence basis making the best use of scarce resources and targeting interventions to areas of greatest need. However, the collation and analysis of this intelligence also needs to be resourced appropriately.
- This new way of working leads inevitably to a focus on larger criminal operations but these require specialist investigative skills such as Financial Investigators, officers trained in dealing with vulnerable witnesses, e-crime expertise, etc.
- Trading Standards needs to retain or establish the financial and other “clout” to tackle major investigations.
- The operation of National Trading Standards (NTS), (established and largely funded through BEIS). NTS directs national and regional priorities, funds and coordinates national and regional enforcement cases (internet scams, illegal money lending and other criminal activities that go beyond local authority boundaries).
- NTS also works closely with local authority trading standards services, including directing central government grant funding for certain activities; for example, animal feeding stuffs controls.
- The Public Health agenda continues to bring new challenges and opportunities to Trading Standards services with respect to their roles in protecting the vulnerable, protecting the young from harm and influencing lifestyle choices in the areas of tobacco and alcohol usage and obesity.
- The United Kingdom’s exit from the European Union is expected to bring significant new burdens to bear on regulatory services in respect of both business support and market surveillance.

## **2. The proposed Joint Service**

### **2.1 Services provided by Trading Standards**

The primary function of the Trading Standards service is to fulfil those statutory obligations of the local authority that form part of the national regulatory framework, to protect consumers and to maintain a fair and equitable trading environment in which local businesses can thrive.

They use a range of techniques, including educating and advising both consumers and business on their rights and obligations, where necessary they intervene directly to ensure practices are improved.

In agricultural communities such as Devon and Somerset, the enforcement of legislation designed to protect animal welfare, prevent or contain the spread of

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disease and maintain the integrity of the food chain becomes a key role for the Trading Standards Service.

Service activities are dictated by a mixture of statute, national government priorities, and the corporate priorities of local authorities and are captured in annual plans, certain aspects of which it is a statutory responsibility to produce. A detailed list of the functions within the scope of the Joint Service is contained at Appendix 2 to this report but in broad terms it will operate in the following functional areas.

- Business Advice, Support and Assistance
- Weights and Measures
- Product Safety
- Fair Trading including fraudulent business practices
- Doorstep Crime and Financial “Scams”
- Age Restricted Products
- Food Standards
- Agriculture
- Animal Health, Welfare and Disease Control
- Other Licensing and Registration e.g. storage and labelling of Explosives, Petroleum and Poisons
- Consumer Advice, Education & Assistance (in certain instances)

## 2.2 Priorities for a Joint Service

Within the parameters of its statutory responsibilities, a joint trading standards service must also take account of DCC, SCC, TC & PCC corporate priorities. Broadly speaking, the authorities share the following priority areas:

- Supporting the local economy
- Healthier communities
- Safer and stronger communities
- Protecting the environment
- Engaging with customers and communities

The Trading Standards service also has an important contribution to make to the Heart of the Service West Local Enterprise Partnership’s priority to drive productivity and enterprise, by helping to ‘create the conditions to ensure that businesses are given the best opportunity to succeed’. It works closely with the Growth Hub and the Better Business for All network to provide a joined-up easily accessible and comprehensive business support and advice framework.

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Additionally, national expectations on the service are set out by a number of central government departments and agencies, principal amongst these being the Food Standards Agency (FSA), the Department for Environment, Food and Rural Affairs (Defra) and the Department for Business, Energy & Industrial Strategy (BEIS)

Taking the statutory roles and local and national priorities together, the following draft outcomes for the Joint Service have been developed, along with indications of the way in which they will be delivered. The nature of these activities means that there are considerable over-laps in outcomes, with intelligence and risk assessment being a key driver as to operational priorities. They will often be delivered in partnership with stakeholders including the police, industry bodies and other enforcement bodies.

## **1. Economic growth is supported by ensuring a fair, responsible and competitive trading environment**

The Joint Trading Standards Service will meet this outcome through:

- Providing advice and assistance to local businesses, in particular on compliance and quality (including through the Primary Authority partnership scheme)
- Signposting businesses to wider sources of support and opportunities for funding, in particular through its ties with the regional Growth Hub and the Better Business for All initiative.
- Developing and promoting our approved trader scheme (Buy With Confidence)
- Creating a 'level playing field' for businesses, particularly through:
  - Tackling the informal economy
  - Tackling intellectual property crime (e.g. counterfeiting and piracy)
- Focusing on the specific needs of rural businesses and new business start-ups
- Maintaining emergency contingency plans and resilience (e.g. for animal disease outbreaks such as foot and mouth)

## **2. Consumers, in particular the most vulnerable, are protected and more confident, and communities are safer**

The Joint Trading Standards Service will meet this outcome through:

- Tackling doorstep crime
- Tackling mass marketing financial scams

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- Reducing the harm caused by unsafe products
- Maintaining food safety and the integrity of the supply chain, with a particular emphasis on those products designed for children, the elderly and lower socio-economic groupings.
- Developing and promoting our approved trader scheme (Buy With Confidence)
- Helping to reduce anti-social behaviour caused by the misuse of alcohol and other intoxicants, especially amongst the young, particularly through:
  - Reducing underage access
  - Working in partnership on various prevention initiatives
- Working to ensure consumers are confident and well-informed, that they know their rights and how to seek redress.

### 3. Help people to live healthier lives by preventing harm and promoting health

The Joint Trading Standards Service will meet this outcome through:

- Reducing harm caused by misuse of alcohol, especially amongst the young, particularly through:
  - Reducing underage access
  - Working in partnership on various prevention initiatives
- Reducing smoking prevalence, especially amongst the young and in deprived areas, particularly through:
  - Reducing the availability of illicit tobacco
  - Reducing underage access
  - Local Tobacco Control Alliances
- Reducing the harm caused by unsafe products
- Ensuring a safe, healthy and sustainable food chain for the benefit of consumers and the rural economy
- Helping to tackle obesity by promoting healthy eating options and working to raise awareness of the importance of good nutrition.
- Protecting the environment, for example through:
  - Ensuring the correct storage and labelling of many products potentially damaging to the environment
  - Awareness raising, for example on packaging waste or nutritional eating

### 3. To be recognised for innovation, excellent service and as a great place to work

## 2.2 How the Joint service would work

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## **2.2.1 Legal Agreement**

- In May 2013, DCC and SCC formed a single service, known as the Devon and Somerset Trading Standards Service to cover the local authority areas of Devon and Somerset. This agreement enabled Devon to discharge Somerset's Trading Standards functions under Section 101 of the Local Government Act 1972 and the Somerset staff transferred across to DCC under a "TUPE" agreement.
- This agreement was for an initial period of 10 years, with appropriate provisions in place to enable the agreement to be terminated early. When Torbay joined to form Devon, Somerset and Torbay Trading Standards Service on 01 May 2017, the agreement was for a period which brought it into line with the termination date of the agreement with SCC (so that renewal of a tri-partite arrangement could be considered simultaneously). An umbrella agreement, between all three councils, sat above this to ensure that a full, tri-partite Joint Service was created.
- It is generally felt that the Joint Service has been successful and that current arrangements work well. Feedback from scrutiny committee reports has been consistently positive and the Joint Service has won or been nominated for a number of national awards.
- Therefore, it is proposed that is that a new legal agreement, similar to the original should be drawn up between DCC, SCC, TC and PCC.
- However, the current agreement would be reviewed for any areas of improvement, for example the introduction of more flexibility into the budget setting process allowing for a limited variation in service delivery levels across the member authorities.
- This new agreement would also run for an initial period of 10 years from its 01 April 2021.
- Current Plymouth trading standards service staff would also transfer across to DCC under TUPE arrangements. This is 9 individuals (and one vacant post), equating to 8.29 FTEs.
- Provisions for the sharing of any future redundancy costs or exceptional expenditure in the case of, for example, an animal disease outbreak or a major criminal prosecution would be included in the agreement.

## **2.2.2 Performance management**

- The Joint Service will focus on the outcomes it aims to achieve and the impact it has on local communities, though appropriate activity/output measures will also be in place.
- The Service will be intelligence led and evidence based. A Strategic Assessment will be produced annually in order to inform the service planning

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process. Monthly tactical tasking meetings will ensure that resources are continuously directed to priority activities and give the Service the flexibility to meet local demands.

- The Joint Service will appropriately engage all significant stakeholders in the planning, shaping and monitoring of services, ensuring that local partners and communities are not distanced from the new service organisation.
- The Head of Service will be responsible for producing:
  - A Strategic Plan (setting out longer term outcomes, objectives and priorities in a way that is accessible to partners and the public)
  - An annual Operational Plan showing how outcomes will be achieved and income generated. This will be signed off by all four local authorities and will align with their financial planning processes and incorporate statutory annual plans e.g. food, animal feed and underage sales

The Head of Service will provide monthly exception reports and quarterly and annual performance monitoring reports. Other reports (e.g. to Scrutiny Committees) will be provided as required.

## **2.2.3 Governance**

- A Joint Service Review Panel has already been established and will be extended to include PCC. It acts as a forum for consultation, discussion, resolution of strategic risks and other issues and makes recommendations back to all parties on all aspects of delivery and strategy for the service. It will have no decision-making powers.
- The Joint Service Review Panel will be constituted from an elected member and a senior officer (Authorised Representative) from each authority.
- The Panel will meet at agreed dates throughout the financial year or by exception.
- The scheme of delegation set out in the DCC Constitution will apply to the new Joint Service.
- SCC, TC & PCC will delegate all relevant statutory roles to DCC (but will retain sign-off of operational plans, including statutory plans).
- DCC will be responsible for all operational, day to day decisions - overseen through performance management and regular reporting.

The Head of Service will represent the service to Committees as required under the constitutions of both County Councils (e.g. scrutiny).

## **2.2.4 Structure and organisation**

- PCC staff will TUPE transfer across to DCC who already host the Joint Service on behalf of SCC and TC.

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- The Joint Service will have a single management structure and shared operational support.
- Staffing levels and skills will ensure that the Joint Service is more resilient, adaptable to change and has the necessary “clout” and expertise to deal with major organisations and complex investigations. This will be supported by a single training and development plan.
- Staff will be fully integrated and act as “one team” and will all be treated fairly and equally. Any restructuring or recruitment will be informed by service need and the skills and expertise required.
- The Joint Service will maintain offices in Devon, Somerset, Torbay and Plymouth in order to be close to its customers, to ensure it can respond quickly to any urgent matter, to minimise travel costs and to minimise disruption to staff.

## **2.2.5 Process/operations**

- The culture of the new Service will be firmly rooted in the principles developed by Philip Hampton in his report to Government, “Reducing administrative burdens: effective enforcement and inspection” (March 2005). It will support the aim of central government to deliver a simple and clear regulatory environment.
- There will be an integrated and uniform level of service across the four authorities. This will mean that common processes are adopted, leading to efficiency savings.
- Intelligence led tasking, however, will mean that at times there will be different levels of activity in different areas to ensure that the Service responds to local need and political priorities.
- The Joint Service will aim to be a regional Centre of Excellence for Business Support engaging closely with the Heart of the South West Local Enterprise Partnership, in particular the Growth Hub and the Better Business for All initiative.
- As well as dedicated intelligence capability the Joint Service will maintain a financial investigation resource which can be used, in serious cases, for the recovery of criminal assets under the Proceeds of Crime Act 2002 (POCA). POCA was introduced by the government as it recognised that leaving illicitly obtained assets in the hands of criminals was damaging to society.
- The Joint Service will use recovered criminal assets (under the Proceeds of Crime Act 2002) to improve enforcement and for the development of consumer and business education as well as community wider initiatives as approved by the Joint Service Review Panel.
- The Joint Service will seek to increase its income generation through;
  - a) further development of the Buy With Confidence scheme,
  - b) increased use of its Metrology Laboratory; and
  - c) extension of its Primary Authority scheme.



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d) development of further specialisms and expertise as likely improve successful accessibility to central government grant funding  
Equipment, contracts and storage facilities will be rationalised.

## 2.2.6 Technology/Information

- The aim is that following a transitional period:
  - All staff will use the same DCC ICT systems enabling access to common information sources.
  - The current APP (operational) databases will be migrated into a single system. This will allow for rationalisation of ICT licences and support.
  - The Joint Service will use the [Devonandsomersettradingstandards.gov.uk](http://Devonandsomersettradingstandards.gov.uk) website.
  - The My Devon, Somerset Direct, Torbay Connections and Plymouth contact centres will be fully linked to the Joint Service allowing callers of either local authority to have direct access to the Service where appropriate.
  - Robust Information Governance arrangements will be in place, including data sharing and protection agreements, with protocols agreed to ensure smooth delivery of complaints about service investigations and Data Protection Act and Freedom of Information Act requests.

## 3. Expected Benefits and Disbenefits

### 3.1 Non-Financial Benefits

The key non-financial benefits of a Joint Service are:

What?	How?
A service that can provide a better customer experience	Economies of scale making it possible to focus more resources on direct operational delivery. In addition, it would eliminate duplication of processes e.g. Enforcement Policies, Enforcement Concordat, regulation of Investigatory Powers Act oversight, Funding Bids, etc.

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	<p>Ability to better maintain locally based front-line staff and a dedicated intelligence capability (to support strategic and day to day activity) by combining management structures</p>
	<p>Ability to maintain a wide range of functional specialists supporting both business and consumer interests.</p>
	<p>Providing a consistent approach across Devon, Somerset, Torbay and Plymouth, in particular for businesses that span the four local authority areas The potential footprint of a Joint Service would mirror the Heart of the Southwest Local Enterprise Partnership and enable joint working with the Growth Hub and other LEP initiatives. Regulation, in particular regulatory business support, and the impact it can have on the local economy has been widely recognised and is part of the final detailed submission to MHCLG for ERDF funding for an enhanced Growth Support Programme.</p>
	<p>Through aiming to be a regional Centre of Excellence for Business Support</p>
	<p>Better alignment with our economic geography, in particular the Local Enterprise Partnership</p>
A more resilient service	<p>Combining knowledge and expertise, response abilities, and service delivery. The range and complexity of Trading Standards legislation requires a high level of professional and knowledge, competencies need to be maintained regardless of the size of the service. Smaller services struggle to maintain this.</p>
	<p>A larger service which is better able to meet complex (and often national) challenges and tackle, where necessary, major organisations</p>
	<p>Greater capacity to deal with emergency situations such as an animal disease outbreak, product safety emergencies (e.g. petroleum or explosives), or loss of key officers and their specialist technical knowledge.</p>
	<p>Ensuring achievement of outcomes and statutory requirements when less funding is likely to be available</p>
	<p>A service better positioned to respond to possible changes in role, scope or budget</p>

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A more agile and flexible service	Better able respond to exceptional demand such as in the case of major economic shock (e.g. Brexit and the current Coid-19 pandemic). These create new demands on the service in terms of business advice & support and increased market surveillance.
	Exploring opportunities to generate income by charging other organisations for certain activities
A service which provides more opportunities for staff to develop	Further enhance the national and regional profile and impact of the Trading Standards service, increasing the influence the Service and individual officers can have on policy making.
	Greater oppourtunities for specialism leading to greater job satisfaction
	Greater efficiency in training and maintenance and development of staff competencies.
	Pooling of best practice from all four local authority services
A more outcome focussed service	A Service which has the capacity to monitor and measure outcomes, demonstrating the value of its activities.
	An operating model which better reflects corporate delivery policies and contributes more readily to corporate priorities.
	Unlike environmental health and licensing, which generally deal with problems on a local premises by premises basis, trading standards is much more focussed on organised criminal activity or, for more regulatory matters, on the business supply chain. Hence working across a larger geographical area has some natural advantages to achieving desired outcomes.

## 3.2 Financial Benefits

The extension of the Joint Service is not predicated on a reduction in costs but rather on the provision of a more efficient, effective and resilient service raising standards of service delivery across both geographical areas

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However, there are non-direct financial benefits:

- The potential for increased income generation through a greater ability to deliver Primary Authority Partnership and Buy With Confidence schemes, increased capacity for metrology laboratory work
- The potential for increased income generation through the use of specialist knowledge and experience to draw down central government grant funding and through developing regional centre of excellence functions which can be commissioned out to other authorities.
- A greater capacity to deliver financial savings whilst still retaining a viable service over the remainder of the contract life.
- Scope for the service to further expand by broadening the range of functions within its remit.
- Allocation of a greater proportion of spend on front-line services due to a single management structure, greater specialisation, and process redesign
- Efficiencies in back-office spend; for example, by sharing licences and equipment.

It is extremely unlikely that these financial benefits could be achieved by the four services individually without impacting significantly on front-line service delivery and the ability to continue to meet statutory requirements and customer needs.

Budget savings will be shared between the four authorities broadly in line with their annual contributions (adjusted for one-off items and support service costs to ensure a like for like comparison). Using the 2020/21 budget figures as an example, savings would be shared in the following proportions:

55.3% for Devon County Council

27.9% for Somerset County Council

6.8% for Torbay Council

10.0% for Plymouth City Council

Any exceptional costs will also be shared between the four authorities.

It is recognised that all four authorities have increasing cost pressures in other service areas and this agreement does not preclude one of the authorities opening discussions with the Joint Service for further savings. However, any request will need to be carefully considered with a view to the sustainability of the service and the continuation of the shared service arrangements. In general, the four partner authorities will try to set budgets contributions to the Joint Service on a three-year cycle.

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The initial 2021/22 efficiency benefits found from a Joint Service which can be redirected to front line delivery are expected to be as follows (with savings provisionally allocated in line with relative budgets):

<i>Area</i>	<i>Description</i>	<i>Total saving</i>	<i>Confidence (in estimate)</i>
Employees and Process redesign	A single unified structure including efficiencies and synergies from joint working/learning from each other's good practice.	£50,000	<b>High:</b> an initial estimate based on an indicative structure. Previous experience has demonstrated confidence in Joint Service delivering savings
Premises	No significant savings expected	Nil	N/A
Transport	Minor savings expected	£1,500	<b>Medium:</b> estimate based on optimisation of officers working to and from home and homeworking
Supplies & services	Savings from IT licences, shared equipment	£10,000	<b>Medium:</b> estimate based on group managers reviewing budgets
Sampling and Analytical services	Savings from joint working and avoidance of duplication.	£10,000	<b>High:</b> based on experience of other authorities and expected future demand.
Income	E.g. from primary authority partnerships, Buy With Confidence and joint initiatives	£10,000	<b>Medium:</b> an indicative figure
<b>TOTAL</b>		<b>£81, 500</b>	<b>High:</b> previous experience has demonstrated confidence in Joint Service delivering savings

The assumptions underlying the savings, the basis for these assumptions and key sensitivities, are set out below:

**Employees:** Plymouth staff will slot into the existing DST TSS structure which will make some savings on management costs. Should the need arise, the larger, more resilient service will create the scope for some future staff savings without significantly impacting on service delivery. At this stage, it is anticipated that these savings can be found through natural staff turnover and that no redundancies will be required.

**Process redesign:** These savings will be realised through efficiencies, synergies and adoption of good practice across both services and does not include any additional staff savings. For example, across the Joint Service only a single approach will be required for the recording of animal movements, the gathering and analysis of intelligence and sourcing of legal expertise.

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**Supplies, Analytical Services and Other Services:** This reflects the duplication in licences, subscriptions, memberships and equipment over the two services. It also reflects the fact that some efficiency can be realised in coordinating sampling (eliminating duplication and increased use of intelligence) and commissioning Analytical Services. Detailed decisions on the future sampling plan have yet to be taken - the actual level of sampling will be taken through the service planning process and regular intelligence-led reviews to respond to increased risks or threats. The Joint Service will also seek to maximise opportunities for funding from external agencies, such as the Food Standards Agency, but only where this accords with identified local need.

**Income:** Increased income will come from a number of sources, the increase in income is likely to be gradual, with very little realised in the first year of a Joint Service and a conservative estimate has been made. An income generation strategy will form part of the Joint Service's strategic planning process.

### 3.3 Financial and Non-Financial Disbenefits

All authorities will lose some flexibility in setting annual budgets, in that similar levels of future budgetary changes will need to be agreed in order to ensure a consistent Joint Service continues to be delivered. This is one area which will be subject to review in the new contract negotiations, in an attempt to build greater flexibility into the budget setting process by allowing for a limited variation in delivery levels across the four local authorities.

SCC, PCC and TC will lose some day to day control over the operation of the service. However, this will be mitigated through the joint panel oversight, performance and contract management, partner authority sign-off of annual service plans and arrangements to ensure that their members and scrutiny committee can carry out their role as effectively as if the services were still separate. A communications protocol will be agreed ensuring that partner authorities' members and communities are kept fully up to date on high profile service activities. In addition, the ability to react to local issues and demands is embedded in the Joint Service's operational procedures.

Both serving Heads of Trading Standards (for Devon, Somerset & Torbay and for Plymouth) are of the opinion that the current Services are relatively well matched in terms of pro-rata resources and believe that the financial and non-financial benefits of extending overall capacity and of mirroring the geographical footprint of the Heart of the South West Local Enterprise Partnership significantly outweigh any dis-benefits and set-up costs.

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## 4. Costs

The maximum, one-off financial costs in creating the Joint Service are profiled below. Staff time has not been accounted for. Unless otherwise stated these will be incurred during 2020/21.

<i>Area</i>	<i>Description</i>	<i>Total cost</i>	<i>Confidence (in estimate)</i>
Redundancy and other HR costs	Creating a unified future structure, harmonisation of salaries and delivering required long-term savings	nil	<b>Medium:</b> no redundancies are likely to be required. Previous history gives confidence that targets can be achieved
Legal costs	S101 agreement drafted by DCC and TC legal teams	nil	<b>High:</b> Internal cost borne by each party
ICT costs	Migrate onto a single database and establish a secure link between offices	£20,000	<b>Medium:</b> cost of migration of database and securing general access do DCC systems through WiFi
Staff training and development costs		nil	<b>High: Can be delivered in-house and budget can be managed accordingly</b>
Contingency	For other currently unquantifiable costs	£10,000	<b>Medium:</b> estimate based on group managers reviewing budgets
Total		£30,000	

It is anticipated however, that all the set-up costs can be financed by early delivery of savings within DST TSS and PTSS. Consequently, there should be no call on corporate reserves in relation to set-up costs.

There are minor internal resources required in servicing the oversight mechanism, including the Joint Service Review Panel, but these are borne individually by parties.

The assumptions underlying the set-up costs, the basis for these assumptions and key sensitivities, are set out below.

- No redundancies are anticipated as a direct result of the merger of the services.
- Legal costs to be borne by each party.

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- ICT costs reflect the service and data migration costs associated with joining up the two services databases, the cost of buying into DCC's desktop replacement programme.

Other costs in relation to the Joint Service (those which are not being shared between the two authorities) are as follows:

- Devon County Council will have marginally increased back-office costs in relation to the larger Joint Service (for example, increased HR, Legal, etc. costs). This has been mitigated by agreeing an appropriate annual sum for PCC to contribute towards these costs.
- PCC will require officer time in order to undertake commissioning of the Joint Service, in particular performance management and relationship management.
- The two authorities will both incur some internally charged set-up costs. Both authorities agreed that they would bear these costs individually. These costs will be covered from within available Trading Standards Service Budgets.
- When Plymouth staff TUPE to DCC, they will join the Devon LGPS. As Plymouth and Devon are in the same LGPS fund, their pension records and notional assets will also transfer across to Devon, so there will be no impact on the pension funding arrangements of Plymouth or Devon. However, as part of the Devon scheme, the shared service will pay the employer rate applicable to Devon staff.

## **5. Implementation and appraisal**

### **5.1 Benefits Realisation**

The following measures are proposed to ensure that the expected benefits of the Joint Service are delivered. They will be reported through the regular performance reporting arrangements of the Service, and the oversight by the joint panel will act as a control to ensure they are realised.

<b>Expected Benefit</b>	<b>How measured</b>	<b>Timescale</b>
A service that can provide a better customer experience	Customer satisfaction, complaints and feedback Stakeholder surveys	Ongoing over life of Joint Service



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A more resilient service	Annual Performance Report narrative	Ongoing over life of Joint Service
A more agile and flexible service	Annual Performance Report narrative Staff training and qualifications	Ongoing over life of Joint Service Five years
A service which provides more opportunities for staff to develop	Staff surveys and feedback Staff training and qualifications	Ongoing over life of Joint Service Five years
A more outcome focussed service	Annual Performance Report narrative Development of an outcome/impact measurement toolkit	Ongoing over life of Joint Service Two years
Financial benefits (as defined in 3.2)	Contract management & performance reporting	Ongoing over life of Joint Service

### 5.2 Implementation Plan

Subject to agreement by Devon County Council Cabinet of the FBC, Full Council approval will be required as there are some aspects of the Trading Standards enforcement and licensing functions which relate to functions reserved to Full Council. Somerset, Torbay and Plymouth Councils will need to go through the equivalent approval process as required by their constitutional arrangements.

It is planned that the legal agreement will be signed and the new Joint Service will commence on 01 April 2021. However, the first financial year will be a transitional year. Key elements of the transition are:

- The aim is to TUPE the Plymouth staff to Devon's employment on the above commencement date.
- The service will operate as a Joint Service but may still be subject to separate operational plans (which have been developed in conjunction so as to maximise alignment).
- In the above scenario, the first Strategic Plan for the wider Joint Service will be submitted to the Joint Service Review Panel in April 2022.

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- Annual financial payments for Year 1 will be adjusted pro-rata if the implementation date is different.
- ICT (including support, the operation of 2 separate databases and the use of PCC's network) will remain as is until a detailed transition plan has been agreed.
- If necessary, performance management during 2020/21 will be against the individual annual plans of DST TSS and PTSS, although this will be integrated over the course of the year.
- Joint Service Review Panel meetings will be undertaken during 2020/21 and the Panel will oversee this transition in addition to their normal role of acting as a forum for consultation, discussion and resolution of issues.

By April 2022 it is envisaged that the Joint Service will be fully integrated and future joint strategic and operational plans will be recommended to all four Councils for approval.

Any savings delivered will be utilised as follows, as agreed by the Joint Service Review Panel:

- One-off 'invest to save' projects focussed on reducing future costs or increasing income generation.
- Providing staff development opportunities which have a clear link to delivering a more effective or cost-efficient service in the future.
- Return of any underspend or excess income to partner councils in accordance with the agreed budget ratios

## 5.3 Options and Investment appraisal

The option to continue with separate services was considered and it was felt that the net benefits of a Joint Service significantly outweighed those of separate services.

Staff, elected member, partner and key stakeholder engagement has been undertaken in developing the Full Business Case (see below) and this supports the above view.

At the formation of the initial Joint Service between DCC and SCC, one of the core objectives was the provision of a framework which would allow for further expanding the scope of the service either geographically and/or by broadening the range of functions within its remit. This would potentially allow for a sustainable model of service delivery at a time of significant financial pressure on regulatory services. The opportunity for expansion through working with Plymouth would help develop and promote that objective. It would also create a joint regulatory service with the same geographical footprint as the Heart of the South West, Local Enterprise Partnership, facilitating a comprehensive business support service closely linked to the Growth Hub and other linked programmes.

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It is also felt that there might be further opportunities to provide managed services or commissioned services for a number of other authorities in the South West region.

The governance approach (for DCC to discharge the functions of PCC under s101 and of the Local Government Act agreement) was chosen for the following reasons:

- A proven model widely viewed as successful.
- Low implementation cost.
- Effectively meets the objectives of the Joint Service.
- Legally robust (not least because of the nature of the prosecutions undertaken by Trading Standards which often carry custodial sentences).
- Ensured an appropriate level of governance without risking either a lack of local control or an unnecessary burden of cost and time.

Consideration was given to the length of time over which budgets for the Joint Service should be set. The Joint Service Review Panel agreed that 3 years was an appropriate length of time. This balances the need for a degree of operational stability whilst ensuring that the Service can still effectively respond to uncertain funding pressures in the future. This funding set-up is not unique and longer-term budgets have been set for other "arms-length" local authority delivery models.

Whilst uncertainty still remains on some costs, for example in relation to ICT and some other apportionments, the payback period for establishing a Joint Service (excluding pension costs) is expected to be less than one year.

### 5.4 Consultation

Extensive consultation has been undertaken in developing the FBC. Including DST TSS and PCC TSS staff, who have been involved from the very outset. A formal TUPE consultation will be undertaken with PCC staff commencing as soon as PCC Cabinet has agreed in principle to the Joint Service. Recognised Trade Unions have been appropriately involved. Staff views across both current services have helped inform the development of this proposal, and no significant issues have arisen from the staff consultation.

Members have been consulted through appropriate governance processes, including JSRP review of both the OBC and the FBC. In addition, members in each of the councils will be involved in the formal agreement process.

The Duty to Consult under the Best Value Statutory Guidance has been fully met. A wide consultation was undertaken with those who use or are likely to use the services provided by the authority, those who have an interest in the area

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within which the functions are carried out (including local voluntary and community organisations and small business organisations). This closed on 26 June 2020. Over 50 such local, regional and national bodies were written to, including local business associations, national government agencies, the Police, non-governmental consumer groups and advice agencies (e.g. CABx). All responses received were positive.

## 6. Risks

The key risks in relation to the Joint Service (and its intended benefits are set out below). These risks primarily apply to the Joint Service as a whole, though risks that relate solely to DCC, SCC, TC or PCC have been highlighted in the description of the risks. The costs of mitigation are reflected in the set-up costs and forward budget of the Joint Service. These risks align with the Impact Assessment. The likelihood (L) and impact (I) of risks are identified with the colour shown below reflecting the pre-mitigation score based on DCC's Risk Matrix - low risks are indicated by yellow, medium risks by amber and high risks by red. **Following mitigation all risks are assessed to be low.**

Description of Risk	Score (LxI)	Mitigation
<b>Financial</b>		
Ensuring a sustainable funding mechanism to accommodate budget sharing and potential future reductions.  Differences between DCC, SCC, TC and PCC in respect of level/pace of financial savings leads to an inability to deliver a uniform service	3*4=12 (AMBER)	Savings requirements set out in legal agreement to remove uncertainty. Review Legal Agreement to make budget setting process more flexible. Setting indicative 3-year budgets. Ongoing governance
Inaccurate estimation of costs and savings in the Full Business Case could lead to the level of costs and savings not	2*4=8 (YELLOW)	Transitional approach, Early contact with key technical experts,

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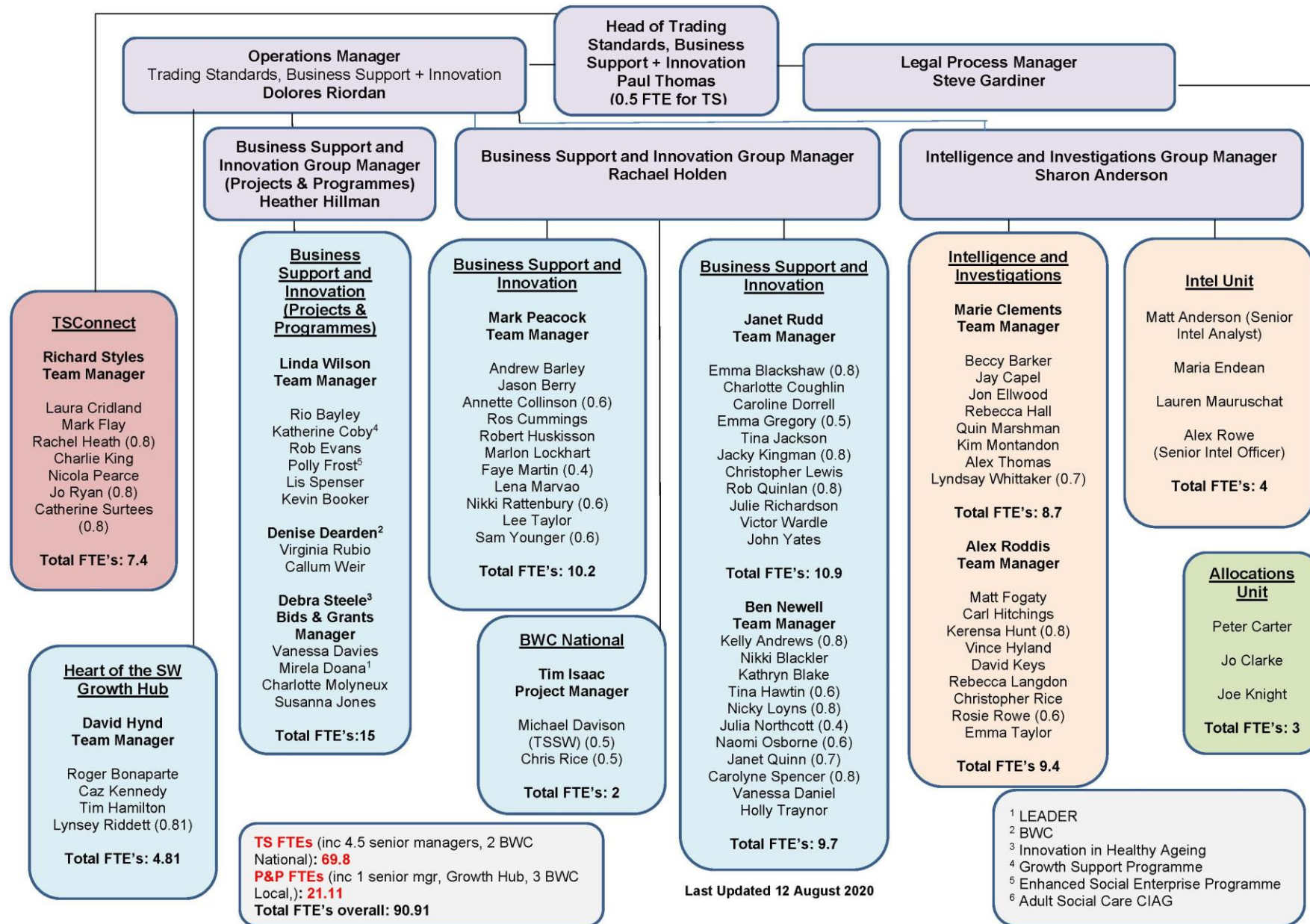
being as forecast resulting in unexpected financial demands for the councils		Learning from previous Joint Service experience, Oversight by Joint Panel
Failure to implement a Joint Service effectively leads to the required levels of savings not being delivered resulting in the Council's failure to meet corporate financial targets	2*4=8 (YELLOW)	Performance Management and establishment of joint governance structures. Learning from previous Joint Service experience
Failure of Joint Service leads to the Councils needing to establish separate services resulting in increased costs	1*4=4 (YELLOW)	The risk of this occurring is mitigated by governance structures, performance management and previous Joint Service experience
<b>Legal</b>		
Legal challenge to transfer or unfair dismissal claims results in increased costs or delays	2*3=6 (YELLOW)	Use of HR and legal advice and open and consultative approach with staff
Future prosecutions brought by the Joint Service are challenged on the basis of the legality of the Joint Service	2*3=6 (YELLOW)	Use of governance and legal advice in planning approach
<b>Reputational</b>		
Non-DCC elected members feel distant from Joint Service resulting in democratic deficit	3*3=9 (YELLOW)	Governance structures and retention of locally based officers Robust engagement with Scrutiny committees Communications Protocol
Failure of Joint Service leads to damage to the reputations of the Councils	2*3=6 (YELLOW)	Robust project planning in creation of Joint Service. Governance structures, performance management and previous Joint Service experience once operational.
<b>Stakeholder</b>		
Key local, national and regional bodies do not support the proposed Joint Service leading to legal challenge	2*3=6 (YELLOW)	Formal notification of proposal to a wide range of stakeholders (including representatives of taxpayers, businesses and bodies such as the police, CAB, national government agencies and departments). All responses received from stakeholders have been positive.

# OFFICIAL



Customers and businesses perceive that the Joint Service does not effectively meet their needs resulting in customer dissatisfaction	2*3=6 (YELLOW)	Monitoring of customer satisfaction as part of contract management and engagement with key stakeholders during project planning and implementation
<b>Human Resources</b>		
Staff dissatisfaction as a result of changes/the level of savings required across the public sector result in a negative impact on front-line work	3*4=12 (AMBER)	Regular open communication with staff and unions throughout the process
Teething problems in establishing a fully integrated joint team leads to a distraction from the 'day job' (for managers and staff) resulting in a negative impact on the quality of service provided	3*4=12 (AMBER)	Robust project management during the 'transitional year' including effective performance management
<b>Technological</b>		
Difficulties/unforeseen costs in aligning ICT (e.g. integrating databases or moving to DCC systems) leads to increased costs resulting in reduced financial benefits	3*4=12 (AMBER)	Development of a robust Full Business Case and phased transition in relation to ICT

**Appendix 1a: Devon and Somerset Trading Standards Service Structure**

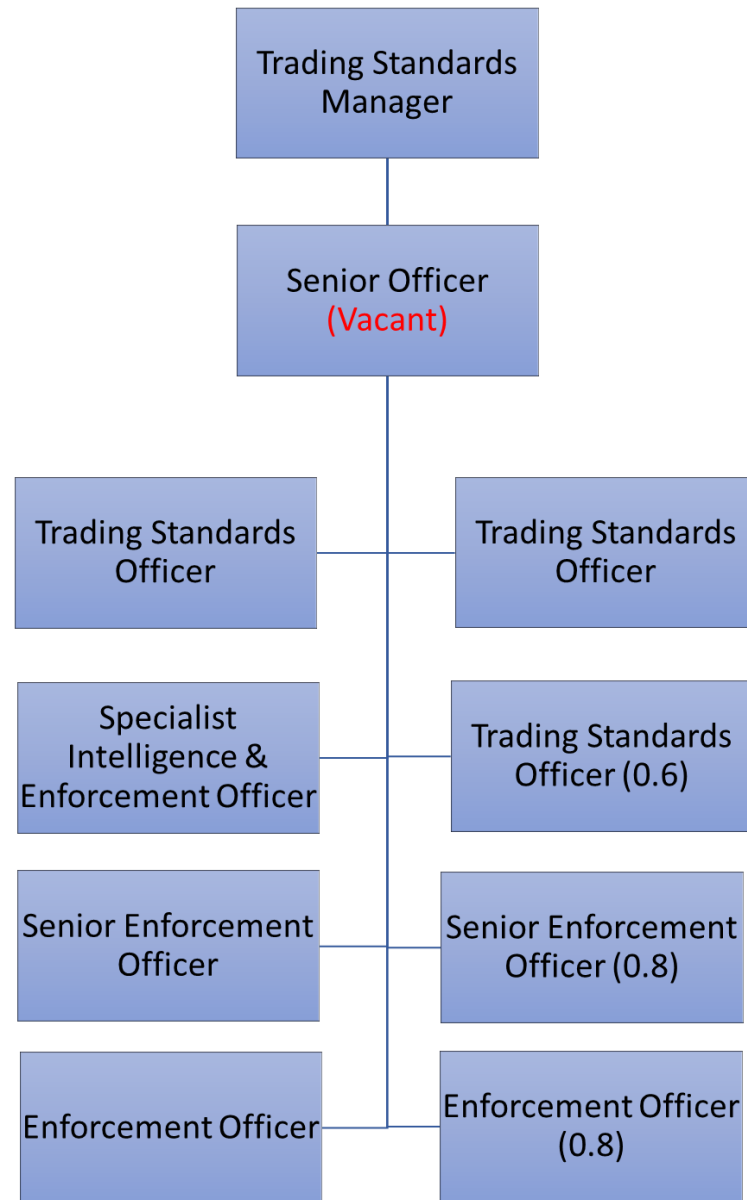






**Appendix 1b: Current Plymouth Organisation Structure**

**For the purposes of the Shared Service, the Senior Officer post has not been budgeted for.**





## **APPENDIX 2 – Legislation enforced by Trading Standards**

**\* denotes functions to be retained by PCC**

**\*\*denotes functions to be retained by PCC and TC**

**N.B. Enforcement of Food Safety legislation will be shared in line with the current Food Law Code of Practice (England) (see <https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice>) with the Trading Standards Service acting as if a “County Council Competent Authority” in a two-tier local Authority area, with the exception that in Plymouth City Councils’ area the conduct of routine risk based inspections under Food Safety law will be retained by PCC. This does not include targeted sampling programmes.**

**Accommodation Agencies Act 1953**

**Administration of Justice Acts 1970 and 1985**

**Agriculture Act 1970**

**Agriculture (Misc. Provisions) Act 1968**

**Animal Health Acts 1981 and 2002**

**Animal Health & Welfare Act 1984**

**Animal Welfare Act 2006**

**Animals Act 1971**

**Anti-Social Behaviour Act 2003**

**Architects Act 1997**

**Business Protection from Misleading Marketing Regulations 2008**

**Cancer Act 1939**

**Charities Acts 1992 & 2006**

**Children and Young Persons Act 1933**

**Children & Young Persons (Protection from Tobacco) Act 1991**

**Clean Air Act 1993**

**Companies Acts 1985 and 2006**

**Companies Directors Disqualification Act 1986**

**Companies (Trading Disclosures) Regulations 2008**

**Consumer Contracts (Information, Cancellation & Additional Charges) Regulations 2013**

**Consumer Credit Acts 1974 and 2006**

**Consumer Protection Act 1987**  
**Consumer Protection from Unfair Trading Regulations 2008**  
**Consumer Rights Act 2015**  
**Consumers, Estate Agents & Redress Act 2007**  
**Control of Pollution Act 1974**  
**Copyright, Designs and Patents Act 1988**  
**Courts and Legal Services Act 1990**  
**Crime & Disorder Act 1988**  
**Criminal Attempts Act 1981**  
**Criminal Justice Act 1988**  
**Criminal Justice & Police Act 2001**  
**Criminal Law Act 1977**  
**Crossbows Act 1987**  
**Customs and Excise Management Act 1979**  
**Development of Tourism Act 1969**  
**Dogs Act 1906**  
**Dogs (Amendment) Act 1928**  
**Education Reform Act 1988**  
**Employment Agencies Act 1973**  
**Energy Act 1976**  
**Energy Conservation Acts 1981 and 1996**  
**Energy Efficiency (Private rented Property) (England and Wales) Regulations 2015**  
**Energy Performance of Buildings (England and Wales) Regulations 2012**  
**Enterprise Act 2002**  
**Environmental Protection Act 1990**  
**Estate Agents Act 1979**  
**\*\*Explosives Acts 1875 and 1923**  
**Explosives (Age of Purchase) Act 1976**  
**Fair Trading Act 1973**  
**Farm and Garden Chemicals Act 1967**  
**\*\*Fire & Safety and Places of Sport Act 1987**  
**\*\*Fireworks Acts 1951, 1964 and 2003**  
**Food & Environment Protection Act 1985**  
**Food Safety Act 1990**

**Forgery & Counterfeiting Act 1981**

**Fraud Act 2006**

**Gambling Act 2005**

**Hallmarking Act 1973**

**Health and Safety at Work Etc., Act 1974**

**Housing Act 2004**

**Health Protection (Coronavirus, Restrictions) (No2) (England) Regulations 2020 and the Health Protection (Coronavirus, Restrictions) (No3) (England) Regulations 2020**

**Housing Act 2004**

**Housing and Planning Act 2016**

**Insolvency Act 1986**

**Intellectual Property Act 2014**

**Intoxicating Substances (Supply) Act 1985**

**Knives Act 1997**

**Legal Services Act 2007**

**Licensing Act 2003**

**Magistrates Courts Act 1980**

**Malicious Communications Act 1988**

**Medicines Act 1968**

**Motor Cycle Noise Act 1987**

**Motor Vehicles (Safety Equipment for Children) Act 1991**

**Offshore Safety Act 1992**

**Olympic Symbol etc., (Protection) Act 1995**

**Package Travel, Package Holidays and Package Tours Regulations 1992**

**Pesticides (Fees & Enforcement) Act 1989**

**\*Petroleum (Consolidation) Regulations 2014**

**Poisons Act 1972**

**Prices Acts 1974**

**Proceeds of Crime Act 2002**

**Protection from Harassment Act 1997**

**Protection of Animals Act 1911**

**Psychoactive Substances Act 2016**

**\*Public Health Act 1961 (S73)**

**Registered Designs Act 1949**

**Regulatory Enforcement & Sanctions Act 2008**

**Road Traffic Acts 1988 and 1991**

**Road Traffic (Consequential Provisions) Act 1988**

**Road Traffic (Foreign Vehicles) Act 1972**

**Road Traffic Offenders Act 1988**

**\*\*Safety of Sports Ground Act 1975**

**Scotch Whisky Act 1988**

**Solicitors Act 1974**

**Telecommunications Act 1984**

**Tenant Fees Act 2019**

**Theft Acts 1968 & 1978**

**Theft (Amendment) Act 1996**

**Timeshare, Holiday Products, Resale and Exchange Contracts  
Regulations 2010**

**Tobacco Advertising & Promotion Act 2002**

**Tobacco Products Duty Act 1979**

**Trade Descriptions Act 1968**

**Trade Marks Act 1994**

**Trading Representations (Disabled Persons) Acts 1958 & 1972**

**Trading Schemes Act 1996**

**Unsolicited Goods and Services Act 1971**

**Unsolicited Goods and Services (Amendment) Act 1975**

**Video Recordings Acts 1984 & 2010**

**Weights and Measures etc., Act 1976**

**Weights and Measures Act 1985**

**Welfare of Animals at Slaughter Act 1991**

**And all relevant legislation made under the European Communities  
Act 1972 and Reenabled by the European Union (Withdrawal  
Agreement) Act 2020 including (inter alia):**

**Animal By-Products (Enforcement) (England) Regulations 2013**

**Animal Feed (Composition, Marketing and Use) (England)  
Regulations 2015**

**Animal Feed (Hygiene, Sampling etc. and Enforcement) (England)  
Regulations 2015**



**Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013**

**Condensed Milk and Dried Milk (England) Regulations 2015**

**Contaminants in Food (England) Regulations 2013**

**Electromagnetic Compatibility Regulations 2006**

**Fish Labelling Regulations 2013**

**Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regulations 2009**

**Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Compositional Requirements) (Amendment etc.) (England) Regulations 2020**

**Food Information Regulations 2014**

**Food Safety and Hygiene (England) Regulations 2013**

**Fruit Juices and Fruit Nectars Regulations 2013**

**Materials and Articles in Contact with Food (England) regulations 2012**

**Organic Products Regulations 2009**

**Personal Protective Equipment (Enforcement) Regulations 2018**

**Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011**

**Pressure Equipment Regulations 1999**

**Pyrotechnic Articles (Safety) Regulations 2015**

**Radio Equipment and Telecommunications Terminal Equipment Regulations 2000**

**Recreational Craft Regulations 2004**

**Simple Pressure Vessels (Safety) Regulations 1991**

**Spirit Drinks Regulations 2008**

**Supply of Machinery (Safety) Regulations 2008**

**Transmissible Spongiform Encephalopathies (England) Regulations 2018**

**And any legislation made amending or re-enacting or extending the same or any other legislation relating to Trading Standards and/or weights and measures functions of local authorities**

Impact Assessment Form and Action Table **APPENDIX 4**

**Please note that this is a generic impact assessment which each local authority partner will use this as a foundation for completing their own assessment.**

Why are you completing the Impact Assessment?

Proposed New Policy or Service  X	Change to Policy or Service	MTFP or Paper	Service Review or DCC Change Programme
---	-----------------------------	---------------	--

Title you are completing the Impact Assessment on (which policy, service, MTFP reference, cluster etc)?	Trading Standards Joint Service –Devon, Somerset and Torbay Trading Standards and Plymouth Trading Standards (D&S TSS)
---	--

Risk Rating	Low
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Section 1 – Description of what is being impact assessed

The primary function of the Trading Standards service is to fulfil those statutory obligations of the local authority that form part of the national regulatory framework, to protect consumers and to maintain a fair and equitable trading environment in which local businesses can thrive. Consumers and businesses are primarily affected by the activity of Trading Standards in the following areas:

Area	Covers
Business Advice	Basic business advice, Primary Authority, Buy With Confidence
Fair Trading	Misdescription of goods and mis-selling of services, pricing, creating a level playing field for local businesses
Animal Health and Agriculture	Animal health & welfare, animal disease protection, food standards & feed hygiene
Community Safety	Doorstep crime, product safety, age restricted products, petroleum and explosives

The Full Business case for a Trading Standards Joint Service arrangement, whereby Devon County Council (DCC) delivers the Trading Standards functions for Somerset (SCC), Torbay (TC) and Plymouth Councils (PCC), subject to the agreement and signing by the parties, of a detailed legally binding formal agreement, pursuant to Section 101 of the Local Government Act 1972. The key objectives of the proposed Joint Service are to:

- Provide a single, standardised, outcome focussed Trading Standards Service across all the Authorities,

- To provide a more flexible and resilient service which is able to accommodate future changes more readily (in role, legislation, scope or budget) and provide improved career development opportunities for staff;
- To effectively meet statutory requirements and potentially enhance elements of the service (for example through greater specialisation);
- To deliver a better customer experience;
- To deliver an initial and ongoing financial saving for the parties.

The work of the Joint Service will be discharged by DCC but jointly commissioned by DCC, SCC, TC & PCC Councils, ensuring that the objectives of all partner authorities are met. The new agreement will be for 10 years. If the proposal is implemented PCC staff will TUPE across to DCC, which already hosts a Joint Service for DCC, SCC and TC. A Joint Service Review Panel will be established as the forum for consultation, discussion, resolution of issues and recommendations back to all parties on all aspects of delivery and strategy for the service. It will have no decision-making powers.

The Joint Service will have a single management structure and shared business support, delivering financial savings. Staff will be fully integrated and act as “one team” and will all be given equal access and opportunity. Any restructuring or recruitment will be informed by service need and the skills and expertise required. Unless specifically agreed otherwise as part of the budget setting process, there will be an integrated and uniform level of service across the authorities. This will mean that common processes are adopted, leading to efficiency savings.

The expanded Joint Service will maintain offices in Devon, Somerset, Torbay and Plymouth. All call centres and switchboards will be fully linked to the Joint Service allowing callers to either local authority to have direct access to the Service. The Service will be intelligence led and evidence based. A Strategic Assessment will be produced annually in order to inform the service planning process and monthly tactical tasking meetings will ensure that resources are continuously directed to priority activities.

All staff will use the same IT systems enabling access to common information sources (following a transitional period when current IT systems will be retained). The current APP (operational) databases will be migrated into a single system and PCC will make use of the current trading standards joint website. Data sharing agreements will be in place and protocols agreed to ensure smooth delivery of complaints about service investigations and Data Protection Act and Freedom of Information Act requests.

Section 2A – People or communities that are targeted or could be affected (for Equalities - taking particular note of the Protected Characteristic listed in action table)

Trading Standards staff (within both DCC and PCC) will be affected. PCC staff will TUPE across to DCC. The Joint Service will maintain offices in Devon, Somerset, Torbay and Plymouth.

The Trading Standards Service serves both consumers and businesses, with its key role being to protect consumers and to maintain a fair and equitable trading environment in which local businesses can thrive.

**Section 2B – People who are delivering the policy or service**

In the Trading Standards service, PCC currently employ 8.29 FTEs (including one vacant post) and Devon employ 70.8 FTEs. Plymouth’s service is part of the Public Protection Service along with Environmental Health & Licensing. DST TSS is organised into a Business Support & Innovation Group, an Intelligence & Investigations Group and two smaller support teams (TSconnect and an Allocations Unit).

**Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)**

The draft Full Business Case sets out full details of the proposed Joint Service, and the evidence and data on which the recommendation to establish a Joint Service is based. Consultation has been undertaken with both sets of staff throughout the process (including written briefings and face to face meetings). There is no expectation of significant changes to the services provided to either consumers or businesses. Staff, unions, key partners (e.g. police services) and stakeholders (e.g. Chambers of Commerce and the National Farmers Union) have been consulted during the development of the proposal. All responses received from this consultation have been positive.

**Section 4 – Conclusions drawn about the impact of the proposed change or new service/policy (Please use prompt sheet for help with what to consider):**  
Key issues to be fed into relevant Action Table

**Equality**

No equality issues as no groups are disproportionately affected (as no significant changes to service are anticipated as a direct result of this proposal).

**Health and Safety**

DCC would assume responsibility, as employer, for the health and safety of staff that transfer from PCC. As part of their induction to DCC the health and safety arrangements will be set out. The day to day work, and hence health and safety risks, will be largely unchanged.

A number of aspects of Trading Standards relate to health and safety, primarily:

- the control the storage of petroleum products
- ensuring that consumer goods are safe – General Product Safety Regulations 2005, and other specific safety legislation)
- ensure food quality and safety (e.g. the description, composition and labelling of food – Food Safety Act 1990 – and food hygiene at primary producers)

The responsibilities of the two services are both largely dictated by statute and through national frameworks. The approach of the two services is broadly similar in these areas, so no significant changes are expected.

#### Sustainability

A number of aspects of Trading Standards relate to sustainability, as set out below. The responsibilities of the two services are both largely dictated by statute and through national frameworks. The approach of the two services is broadly similar in these areas, so no significant changes are expected:

- Trading Standards have responsibility for legislation relating to the correct storage and labelling of petroleum, pesticides, poisons and other products potentially damaging to the environment. Their work within the petroleum retail sector also includes the responsibility for the removal of old or derelict storage tanks.
- Trading Standards also advise local businesses on minimising packaging waste and try to raise awareness amongst consumers about excessive packaging and the enforcement role we play in this area.
- Trading Standards help enable consumers to make an informed choice (e.g. by producing guidance) on energy matters; including a knowledge of legislative requirements to label new cars with fuel efficiency information and domestic “white goods” (such as washing machines and refrigerators) with energy ratings.

#### Community Safety

No changes to the service provided and hence no significant impact on community safety is expected. A Joint Service is expected to be more resilient and enable greater specialisation, potentially leading to an improvement in those services which contribute to community safety (e.g. targeting age restricted products - under-age enforcement on and off licensed premises).

#### Privacy

Trading Standards deals with OFFICIAL (personal / sensitive) and OFFICIAL SENSITIVE data on a regular basis. It also deals with FOI, EIR and Data Subject Access requests and occasionally uses RIPA powers. A robust data sharing agreement will need to be in place between the authorities and data subjects would need to be aware of the new partnership by way of a Privacy Notice and consents for data sharing obtained where necessary. It is expected that DCC will be both the data controller (jointly with SCC, TC & PCC) and the data processor (solely). This will be confirmed in the contractual agreements and the contract management process will ensure compliance with the Data Protection Act. The Business Continuity Plan will explicitly provide for the protection of personal data in the event of termination of the contract. All staff will be made aware, through their induction, of the information governance policies which apply.

#### Risk

The risks (economic, legal, financial, reputational, social and technological) in relation to a Joint Service are set out in the Full Business Case. The ongoing risks are mainly of an 'operational' rather than 'strategic' nature. A Service Plan will be produced annually and signed off by all authorities.

A Joint Service Review Panel will be established, and part of its role will be to act as the forum for consultation, discussion and resolution of strategic risks, making recommendations back to both Councils. It will be constituted from an elected member and a senior representative officer from each authority

Section 5 – After consideration please state your final recommendations based on the findings from the impact assessment. Also include any examples of good practice and positive steps taken.

No unmanageable impacts/impacts which cannot be mitigated have been identified at this stage

Section 6 - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

This assessment will part of the Full Business Case which will be published as part of papers to scrutiny and cabinet.

Completed by:	Richard Styles
Date	11/8/2020
Signed off by:	Dolores Riordan
Date	11/8/2020
Compliance sign off Date	
To be reviewed by: (officer name)	Dolores Riordan
Review date:	3 months after commencement of the Joint Service
Version	V1
Date	11/08/2020

**Equality Impact Assessment Issues and Action Table**

Identified issue drawn from your conclusions	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions?	When will the action be completed?	How will it be monitored?	What is the expected outcome from the action?
<b>Age</b>					
None					
<b>Disability</b>					
None					
<b>Gender Reassignment</b>					
None					
<b>Marriage and Civil Partnership</b>					
None					
<b>Pregnancy and Maternity</b>					
None					
<b>Race</b> (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)					
None					
<b>Religion and Belief</b>					
None					
<b>Sex</b>					
None					
<b>Sexual Orientation</b>					
None					

<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)					
None					

<b>Health and Safety, Sustainability, Community Safety Impact Assessment Issues and Action Table</b>					
<b>Areas of increased risk drawn from your conclusions</b>	<b>Actions needed – can you mitigate the impacts/risk? If you can, how will you mitigate the impacts?</b>	<b>Who is responsible for the actions?</b>	<b>When will the action be completed?</b>	<b>How will it be monitored?</b>	<b>What is the expected outcome from the action?</b>
<b>Health and Safety Issues and Action Table</b>					
<b>All aspects of service that contribute to health and safety e.g. product safety.</b>	Detailed review of the authorities approaches in enforcing legislation to identify and changes	DCC Service manager	During implementation	Joint Service Review Panel (JSRP)	No detriment as a result of the changes
<b>Health and safety of staff</b>	Consider as TUPE to lead authority and during induction	DCC Service manager	During implementation	JSRP	Unchanged risk
<b>Sustainability Issues and Action Table</b>					
<b>All aspects of service that contribute to sustainability</b>	Detailed review of the authorities approaches in enforcing legislation to identify any changes	DCC Service manager	During implementation	JSRP	No detriment as a result of the changes
<b>Community Safety Issues and Action Table</b>					
<b>All aspects of service that contribute to a safer community, e.g. rogue traders</b>	Detailed review of the authorities approaches in enforcing legislation to identify any changes	DCC Service manager	During implementation	JSRP	No detriment as a result of the changes
<b>Privacy Issues and Action Table</b>					



<b>Data control, FOI and data sharing</b>	Define as part of legal arrangements and processes and through staff induction	DCC Service manager	During implementation	JSRP	Risks mitigated
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**Meeting: Cabinet**

**Date: 22<sup>nd</sup> September 2020**

**Wards Affected: Barton with Watcombe Ward**

**Report Title: Freehold Disposal of Land adj. to Broomhill Way, Torquay.**

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** As soon as possible.

**Cabinet Member Contact Details:** Councillor Swithin Long, Cabinet Member for Economic Regeneration, Tourism & Housing, 07419 111618, [Swithin.Long@torbay.gov.uk](mailto:Swithin.Long@torbay.gov.uk)

**Supporting Officer Contact Details:** Paul Palmer, TDA Head of Assets & Facilities Management, 01803 207920, [paul.palmer@tda.uk.net](mailto:paul.palmer@tda.uk.net)

**Supporting Director Contact Details:** Liam Montgomery, TDA Director of Asset Management, Investment & Housing, 01803 208720, [Liam.montgomery@tda.uk.net](mailto:Liam.montgomery@tda.uk.net)

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### **1. Proposal and Introduction**

The land is adjacent to Broomhill Way, Torquay and currently considered public open space as the land in question forms part of Nightingale Park.

The landowner of the adjoining RGB Building Supplies wishes to acquire the identified strip of land for parking and storage land in support of the continued operation of their business.

### **2. Reason for Proposal and associated financial commitments**

The proposed purchaser is considered a special purchaser due to his freehold ownership of the land adjacent. The agreed purchase price reflects this, coupled with the anticipated use of the site. Consequently terms of disposal for this land in isolation are unlikely to be bettered by an advertising campaign on the open market.

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### **3. Recommendation(s) / Proposed Decision**

That TDA Director of Asset Management, Investment & Housing, in consultation with the Interim Chief Executive, be authorised to dispose of the freehold interest of land area 2,178 sq. m adjacent to Broomhill Way, Torquay.

### **Appendices**

Appendix 1: Site Plan – EM3381

## Background Documents

<b>Report clearance:</b>	<b>This report has been reviewed and approved by:</b>	<b>Date:</b>
Interim Chief Executive	Anne-Marie Bond	
Monitoring Officer		
Chief Finance Officer	Martin Phillips	
Relevant Director/Assistant Director	Liam Montgomery	

## Section 1: Background Information

<b>1.</b>	<b>What is the proposal / issue?</b>  It is proposed the Council dispose of the freehold interest of land area c. 2,178 sq. m on Nightingale Park adjacent to Broomhill Way, Torquay.  This property on disposal will provide a capital receipt to help supplement the Council's capital programme. It will also reduce the Council's liability of further maintenance spending.
<b>2.</b>	<b>What is the current situation?</b>  The land, whilst currently considered to be public open space, forming part of Nightingale Park it has nevertheless also been identified as employment land. The strip of land is adjacent to the freehold ownership of the intended purchaser. The land is currently heavily vegetated and overgrown being on the perimeter of Nightingale Park.  The landowner of the adjoining RGB Building Supplies approached the Council to see whether they could acquire a strip of land c. 20 / 30m depth around the north and western boundaries of their ownership. The purchaser's business has expanded in recent years and they now require additional land for external secure storage and parking.  The disposal of the identified land would not impact significantly on the wider future use of Nightingale Park.
<b>3.</b>	<b>What options have been considered?</b>  The Council's Corporate Asset Management Plan 2015 to 2019 (2018/19 Revision) makes specific that the Council will 'always seek to maximise the full market receipt for their assets whether by way of freehold disposal or leasehold interest'. The disposal of this asset will meet that requirement.  The Council is under no obligation to dispose of the land. The land could be retained by the Council for anticipated future use of Nightingale Park in its entirety albeit this has not been defined. The land in question does not produce any income currently and being on the periphery of Nightingale Park has become overgrown.
<b>4.</b>	<b>What is the relationship with the priorities within the Partnership Memorandum and the Council's Principles?</b>  Disposing of the land will help to support the ambitions and principles of the Corporate Plan by bringing into beneficial use employment land thus helping

	to create a more prosperous Torbay. The purchaser will continue to expand their business securing jobs for the benefit of Torbay.
5.	<p><b>How does this proposal/issue contribute towards the Council's responsibilities as corporate parents?</b></p> <p>n/a</p>
6.	<p><b>How does this proposal/issue tackle poverty, deprivation and vulnerability?</b></p> <p>n/a</p>
7.	<p><b>How does the proposal/issue impact on people with learning disabilities?</b></p> <p>n/a</p>
8.	<p><b>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</b></p> <p>No consultation is planned.</p>

<b>Section 2: Implications and Impact Assessment</b>	
9.	<p><b>What are the financial and legal implications?</b></p> <p>Financial Impact – It is proposed the land is sold for £175,000 with further provisions in place to cover any future intensification of use and increase in value of the land.</p> <p>Legal Impact – There are no legal implications anticipated with this disposal.</p>
10.	<p><b>What are the risks?</b></p> <p>If the proposal within this report is not implemented then it possible the purchaser will look to find an alternative premises to fit their expansion plans.</p> <p>The Council would also lose the capital receipt.</p>
11.	<b>Public Services Value (Social Value) Act 2012</b>

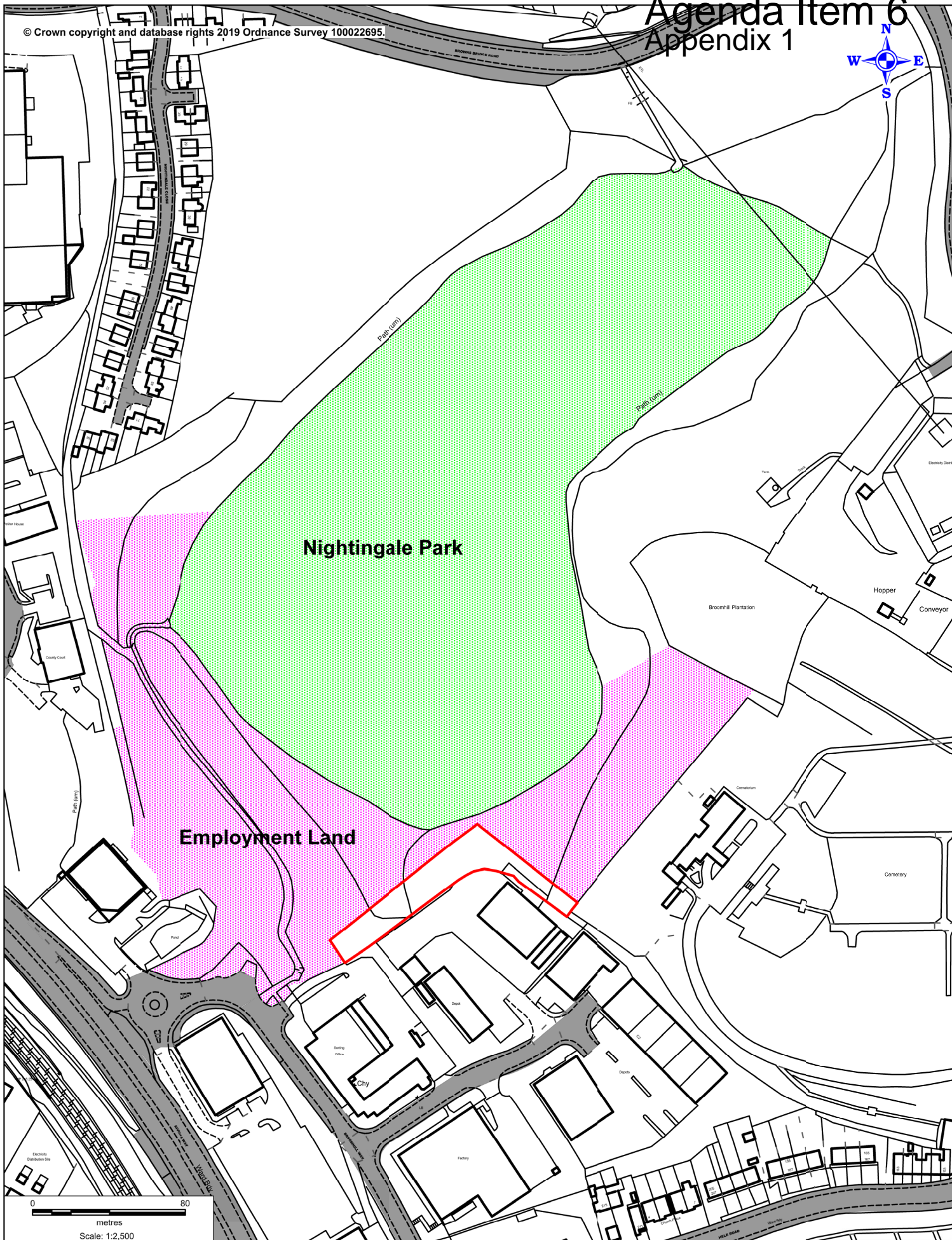
	<p>There are no procurement issues as the proposed purchaser is considered a special purchaser due to their freehold ownership of the land adjacent. The agreed purchase price of £175,000 (subject to contract) reflects this, coupled with the anticipated use of the site, and consequently terms of disposal are unlikely to be bettered by an advertising campaign on the open market.</p>
12.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>No research undertaken.</p>
13.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>No consultation undertaken.</p>
14.	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>No consultation undertaken.</p>

## Equality Impacts

15.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people			There is no differential impact.
	People with caring Responsibilities			There is no differential impact.
	People with a disability			There is no differential impact.
	Women or men			There is no differential impact.
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact.
	Religion or belief (including lack of belief)			There is no differential impact.
	People who are lesbian, gay or bisexual			There is no differential impact.
	People who are transgendered			There is no differential impact.
	People who are in a marriage or civil partnership			There is no differential impact.
	Women who are pregnant / on maternity leave			There is no differential impact.

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	The disposal of the land and subsequent development is likely to have a positive impact on locality.	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		There is no differential impact.
16.	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	No	
17.	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	No	





EM Plan No: EM3575  
Date: 1st September 2020  
Title: Land at Nightingale Park, Torquay.

Asset No: T1092ZZ  
LR Title No: DN537137  
Scale: 1:2500  
Area: 2,178.3m<sup>2</sup>

**TORBAY**  
COUNCIL



**Meeting:** Cabinet **Date:** 29 September 2020

**Wards Affected:** All

**Report Title:** Council Redesign Programme – Transformation Plan

**Is the decision a key decision?** Yes

**When does the decision need to be implemented?** Immediately

**Cabinet Member Contact Details:** Councillor Christine Carter, Cabinet Member for Corporate and Community Services, [christine.carter@torbay.gov.uk](mailto:christine.carter@torbay.gov.uk)

**Supporting Officer Contact Details:** Anne-Marie Bond, Interim Chief Executive – [anne-marie.bond@torbay.gov.uk](mailto:anne-marie.bond@torbay.gov.uk)

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### **1. Proposal and Introduction**

- 1.1 Torbay Council, like other councils, continues to face the ongoing challenge of austerity and is rapidly realising that the opportunities for making savings are diminishing. In parallel to this, the Council is currently embarking on its 'recovery programme' in response to the COVID-19 pandemic with the aim of ensuring our community, in its widest sense, is strengthened following this emergency.
- 1.2 As such the Council Redesign 'Transformation Plan' has recently been 'reset' to demonstrate how we will bring a coherent, joined-up approach to change, and at the heart of our transformation must be a renewed focus on our priorities, our customers and our communities.
- 1.3 At the same time, the recovery from the COVID-19 pandemic provides us with the opportunity for the council to radically rethink services and improve outcomes. We need to respond urgently and safely by transforming our services, our focus and our working practices.
- 1.4 The main objective of the Council Redesign Programme is;

**To modernise, simplify and standardise how we work so we can support the communities of Torbay and build a resilient council fit for the future**

### **2. Reason for Proposal and associated financial commitments**

- 2.1 The Cabinet is asked to approve the Transformation Plan as this sets out the objectives of the Redesign Programme together with the Design Principles for Torbay Council moving forward.

2.2 The proposals contained in this report do not commit the Council financially at this stage, with any required decisions to follow appropriate decision making in due course with supporting business cases. It is however envisaged that both financial and non-financial benefits will be realised by this programme, these will be quantified as the programme progresses to support the delivery of financial targets in the Medium Term Resource Plan.

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### 3. Recommendation(s) / Proposed Decision

(i) That the Council Redesign Transformation Plan be approved.

#### Appendices

Appendix 1: Council Redesign Programme – Transformation Plan

#### Background Documents

None

#### Report Clearance

<b>Report clearance:</b>	<b>This report has been reviewed and approved by:</b>	<b>Date:</b>
Chief Executive	Anne-Marie Bond	
Monitoring Officer	Amanda Barlow	
Chief Finance Officer	Martin Phillips	
Relevant Director/Assistant Director	Anne-Marie Bond	

## Section 1: Background Information

1.	<p><b>What is the proposal / issue?</b></p> <p>The Transformation Plan sets out the Objectives and Design Principles for the Council Redesign Programme.</p>
2.	<p><b>What is the current situation?</b></p> <p>It is acknowledged that the Council needs to consider bigger and bolder transformation opportunities that build a sustainable operating model for the 21st century, post COVID-19 whilst also delivering a range of financial and non-financial benefits.</p> <p>The Transformation Plan sets out how we will bring a coherent, joined-up approach to change, that meets the council's priorities as set out our Community and Corporate Plan, and will support the delivery of financial targets in the Medium Term Resource Plan.</p> <p>At the heart of our transformation must be a renewed focus on our priorities, our customers and our communities, with a determination to put people and outcomes ahead of organisational boundaries and bureaucracy.</p> <p>At the same time, the recovery from the COVID-19 pandemic provides us with the opportunity for the council to radically rethink services and improve outcomes. We need to respond urgently and safely by transforming our services, our focus and our working practices.</p>
3.	<p><b>What options have been considered?</b></p> <p>Work had started on the Council Redesign Programme at the end of 2019. However, the Council's response to the Covid-19 showed that we can operate differently and flexibly, building on the partnerships that we have had in place for many years.</p> <p>Reflecting on these changes, the opportunity to reset the Redesign Programme in this context. This Transformation Plan is an articulation of how we will work to put our customers at the centre of our organisation; how we will reconnect with and enable and empower our communities; and how we will become an organisation that our people are proud of.</p>
4.	<p><b>What is the relationship with the Council's Principles?</b></p> <p>This programme supports the delivery of all aspects of the Community and Corporate Plan.</p>

5.	<p><b>How does this proposal/issue contribute towards the Council's responsibilities as corporate parents?</b></p> <p>This programme will ensure that our responsibilities as corporate parents are central to how we how we operate.</p>
6.	<p><b>How does this proposal/issue tackle poverty, deprivation and vulnerability?</b></p> <p>We want to work with our communities to ensure that together we tackle poverty, deprivation and vulnerability.</p>
7.	<p><b>How does the proposal/issue impact on people with learning disabilities?</b></p> <p>We will ensure that the impact on people with learning disabilities is considered at each stage of the Redesign Programme.</p>
8.	<p><b>Who will be affected by this proposal and who do you need to consult with? How will the Council engage with the community? How can the Council empower the community?</b></p> <p>The Council Redesign Programme will have a positive impact on our residents and communities. Whilst the Transformation Plan itself will not be subject to consultation, as the Programme is implemented customers, residents and the community will be engaged.</p>

## Section 2: Implications and Impact Assessment

9.	<p><b>What are the financial and legal implications?</b></p> <p>There are no financial or legal implications associated with the recommendation.</p> <p>However, it is envisaged that both financial and non-financial benefits will be realised by this programme, these will be quantified as the programme progresses to support the delivery of financial targets in the Medium Term Resource Plan.</p> <p>Business Cases will be developed for any funding requests and these will be taken to the relevant decision maker/committee.</p>
10.	<p><b>What are the risks?</b></p>

	<p>The risk of not agreeing the Transformation Plan is that there will not be a coherent approach to ensuring that Torbay Council is a resilient council that is fit for the future.</p> <p>The risks of the Council Redesign Programme will be managed through the Programme Board, with any strategic risks being escalated to the Strategic Risk Register.</p>
<b>11.</b>	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>Not applicable.</p>
<b>12.</b>	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The experiences gained over the course of Torbay's existing Transformation Programme, together with those gained during the response to Covid-19, have been used to inform the Transformation Plan.</p>
<b>13.</b>	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>Not applicable.</p>
<b>14.</b>	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>Not applicable.</p>

# Council Redesign Programme- Transformation Plan

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September 2020

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# 1. Purpose and Objectives of the 'Council Redesign' programme

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Torbay Council, like other councils, continues to face the ongoing challenge of austerity and is rapidly realising that the opportunities for making savings are diminishing. In parallel to this, the Council is currently embarking on its 'recovery programme' in response to the COVID-19 pandemic with the aim of ensuring our community, in its widest sense, is strengthened following this emergency.

Within this context, the Council needs to consider bigger and bolder transformation opportunities that build a sustainable operating model for the 21st century, post COVID-19 whilst also delivering a range of financial and non-financial benefits.

As such this transformation plan sets out how we will bring a coherent, joined-up approach to change, that meets the council's priorities as set out our Community and Corporate Plan, and will support the delivery of financial targets in the Medium Term Resource Plan.

At the heart of our transformation must be a renewed focus on our priorities, our customers and our communities, with a determination to put people and outcomes ahead of organisational boundaries and bureaucracy.

At the same time, the recovery from the COVID-19 pandemic provides us with the opportunity for the council to radically rethink services and improve outcomes. We need to respond urgently and safely by transforming our services, our focus and our working practices.

Ultimately, our objective is;

**To modernise, simplify and standardise how we work so we can support the communities of Torbay and build a resilient council fit for the future**

To achieve this, we will focus on a number of design principles that will be used when re-designing our services - these are set out in section 7. They provide a focus for innovation and change, and will be used as the basis for our transformation.

To facilitate delivery, the 'Council Redesign Programme' will be broken down into three projects with the overarching objectives:

'Our Communities' – We will reconnect with and enable and empower our communities

'Our Organisation' – We will put our customers at the centre of our organisation

'Our People' – We will be an organisation that our people are proud of

## 2. What Whole Council Transformation means for Torbay Council

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The standard definition of transformation is ***“fundamentally changing the systems, processes, people and technology across a whole organisation to achieve measurable improvements in efficiency, effectiveness and stakeholder satisfaction”***.

For Torbay Council this means fundamentally changing the way we deliver our services and the way we operate, to achieve our council priorities within our financial constraints.

It means approaching this as a whole system change, applying solutions that meet the needs of our residents, communities and businesses as a whole.

The transformation plan will operate alongside business as usual (BAU) projects or activities and is an integral element of the Council’s Recovery from the COVID-19 pandemic, whilst also contributing to the achievement of Torbay’s community and corporate priorities.

### 3. Scope

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All service areas across the Council are within the scope of this programme.

To deliver the programme the projects listed below will be established - each will include a set of work packages for delivery. Each project will be responsible for its scope, plan, resource, budget and benefits.



The Transformation Team will support the programme and individual projects as well as the management of the interdependencies, budget and risks across the whole transformation plan. This will include tracking progress against milestones and monitoring the delivery of financial and non-financial benefits.

Project	Aims
<p><b>Our Communities</b> - We will reconnect with and enable and empower our communities</p> <p><b>Work Packages:</b></p> <ol style="list-style-type: none"> <li>1. Engaging</li> <li>2. Enabling</li> <li>3. Influencing</li> </ol>	<ul style="list-style-type: none"> <li>▪ Drive how the Council acts as a community leader, ensuring that as an organisation and as individuals (both members and officers) we reconnect with our community</li> <li>▪ Enable people and communities to more easily access support, information and influence and to act for themselves and ensure that Members have access to the information they need to represent their residents</li> <li>▪ Raise the profile of Torbay Council, and Torbay as a whole, by taking “our seat at the table” and confidently expressing our offers and asks</li> </ul>
<p><b>Our Organisation</b> - We will put our customers at the centre of our organisation</p> <p><b>Work Packages:</b></p> <ol style="list-style-type: none"> <li>1. Our Gateway</li> <li>2. Our System</li> <li>3. Our Offer</li> <li>4. Our Performance</li> </ol>	<ul style="list-style-type: none"> <li>▪ Provide an effective, efficient and responsive gateway to Council services and external services</li> <li>▪ Streamline and standardise the processes by which the Council delivers cost effective services, becoming digital by default</li> <li>▪ Define the services that the Council provides, and those which it does not; empowering and enabling residents, businesses and communities to act</li> <li>▪ Ensure an appropriate focus on performance and risk management across the organisation</li> </ul>
<p><b>Our People</b> - We will be an organisation that our people are proud of</p> <p><b>Work Packages:</b></p> <ol style="list-style-type: none"> <li>1. Agile &amp; High Performing</li> <li>2. Health &amp; Wellbeing</li> <li>3. Motivated &amp; Engaged</li> </ol>	<ul style="list-style-type: none"> <li>▪ Use Covid-19 as an enabler for a more agile and flexible workforce, which will bring opportunity and long lasting changes to how and when we work. Encourage a culture of high performance where teams can work self-sufficiently, are innovative and goal-focussed</li> <li>▪ Ensure our employees have the right health and wellbeing support to do their jobs safely and securely in order for the Council to have a resilient workforce.</li> <li>▪ Improve employee engagement and communication in order to listen, be more inclusive, be clear, be honest and open regardless of message.</li> </ul>

## 4. Governance

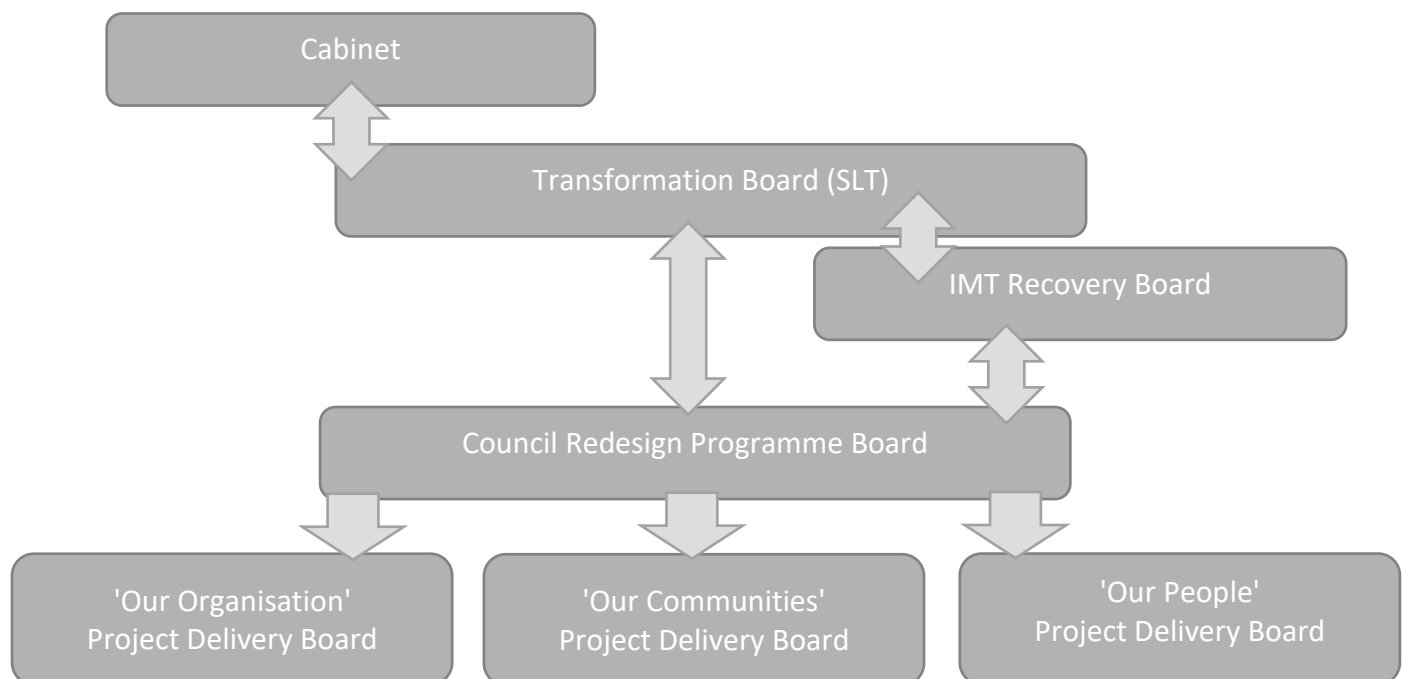
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The Council's Transformation Board (Senior Leadership Team) is ultimately accountable for overseeing the Council Redesign Programme (alongside the Council's other Transformation Programmes and Projects) and will act as the escalation route for strategic risks and issues.

The Council Redesign Programme Board is in place and is responsible for providing advice and direction to the projects, and for managing the relationships with stakeholders, including councillors. The Council Redesign Programme Board will provide assurance of quality and objectives, track overall investment and realisation of benefits and make strategic decisions in relation to scope, investment and risk management.

The Programme Board will also report to the Council's Incident Management Team (IMT) Recovery Board given that the programme has a crucial role to play in supporting Torbay's recovery from the Covid-19 pandemic.

The Project Delivery Boards will govern the detailed progress of each project and the associated work packages; managing the relevant resources and monitoring any risks and issues.



## 5. Transformation Plan benefits

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Benefits from the Programme will be grouped in three categories: **financial, efficiency and customer**. Benefits will need to be measurable and will be validated and approved through the Council Redesign Programme Board. Each Project Delivery Board will set out its own benefits profile which will be delivered by the work packages within its scope, and will report progress to the Council Redesign Programme Board, who will track overall progress. The financial oversight will ensure benefits are incorporated into the Council's overall budget planning and monitoring.

**Financial benefits** are quantified in terms of money saved that contributes towards closing the Council's budget gap. These are cashable savings, measurable cost avoidance, and income generation opportunities.

**Efficiency benefits** relate to people or processes being more productive (i.e. doing more for less), reducing the cost of service delivery, reducing errors, demand, duplication and multiple hand-offs, but do not necessarily result in a cashable saving.

**Customer benefits** relate to improved satisfaction, a better experience (quicker response and resolution time, direct access to information), including online and digital experience.

Each project will quantify and monitor the benefits from its component work packages, and the Council Redesign Programme Board will monitor the rolled-up total of all work packages. Related to this, each project delivery board will set out any opportunities for external investment for the projects to cover, for example, resources.

## 6. Approach to delivery

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To realise our ambition of being a Council fit for the future, we need to change the way we approach our work so as to create a culture of co-operative partnership between the Council and its communities. We need to ensure that our whole organisation is more flexible, adaptive and focused on the needs of our customers and our communities.

We will use technology to drive change but our digital approach will be more than that. We will change our way of thinking and working - designing services around the needs of people, making the most of modern technology to provide the solutions and experiences we should expect today. We will work with our service users, partners and communities and will use data to define the problems, understand opportunities, and the potential benefits.

Where appropriate we will work with our customers and service users to design and deliver accessible services together, experimenting with ideas before deciding what we want to change and how. Services will be designed from a whole system, whole of life perspective, working around the customer rather than organisational silos, using our design principles to challenge existing delivery models and common service performance measures across the Council.

We will promote community resilience, building on our partnerships with the community and voluntary sector, to ensure they are partners in the delivery and design of services.

We will become an enabling Council. Whilst we will develop a whole council portfolio of work that focuses our reducing resources on the areas which will have best effect, we will seek innovative solutions using the assets within our communities - the physical 'property assets' of the Council will also be reviewed, and when appropriate, a separate workpackage will be developed in this respect.

We will maximise the use of modern technology in the design of services, developing platforms that enable us to join up data, rapidly build and continuously improve digital services, re-use and exploit the technology we have.

We will use agile delivery methods, developing a mindset of iterative ongoing continuous improvement, working in multi-disciplinary teams to ensure we co-design services considering people, process, technology, and policy together to get the best outcome.

We will work to change the culture in the organisation through working as openly as we can using collaboration and communication tools to share what we are learning, and ideas to get feedback and suggestions.

## 7. Design Principles

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Our design principles help people to understand the future vision and translate it into day to day practice. They provide guidance and ground rules to provide a consistent approach and framework to work within, to shift the whole organisation to a new way of working.

### **An effective and sustainable organisation**

- We will deliver the best outcomes for our customers at an affordable cost
- We will deliver common processes, systems and functions where it makes sense to do so
- We will prioritise limited resources, make the most of funding opportunities and take a commercial approach to income generation
- We will use customer insight, research and data to make decisions and co-design services that meet the needs of our customers
- We will seek to innovate and use technology to transform services
- We will define the services that the Council provides, and those which it does not; empowering and enabling residents, businesses and communities to act.

### **A customer focussed organisation**

- We will work to enable greater independence, smarter services and empowered people
- We will move as much work forward, to self-service or customer facing roles as possible
- We will tell customers what to expect and keep them up to date along the way

### **An employer of choice**

- We will work as one council and collaboratively in partnership to meet the needs of our customers
- We will empower employees to make decisions as locally as possible to enable continuous improvement of services

## 8. Communications and engagement

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The work of the Council Redesign Programme will have its own communications and engagement plan, and dedicated resource will be required to deliver this.

Communications are needed to ensure that employees, councillors and stakeholders (including the wider community) are appropriately informed and involved in Torbay Council's transformation work. This is essential for the success of the Programme.

Consultation with key stakeholders will also take place to inform our plans, this will be undertaken at the earliest opportunity to gain buy in and ensure that this is meaningful.



## 9. Critical success factors

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In order for the Transformation Plan to succeed, the following factors need to be in place:

- Strategic officer leadership and ownership
- Sufficient resources, investment and financial planning
- Clarity of purpose and a shared understanding of objectives and agreed priorities
- The right communications at the right time
- Clear benefits realisation
- Consistent, easy-to-use programme management process

## 10. Measures of success

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We will measure our success against how well we have delivered against our design principles.

An effective and sustainable organisation:

- Unnecessary duplication of functions removed
- Consistent use of intelligence to enable the Council to make informed decisions
- Work and contacts are digital by default
- Benefits realised and changes embedded
- Budget targets achieved
- Increased commercial opportunities and income generation

A customer focussed organisation:

- Improved level of insight to better predict and reduce demand
- Best delivery model used to deliver appropriate and timely services to residents
- Residents, businesses and communities engaged, empowered and enabled to act
- Delivery of services that offer value for money and contribute to council priorities

An employer of choice:

- A culture of continuous improvement and community empowerment
- More responsive to changing needs of residents
- Independent, agile workforce

# 11. Risks

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Initial risks are likely to include:

- Insufficient resources – having the right people available at the right time
- Benefits not being clearly defined, delivered or communicated
- Lack of buy-in/support – organisationally and also from other key stakeholders (i.e. communities and partners)

Top level programme level risks will be reported, by exception, to the Transformation Board if they cannot be mitigated at Programme / Project level. The Programme Board will have a 'programme risk register' where these risks will be captured. Project Delivery Boards will hold and manage their own risk registers.

**Meeting:** Overview & Scrutiny Board

**Date:** 16<sup>th</sup> September

Cabinet

22<sup>nd</sup> September

**Wards Affected:** All Wards

**Report Title:** Budget Monitoring 2020/21 – Period Four

**Is the decision a key decision?** No

**When does the decision need to be implemented?** n/a

**Cabinet Lead Contact Details:** Darren Cowell, Cabinet Member for Finance  
[Darren.cowell@torbay.gov.uk](mailto:Darren.cowell@torbay.gov.uk)

**Supporting Officer Contact Details:** Sean Cremer, Deputy Head of Finance  
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## 1. Purpose and Introduction

- 1.1. This report provides a high level budget summary of the Council's forecasted revenue position for the financial year 2020/21. This report is based on figures as at the end of Period Four, 31<sup>st</sup> July 2020 taking into account the financial impact of Covid19.
- 1.2. The Council's **Revenue** budget remains under significant pressure. After the application of Government funding and use of specific reserves is £4.5m overspend as a result of Covid-19. This is an improvement of £0.3m since the Period 2 report.
- 1.3. The main pressures remain relatively unchanged as they are service areas most heavily influenced by due to changes in behaviour of the general public and resultant financial impact; namely Car Parking income and the collection of Council Tax and Business Rates.
- 1.4. This report takes into account the budget virements actioned following the Period 2 report which was presented to Cabinet & Overview & Scrutiny Board during the June / July meeting cycle.
- 1.5. As part of the mitigating actions some expenditure restrictions have been introduced in the year, however at this stage in response to the financial impact of Covid-19 there are no reductions or closure of services proposed.
- 1.6. The Capital Plan budget totals **£296m** for the 4 year programme, with **£61m** currently scheduled to be spent in 2020/21, including **£30m** on various Regeneration projects, **£5m** on Highways and transport schemes and **£4m** on various Education projects but still requires **£7.4m** from capital receipts and capital contributions over the life of the Capital Plan.

## 2. Recommendation (s) / Proposed Decision

- 2.1. That the Overview & Scrutiny Board notes the latest position for the Council's revenue outturn position and mitigating action identified and make any comments and/or recommendations to the Cabinet.
- 2.2. That the Overview & Scrutiny Board notes the latest position for the Council's Capital outturn position and make any comments and/or recommendations to the Cabinet.

## 3. 2020/ 21 Budget Summary Position

3.1. The below table shows a breakdown of the overall Council position and overall Covid-19 impact and resultant £4.5m overspend.

3.2. Headlines from the table:

3.2.1. Total Covid-19 impact is £18.703m due to increased spend and income losses.

3.2.2. The Council is expected to receive a total of £12.236m un-ringfenced funding

3.2.3. This leaves a shortfall of £6.467m before application of in year underspends and use of specific reserves

3.2.4. After applying in year underspends and use of specific reserves there is an overspend of £4.496m

Covid-19 Impact	£'000
1. Funding Applied to Revenue budget	12,569
2. Collection Fund shortfall	5,200
3. Pressures met from specific Reserves	934
<b>Total Covid-19 Impact</b>	<b>18,703</b>

Covid-19 Funding	£'000
4. MHCLG Grant	(10,447)
5. Estimated MHCLG Income reimbursement grant.	(1,789)
<b>Total Government Covid-19 Funding</b>	<b>(12,236)</b>
6. Covid-19 Shortfall (Impact after Funding)	6,467
<b>Council's mitigation</b>	
7. General Revenue underspend	(1,037)
8. Use of specific reserves	(934)
<b>Net Covid-19 Impact</b>	<b>4,496</b>

3.3. A narrative of the service variances is contained in section 6.

### Collection Fund – shortfall £5.2m

3.4. The collection fund is expected to have a £5.2m shortfall as a result of Covid-19. This pressure is due to shortfalls in the collection of Business Rates & Council Tax income and increased demand for reduced Council Tax bills through the Council Tax Support Scheme (CTSS).

- 3.5. Under the collection fund accounting rules any shortfall on the collection fund is carried forward to the following financial year to be funded. On the 2nd July the Government announced that Council's will be able to repay Council and business rates tax deficits over three years instead of one.
- 3.6. This change results in a £1.73m shortfall in funding for each of the following three years. If no further funding is provided, this will need to be funded as part of setting the 2021/22 budget.
- 3.7. **The Council's clear view is that the totality of the financial impact of Covid19 should be funded by MHCLG and should not be a cost to the local taxpayer or result in a detrimental impact on service provision for residents.**

#### 4. Grant Support

- 4.1. As of 2<sup>nd</sup> July the Government has announced two un-restricted grants for Council's to use to offset increased expenditure and income losses.
- 4.2. To offset increased expenditure Torbay Council has received a total of £10.447m so far. This has been allocated in 3 tranches of funding.

Date	Total Funding (£m)	Torbay Share (£m)
19-Mar	1,600	5.372
18-Apr	1,594	3.765
02-Jul	494	1.310
<b>Total</b>	<b>3,688</b>	<b>10.447</b>

- 4.3. This grant has been allocated across the Council based on the forecast financial impact as per the figures reported at Period 2.
- 4.4. The Government also announced on 2<sup>nd</sup> July additional support a new scheme that will reimburse councils for lost income. Where losses are more than 5% of a council's planned income from sales, fees and charges, the government will cover them for 75p in every pound lost.
- 4.5. The scheme will compensate authorities for eligible losses of income from sales, fees and charges which they had forecast to collect through the usual delivery of local services in 2020/21.
- 4.6. Details for the return are being worked on for the first Government return in September in respect of losses from April – July 2020.

4.7. In addition to the £10.4m of un-ring fenced “Covid-19” grant and the Income reimbursement Grant, Central Government have issued a number of other grants related to Covid-19.

4.8. Under Financial Regulations (5.5) “The Chief Finance Officer, in consultation with the Leader of the Council, to determine the allocation and expenditure of any new revenue grant monies that are received during the year”. Therefore these grants will be applied to the purpose specified and will be included in the 2020/21 budget monitoring. These are listed below:

<b>Grant</b>	<b>£000</b>	<b>Purpose</b>
Infection Control	2,748	To support ASC providers with infection control measures. Funding will be passported to suppliers (via ICO)
Opening High Streets	121	To support opening of high streets. Spend managed by TDA.
Food Grant	185	To help local authorities to continue to support those struggling to afford food and other essentials over the coming months due to COVID-19.
Test, Track & Trace	886	To support the mitigation and management of local outbreaks of COVID.
Hardship Fund	1,611	To support Council Tax Support scheme claimants. All working age claimants council tax bills have been reduced by £150 and the balance is to be used for the discretionary hardship fund.
Business Grants	47,490	Funding to support the Business Grant and Discretionary Business Grant scheme under guidance by BEIS. Note: Torbay is acting as “agent” here so this funding will not form part of budget.
Transport Access	55	Grant to support development of alternative travel to public transport
Business Improvement District (BID) support	25	Support to BID companies to cover the equivalent of core operational costs for three months.
Coronavirus Rough Sleeping Contingency Fund	12	Support for Covid19 impact on homelessness
Substance Dependence treatment	TBA	Torbay share of £16m yet to be announced
Emergency Accommodation support	TBA	Torbay has submitted a bid for a share of £105m to support individuals and families living in temporary accommodation. Allocations are yet to be announced.
School Transport	100	Funding for additional, dedicated public transport provision for school pupils. Funding is for the first half of the autumn term only.

## Capital Grants bid for

In addition to the bids that have bow been submitted to central government for both the Future High Streets Fund (Paignton) and The Town Deal (Torquay) two other funds have been bid for:

Scheme	£	Purpose
Accelerated Growth Fund	0.9m	Improvements at Upton Park, Princess Gardens and for the Wavelength project.
Getting Building Fund	4.1m	Torquay Gateway (Edginswell), Lymington Road and EPIC.

## 5. Strategic Updates

### Wholly owned companies

5.1. Covid-19 also presents challenges to the Councils wholly and joint owned companies. SWISCo. started trading in July 2020 and has experienced delays to the new fleet of vehicles as well as challenges around reduced commercial income. More detailed management reporting will be available in the coming months. TDA is forecast to be close to break even.

### Higher Needs Block – Special Education Needs

5.2. The schools' higher needs block in the Dedicated Schools Grant (DSG) has been under financial pressure as a result of an increasing level of referrals from schools for higher needs support for children.

5.3. As a result the DSG reserve is a £3.7m deficit at the end of 2019/20.

5.4. For 2020/21 there is a forecast overspend of £2.1m. The Council does not receive any funding for schools therefore the over spend will remain in the DSG to be funded from DSG in future years and is therefore not a cost that the Council has to fund. This position is now confirmed by the School and Early Year Finance (England) Regulations 2020.

5.5. Representatives from the Council and the School Forum continue to work with the Education & Skills Funding Agency (ESFA) to discuss the proposed financial recovery plan that was submitted to the ESFA in the 2019/20 financial year.

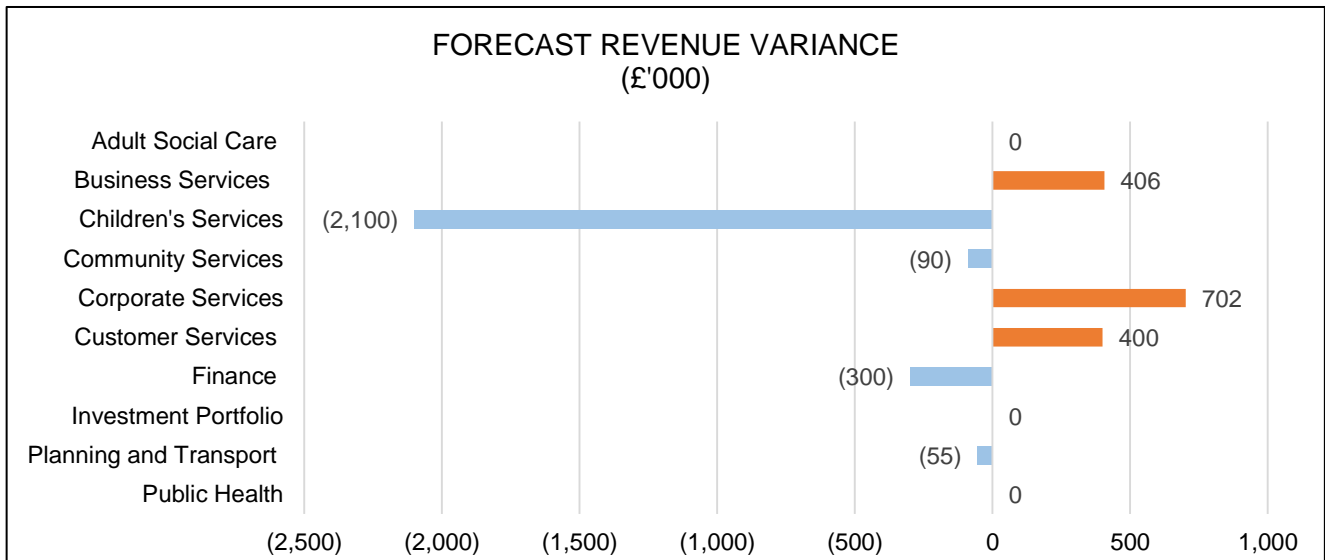
### £300m Investment fund

5.6. A total of £231m has been spent through the Investment Fund, leaving £69m left to spend.

5.7. In March 2020 HM Treasury started a consultation on future PWLB borrowing terms which would, in effect, prohibit the use of PWLB Borrowing to fund any future purchases of this type, known as "debt for yield". At the same time CIPFA issued a statement that the intent of the consultation should be adhered to with immediate effect and applied to all forms of borrowing not just PWLB. As a result the Council is no longer seeking such assets to purchase. The results of the consultation and the confirmation of the new rules are expected during the autumn.

## 6. Service Budgets

6.1. The below graph shows a visual breakdown, highlighting budget variance for each service after the application of Covid-19 Funding.



6.2. The budget position below reflects the revised budget presented to Overview & Scrutiny Board and **includes the application of £12.569m of Covid-19 Funding** to offset the Covid related pressures described.

Torbay Council Revenue Period 4 2020/21	Budget £000s	Outturn £000s	Revised Variance £000s	Variance Reported at Period 2 £000s	Movement £000s
1. Adult Social Care	39,378	39,378	0	0	0
2. Business Services	16,997	17,403	406	80	326
3. Children's Services	46,744	44,644	(2,100)	(1,510)	(590)
4. Community Services	2,794	2,704	(90)	0	(90)
5. Corporate Services	4,108	4,810	702	667	35
6. Customer Services	2,857	3,257	400	400	0
7. Finance	(9,855)	(10,155)	(300)	(300)	0
8. Investment Portfolio	(4,641)	(4,641)	0	0	0
9. Planning and Transport	7,129	7,074	(55)	(200)	145
10. Public Health	10,357	10,357	0	0	0
<b>Revenue total</b>	<b>115,868</b>	<b>114,831</b>	<b>(1,037)</b>	<b>(863)</b>	<b>(174)</b>



6.3. A narrative of the position and main variances in each service area is as follows;

1. Adult Social Care – On budget

6.4. Whilst the majority of this budget is spent against a fixed contract with the ICO the council is expecting to provide additional support to Adult Social Care providers to ensure the provision of care is maintained throughout this pandemic.

6.5. Community & Voluntary Sector organisations who have been supporting the community response to Covid-19 have also been allocated additional financial support to strengthen their fantastic work as part of the community response.

6.6. Based on the initial Government grant funding allocations, in consultation with the Section 151 Officer, £2.0m was allocated for Adult Social Care providers and £0.25m for the Community & Voluntary Sector.

2. Business Services – Overspend £0.4m

6.7. Due to the Government lockdown and resultant changes in public behaviour Car Parking income is expected to have a £2.5m short fall in income due to the ongoing significant reduction in the use of car parks.

6.8. From 1<sup>st</sup> April to 31<sup>st</sup> July on and off street parking income was down £1.5m compared to 2019/20 levels. Restricted foreign travel and pleasant summer weather has meant parking income has performed better than expected over the school holidays. There are remaining concerns over Autumn/Winter income as neighbouring local Authorities that do not have the same beach resort offering, and therefore rely on the high street retail and leisure offer are experiencing prolonged and substantial shortfalls in car parking revenue.

6.9. Permit sales dipped at the start of lockdown as understandably the public didn't rush to renew a 12 month permit with no certainty over when it could be used. As lockdown eased, sales of both types of Annual Permit were higher for July than the previous year.

6.10. There are additional income pressures across:

- Harbours shortfall on income £250k due to reduced visiting vessels and fish tolls
- Culture & Events is expecting an £80k shortfall due to the cancellation of local events & Torre Abbey £220k due to opening restrictions.
- Beach Services is forecasting a shortfall of £80k due to lost sales as a result of lockdown.

6.11. As a result of the prolonged closure at the RICC the total costs of financial support required is expected to be £750k of spend associated with providing financial support to leisure centres, comprising of £650k for the RICC and £100k for Clennon Valley. These figures are based on assumed recovery and a gradual return to "normal operations" between 7<sup>th</sup> September and the winter.

6.12. Cabinet recently considered the Economic Response Plan (Previously called COVID Economic Recovery Plan). At this stage a provision of £200k has been set aside to the support this plan in 2020/21 which is in addition to the use of the £121k of the Opening High Streets grant.

## 2. Children's Services – Underspend £2.1m

- 6.13. Within Children's social care there is a total forecast underspend of £2.1m.
- 6.14. This underspend is mainly due to the significant and maintained reduction in residential placements. Since September 2019 Children placed in residential settings has reduced from 44 to 27. This trend is expected to continue, with a further 5 placements expected to end during this financial year.
- 6.15. Over the same period LAC numbers have decreased from 350 to 335.
- 6.16. The other historic pressure in Children's social care has been agency staff which remains 17 FTE lower than since the start of the financial year.

### 3a. Children's Social Care (CSC) – Covid19 – Pressure £1m

- 6.17. There are concerns that cases of neglect and child abuse will have gone unreported during the lockdown as social distancing means children and families have significantly reduced contact with people outside of their home. As a result there could be an additional £1m of costs associated with safeguarding children as referrals from Schools, NHS and members of the public increase as lockdown eases.
- 6.18. As a result there may be an increase in the LAC population towards the end of October.

### 3b. Education – Covid19 – Pressure £0.5m

- 6.19. Due to social distancing restrictions there are significant implications on the current home to school travel arrangements for children with Special Educational Needs (SEN). Before lockdown this service cost £54k per week on transporting 454 children "door to door".
- 6.20. With the requirement to comply with social distancing restrictions the weekly costs could increase, costing the Council an additional £0.5m for the remainder of this financial year.
- 6.21. Government financial support has been received to offset the costs of providing additional public transport during school travel times for the first half of the autumn term. The council has worked with both bus and rail operators to ensure additional public transport was available from the start of this term.

## 4. Community Services – Overspend £0.09m

- 6.22. The main pressure within Community Services is the cost of providing temporary accommodation which is forecast to be £938k. This additional cost is as a result of providing accommodation and support as part of the "Everyone In" initiative. The service is concerned that demand for this service will remain high for the remainder of the year as economic pressures continue.
- 6.23. This is very slightly offset by the £12k Coronavirus (COVID-19) Rough Sleeping Contingency Fund received from Central Government.

- 6.24. The Assistant Director for Community and Customer Services has submitted a bid for funding to support with securing permanent accommodation for the people that remain in temporary accommodation.
- 6.25. There are some expected shortfalls in income associated with the Food safety and licensing of £150k due to restrictions on the work the team were able to undertake due to lockdown restrictions.

#### 5. Corporate Services – Overspend £0.7m

- 6.26. Within legal services there are ongoing costs associated with Agency Staff of £300k, predominantly as a result of the support for Adult Safeguarding. There are ongoing efforts to recruit to permanent staff including a review of market supplements and a grow our own approach. Recharges and income associated with Legal work is forecasting a shortfall of £200k based on historic levels of income achievement.
- 6.27. There is an income shortfall of £158k associated with the Print service, as per previous years. There is a tender evaluation ongoing for this service which may mitigate this position depending on the success of this exercise.
- 6.28. Although income levels have started to improve the Registrars service is forecasting a shortfall of £100k in income due to social distancing restrictions on the registration of Births and Marriages.

#### 6. Customer Services – Overspend £400k

- 6.29. Housing benefit pressures are forecast of £400k due to the subsidy due on the Council's level and mix of benefit claims.
- 6.30. There are £200k of additional staff costs associated with the increased demand within customer services associated with the delivery of the £47.5m business support grants and extended weekend operations of the call centre.

#### 7. Finance – Underspend £300k

- 6.31. Within this budget heading there are a number of centrally held Covid-19 expenditure items which are funded by the Government grants received.
- 6.32. As at period 2, there was a funding shortfall of £5.667m. This has reduced to £5.033m due to the reduction in estimated costs from home to school transport (para 6.21) and slight increase in allocation as part of tranche 3 of the MHCLG grant funding (para 4.2).
- 6.33. There are costs of £842k associated with the Temporary mortuary facility that has been set up by the Council. The facility has been in place since April, and based on the projections for use was partially downsized. The revised facility still has the flexibility to scale up in the event that increased capacity was required.
- 6.34. The costs of the emergency response for the financial year including the Shielding Hub which has been set up to provide support for individuals on the Governments shielding list, additional communication with the community, purchase of PPE, and additional bandwidth for homeworking is forecast to cost £400k. The Shielding Hub has provided a range of support for the community and includes a contact centre as well as

the provision of food parcels and PPE.

- 6.35. There are additional pressures associated Business Rates Collection from a reduced allocation from the NNDR rate retention pool of £653k. This is due to a predicted downturn in rates collection across the Devon-wide pool which results in less funding being re-distributed across the pool.
- 6.36. £300k of contingencies for shortfall in income have been released to mitigate budget shortfalls. There is an impact on interest receipts from the reduction in bank base rate from 0.75% to 0.1% however this is forecast to be offset by compensating savings elsewhere in the treasury management budgets.
- 6.37. Due to the significantly increased activity in the Revenues & Benefits function additional resources (£100k) have been approved to support the team in administering the Collection Fund. The Council has received additional “new burdens” funding which reflects the huge volume of additional work undertaken by the Business Rates & Council Tax teams in the response to Covid-19, particularly around the payment of business grants, administration of reliefs and re-billing.

#### 8. Investment Properties – Breakeven £0k

- 6.38. There are pressures associated with investment property income which will be offset by use of the investment fund reserve which is set up as part of every investment property purchase.
- 6.39. The purpose of this reserve is to meet temporary income shortfalls on investment properties across the portfolio. The in year shortfall from these properties is still an evolving position, however the year end shortfall, to be funded from the reserve, could be up to £1m.

#### 9. Planning & Transport – Underspend £55k

- 6.40. A reduced contribution for concessionary fares of £200k is forecast which offsets a Covid-19 related pressure associated with service income.

#### 10. Public Health – On budget

- 6.41. The majority of Public Health activity is funded by the ring-fenced grant. As a result there are no material variances within the “business as usual” operations of this service.
- 6.42. The Public Health team have been central to the local management of the Covid-19 response and coordinating a range of initiatives to ensure safe and effective management of Covid-19 within the local area.
- 6.43. The Council has received £886k to support the Test, Track and Trace work which will be coordinated by public health colleagues.

## 7. Mitigating actions

- 7.1. The Council has received £10.4m of un-ring fenced “COVID” grant to support expenditure and lost income.
- 7.2. After taking into account the Government grant support of £10.4m and utilising service specific reserves of £0.9m, and the £1.0m revenue underspend from normal (non-covid19) operations, the Council is forecasting an overall budget overspend as at Period 4 of £4.5m.
- 7.3. As mentioned earlier in the report the Collection Fund shortfall of £5.2m will impact on the 2021/22 budget. However the Council’s clear view is that this shortfall, as COVID related, should be funded by MHCLG. Any additional announcements by MHCLG will be incorporated into the budget position.
- 7.4. The financial impact on 2020/21 is constantly evolving and forecasts will be updated as more “actuals” are known. The underlying assumptions are updated linked to service pressures and revised Government guidance and funding announcements.
- 7.5. The financial impact for the Council will depend on the level of recovery in Torbay. This recovery is in terms of both the local economic recovery and collection of Council Tax and NNDR which is vital to deliver local public services.
- 7.6. A moratorium on non-essential spend remains in place. The Chief Finance Officer has arranged additional scrutiny in order to monitor and challenge all orders and contracts placed by officers across the Council.
- 7.7. The Chief Finance officer with the support of the senior management team has reviewed a number of sources of funding that could be applied to mitigate any in year shortfall, however any use of these resources would result in an “opportunity cost” in relation to the original intention for the funding.
- 7.8. In addition to supporting any national or regional lobbying for more Covid19 related funding the Council is also making its case for funding wherever it can. The Council’s Chief Executive and Chief Finance Officer have already had meetings with MHCLG to encourage additional funding to be allocated.
- 7.9. The Chief Financial Officer and his team are closely monitoring the Council’s cash flow. At this stage there are no concerns about cash flow for the remainder of the financial year.
- 7.10. The Council’s Chief Finance Officer has a requirement in certain situations to issue a “section 114 notice” to the Council under the Local Government Finance Act 1988. This states “that the chief finance officer of a relevant authority shall make a report under this section if it appears to them that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure”.
- 7.11. Clearly this is a relevant consideration with the current financial pressures. However CIPFA have now issued a statement to encourage councils to consider the exceptional circumstances and to consult with MHCLG prior to such action. At this stage Torbay is not considering issuing such a notice but will continue to both lobby for additional

funding and continue to consider options for mitigating the financial impact in 2020/21 and in particular future years.

## **8. Medium Term Resource Plan**

- 8.1. A robust medium term resource plan is crucial to ensuring that future funding gaps for 2021/22 and 2022/23 are addressed. The need for this plan is compounded by the risks associated with the Fair Funding Formula which is not anticipated to provide any respite in addressing Torbay's financial pressure. In April MHCLG announced the deferral to 2021/22 of the proposed changes to the NNDR retention system and the funding formula, although the NNDR growth since 2013 could be "reset" for April 2021.
- 8.2. The 2020 Spending Review is expected in November 2020 with the Local Government Finance Settlement to follow in December.
- 8.3. The financial impact of Covid19 in future years has been initially estimated at £8m, (including 1/3<sup>rd</sup> of the 20/21 collection fund deficit carried forward), but this is clearly a position that will evolve over the next few months. A number of the spending pressures seen in 2020/21 could reoccur in 2021/22 such as home to school transport and housing. In addition if the economy is impacted as predicted a number of income sources will continue to be affected such as rental income, car park receipts, council tax and NNDR collection.

## **9. Capital Plan**

- 9.1. As this report is based on the first two periods of the financial year a full update on the capital plan has not been included. Members received an update on capital grants as part of the 2019/20 outturn report presented in June and members will be aware of any recommendations by both council and cabinet that would impact on the capital plan such as the revised approval for the Harbour View hotel development and the approval of a solar farm.
- 9.2. The Council has not borrowed any funds for capital projects in 2020/21.

## 10. Risks & Sensitivity

10.1. There are a number of financial risks facing the Council as shown below:

Risk	Impact	Mitigation
Continued loss of income	High	Recovery meetings have been convened by the Chief Finance Officer for all the Council's main areas of income. Each group is tasked with developing an action plan to influence income where possible
Collection Fund shortfall	High	Additional resources allocated to support the Revenues & Benefits team.
Fair Funding Formula	High	Development of a robust MTRP to address the expected impact on Torbay's funding.
Identification, and achievement, of savings for 2021/22 to 2022/23 per Medium Term Resource Plan	High	Finance colleagues are working with the transformation team coordinate the implementation of potential transformation savings.  Senior Leadership Team and Cabinet will need to consider options for future years.
Delivery of Children's Services cost reduction plan	High	Weekly meetings have been convened to monitor the current rate of delivery against the identified actions from the recovery plan.
Unable to recruit staff and need to use agency staff.	High	Recruitment & retention of Social Work staff, particularly in safeguarding is one of the core priorities for the Senior management team within Children's Services.
Additional demand and cost pressures for services particularly in children's social care	High	2020/21 Budget monitoring, use of service performance data and recovery plan.
Delivery of approved savings for 2020/21	Medium	Further to regular budget monitoring for all budget holders, the Council's Senior Leadership Team receive monthly updates on the 2019/20 position including a savings tracker for each of the approved savings.
Investment Property Income changes	Medium	This has been increased from Low to Medium due to the economic impact of Covid19. There are ongoing discussions with tenants about recovery plans

## 11. Capital Plan Summary Position – as at 30<sup>th</sup> June 2020

- 11.1 The Capital Plan budget totals **£296m** for the 4 year programme, with **£61m** currently scheduled to be spent in 2020/21, including **£30m** on various Regeneration projects, **£5m** on Highways and transport schemes and **£4m** on various Education projects but still requires **£7.4m** from capital receipts and capital contributions over the life of the Capital Plan.
- 11.2 The spend profile for the Capital Plan is included in Appendix 2
- 11.3 Of the **£7.8m** funding requirement for Capital receipts, **£0.4m** has been received by the end of June 2019, leaving a balance of **£7.4m** still to be realised from both capital receipts and capital contributions. It is only after this target has been reached that any capital receipts should be applied to new schemes.
- 11.4 As the target income for capital receipts and capital contributions are required to meet existing Council commitments, it is important that any capital income raised is allocated to existing commitments and not used to support additional expenditure on new schemes.
- 11.5 The movements in the estimate of expenditure in 2020/21 on the Capital Plan between the last monitoring report at February 2020 of **£143.5m** and the current approved budget for 2020/21 of **£60.8m** are shown below.
- 11.6 Please note the format of this table shows schemes ordered by Council's Targeted Actions, as is Appendix 2.



## 12. Updates to Capital Plan

Scheme	Variation in 2020/21	Change £m	Reason
<b>2020/21 profiled spend as at Q3 2019/20</b>		<b>143.5</b>	Capital Plan Update – 2019/20 Quarter 3 (Cabinet 4th Feb 2020)
<b>Budget changes since last report (Q3 2019/20)</b>			
Investment Fund	Re profiled to future years	(65.0)	Government consultation on prohibiting borrowing for commercial acquisitions (“Debt for yield”)
South Devon Highway	Budgets re phased	0.2	Re profiled during Q4 2019/20
Old Toll House		0.4	Re profiled during Q4 2019/20
Torbay Leisure Centre		0.6	New budget allocations during budget setting 20/21
RICC	Additional budgets approved	0.3	New budget allocations during budget setting 20/21
Public Toilets		0.6	New budget allocations during budget setting 20/21
Scheme budgets brought forward from 2019/20 and minor year end adjustments.	Re profiled to 2020/21	10.0	For details see 2019/20 Capital Outturn report (Cabinet 16th June 2020)
	<b>Total</b>	<b>90.6</b>	
<b>Thriving People and Communities</b>			
School Condition (Capital repairs & maintenance) 20/21	Additional resources	0.4	2020/21 Govt. grant allocation
Devolved Formula Capital	New year allocation	0.1	2020/21 Govt. grant allocation
Crossways – Regeneration and Extra Care Housing	Budget moved to future years	(8.6)	Transfer budget to future years
Disabled Facilities Grants	Budget allocation	0.6	Part of DFG 2020/21 grant allocation
Affordable housing	Additional resources	0.5	Proceeds from Right to Buy Clawback receipts.
Housing Rental Co. - Loan	Budget moved to future years	(23.0)	Budget rephased to future years
	<b>Total</b>	<b>(30.0)</b>	

Thriving Economy			
Claylands Redevelopment	Rephased budget	(0.4)	Latest review of estimated expenditure
Town Centre Regen / Econ Growth Fund – Harbour View hotel	Budget allocations and transfers	5.6	Budget transfer from 21/22
Old Toll House		(3.3)	Net Budget Transfer to 2021/22
TCCT Ocombe Farm	Council approved scheme	(0.5)	Part budget for 2020/21
Retail site acquisition	Council approved scheme	1.2	New budget for 2020/21
		1.7	New budget for 2020/21
Transport – Highway Structural Maintenance	Additional resources	0.2	2020/21 Incentive element allocation
	Additional resources	1.2	Additional Pothole /Challenge Fund
	Budget transfer	(0.2)	Rephased to future years
Transport – Integrated Transport	Emergency Active Travel Fund first tranche	0	New Govt. allocation £35k
Transport – Torquay Gateway	Budget moved	(0.2)	Parts of scheme costs will fall in future years
Transport – Western Corridor	Part budget rephased	(0.4)	Likely remaining costs spread into future years.
Brixham Harbour – Infrastructure Repairs	Additional resources	0.1	Funded from Harbours Revenue
Princess Pier- Structural repairs	Budget moved	(0.7)	Remaining budget transferred to future years
RICC Improvements re Parkwood	Part budget transfer to next year	(0.7)	Part budget moved to 21/22
Torquay Recreation Ground Drainage	New scheme	0.1	Resources from Torre Valley North enhancements.
Torre Valley North Enhancements	No longer required	(0.1)	Budget transferred to Recreation Ground
	<b>Total</b>	<b>3.6</b>	

Climate fit for the Future			
Solar Farm	Cabinet approved scheme	1.0	Part budget moved to 2021/22
	<b>Total</b>	<b>1.0</b>	
Council fit for the Future			
General Contingency	Budget moved to 2021/22	(0.6)	Contingency unlikely to be required this year
	<b>Total</b>	<b>(0.6)</b>	
Investment Fund			
Investment Fund	Budget slippage from 19/20 rephased	(3.8)	Transfer to future years pending results of Government consultation
	<b>Total</b>	<b>(3.8)</b>	
<b>Estimate – Quarter One 2020/21</b>		<b>60.8</b>	

12.1 Further information on variations to scheme budgets is detailed below.

Thriving People and Communities

- 12.2 Capital Repairs and Maintenance (Condition funding) – the 2020/21 allocation of School Condition grant of **£0.418m** has been confirmed. The previously earmarked allocation of £0.15m to fund Paignton Community and Sports Academy expansion work has now been taken from the Basic Need 2021/22 allocation.
- 12.3 Devolved Formula Capital grant allocation for 2020/21 of **£0.083m** is a ring fenced grant and has been added to the Capital Plan.
- 12.4 Education Review Projects – The Basic Need allocation for 2021/22 was confirmed of **£8.6m**. Although this is a future year’s allocation, in line with Council approval in January 2019, a part of this allocation has already been earmarked for PCSA expansion and further plans were presented to and approved by Council in July 2020 including expansion at St Cuthbert Mayne and acquisition of a site for another Free primary school in Paignton to meet growing pupil place needs.
- 12.5 Affordable Housing – in line with previous Council decision, the proceeds derived from Right to Buy Clawback receipts arising from sales of transferred ex Council housing properties has been used to support the provision of further affordable housing. The budget has been increased by **£0.5m**.
- 12.6 Crossways – Only a small part of budget is likely to be required this financial year so **£8.6m** of the budget has been rescheduled to future years.

- 12.7 Disabled Facilities Grants – Government has announced the 2020/21 capital allocation of **£1.876m** within the Better Care Fund. **£0.64m** will be allocated to DFGs with the remaining **£1.24m** previously committed to Adult Social Care for extra care housing accommodation at Crossways, Paignton. Historically the Council received two separate capital grants for Adult Social Care and Disabled Facilities Grants that were merged into one grant when the Better Care Fund was created. The funding has however continued to be split over the two headings and reported to the Health and Wellbeing Board.
- 12.8 Housing Rental Company – Loan. Current expectations are that not all this loan facility will be required in this financial year, consequently **£23m** has been transferred to future years.

### Thriving Economy

- 12.9 Claylands Redevelopment – The main contract to build this facility has now been awarded and the likely expenditure pattern has been reviewed allowing **£0.4m** to be rephased to future years.
- 12.10 Transport Integrated Transport Schemes – Dept. for Transport has confirmed the Council's first tranche allocation of their new Emergency Active Travel Fund of **£0.035m**. A second tranche will be confirmed after analysis of the Authority's proposals by DfT. Other works in the programme will proceed in accordance with business case priorities.
- 12.11 Transport Structural Maintenance – The Government have provided grant allocations from their Incentive Fund of **£0.244m** for 2020/21 and additional Pothole/Challenge Fund money of **£1.212m**. These amounts have been added to the Highways Structural Maintenance budget to improve the condition of roads in Torbay.
- 12.12 In addition **£0.2m** of this budget allocation has been moved to next financial year.
- 12.13 Transport – Torquay Gateway. Much of this work is now programmed for this year although it is unlikely to complete all works in this timeframe, so **£0.2m** of this budget has been re-phased to future years. In order to ensure all available LEP grant is claimed before its 31<sup>st</sup>. March 21 deadline, there are negotiations in place to enable a potential funding swap to allocate some of Gateway grant to Western Corridor.
- 12.14 Transport – Western Corridor. – The main schemes have now been successfully delivered. Funding is now required to deal with ancillary issues such as planting works and claims made under the Land Compensation Act, with **£0.4m** of the budget spread to future years.
- 12.15 Brixham Harbour - Infrastructure. In addition to the scheduled works to be funded by this budget, some replacement of mooring chains at Brixham Harbour have also been required. The cost of this additional work has been added to the budget and is funded by a contribution from the Harbour revenue account.
- 12.16 Princess Pier Structural repair – All main works planned have now been completed. Most (**£0.7m**) of the remaining budget has been moved to 2021/22 when it is hoped a further business case will have been presented to the Environment Agency (EA) for

works to the sub-structure of Haldon and Princess Piers. The existing budget could then be used as potential match funding for EA grant funding.

- 12.17 Torquay Recreation Ground Drainage – New scheme to improve drainage network at Torquay Recreation Ground was supported in principle by Capital and Growth Board in September 2019 subject to obtaining suitable funding resources. Unused resources of **£0.033m** from Torre Valley North enhancements have been transferred to fund this work.
- 12.18 Regeneration/Growth Fund. - A number of schemes have been considered and added to the Capital Plan utilising the Council's Regeneration / Economic Growth Fund provision. New and additional allocations from this funding have been approved for the Harbour View Hotel development (additional **£2.7m**), and TCCT Ocombe Farm Development (**£1.2m**). This funding was also used to enable the acquisition of a retail site (**£1.725m**).
- 12.19 RICC Improvements (Parkwood) – works to improve facilities at the RICC were planned to be undertaken over the next couple of years and consequently **£0.7m** of the budget has been transferred to next financial year, although the works have been paused currently.
- 12.20 Torre Valley North enhancements – this scheme is no longer being progressed and **£0.033m** of the remaining £0.1m resources have been released to support drainage works required at the Torquay Recreation Ground (see para. 12.17 above). The balance **£0.057m** will be transferred to the Council's General Contingency and held for unforeseen emergencies

#### Climate fit for the Future

- 12.21 Fleet Acquisitions – the second tranche of 11 new recycling vehicles are expected in October 2020.
- 12.22 The development of Solar Farm at Brokenbury has been approved with a total cost of **£2.75m**.

#### Council Fit for the Future

- 12.23 Essential Capital Repairs – this original **£3m** budget (to be funded from borrowing) was provided to enable urgent works to Council assets including Infrastructure. **£0.375m** of the budget was previously allocated to Freshwater Cliff stabilisation and **£1.753m** has been allocated to Brixham Breakwater works and a further **£0.035m** to repairs to a slipway at Paignton Beach. A further allocation is required to fund structural problems at Meadfoot Sea Wall.
- 12.24 General Contingency - The Council has approved a capital contingency of **£0.6m**. This contingency is still in place to provide for unforeseen emergencies or shortfall in projected income over the 4-year Plan period but represents only 0.4% of the total Capital Plan budget. Currently it is not anticipated that the contingency will be required in this financial year so the budget has been moved to next year.

## Investment Fund

12.25 Investment Fund – all activity developing an Investment portfolio has been suspended following a Government consultation preventing borrowing for commercial properties. The remaining **£68.8m** budget has been moved to future years pending the outcome of the consultation.

### Receipts & Funding

12.26 The funding identified for the latest Capital Plan budget is shown in Annex 1. This is based on the latest prediction of capital resources available to fund the budgeted expenditure over the next 4 years. A summary of the funding of the Capital Plan is shown in the Table below:

<b>Funding</b>	<b>2020/21 £m</b>	<b>2021/22 £m</b>	<b>2022/23 £m</b>	<b>2023/24 £m</b>	<b>Totals @ Q1 20/21 (£m)</b>
Unsupported Borrowing	39	150	63	0	252
Grants	16	11	6	0	33
Contributions	2	0	0	0	2
Revenue	0	0	0	0	0
Reserves	1	0	0	0	1
Capital Receipts	3	1	4	0	8
<b>Total</b>	<b>61</b>	<b>162</b>	<b>73</b>	<b>0</b>	<b>296</b>

### 13. Capital Receipts

13.1 The approved Plan relies upon the generation of a total of **£7.8m** capital receipts from asset sales by the end of 2023/24. At 1 April 2020 the Council held a balance of **£0.4m** with nothing significant added by the end of July 2020, leaving a target of **£7.4m** still to be achieved. This target is expected to be realised provided that approved disposals currently “in the pipeline” are completed, the Council continues with its disposal policy for surplus and underused assets, the sites surrendered by the TCCT for housing are sold to a developer and no more new (or amended) schemes are brought forward that rely on the use of capital receipts for funding.

#### 13.2 Capital Grants

13.3 As reported in Capital Outturn report (Q4) 2019/20 a number of Government grant allocations have been announced:

- a) Department for Education – School Condition Allocation 2020/21 - £417,887. Provided to authorities for major repairs and maintenance of school estates.
- b) Department for Education– Devolved Formula Capital Grant 2020/21 - £83,309. This is a ring-fenced grant and will be paid to appropriate schools as required.
- c) Department for Education – Basic Need allocation 2021/22 - £8,609,731. Note this is a future year allocation to enable planning for future demands for school places. Part of this grant has already been earmarked and agreed for ongoing expansion at Paignton Community and Sports Academy and further proposals are in development to increase pupil capacity at St Cuthbert Mayne.

- d) Department for Transport – Highways Grants – Potholes Action Fund and Challenge Fund 2020/21 allocation - £1,212,000. This allocation incorporates two funding pots from DfT including the Challenge Fund which invited bids from Council's for specific projects but because of the Covid-19 issues it has been decided to distribute the funds on a formulaic basis.
- e) Department for Transport – Incentive Element 2020/21 - £244,000. Grant paid to authorities following effective asset management and adopting efficiency and best practice principles for local highway maintenance.
- f) Department for Transport – Active Travel Fund 2020/21 – indicative £276,000. Grant to be used to quickly capitalise on changes to modes of travel following Covid-19, in particular to support walking and cycling routes. The funding is dependent on the Council providing meaningful plans of how the funds will be used to reallocate road space to cyclists and pedestrians. Whilst the total allocation amount above is **indicative** at this stage and will be confirmed when DfT have reviewed the submitted plans, the amount of the first tranche (Capital element £35,357, Revenue element £5,893) has now been confirmed and £0.035 added to the Integrated Transport budget. Any further allocations will be added as and when confirmed.
- g) Ministry of Housing Communities and Local Government – Disabled Facilities grants 2020/21 £1,876,070. This grant allocation is used to support our DFG expenditure but also includes the former Adult Social Care capital grant. In recent years £1m has been allocated by members to DFGs with the balance to Adult Social Care. However, Council has previously been agreed that £1.235m of future grant allocations should be used for the proposed Crossways redevelopment, so this leaves £0.642 available for DFGs in 2020/21.

As well as the above new grant allocations the Council received confirmation of previously announced indicative allocations:

- h) Department for Transport – Structural Maintenance 2020/21 allocation £1.174m and Integrated Transport Block 2020/21 allocation £1.063m. Confirmation of indicative amounts of grant (£1.174m and £1.063m respectively) has also been received. The previously announced indicative figures are already included in the Council's approved Capital Plan.

13.4 All the above grants have been included in the Council's 20/21 capital budget and allocated to the intended services.

### 13.5 **Capital Contributions – S106 & Community Infrastructure Levy**

13.6 The Council's Capital Strategy states that capital contributions are applied to support schemes already approved as part of Capital Plan and are not allocated to new schemes unless the agreement with the developer is specific to a particular scheme outside the Capital plan.

13.7 **£0.1m** Section106 capital contributions have so far been received in 2020/21.

- 13.8 The Council's Community Infrastructure Levy (CIL) scheme came into effect from 1 June 2017. The main capital project identified for funding from CIL receipts is the South Devon Highway. Some CIL funds are now being received and a percentage of these receipts have to be given to local neighbourhood planning areas as the "neighbourhood proportion". Less than **£0.01m** CIL has been received so far in 2020/21.
- 13.9 **Borrowing and Prudential Indicators**
- 13.10 No new borrowing was transacted during the first quarter of 2020/21. The Council as at end of June 2020 had a total debt of £394m and the Operational Boundary (excluding PFI element) for 2020/21 was set at £570m.
- 13.11 Members need to be fully aware of the financial risks and ongoing revenue impact of significantly increased levels of borrowing. A balanced view needs to be taken between the increased ongoing revenue borrowing cost, the ongoing value of the underlying assets and the robustness of any income stream associated with those assets. The key criteria is not so much the level of quantum of debt but the ability of the council to afford the higher levels of interest and principal repayments. The Council borrows at fixed rates over a range of maturity profiles, so the risk is with fluctuations in both revenue income streams and asset values. Therefore due diligence, diversification and robust business cases supported by external advice as required is vital.

**Appendices:**

Appendix 1 - Capital Plan summary – Quarter One 2020/21



**CAPITAL PLAN - QUARTER 1 2020/21 - EXPENDITURE**

**Appendix 1**

		Revised 4-year Plan July 2020						
		Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Total 2020/21 Revised	2021/22	2022/23	2023/24	Total for Plan Period
<b>PB</b>	= Approved Prudential Borrowing schemes	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>Thriving People and Communities</b>								
	Barton Academy - Nursery provision	527		527				527
	Brookfield Site / Brunel Academy Phase 1	1,050	1,008	42				42
	Brunel Academy Ph 2 Vocational Classrooms	1,050	366	634	50			684
	Capital Repairs & Maintenance 2018/19	378	227	151				151
	Capital Repairs & Maintenance 2019/20	269	139	130				130
	Capital Repairs & Maintenance 2020/21	418		418				418
	Devolved Formula Capital			211				211
	Early Years - Ellacombe Academy Nursery	907	892	15				15
	Education Review Projects			36	1,540			1,576
	Mayfield Expansion	1,500			1,500			1,500
<b>PB</b>	Medical Tuition Service - relocation	601	518	83				83
	New Paignton Primary school sites (St Michaels & Windmill)	1,209	7	602	600			1,202
	Pgn CS Academy Expansion	1,924	836	43	1,045			1,088
	Roselands Primary - additional classroom	599	454	145				145
	Secondary School places	2,194	2,192	2				2
	Sixth Day Provision	250			250			250
	Special Provision Fund (SEND)	849	371	478				478
	St Cuthbert Mayne Expansion	3,600			3,600			3,600
	Torbay School Relocation (Expansion Burton Acad Hillside site)	1,225	279	921	25			946
	IT replacement - Childrens Case Management System	1,000	232	768				768
	Adult Social Care			241				241
<b>PB</b>	Crossways, Paignton - Regen and Extra Care Hsg	22,359	13	4,999	8,625	8,722		22,346
	Extra Care Housing (Torre Marine)	2,250	1,315	935				935
	Disabled Facilities Grants			1,319				1,319
	Affordable Housing	1,709	1	1,708				1,708
<b>PB</b>	Housing Rental Company - Loan	25,000		2,000	10,000	13,000		25,000
	Housing Rental Company - Aff Hsg Developments	100	11	89				89
		<b>79,829</b>	<b>8,861</b>	<b>16,497</b>	<b>27,235</b>	<b>21,722</b>	<b>0</b>	<b>65,454</b>

CAPITAL PLAN - QUARTER 1 2020/21 - EXPENDITURE

Appendix 1

		Revised 4-year Plan July 2020						
		Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Total 2020/21 Revised	2021/22	2022/23	2023/24	Total for Plan Period
		£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>PB</b>	<b>= Approved Prudential Borrowing schemes</b>							
<b>Thriving Economy</b>								
<b>PB</b>	Claylands Redevelopment	10,400	1,855	7,200	1,201	144		8,545
	DfT Better Bus Areas	1,147	1,095	52				52
<b>PB</b>	Edginswell Business Park	6,620	2,983	3,637				3,637
<b>PB</b>	Innovation Centre Ph 3 (EPIC)	6,635	6,420	215				215
<b>PB</b>	Oxen Cove Landing Jetty	2,500	2,483	17				17
<b>PB</b>	South Devon Highway - Council contribution	20,224	18,641	1,583				1,583
<b>PB</b>	TEDC Capital Loans/Grant	4,040	3,465	575				575
	Transport Highways Structural Maintenance			3,060	200			3,260
	Transport Integrated Transport Schemes			730				730
	Transport - Torquay Gateway Road Improvements	2,927	1,198	1,349	300	80		1,729
	Transport - Tweenaway Junction	4,905	4,905	0				0
	Transport - Western Corridor	12,271	11,645	250	250	126		626
	Babbacombe Beach Road	260	0	260				260
<b>PB</b>	Brixham Harbour - Breakwater	3,892	3,783	109				109
	Brixham Harbour - CCTV upgrade		79	7				7
	Brixham Harbour - Infrastructure Repairs	214	92	122				122
	Brixham Harbour - Water Meters	110	72	38				38
<b>PB</b>	CCTV equipment	521	518	3				3
	Clennon Valley Sport Improvements	70	32	38				38
	Flood Alleviation - Cockington	328	82	246				246
	Flood Alleviation - Monksbridge	412	51	361				361
	Paignton Coastal Defence Scheme	3,142	69	286	1,485	1,302		3,073
<b>PB</b>	Paignton Harbour Light Redevelopment	800	714	86				86
	Princess Pier - Structural repair (with Env Agency)	1,665	846	80	739			819
<b>PB</b>	Public Toilets Modernisation Programme	1,779	1,050	729				729
	Torquay Recreation Ground Drainage	33	0	33				33
<b>PB</b>	RICC Improvements (re Parkwood)	2,699	31	1,955	713			2,668
	Torbay Community Partnership	50	40	10				10
<b>PB</b>	Torbay Leisure Centre (Parkwood Loan)	300		300				300
<b>PB</b>	Torre Abbey Renovation - Phase 3 (TC contrib)	1,700		0	1,700			1,700
	Torre Valley North Enhancements	36	36	0				0
	Torquay Harbour - South Pier Pontoon Runner Guides	40	35	5				5
<b>PB</b>	Regeneration Programme and Economic Growth Fund	105,850		5,605	50,245	50,000		105,850
<b>PB</b>	Regeneration Programme-Retail Opportunity	16,700	15,941	759				759
<b>PB</b>	Regeneration Programme-Harbour View Hotel Developmt	14,016	1,002	7,014	6,000			13,014
<b>PB</b>	Old Toll House (Econ Growth Fund)	1,200	74	600	498			1,098
<b>PB</b>	TCCT Ocombe Farm Development (EGF)	1,200		1,200				1,200
<b>PB</b>	Retail site acquisition (Regen Prog)	1,725		1,725				1,725
		230,411	79,237	40,239	63,331	51,652	0	155,222
<b>A climate fit for the future</b>								
<b>PB</b>	Council Fleet Vehicles	4,771	2,973	1,798				1,798
<b>PB</b>	Solar Farm, (EGF)	2,750		1,000	1,750			2,750
		7,521	2,973	2,798	1,750	0	0	4,548

CAPITAL PLAN - QUARTER 1 2020/21 - EXPENDITURE

Appendix 1

		Revised 4-year Plan July 2020						
		Latest Est Scheme Cost	Expend in Prev Years (active schemes only)	Total 2020/21 Revised	2021/22	2022/23	2023/24	Total for Plan Period
		£'000	£'000	£'000	£'000	£'000	£'000	£'000
<b>PB</b>	= Approved Prudential Borrowing schemes							
<b>A Council fit for the future</b>								
<b>PB</b>	Corporate IT Developments	1,801	1,715	86				86
	IT Equipment - TOR2	150	22	128				128
<b>PB</b>	Essential Capital repair works	871	49	822				822
	Enhancement of Development sites	310	110	200				200
	General Capital Contingency	689	0	58	631			689
		<b>3,821</b>	<b>1,896</b>	<b>1,294</b>	<b>631</b>	<b>0</b>	<b>0</b>	<b>1,925</b>
<b>Investment Fund</b>								
<b>PB</b>	Investment Fund	300,200	231,431	0	68,769			68,769
		<b>300,200</b>	<b>231,431</b>	<b>0</b>	<b>68,769</b>	<b>0</b>	<b>0</b>	<b>68,769</b>
<b>TOTALS</b>			<b>324,398</b>	<b>60,828</b>	<b>161,716</b>	<b>73,374</b>	<b>0</b>	<b>295,918</b>
<b>CAPITAL PLAN - QUARTER 1 2020/21 - FUNDING</b>								
	Unsupported Borrowing			38,988	149,501	63,144		251,633
	Grants			16,587	10,696	5,602		32,885
	Contributions			1,177	323			1,500
	Revenue			128				128
	Reserves			1,184	554	206		1,944
	Capital Receipts			2,764	642	4,422		7,828
	<b>Total</b>			<b>60,828</b>	<b>161,716</b>	<b>73,374</b>	<b>0</b>	<b>295,918</b>