

Monday, 16 August 2021

CABINET

A meeting of **Cabinet** will be held on

Tuesday, 24 August 2021

commencing at **5.30 pm**

The meeting will be held in the Meadfoot Room, Town Hall, Castle Circus,
Torquay, TQ1 3DR

Members of the Committee

Councillor Steve Darling (Chairman)

Councillor Carter

Councillor Long

Councillor Cowell

Councillor Morey

Councillor Law

Councillor Stockman

Together Torbay will thrive

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, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

CABINET AGENDA

1. **Apologies**
To receive apologies for absence.
2. **Minutes** (Pages 5 - 26)
To confirm as a correct record the Minutes of the meeting of the Cabinet held on 13 July 2021.
3. **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.)
4. **Communications**
To receive any communications or announcements from the Leader of the Council.
5. **Urgent Items**
To consider any other items the Chairman decides are urgent.
6. **Matters for Consideration**
7. **Notice of motion - Emergency Services Day** (Page 27)
To consider the attached motion, notice of which has been given in accordance with Standing Order A14 by the members indicated.
8. **Adult Social Care - Annual Local Account 2020/21** (Pages 28 - 83)
To consider a report that seeks approval of the Annual Local Account for 2020/21.

9. **Equality Objectives 2021-2025** (Pages 84 - 102)
To consider a report that makes recommendations on the Equality Objectives.
10. **Corporate Parenting Strategy** (Pages 103 - 119)
To consider a report on the Corporate Parenting Strategy.
11. **Children’s Improvement Board and Governance Arrangements** (Pages 120 - 126)
To consider a report that sets out proposals to strengthen the Council’s governance arrangements for Children’s Services and to provide focus and drive for Children’s improvement beyond the Department for Education’s (DfE) intervention.
12. **Policy for the Prevention of the Facilitation of Tax Evasion** (Pages 127 - 140)
To consider a report that seeks approval of the Prevention of the Facilitation of Tax Evasion Policy.
13. **The CIPFA Financial Management Code – Desk Top Review 2020/21** (Pages 141 - 158)
To consider a report that sets out a desk top review for 2020/21 undertaken by the Chief Finance Officer in line with the CIPFA Financial Management Code of Practice.
14. **Increasing Local Spend** (Pages 159 - 164)
To note a report that provides information on a pilot that will be undertaken to use the SupplyDevon hub as the route to market for external Council spend between £5,000 and £50,000 from 01 September 2021 to 31 March 2022.
15. **Report of the Overview and Scrutiny Board - Budget Outturn Monitoring 2020/21 – Quarter Four** (Pages 165 - 166)
To consider the report of the Overview and Scrutiny Board on the Budget Outturn Monitoring 2020/21 – Quarter Four and formally respond to the recommendations contained within the submitted report.
16. **Redevelopment of Former WCs - Corbyn Head and Preston (North)** (Pages 167 - 174)
To consider a report that seeks approval to develop the former WC’s at Corbyn Head and Preston (North) via the Growth Fund to form café/restaurant premises with provision of community facilities.
17. **Expansion of EFFECT Photonics onto Torbay Business Park** (Pages 175 - 205)
To consider a report on the above.
18. **Project update for the creation of a solar farm on land at Nightingale Park to sell the electricity for a return on investment and help meet the Council’s carbon neutral priority.** (Pages 206 - 249)
To consider a report on the above.
- (Note this report contains exempt appendices.)
19. **Exclusion of Press and Public**
To consider passing a resolution to exclude the press and public

from the meeting prior to consideration of the following items on the agenda on the grounds that exempt information (as defined in Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

Meeting Attendance

Whilst national Covid-19 restrictions were lifted on 19 July 2021, Torbay Council has taken the decision to continue operating in a Covid-19 secure manner in order to protect staff and visitors entering Council buildings and to help reduce the spread of Covid-19 in Torbay. This includes social distancing and other protective measures (e.g. wearing a face covering (unless exempt), signing in and using hand sanitiser). Our public meetings will continue to operate with social distancing measures in place and as such there are limited numbers that can access our meeting rooms. Also, to help prevent the spread of the virus, anyone attending meetings is asked to take Covid lateral flow test the evening before - if you have a positive test result please follow the Government's guidelines and do not attend the meeting.

If you wish to attend a public meeting please contact us to confirm arrangements for your attendance.

Minutes of the Cabinet

13 July 2021

-: Present :-

Councillor Steve Darling (Chairman)

Councillors Carter, Cowell, Law, Long, Morey and Stockman

(Also in attendance: Councillors Barnby, Barrant, Bye, Douglas-Dunbar, Foster,
Chris Lewis, Loxton and David Thomas)

219. Minutes

The Minutes of the meeting of the Cabinet held on 15 June 2021 were confirmed as a correct record and signed by the Chairman.

220. Communications

The Cabinet Member for Infrastructure, Environment and Culture, Councillor Morey, provided an update on the submission of bids for electric buses and installation of electric vehicle charging points.

The Leader of the Council, Councillor Steve Darling, updated Members on the transmission rate of Covid-19 within Torbay, whilst recognising the need to open the economy he urged residents to continue practising 'hands, face, space'.

221. Matters for Consideration

The Cabinet considered the following matters, full details of which (including the Cabinet's decisions and recommendations to Council) are set out in the Record of Decisions appended to these Minutes.

222. Notice of motions

223. Exploring a Torbay Climate Partnership

224. Prioritised Council Business Plan 2021/2022

225. SWISCO Business Plan 2021-23

226. Budget Monitoring 2020/21 - Quarter Four - Outturn

227. Torquay Town Deal - Business Cases

228. Lease Arrangements for Medical Tuition Service

229. Children's Services - Sufficiency Strategy

230. Gambling Act 2003 - Draft Licensing Statement of Principles 2022 to 2025

Chairman/woman

Record of Decisions

Notice of Motion - Climate and Ecological Emergency Bill

Decision Taker

Cabinet on 13 July 2021.

Decision

That the Cabinet resolves to;

- i) Support the Climate and Ecological Emergency (CEE) Bill;
- ii) Inform the local media of this decision including sharing information on social media;
- iii) Write to local Members of Parliament asking them to support the CEE Bill; and
- iv) Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill expressing our support (campaign@ceebill.uk).

Reason for the Decision

To endorse the motion and demonstrate support for the CEE Bill.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet considered a motion in relation to the Climate and Ecological Emergency Bill, notice of which was given in accordance with Standing Order A14.

Councillor Morey proposed and Councillor Law seconded a motion, as set out below which was agreed unanimously by the Cabinet:

Parliament declared a Climate Emergency back in 2019 but actions haven't matched their words. An emergency requires strong, decisive action to reverse the climate and ecological crisis. The Climate and Ecological Emergency (CEE) Bill was drafted last summer by scientists, legal experts, ecological economists and environmentalists to reverse the climate and ecological breakdown we face.

The Bill asks the UK to take responsibility for its fair share of greenhouse gas emissions, to actively restore biodiverse habitats in the UK and to stop damage to the environment through the production, transportation and disposal of the goods we consume.

Objectives of the Bill:

- *For the UK to do its fair share to limit global heating to 1.5°C*
- To do so, the UK must reduce its emissions drastically; take account of its entire carbon footprint, domestically and internationally; and circumscribe reliance on speculative future carbon capture technologies.

- *Conserve the natural world*
- This requires the UK to focus on restoring biodiversity, soils, natural carbon sinks; to take steps to mitigate the damage to nature caused by UK supply chains, domestically and internationally; and account for the UK's entire ecological footprint.
- *Giving people a real say, supported by experts*
- An emergency Citizens' Assembly working with experts will empower MPs to make tough decisions, and give ordinary people a real say, based on the science, on the pathway forward for a fair and just transition to a thriving zero-carbon society.

Therefore this Cabinet resolves to:

1. Support the Climate and Ecological Emergency (CEE) Bill;
2. Inform the local media of this decision including sharing information on social media;
3. Write to local Members of Parliament asking them to support the CEE Bill; and
4. Write to the [CEE Bill Alliance](#), the organisers of the campaign for the Bill expressing our support (campaign@ceebill.uk).

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
 Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Notice of Motion - Planning Reforms

Decision Taker

Cabinet on 13 July 2021.

Decision

That the Cabinet resolved to ask the Leader of the Council to write to the Secretary of State for Housing, Communities and Local Government calling for the Government to scrap its Planning White Paper and instead

- Undertake a wholesale review of Permitted Development Rights;
- Make the Bristol-based Planning Inspectorate more accountable to local people; and
- Implement stronger controls to ensure Ministers making decisions on planning applications are not connected either financially or personally with the developers or related parties to the application.

Reason for the Decision

To support the motion in respect of the Government's proposed Planning Reforms set out in the Planning White Paper.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

Information

The Cabinet considered a motion in relation to the Government's proposed Planning Reforms, notice of which was given in accordance with Standing Order A14.

Councillor Long proposed and Councillor Cowell seconded a motion, as set out below which was agreed unanimously by the Cabinet:

Cabinet notes:

The significant public concerns over the Government's Planning Reforms, in particular concerns about their reduced ability to object to building works under Permitted Development Rights which have been extended under this Government.

Widespread concerns and condemnation of the Planning White Paper proposals have also been expressed across Local Government, The Planning and Architecture Sector, and organisations concerned with protecting green spaces and heritage.

Cabinet is concerned that:

- Government proposals to deregulate planning will remove the rights of residents to influence or object to inappropriate development where they live.
- The Government's proposals will decimate the character of Torbay and give carte blanche to developers to build what they please without needing planning

permission.

Cabinet believes that residents have the right to a say over development that will change the area they live in. Local councils, in consultation with their businesses and residents are best placed to understand the issues in their area and respond with a spatial strategy tailored to that area.

Cabinet therefore requests the Leader of the Council to write to the Secretary of State for Housing, Communities and Local Government calling for the Government to scrap its Planning White Paper and instead

- Undertake a wholesale review of Permitted Development Rights
- Make the Bristol-based Planning Inspectorate more accountable to local people
- Implement stronger controls to ensure Ministers making decisions on planning applications are not connected either financially or personally with the developers or related parties to the application.

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____
Leader of Torbay Council on behalf of the Cabinet

Date: _____

Record of Decisions

Exploring a Torbay Climate Partnership

Decision Taker

Cabinet on 13 July 2021.

Decision

- (i) That the progress being made to develop a climate partnership be noted;
- (ii) That the Council continue to explore with partners the creation of a Torbay Climate Partnership, building on the discussions at the meeting held on 4 June 2021; and
- (iii) That the Cabinet acknowledges the work already undertaken by the Overview and Scrutiny Climate Change Emergency Review Panel. In light of their being no firm proposal arising from the informal meeting of partners on 4 June, the Cabinet requests that the Overview and Scrutiny Board consider acting as the facilitator for this activity until such a time that the climate partnership is in a position to lead.

Reason for the Decision

Torbay Council cannot deliver carbon neutrality across Torbay on its own. It would need significant system level changes and requires our partners, businesses, communities, and residents to all act. A partnership, with representatives from Torbay's key organisations, businesses and communities is essential in order to meet Torbay's carbon neutral 2030 target.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

Torbay Council declared a Climate Emergency in June 2019. A range of actions have already been taken, including the actions as outlined in the recently approved Initial Carbon Neutral Torbay Action Plan (2021/22). However, tackling the Climate Emergency required everyone to play a part and to work together. As such a climate partnership or similar was needed to co-design, accelerate and coordinate actions across Torbay's businesses, communities and with our residents. The Cabinet considered an update on the work to date to explore a Torbay-wide climate partnership, including an informal meeting held with partners on 4 June 2021.

At the meeting, Councillor Morey proposed and Councillor Long seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The alternative options are:

Option (i) - do not continue to explore a partnership. This is likely to result in Torbay-wide actions developing on an ad-hoc basis. Due to the uncoordinated nature of this option, there

will be no overall plan across Torbay with prioritised actions capable of making significant progress towards 2030. This option is therefore not recommended.

Option (ii) - is to continue to explore options with partners. It will provide Torbay with the best chance of working effectively with partners, communities and residents towards its carbon neutral targets.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Prioritised Council Business Plan 2021/2022

Decision Taker

Cabinet on 13 July 2021.

Decision

That the Prioritised Council Business Plan for 2021/2022 be approved.

Reason for the Decision

To ensure that the whole organisation knows the key actions which need to be taken to deliver the Council's ambitions.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Council's Business Plan 2021/2022 delivery plan has taken a different format to previous iterations, to reflect the agreed Performance and Risk Framework, the Council Business Plan was approved by Cabinet on 18 May 2021. As part of the consideration on 18 May 2021, Cabinet recognised the need to identify the key priorities contained within the Business Plan, subsequently a prioritised Business Plan for 2021/2022 had been produced.

It was recognised that the amendment approved at the Cabinet meeting on 18 May 2021 needed to be incorporated into the business plan.

At the meeting, Councillor Steve Darling proposed and Councillor Cowell seconded a motion, that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would have been to develop a separate document containing only those actions which were highlighted as priorities. This option was dismissed as the Business Plan enabled the Council to reflect on the achievements of the past year and set the entirety of the planned actions in context.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

SWISCo Business Plan 2021-23

Decision Taker

Cabinet on 13 July 2021.

Decision

That the SWISCo Business Plan 2021-23, as set out in Appendix 1 to the submitted report, be approved.

Reason for the Decision

An initial Business Plan was developed for the launch of the Company in July 2020, however significant change in the business environment as a result of the COVID19 pandemic plus the expansion of the company's functions and services and appointment of a new senior leadership team have provided strong justification for the development of a new Business Plan.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

SWISCo is the Council's wholly-owned arms-length company and was initially responsible for the delivery of all functions and services associated with waste and recycling. Between December 2020 and February 2021, further 'client side' services were transferred into the new company and SWISCo now provides the full range of functions and services discharging the Council's statutory duties and obligations across three service areas: Waste and Recycling; Highways, Fleet and Transport; and Parks and Green Infrastructure. The business plan has been developed and sets out the proposed business strategy including priority actions for service change and improvement during the forthcoming period.

At the meeting, Councillor Morey proposed and Councillor Carter seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

An alternative option would be to develop a business plan that covered one financial year, however the decision was taken to develop a business plan that covered two financial years due to its strategic nature and the lead-in time for many of the actions contained within the business plan.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Budget Monitoring 2020/21 - Quarter Four - Outturn

Decision Taker

Cabinet on 13 July 2021.

Decision

That Cabinet notes the report and recommends to the Overview and Scrutiny Board and Council:

- i) the Overview and Scrutiny Board notes the final revenue outturn position makes any comments and/or recommendations to Council;
- ii) the Overview and Scrutiny Board notes the final position for the Council's Capital outturn position and makes any comments and/or recommendations to Council;
- iii) Council notes that the following revenue outturn actions were agreed as a part of the February 2021 budget decisions:
 - a) Establishing a £1.6m Covid-19 Reserve to deal with the continuing impacts of the Covid-19 pandemic;
 - b) Allocating £3.5m to fund the Collection Fund Deficit;
 - c) Increasing the General Fund Reserve by £0.5m which moves the Council closer to having a General Fund of 5% of its net revenue budget;
 - d) Additional £0.5m funding to support SWISCo;
 - e) An allocation of £1.0m toward Community and Corporate plan priorities;
- iv) That the Council approves the additional carry forward of £2.8m being used as follows:
 - a) A further £1.0m towards Community and Corporate plan priorities as set out in Appendix 2 to the submitted report;
 - b) £1.7m towards earmarked service specific reserves to support transformation and improvement work for digital improvements for the Council's services including the contact centre and further support for SWISCo;
 - c) £0.1m towards the General Fund Reserve;
 - d) Allocate an underspend of £0.960m on Concessionary Fares on travel/road related matters as set out in Appendix 3 to the submitted report.
- v) That the Council approves the use of £0.9m of the profiled capital receipt for the disposal of land at Collaton St Mary as set out in Appendix 4 to the submitted report.

Reason for the Decision

To ensure the Council operates in a prudent manner and works to maintain a balanced budget.

Implementation

The recommendations of the Cabinet will be considered at the Overview and Scrutiny Board and Council meeting on 14 July and 29 July 2021 respectively.

Information

The Budget Monitoring 2020/21 Quarter Four – Outturn report provided a high-level budget summary of the Council's final revenue and capital position for the financial year 2020/21.

At the meeting Councillor Cowell proposed and Councillor Steve Darling seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

There were no alternative options considered.

Is this a Key Decision?

No

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____
Leader of Torbay Council on behalf of the Cabinet

Date: _____

Record of Decisions

Torquay Town Deal - Business Case Assurance

Decision Taker

Cabinet on 13 July 2021.

Decision

- i) That Cabinet notes the endorsement of the Torquay Town Board in respect of the business cases for the Edginswell Rail Station, Harbour Public Realm and Stronger Future projects; and
- ii) That the business cases as set out in Appendix 1 to the published report be submitted to the Ministry for Housing Communities and Local Government for their consideration in order to allow for delivery to begin from autumn.

Reason for the Decision

To enable delivery of Town Investment Plan projects from autumn 2021 which would demonstrate to the local community, investors and government the progress of the Town Deal. Submission of the business cases and the subsequent funding through the Town Deal provides investment which would create employment, attract additional investment and support residents in accessing support to help them gain work and deepen their skills in key sectors thereby in time contributing to a more resilient local economy.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

In July 2020 the Council submitted a Town Investment Plan in respect of Torquay seeking funding from the Government's Town Deal programme administered by the Ministry of Housing, Communities and Local Government (MHCLG). The Council was advised in the autumn of last year that the Investment Plan would be supported by £21.9M of Town Deal grant subject to business cases. The first three business cases are now ready for submission in respect of Edginswell Rail Station, Harbour Public Realm and Stronger Futures projects.

Submitting these business cases to MHCLG and their anticipated approval will confirm the overall funding package in the case of Edginswell Rail Station and for the Harbour Public Realm and Stronger Futures projects will allow for these projects to begin delivery from the autumn of 2021.

At the meeting, Councillor Long proposed and Councillor Cowell seconded a motion that was unanimously agreed by the Cabinet.

Alternative Options considered and rejected at the time of the decision

The following options were set out in the submitted report:

- Do nothing – If the Cabinet did not agree to submit the business cases then the Towns Fund grant would not be released and the anticipated benefits from the schemes would not accrue. There would be significant disadvantages with this option which could include the loss of grant, lack of achievement of economic benefits and reputational harm with Government and local partners.
- To agree the recommendation – delivery of the projects. There were no anticipated disadvantages from this option.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Lease arrangements for Medical Tuition Service (MTS)

Decision Taker

Cabinet on 13 July 2021.

Decision

That Cabinet recommends to Council;

That the TDA Director of Asset Management, Investment and Housing, in consultation with the Chief Executive, be authorised to:

- a) Grant a 25 year, full repairing and insuring lease to the Medical Tuition Service at a peppercorn rent ensuring that the lease confirms the availability of the building for community use.

Reason for the Decision

The Medical Tuition Service works with some of the most vulnerable young people in the area providing them with the qualifications and life skills to thrive. Their work supports the Council in fulfilling its statutory responsibilities as corporate parent and tackles the inequalities arising from deprivation and vulnerability.

Implementation

The recommendations of the Cabinet will be considered at the Council meeting on 29 July 2021.

Information

The Council's approval was sought for a 25 year peppercorn lease to be granted to the Medical Tuition Service for a lease of MyPlace, Parkfield, Colin Road, Paignton (MyPlace). The Medical Tuition Service was commissioned by Children's Services to deliver services to some of the most vulnerable young people in the bay; in 2018 it was agreed by Council that the service would relocate to MyPlace.

This proposal had been implemented with the Medical Tuition Service established at MyPlace. It was now necessary to agree the details of the lease arrangements to safeguard the interests of the Council and the long term security of the service.

At the meeting, Councillor Law proposed and Councillor Cowell seconded a motion, that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The Medical Tuition Service has relocated and established itself at MyPlace in line with Full Council's decision in 2018, there were no alternative sites for consideration. In implementing the proposal, the Council had spent £600,000 on capital works to ensure MyPlace was suitable for the Medical Tuition Service and the delivery of its services. This expenditure was allocated on the understanding that the lease would be granted and the service would remain in situ for

the long term. An alternative option would be a lease at a commercial rate which would be a financial burden to a service that is non-profit making and whose resources are completely focused on service delivery.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Children's Services - Sufficiency Strategy

Decision Taker

Cabinet on 13 July 2021.

Decision

That the Sufficiency Strategy 2021-2024 be approved.

Reason for the Decision

To provide an update on the progress of the Children's Services Sufficiency Strategy (2019) and present the updated 3 year sufficiency Strategy 2021/24.

Implementation

This decision will come into force and may be implemented on 26 July 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

The Sufficiency Strategy was launched in November 2019. It was detailed in nature, based entirely upon local evidence and national research and set out challenging targets that if achieved would strongly support Torbay's ambition to become a good or better local children's service authority.

The new 3 year Sufficiency Strategy sets out, against the key strands, the progress that had been made and the 'next steps' that were required to ensure the delivery of a good quality service and living arrangements for our children.

Alternative Options considered and rejected at the time of the decision

None.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Record of Decisions

Gambling Statement of Principles 2022-25

Decision Taker

Cabinet on 13 July 2021.

Decision

That the draft Gambling Statement of Principles 2022 to 2025, be approved for public consultation.

Reason for the Decision

The Licensing Authority is required to publish a statement and to review and re-publish the same, every three years, in order to meet its statutory requirement, as prescribed under Section 349 of the Gambling Act 2005.

Implementation

This decision will come into force immediately so as to commence formal public consultation.

Information

The Gambling Act 2005 requires Torbay Council, under its role as Licensing Authority, to review and publish a 'Statement of Principles' (the Gambling Policy), every three years. The Statement of Principles outlines the procedures that the Licensing Authority intends to follow in discharging its statutory responsibilities under the Act. The current Statement was published on 30 January 2019 and therefore, it must be reviewed, consulted upon and re-published, on or before 30 January 2022.

Councillor Carter proposed and Councillor Cowell seconded a motion that was agreed by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

No other options were considered.

Is this a Key Decision?

Yes

Does the call-in procedure apply?

No

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

16 July 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet

Cabinet

24 August 2021

Emergency Services Day

That this Cabinet records its support for the UK's annual national 'Emergency Services Day' which is held on 9th September and which is supported by Her Majesty Queen Elizabeth II; and that this Cabinet places on record its sincere appreciation for the two million people who work and volunteer in the NHS and emergency services today. For the last 18 months, at a time of national crisis, our frontline has shown a level of commitment, endurance and compassion which has inspired us all.

That this Cabinet agrees to fly the official flag of the 'Emergency Services Day' above the Town Hall on 9 September each year to mark 999 Day, to reflect not just their sacrifice during the pandemic but their ongoing example of service to others.

Proposer Councillor Steve Darling
Secunder Councillor Cowell

Meeting: Cabinet

Date: 24 August 2021

Wards affected: All

Report Title: Adult Social Care - Annual Local Account 2020/21

Is the decision a key decision? No

When does the decision need to be implemented? For Information

Cabinet Member Contact Details: Jackie Stockman, Cabinet Member for Adult Services and Public Health, Jackie.Stockman@torbay.gov.uk

Director/Assistant Director Contact Details: Joanna Williams, Director of Adult Social Services, joanna.williams@torbay.gov.uk

Author: Sharon O'Reilly, Interim Deputy Director of Adult Social Services, sharonoreilly@NHS.net

1. Purpose of Report

- 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. Reason for Proposal and its benefits

2.1 The Local Account summary is a public facing document that offers everyone across Torbay the opportunity to reflect on and celebrate the achievements made in the preceding year.

2.2 The detailed contents consider service delivery primarily through the experience of people who have received and benefitted from social care interventions made possible via partnership working between statutory services, public and private providers and the VCSEs.

2.3 This is a Statutory Annual Report that also reflects how the Adult Social Services Directorate, delegated to TSDFT have performed against National and local KPIs.

2.4 Specific attention is given to how allocated funds have been spent to ensure value for money is achieved.

3. Recommendation(s) / Proposed Decision

(i) That the Local Account 2020/21 set out in Appendix 1 to the submitted report be approved

(ii) To enable the Local Account 2020/21 to be published in accordance with Government requirements

Appendices

Appendix 1: The Local Account Summary 2020/21

Background Documents

None identified/required

Supporting Information

1. Introduction

As above

2. Options under consideration

Report is for Information and proposed public release

3. Financial Opportunities and Implications

None

4. Legal Implications

None

5. Engagement and Consultation

This report has been shared with Health Watch prior to distribution for their commentary. No further consultation is required

6. Purchasing or Hiring of Goods and/or Services

Not Applicable/Required

7. Tackling Climate Change

Not Applicable

8. Associated Risks

None Identified

Equality Impacts

Nor Required

9. Identify the potential positive and negative impacts on specific groups

10. Cumulative Council Impact

None Identified

11. Cumulative Community Impacts

None Identified

Local Account Summary 2020-21

English Riviera



UNESCO GLOBAL
GEOPARK



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

In what has been an extraordinary and challenging year, we have delivered some amazing work and are continuing to deliver on an improved adult social care system for all our residents across Torbay.

Working in collaboration with Community & Voluntary Social Enterprises (CVSE), our workforce and residents with lived experiences, to co-design the Adult Social Care improvement plan, clearly demonstrates our innovative ways of working, and the delivery of this project going forward will pave the way for partnership working for the future.

We couldn't do our work without the amazing people of Torbay who volunteer, and the community and voluntary sector organisations who work so hard. It's also important that we continue to thank and support unpaid carers, who also make such a vital contribution.



The Carers' Strategy 2021-24, recognises the contributions carers make to our community and this strategy along with our signing of our Commitment to Carers' pledge back in November 2020, will strive to provide more services and support to those, who quite often do not even recognise themselves as carers. I am also delighted to be part of the Learning Disability Partnership Board which continues to work with the Learning Disability community to encourage people with learning disabilities to be involved in decisions about the services we provide and the policies and strategies we will deliver.

As a Council, we continue to face financial pressures and with an increasing ageing population, we must look at innovative ways in which we can increase efficiencies. The projects included within this account will include some cost savings as part of their overall objective but are not the primary reason for delivery. We will continue to find ways to improve the wellbeing and independence of our residents and support them to live in their homes and communities for as long as possible. There will always be a statutory provision of care for our residents that need it.

As way of closing, on behalf of myself and everyone across Torbay, I would like to express my sincere appreciation and thanks to everyone working across adult social care and our support services. We are honoured to have such a dedicated and resilient workforce - Torbay has a care system that we as residents can be proud of and continues to demonstrate that quality and care is at the heart of everything we do.



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

The Adult Social Care Annual Local Account is a summary of what we have been doing for adult social care in Torbay over the last year, including how we spend our budget and what you have said about the service.

Over the last year, there have been unprecedented demands right across the health and social care system and our communities faced a challenging future brought into focus by the CPVID-19 pandemic



When the Local Care Partnership (LCP) was set up in 2015, it was seen as a ground-breaking partnership between health and social care services to improve the lives of our more vulnerable residents in Torbay and the pandemic enabled us to build on and develop this further still.

Our collective response to COVID-19 across Torbay truly was partnership working at its best. We pulled together at an extremely challenging time to deliver positive outcomes for and with our communities to ensure all vulnerable residents were supported.

We strengthened our relationships with local and regional partners including NHS Devon Clinical Commission Group, Devon County Council, Torbay Council, Public Health England South West and also with local voluntary and community organisations such as Healthwatch and Torbay Community Development Trust and other voluntary sector providers. The way our partners have come together and responded to the pandemic is testament to the strength and value of this collaboration.

The LCP network enabled us to respond quickly to allocate resources to meet the needs of our community; while the grass roots knowledge of community partners and providers helped us to deliver these resources to maximum benefit. We worked with our partners to manage outbreaks in care homes, in a truly collaborative and sensitive way, and minimised distress for individuals and the wider systems in ways that we are happy to celebrate. Support with infection control and the provision of Personal Protective Equipment (PPE) were just some of the ways we were able to ensure that care homes could continue to care for those most in need whilst managing the concerns of their own workforce who were at the front line of delivery.

At a time of great uncertainty, it was wonderful to see how we rallied together. However, we all know that the hard work does not stop here and we need to keep momentum going. The good news is that the relationships we strengthened during the pandemic will continue with a focus on improving the lives of our most vulnerable residents.

Undoubtedly, we have learnt a lot from this experience and we are building on this through our developing three-year Adult Social Care Improvement Plan which will integrate these lessons and embed the continual improvements which have already been made.

Finally, an enormous thank you and gratitude goes to everyone working in adult social care in Torbay in both paid and unpaid roles. Your continued efforts and commitment cannot be underestimated and this has been highlighted during the last year. Moving forward, we will continue to work in partnership to maintain Torbay's reputation as a leader in quality and successful integrated ways of working.



Jo Williams: Director of Adult Social Services



Welcome to the 2021/2022 Local Account Summary for Adult Social Care in Torbay, intended to report on the performance and use of resources for this vital area of the Council.

The past 12 months have been incredibly challenging for us all and we have seen greater demand than ever on our adult care system. Although the pandemic has prevented some of the work planned within voluntary community and social enterprise (VCSE) contracts from taking place, the organisations concerned have responded flexibly; using resources creatively to meet the needs of Torbay residents. We are keen to continue with this new way of working to ensure that previous partnership working successes are embedded within our new working culture.

As new opportunities for community development emerge, we will continue to take a collaborative approach and we will facilitate active involvement from partners in our own redesign work. Wherever possible, we will support our VCSE partners by sharing expertise or resources, for instance by giving them access to in-house training, which they might otherwise have to pay for. We will also explore opportunities to share volunteer capacity across the system, attracting new volunteers with a greater variety of roles, and possible pathways into employment.

Our Adult Services improvement plan is on target to deliver a new adult social care system by 2023 with its vision to create a thriving community that supports residents to live well and independently, for as long as possible.

As part of the improvement plan, we will implement our new “Front Door”, which will be integrated with the community offer; making it more responsive, and easier for people to access wellbeing support in their local community.

The improvement plan will also seek to reinforce the asset-based, person-centred approach in Adult Social Care through staff development, whilst enabling our frontline teams to work more closely with community partners; allowing stronger and more enduring relationships to develop.

Work continues to support our Carers in Torbay. As well as signing up to the ‘Commitment to Carers’ pledge along with other businesses across Devon, we have also engaged with local carers through our online consultation. It is their feedback that has helped shape the development of our Carers Strategy which will be delivered over the next 3 years.

It has been an extraordinary year but one in which we have come out of, both stronger and more resilient and that together we can to deliver the best possible adult care system for our residents.

The Vision

Torbay and South Devon Foundation Trust and Torbay Council are working together on an Improvement Plan to progress the Adult Social Care delivery in Torbay. Much has been learnt from the Covid Pandemic and new ways of working with our Community has developed as a result. We wanted to capitalise and build on these new relationships and ways of working by engaging in a wider conversation about what our shared vision should be for the coming years. Members of staff alongside service providers from the private and voluntary sector as well as people who have lived experience and their carers were invited to join us in a number of facilitated conversations focused on creating a shared Vision of the future for Adult Social Services

Our shared vision is:

Thriving communities where people can prosper

Our mission statement is:

Our residents can have a place to call home in a community they can be part of, while being empowered to achieve what matters most to them, through the best care and support available.

Why did we need an Improvement Plan?

We know that the demand on the adult care system in Torbay is high and it will only continue to increase due to our aging population and areas of social deprivation. This is one of the reasons why we need to change the way we currently deliver our social care and work towards fully adopting a community led approach where our communities can be supported to flourish. Our commitment to engage with and work with our voluntary and community partners as well as people who use services to co-design the plan will enable us to develop a robust service delivery that is fit for the future and for the people of Torbay. We are also encouraging a culture within teams of embedding continual improvement. We are focussing on achieving positive shared outcomes for people receiving Social Care support and reflecting this via monitoring our own performance and seeking feedback from all involved so we can learn from experience.

We are reminding people of the core values of social care, including:

- being part of the community,
- supporting people to build their own capability,
- enabling people to live their lives as independent as possible.

Adult Social Care – Torbay’s Future

The Adult Social Care Improvement plan (ASCiP) seeks to support the vision of developing thriving communities in Torbay by delivering the strategic priorities, deepening integration with partners and promoting a strength-based approach throughout all conversations. This will be achieved by working in collaboration with partner agencies and by valuing skills, knowledge and potential in all individuals and their communities.



During the last year we have begun the journey of innovation by starting with the end in mind and identifying long-term opportunities that bridge back to the present. Together with our workforce, partners and feedback from the public we have been working towards creating efficiencies to develop reasonable processes with less opportunity for failure.

This will all lead to better outcomes for people who require support and those who are able to facilitate access.



Our Aims are:

To be effective

To ensure staff and communities who are part of adult social care delivery experience good outcomes and positive impacts.

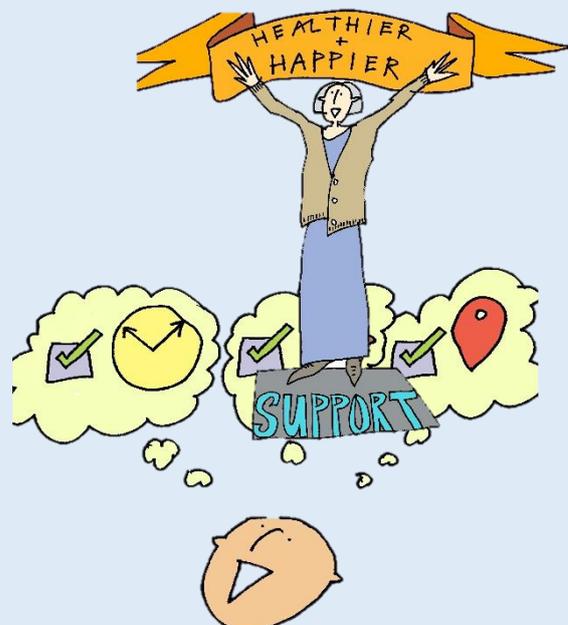
To work within the assigned budget of adult social care in Torbay.

To achieve the vision through delivering on the strategic priorities,

Building on the learning obtained during the Covid pandemic we have deepened our health and adult social care integration by working together and with partners to have embedded arrangements that allow for the speedy discharge of patients from hospital whilst achieving best possible outcomes for adults in Torbay.

Furthermore, we will have timely, targeted and effective use of re-enablement and rehabilitation that has a focus on enabling independence and self-management and avoiding the over-prescription of care. People with long term conditions will have a care and support plan with a focus on achieving the maximum possible independence.

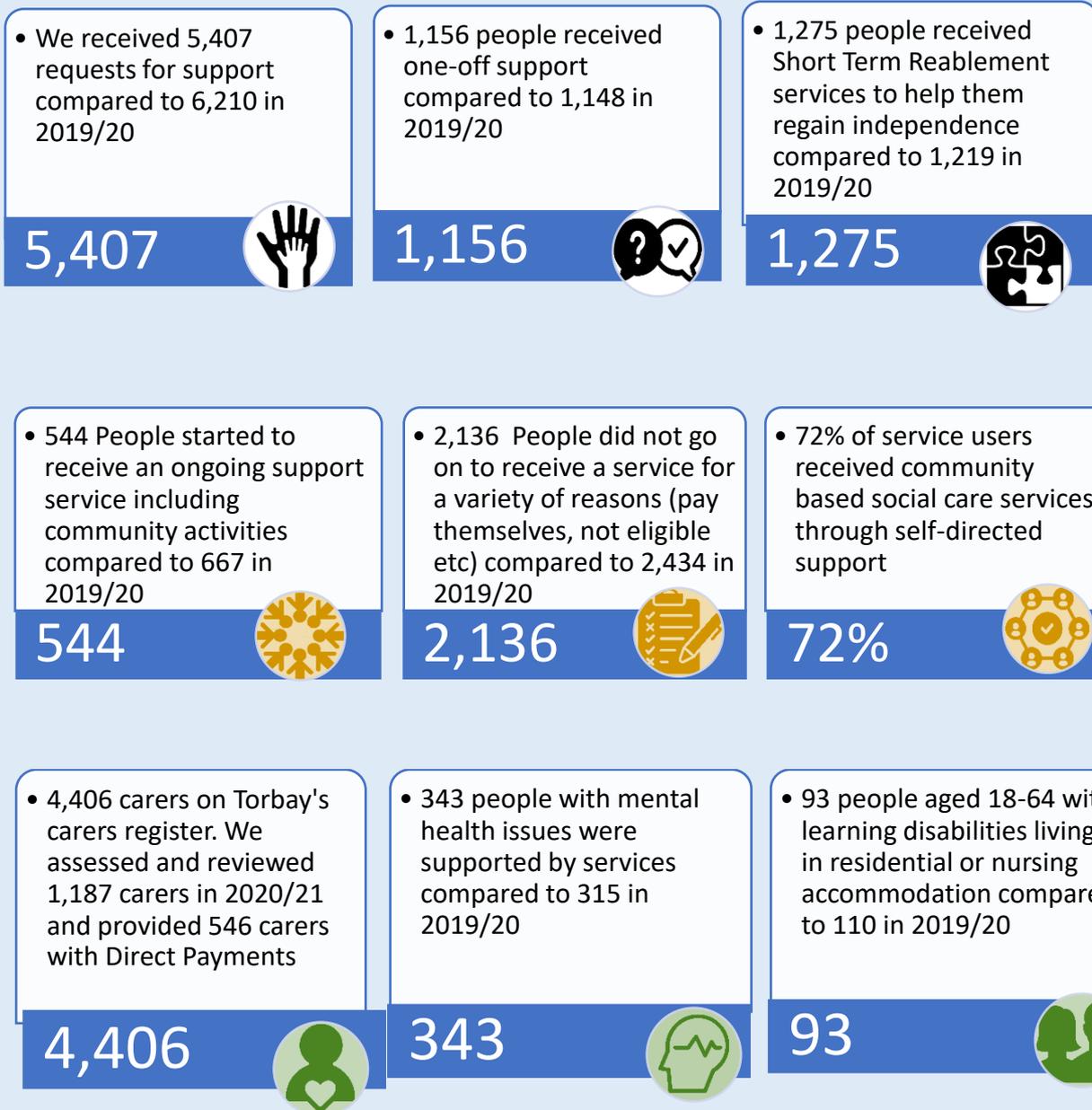
Support plans are regularly reassessed based on outcomes achieved by a fully trained workforce who are supported to meet the needs of social care which fits the ethos and vision of adult social care in Torbay.



Torbay Social Care in 2020/2021

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. Please see appendix 1 and 2 for more detailed breakdown.

At a glance



- 3,225 Adults received long term support services last year. 36% are aged between 18-64. 64% are aged 65+

3,225



- 1,729 people received home care support to enable them to stay in their own home compared to 1,541 in 2019/20

1,729



- 930 people were in permanent residential placements during 2020/21 compared to 940 in 2019/20

930



- 1,921 People were directed to other types of help and support including community activities compared to 2,063 in 2019/20

1,921



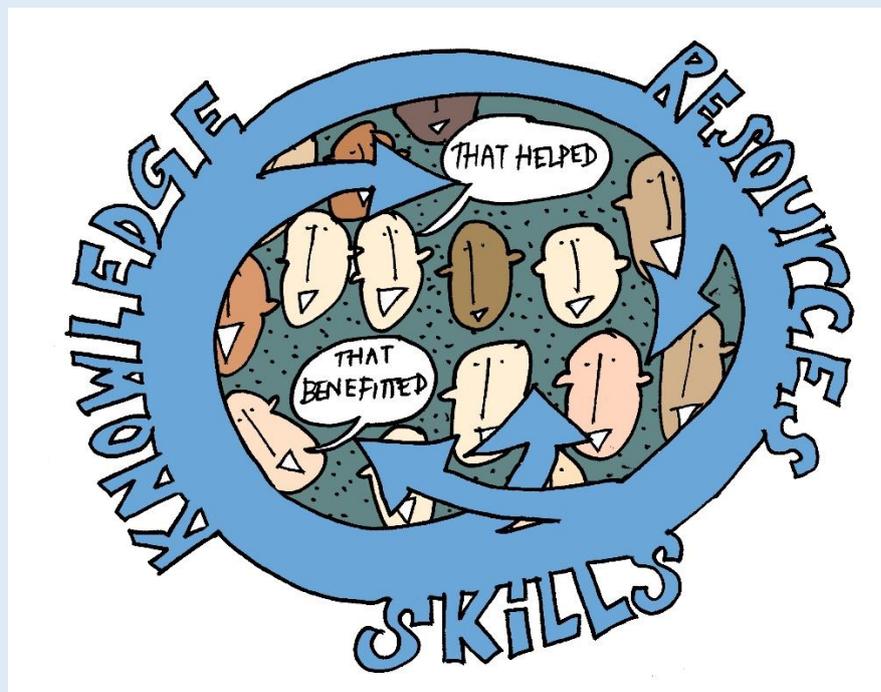
- A total of 482 service users received direct payments compared to 553 in 2019/20

482



- 1,098 safeguarding concerns were raised. This represents a 45.8% increase in the 753 safeguarding concerns raised in 2019/20

1,098



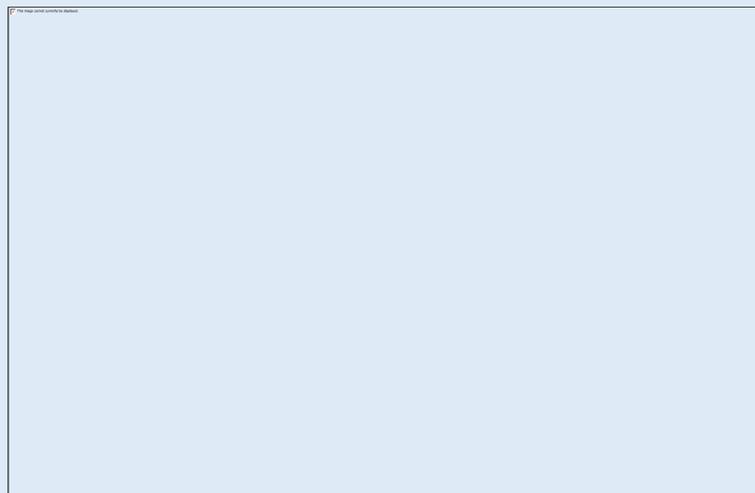
Principal Social Work Annual Review

Coronavirus Act 2020

On the 25th of March 2020, the Coronavirus Act came into statute. As a consequence, we formulated a policy, pathway and process to look at a proportionate response around service delivery. The Coronavirus Act refers to this as Care Act Easements and allowed Local Authorities to cease formal Care Act assessments, applications of eligibility and reviews should the demands on services become overwhelmed due to the impact of Coronavirus. Although there were some changes made to the way that services were offered, the community and social care teams worked collaboratively for the residents of Torbay to minimise the impact of the pandemic on service delivery. We never had to evoke the Care Act Easements in Torbay with built in regular meetings to review the process and demands.

World Social Work Day

The theme for World Social work day was based on the Ubuntu 'I am because we are' which is a word, concept and philosophy that resonates with the social work perspective of the interconnectedness of all peoples and their environments. This was very apt due to the impact of the pandemic and also in a year where there was focus on racial inequalities through the Black Lives Matter campaigns. A day was arranged in conjunction with our colleagues from Children's services in which local Social workers created powerful video clips demonstrating their passion and commitment to the profession.



Creative Solution Forum

Operational services across Torbay (Mental Health, Substance use, Adult Social Care) and commissioners are seeing an increase in the number of people presenting with a highly complex mixture of substance misuse, physical health deterioration and mental health problems. In addition, changes to the Care Act require a more integrated response to people with issues of self-neglect who present risk to themselves or others. The Torbay Safeguarding Adults Board (TSAB) requested assurances that there are appropriate structures in place to consider these cases where multi-agency, multi-disciplinary support plans are not delivering outcomes for individuals. The first Creative Solution Forum, was initiated in Torbay in January 2020. The Forum has looked to establish ways to support individuals, staff and agencies in understanding and managing risk fluidly. The overarching aim of the forum is to work together in partnership to consider creative options for people with highly complex needs and presentations that require a multi-agency response where other single or multi-agency process have been exhausted.

Training and Post-Qualifying

As part of our commitment to professional development, we saw three staff members successfully complete their Social Work degree in late 2020. All three staff are individuals that have worked within the organisation for many years, and all of which had never studied after they had left school. This degree course is a great opportunity to utilise our skilled and un-registered work force who have great experience of working with the communities of Torbay to further develop their knowledge, values and capabilities further.

From completing the degree course, there is now a mandatory first year in practice under the Assessed and Supported Year in Employment (ASYE) program. A rigorous program ensures the initial development under the Social Work degree continues to be established and embedded in practice. The ASYE practitioner is further supported by skilled, capable Practice Educators who capture a portfolio of evidence demonstrating that the newly qualified social workers are competent to become Senior Social Work level autonomous professionals.

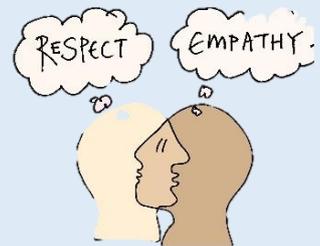
Three staff successfully completed the Master's level Practice Educator Award via Bournemouth University. This is a rigorous academic and practice-based course, which evaluates a practitioner's ability to support, enable and assess a student Social worker. The course supports our Senior Social worker's professional development and enhances supervisory skills.

Outcome 1: Providing Safe Quality Care and Best Experience

We will deliver high quality care that meets best practice standards, is timely, accessible, personalised and compassionate. It will be planned and delivered in partnership with those who need our support and care to maximise their independence and choice.

Focus on Mental Health

In under 65 MH we have been working with providers to ensure that all clients live in the least restrictive environments that promote their independence. We have been working to develop the local supported living framework and to identify ways to support people in their own homes. Torbay Public Health have engaged with local voluntary sector providers to help improve access to voluntary sector and community assets in order to support people to achieve positive mental wellbeing. We continue to work with partners and our communities to ensure that the people of Torbay receive a good offer in terms of mental health support.



Person C – Experience of Mental Health Service Delivery

C spent 8 months in a Residential Home due to the provider of her previous supported living accommodation closing. C was reviewed by the Mental Health Social Care Team and it was identified that with support she could live with a greater degree of independence. The allocated social worker worked closely with C and supported with her anxieties around moving to alternative accommodation. C explained that;

“I was nervous at the start of my move; the carers had done everything for me and I wasn’t sure that I could manage things like my cooking on my own anymore”

Supported living accommodation was found with C. Together the social worker and C also identified that in addition to her mental health needs C required some additional support with physical health needs and ensured that reablement support was put in place. C explained;

“We talked about carers coming into see me, I was reluctant as I am a private person but we agreed that the Reablement team would work with me first to see how I got on. I liked our two weeks together, they were kind but allowed me to work at my own pace. They didn’t seem to ‘clock-watch’ which helped me”

Since moving C has experience a greater degree of independence and has said;

"I am glad that I have moved, I feel settled and reassured by my support worker here"

Focus on the Transition team

We have developed a specialist team to work with young people who are being referred through to our service from our colleagues in Children's services. This team has developed from having two skilled and un-registered practitioners to include a Social Work Lead and two additional experienced Social Workers. Close links have been developed with Children's services, Education and Mental Health services. There are now regular review meetings to consider a young person's aims, hopes and aspirations when they reach 14 and 16 years old. The transition team work within a strengths-based approach aligning their assessments and support with the preparing for adulthood guidelines promoting health, education, employment, independence and community inclusion. The team work flexibly to ensure their care plans are outcome based which includes reviewing a situation when it is right for the young person rather than on an annual basis. For example, a young person AA has a learning disability and resides with her grandparents. Unfortunately, AA and her family lost her grandfather which resulted in her inheritance of a considerable estate which included a property. She was deemed as lacking capacity regarding her finances. She had disengaged from education and whilst also grieving the loss of her husband, AA's Grandmother believed AA was extremely disabled and unable to make decision about living independently. Enabling support worked with AA to support her to understand finances and budgeting for living independently, managing her own property, preparing independent living skills and thinking about future employment. Clear achievable outcomes were set and reviewed during different stages over the following 18 months. The outcome for AA means she has gained employment, is now managing her day to day finances and is sharing her time between her grandmother's home and her own property.

Focus on Learning Disability

Much of 2020/21 was spent evaluating and preparing for the launch of Torbay's Market Position Statement to achieve the following outcomes:

- An increase of 50 units of self-contained supported living, sheltered housing and/or Extra Care for people with learning disabilities, in line with the Housing Strategy 2017. One third of people over 45 with a moderate or severe learning disability, and one third younger adults (under 35 years) are living with parents. We want to ensure there is appropriate accommodation and choice, so people can have planned transitions towards independent living, and avoid unnecessary entry into residential care wherever possible.
- Increased Quality Assurance support for supported living providers and the consequent improvement and monitoring of the quality of support and tenancies.

- A reduction in the number of working age adults with LDs in long-term residential settings (currently just over 70 adults). Residential settings by their nature, do not usually maintain or increase self-determination, control, citizenship, or enable community inclusion and natural circles of support.
- The development of an outcomes commissioning framework for the development of Daytime activities/services which offer more choice, develop community inclusion and deliver more aspirational outcomes. Greater housing choice - particularly self-contained Supported Living, sheltered housing, Extra Care and access to general needs housing.

The Torbay Learning Disability Partnership Board (LDPB), which was launched in December 2019 will continue to be supported by 8 Ambassadors who act as Learning Disability self-advocates. The Ambassadors 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 as well as gather common issues to raise at the LDPB.

The issues closest to people's hearts are housing, support services and health. People wanted greater choice about where they lived and more self-contained supported living accommodation and more person-centred care. The views of people with learning disability have been fed into our market development plan.



Hollacombe responds to Covid

Hollacombe Community Resource Centre is a day service in Paignton for adults who have a profound and multiple learning disability. Since March 2020 when the Government implemented the first lockdown due to the Covid-19 Pandemic the service has supported people within the day service and within the community. People have been supported to make the transition from being at home to the service as lockdowns have been introduced and then eased.

Hollacombe has been recognised for being one of the first services in the country to re-open its centre following the lifting of the first lockdown and in July 2020 was invited by the Local Government Association to give a presentation via a webinar on the procedures that were put in place, in line with the Government guidelines, to mitigate the risks of covid-19 being transmitted within the service as far as possible. Hollacombe gave a further presentation in March 2021 for the Social Care Institute of Excellence with the aim being to give confidence to other providers to re-open services.

Below is an excerpt of a letter received from a parent in December 2020 that demonstrates the success and value that Hollacombe has provided during these trying times.

“What a surreal year this has been for us all? None of us could have imagined the changes we faced, the challenges we met and the constant worry of Covid affecting those around us.

From the bottom of my heart I want to thank each and every one of you for going the extra mile and keeping J safe and protected. Sending him back to base on the 14th September was probably the biggest decision I have ever had to make but as soon as he returned that day I knew it had been the right one.

Without having the daily support from the team, it would have been a mentally and physically challenging lockdown but knowing that J was having his physio and was loving his life watching endless quiz programmes, with commentary from whoever was with him made it a positive experience (maybe not for them but definitely for J). And it gave me a break!

The team you have at Hollacombe are all amazing and dedicated people. In those six months, from March to September staff kept me going. There was constant banter and laughter coming from J's room. An odd moan was sometimes in there but that's J.

I have no worries whatsoever about J being at Hollacombe and I cannot thank you enough for keeping him safe.”

Focus on Autistic Spectrum Conditions and Neurodiversity

During 2019, in recognition of the need to focus on post-diagnostic support in Torbay for people with Autistic Spectrum Condition (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

It is hoped that these measures will contribute towards better outcomes for individuals and prevent people requiring additional health and social care by improving understanding, skills, knowledge and support in community services.

Torbay Council has been a key partner in the development and delivery of the Devon's Sustainability and Transformation Plan's (STP) Joint Learning Disability and Autism Strategy and action plan, and is a member of the Transforming Care Partnership.

Focus on Dementia

The Care Home Education and Support Team (CHEST) continues to form an integral part of the Older People Mental Health service in Torbay despite the enormous challenges that the ongoing Covid pandemic has brought upon Health and Social Care services as a whole. Although CHEST core business needed to be suspended in the initial months of the pandemic it soon became apparent that people with Dementia both in Care Homes and in the Community still required the specialist input provided by the team. The CHEST method focusses on a strengths-based, holistic, person-centred and collaborative non-pharmacological approach to look at the person and how they are trying to communicate their needs. Medication although helpful can never be the only solution and we work with providers and people's loved ones and formal carers to adapt interventions thus easing a person's distress.

CHEST colleagues focused on re-building and strengthening relationships with Care Homes, which in turn boosted staff morale. Although there has been no official survey undertaken this year, there has been some informal feed-back from different homes stating that they find the CHEST involvement to be invaluable, particularly in terms of the quick response it provides. Many homes appreciate the ability to refer to CHEST directly.

Case Study; Focus on Dementia

A recent contact was received from a local nursing home regarding a person they had supported for a number of years.

Mrs A had begun to become physically aggressive during personal care interventions. Initially, CHEST practitioner observed the carers delivering personal care, and the following was noted - Mrs A would become more agitated and would kick out when the carers all talked to her simultaneously, especially if the instructions given were quite complex. This may have resulted in Mrs A, feeling overwhelmed and over-stimulated. It was therefore suggested that carers prepare the room before they began the personal care intervention; Mrs A's "This Is Me" history stated that she enjoyed classical music, so this was played before the activity to help her to relax; pain medication was administered 30 mins prior to the intervention to reduce the risk of increased pain and the clock in the room should be corrected as it was several hours late and there was a possibility that Mrs A may have believed that it was too late to be receiving personal care. It was also suggested that only one carer talked to Mrs A and used simplified language. The "talker" was advised to provide constant reassurances and eye-contact, and a simple narrative of what was happening and what was required of Mrs A, whilst other carers carried out the intervention.

When the above was put into practice, Mrs A was calmer and more responsive, and she was also able to assist with required positioning. Most importantly, the need for medication was avoided although this had been considered due to the high levels of physical aggression that Mrs A was exhibiting and staff were concerned about their own safety while working with her.



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 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 their accommodation. The Housing First team is working well with the Homeless and Vulnerability locality team with good effect. 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.

AB came to the attention of adult social care in 2019 due to homelessness, feeling suicidal, and was at risk of Domestic Abuse. The project supported him to find accommodation and engage with the Department of Work and Pensions to access appropriate benefits. AB moved into a property in the local area on his own once benefits were in place. He secured appropriate employment as a security guard. His mental health is now stable given the support he received from his GP and Adult Social Services.

Focus on carers

We know that people do not always see that they are a Carer, so we try to make it as easy as possible for Carers to be identified, whether at GP surgeries, through other professionals that may work with Carers, and through our campaigns such as Carers week. As of January 2021, just under 1200 Carers of Adults had received an assessment and/or a health and wellbeing check this year, which is 34% of people receiving Adult Social Care services against an annual target of 36%.

Support to Carers During Covid

The Pandemic has increased pressure on Carers and we have looked to provide support in different ways during this time:

- We offered on-line meetings where appropriate with our Carer Support Workers, as well as telephone contacts and socially distanced face to face meetings, and tech support for Carers who might need it.
- We organised On-Line Carers Week Activities and Carers Rights Day, which meant Carers could have us 'switched on' at home across the day.
- We made Welfare Calls to Carers on the Carers Register during Lock-downs.
- Our Signposts for Carers Telephone Line has been very busy:
- We have run a range of on-line activities such as Carers Groups, and a Young Adult Carer (YAC) online Drop-In Event with cake pre-delivered by the YAC Team.

- Up to end Jan 2021 416 carers have received support to have a Carers Break (which during the Lock-Downs were used for on-line craft courses, garden benches, gardening materials – anything identified by the carer to give them a break from their caring role.

“I just wanted to relay to you how grateful I am for receiving the carers update letters. I think you offer a great service”

“It was fun, the cake was nice and I got the chance to meet people that were carers too, which is rare for me, it was also nice to just talk to people”.

(Transition Age Young Adult Carer 17 years).

Our Commitment to Carers

In Nov 2020 various organisations across the Bay issued their individual Commitments to Carers with Torbay Youth Trust, Torbay Council, Compass House medical practice, Devon Partnership Trust making clear Commitments to supporting Carers.

We have also looked at how we can make our services more accessible to people of Black, Asian, ethnic minority, refugee backgrounds through a Project with Plymouth called ‘Mind the Gap’.

We also launched our Carers Consultation in November 2020, and had over 420 replies. These replies are shaping the design of our Carers Strategy 21-24.

Young Adult Carers Services

- This year we have supported over 100 Young Adult Carers in their caring role, including 30 young Carers in transition (16 – 18), with one-to-one support, welfare calls, signposting, on-line, and socially distanced face-to-face meetings. We have continued to work closely with South Devon College, linking closely around their new Carers Champion role and they have just been successful in gaining their Carer Accreditation.
- Ongoing YAC Drop-In sessions and group meetings, YAC operational group meeting fortnightly on-line, activity on-line group events for YACS such as craft sessions are well attended.
- Takota – Peer group for 25 – 35’s meets regularly on-line (many of our former Young adult carers 25+ are part of this.)

- Excellent links with life-changing opportunities e.g. Tall Ships, Outward Bound. Strong YAC voice – service is led by Operational Group of YACs. Many trained in evaluation, some in presentation skills to run / co-run awareness work.

Welfare Calls to Carers during Lockdowns

T/C to a lady who cares for her husband. Was feeling very low and unsure whether she would be able to carry on. Had a long chat whereby at the end she was laughing. I telephoned her the following week, then fortnight, then month by which time she was feeling much better. She was so grateful for the calls and just having a chat with someone and to know she could call helped her through this particular crisis. All is well for now.

T/C to a gentleman who cares for his wife. He was really struggling with his wife's mobility issues and didn't know which way to turn. I gave him numbers of some agencies that could help and made some calls for him. Equipment has now been provided and the gentleman was very grateful. I followed up with a couple of calls where we discussed and sorted other small issues. He said he was so glad that we were there as the pressures of caring along with the presence of the pandemic made it very difficult to know which way to turn.

Focus on Safeguarding

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 with care and support needs 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 adults with care and support needs and to train our staff to respond effectively to safeguarding concerns.

Between April '20 to January 2021 our safeguarding adult repeat referrals rates increased to 13% compared to 6.9% during the past 12 months. We undertook a bespoke audit which identified no specific concerns relating to performance and practice. The increase is primarily due to the complexity of needs of people referred to our services. 94% of people say that risk is either reduced or removed as a consequence of interventions whilst 93% of people state responses fully or partially achieve preferred outcomes.

Between April '20 to January 2021, 951 safeguarding adult concerns were received by the Torbay Safeguarding Adult Single Point of Contact. 251 proceeded to statutory safeguarding adult enquiries. This is a significant increase in safeguarding enquiries recorded compared to last year and is due to the way that the Torbay Safeguarding Adult Single Point of Contact now records 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, Devon Clinical Commissioning Group and the Care Quality Commission both in causing enquiries to be made and maintaining strong local partnership arrangements. Ultimate accountability for safeguarding adults sits with the newly formed Torbay and Devon Safeguarding Adult Partnership. Following consultation with key stakeholders in 2020, Torbay and Devon Safeguarding Adult Boards merged in December 2020 to form a single partnership Board arrangement across Torbay and Devon. This will create a single strategic direction across both local authorities and promote greater consistency of approach across the safeguarding adult network.

Safeguarding reporting has remained consistent throughout most of the pandemic and has been constantly benchmarked against other South West Regional authorities. Safeguarding Adults has remained a key statutory priority for adult social care services throughout this period.

Learning from Safeguarding Adult Reviews

Local Safeguarding Adults Board (SAB) 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. Boards 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.

Torbay commissioned one safeguarding adult review during this reporting period and the review was undertaken in February 2021. An overview report and recommendations will be initially sent to the new SAB for approval and publication. The Board will also oversee any learning actions from this review. The new Board arrangements will support greater collective learning outcomes across the local safeguarding adult partnership.

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 the Care Act advocacy service has been undertaken, and a rigorous monitoring will be undertaken to ensure people who use our services are appropriately supported at all times. The IMCA service is really well used, and we regularly refer people. 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 and central government guidance to inform practice.

Deprivation of Liberty Safeguards

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. During the pandemic, we have had to adapt the way assessments are undertaken in accordance with central government guidance. Our practice has also been informed by national forums such as those convened by the national mental capacity act forum. Assessments continue to be undertaken remotely unless there are exceptional circumstances. This is under constant review based on assessed risk and COVID national guidance.

Learning and Improvement

The joint Safeguarding Adult Board learning and Improvement sub group focuses on several work streams including multi-agency case audit; training and competency framework review; embedding learning into practice. Several meetings had to be stood down this year due to COVID priorities. However, the Trust has undertaken a full review of mandatory safeguarding adult training for all health and adult social care and introduced a new training framework with effect from January 2021. The framework is aligned to national competency standards and is also accessible to appropriate staff from partnership organisations. The Trust is also implemented a new mandatory mental capacity act training framework for all health and social care staff and this will be systemised from April 2021.

Safeguarding Quality Checkers

The new SAB partnership has a stand-alone community reference group to support the local safeguarding adult Board arrangement. The Terms of Reference of the group are currently being reviewed to ensure that lived experience is captured and fed back into local systems and processes.

Safeguarding Adults: A Summary

Whilst our performance is good, we must constantly strive to understand emerging issues for Safeguarding Adults in Torbay and act proactively to maintain our performance. Our new partnership Board arrangement will assist in driving a consistent approach in these agendas across our local safeguarding adult partnership. A key message is that safeguarding adults 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.

Outcome 2: Improved wellbeing through partnership

We will work with our local partners in the public, private, voluntary and community sectors to tackle the issues that affect the health and wellbeing of our population. We will work in partnership with individuals and communities to support them to take responsibility for their own health and wellbeing. We will be a socially responsible organisation contributing to a better environment.

How are we performing

Supported Living Provision

Supported housing provides crucial help to some of our most vulnerable people. It can have an enormous positive impact on an individual's quality of life: from their physical and mental health to their engagement with the community and reducing social isolation.

The Supported Living framework introduced in April 2018 provides a greater focus on assisting improvement alongside our statutory assessment function. The framework is intended as a focal point for joint working between partnership organisations and reflects Torbay's integrated health and care service delivery model.

The framework supports Torbay in moving towards a more enabling environment with measurable outcomes in promoting people's independence, quality of life and health and well-being.

Our Supported Living framework has allowed us to better communicate and work more closely in partnership with our Providers; developing additional capacity and delivering improved outcomes for people assessed as requiring this type of service.

During the year we identified significant gaps in the market for people with a mental health diagnosis resulting in a tender, specifically for this client group, being published in the summer of 2020. As a result, we have increased the number of Supported Living Providers on our framework and are working with them to increase capacity and develop services.

We have seen increased interest from providers, currently delivering other services, wishing to discuss Torbay's Supported Living market, framework, tender opportunities, expansion and / or change of direction of their current provision.

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 is a key requirement in facilitating early discharges from 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 who has been invaluable during any Covid Care Home Outbreaks

We have developed stronger links with the ambulance service and the acute hospital which means that the person experiences 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 people in our Intermediate Care service who we feel would benefit from this specialised group of clinicians. This results in the person receiving suggested care by the consultants without having to attend an appointment. This service has been extended so that the localities can discuss any people who are either in their own home or a care home placement. This has promoted proactive treatment for these people

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 implementation of a 'discharge to assess at home' pathway has further developed the ability of the organisation to care for people at home and we always work towards the ethos that 'the best bed is your own bed'.

Extra Care Housing

Extra Care housing combines care and support to maximise the independence of Torbay's population whose Long-Term Condition or diagnosis means they require ongoing care and / or support to maintain independent living, for as long as possible, in their own community-based home. Our Extra Care service is multi-generational supported living benefitting from 24/7 on-site staffing.

Demand for Extra Care Housing continues to outstrip supply. To address this the Council has purchased a site in Torquay to increase capacity. A dedicated Capital housing officer has been recruited by the Council to work in partnership with TDA and Torbay and South Devon NHS Foundation Trust in developing these sites. The Extra Care project group membership includes multi-disciplinary representation and the voluntary sector whose aim is to develop housing which:

- Promotes independence, quality of life, health and well-being and offers choice and diversity.
- Creates mixed communities which integrate well.
- Supports people in their own home.
- Build homes which adapt to individuals' changing needs.
- Diverts people from more institutionalised care.

Wellbeing services with the Voluntary Sector

During 20/21 the statutory sector in Torbay further developed its well-being offer by working more closely in an enduring partnership with the Community and Voluntary Sector in Torbay.

Jointly with the Voluntary Sector we have responded to the challenges of the pandemic

- By Facilitating/supporting alliances/partnerships within the community to improve resilience
- By working more openly and collaboratively with the Voluntary sector on an equal footing via forums such as the Voluntary Sector Steering group and via the use of the Adult Social Care precept for 20/21.

During the pandemic Voluntary Sector partner organisations responded flexibly and used resources in a creative fashion. Their added value to the social care offer was noted and their place and benefit to the Health & Social Care system, and Adult Social Care in particular can only build in strength as we move forward with the Adult Social Care Improvement Plan.

Voluntary and Community Sector

Responding to the Pandemic

In 2019/2020, the statutory sector in Torbay has strengthened existing partnerships with Voluntary, Community and Social Enterprise (VCSE) organisations, as well as creating new ones. Closer working has allowed us to develop the wellbeing offer in Torbay, and in particular, it has enabled a more co-ordinated approach to the challenges of the Coronavirus pandemic. The response from VCSE organisations during this period has been exceptional, with a number of notable achievements including:

The creation of a Community Helpline, staffed by people from partner agencies across VCSE, NHS and Torbay Council. The Helpline has provided advice, information, signposting, and referral to support services; as well as matching volunteers with people in the community who needed help. Between March 2019 and February 2020, the helpline took over 17,000 calls and recruited over 1,000 volunteers from the local community. Volunteers have been “matched” to people needing help with things such as shopping, picking up prescriptions, and attending medical appointments. They have also

supported with befriending for those isolated. Over 1,900 requests for help have been fulfilled in this way.

- The Helpline has also provided mental health and wellbeing support to volunteers on the frontline, and has encouraged a “street-level self-help” approach in communities to maintain resilience; including the development of 68 “Good Neighbour” networks across the Bay, supported by Community Builders where required.
- Working alongside statutory services, Torbay Food Alliance was developed to support people unable to access food, either because of food poverty or shielding; which provided over 450,000 meals in 2019/20, along with advice, information and signposting. The Alliance is a consortium of 11 VCSE organisations working from across Torbay.

Partnership working

The development and implementation of the Adult Social Care Three Year Plan has been very much informed by our “Community Led Support” work in Adult Social Care, which preceded it. This focused on working in a different way with the community, and a more person-centred approach to wellbeing. This work has been further developed and reinforced through the pandemic, with a more open, collaborative approach being taken to joint working; improving relationships and understanding between the sectors. Initiatives have been truly community-led and asset-based, with statutory services taking a more facilitative, supporting role.

The VCSE sector has been agile, creative, and person-centred in its response to community need; which has positively influenced culture within Adult Social Care and the way in which we are improving our services. For example, as part of the Three-Year Plan, we are redesigning our “Front Door” (the way in which people access our services) in Adult Social Care. This is not only being informed by the development of the Community Helpline, but VCSE partners are actively involved in the redesign work. This approach is fully aligned to the Care Act (2014), which recommends greater integration and collaboration with local partners, for the benefit of community wellbeing.

A new Steering Group has been created with representatives from across the VCSE and statutory sectors; which will help to guide and shape developments. A VCSE Forum has also been set up, to make it easier for organisations within the sector to connect with a common purpose; providing greater opportunities for collaboration, and a stronger voice in the local system.

Technology Enabled Care Services (TECS)

A Technology Enabled Care Service (TECS) is available across Torbay. Commissioned in 2018 by Torbay and South Devon NHS Foundation Trust, the service is provided by NRS Healthcare located in Paignton. TECS provides solutions to individuals to keep them safe and independent in their own homes for longer, potentially delaying any need for formal service interventions.

NRS Healthcare offer a private purchase option so that people are able to choose different ways to support how they access the community and live as independently or care for loved ones. For those who are eligible following a Care Act Assessment, TECS will be considered before other packages of care are put in place.

TECS supported people and carers with convenient, cost effective and accessible ways to managing health and wellbeing. No one anticipated the pandemic or the impact that this would have on ensuring that care continued in the safest possible way whilst enabling ease of access to healthcare professionals. TEC responded to the pandemic in a number of ways including adjusting some of the equipment available to support people with a wide range of needs requiring them to isolate. This technology allowed people to manage various conditions as well as reduce anxiety and isolation through video links with nurses and family.

This contract has supported people from managing medications independently through to allowing people to access their community with TEC phones linked to 24/7 care for emergencies. The provider NRS have been developing a new system to support people being discharged from hospital through until their assessment has been completed in their home while having access to a care line. Work has started with public health to use TEC to support people with diabetes and mental health so that they are able to manage and live full lives.

Digital Inclusion

To consider the impact of a new digital world a group formed and developed across the community including the VCSE, Public Health, Healthwatch, TSDFT to understand the impact of a digital shift on how people are able to access their community and social interests. This group has developed a survey which will uncover the depths of the impact on this shift, identify how to support individuals and inform how services are commissioned in the future.

Outcome 2: Case Studies

TECS Case Study: The following case study details a gentleman who although wanting to remain at home was, as were his family, concerned about his ability to do so.

Client Information	Elderly man, registered blind
Client situation	Family concerns around client's ability to remain at home and keen to pursue a residential placement.
Reason for TEC	TEC sensors were installed around the home to understand movement and use of appliances such as the kettle and fridge. This was to build a picture of activity and patterns, in particular around night time activity. Note: these sensors have no visual or audio.
Useful Insights	TEC identified a pattern of his daily life. While he isn't particularly active when on his own, if he wants to go to the kitchen for a drink or food at night, he is able to do this. Trends were formed to understand healthy sleeping and resting patterns.
Impact on care provided	There was limited activity accessing the kitchen and using the kettle, microwave or fridge and so he remains reliant on carers for this important aspect of his daily life. However, this technology confirmed that presently there are not significant night time needs. When he is in bed, the motion sensors pick up little movement and most nights he sleeps for long periods.
Result	All parties were reassured and the man was able to remain in his home for the time being.

The Hope Programme

The HOPE (Help to Overcome Problems Effectively) Programme is an evidence based 6-week self-management course based on positive psychology, mindfulness and cognitive behavioural therapy, built on 20 years of research from Coventry University.

It brings together people with similar needs and experiences in a safe space across 6 weeks. Participants are given the tools to build their knowledge, skills and confidence whilst helping each other. The groups are run by trained facilitators – professionals or volunteers.

Across Torbay and extending into wider Devon, the HOPE programme continues to go from strength to strength with over 1,400 participating in the programme to date. We celebrated our Third Birthday on 13th November 2020



As we continue to adapt our day to day lives towards a new normal amidst the Covid-19 pandemic, the HOPE programme has had to evolve as well. Since April, facilitators have been delivering the HOPE programme using Microsoft Teams and finding out the best ways to modify the face to face programme to an online one. This meant a two-month hiatus from April – June 2020, but since then we have been delivering ‘Virtual HOPE’. This has increased our spread and reach, with people not having to travel to a HOPE venue but can access in the comfort of their own homes. We have also been able to offer more evening courses to support people who have working responsibilities.

Here is our current delivery offer of HOPE (face to face being stood down while we are in lock-down)

	Face-to-face	Virtual	Digital
Method?	In person	MS Teams	Online
How?	Set dates and time	Live course (set date & time)	Self-paced over 6 weeks
When?	Set times	Set times	24/7
Where?	Named venue, set place, same time	Anywhere, any place, set time	Anywhere, any place, any time
Commitment?	2 hrs per week at set time	2 hrs per week at set time	2 hrs per week
Delivered by?	2 facilitators	One or more facilitators	One or more facilitators
Communication?	In person, group discussion and exchange of ideas with instant feedback	Online, live interaction using audio and webcam	Online forums, private messaging, and support. With optional weekly virtual sessions to ‘come together’ to share learning
Requirements?	Travel to venue. Access to travel and venue Cost (travel & time)	Internet access, access to PC/ laptop/ tablet/ smartphone	Internet access, access to PC/ laptop/ tablet/ smartphone
Most suited to:	Classroom learners that like to learn ‘in person’ with others and enjoy face-to-face teaching.	Online learners who like learning within a group. Good for those who enjoy scheduled teaching and learning.	Online learners, self-motivated, who like flexible learning that can be done when it is most convenient. Good option for those who want to keep their anonymity & privacy.
Certification:			The digital courses are QIS2015 accredited .



We were initially sceptical that people would want to access the HOPE programme using technology, but we have been blown away with the response – so far, we have had 144 people participate in Virtual HOPE and 60 people attend Digital HOPE (2020) and 165 people sign up for Digital HOPE (2021).

We advertised the Digital HOPE Programme on the 'HOPE Programme – Devon' Facebook page and the response was astonishing. The post reached over 17.6k people, with 380 likes, comments and shares (142 shares!!):

HOPE Programme - Devon
25 January at 15:54 · 🌐

We are so excited to announce that we will be officially launching the Digital HOPE Programme in February 2021! Digital HOPE will be available to anyone living in the South West of England and is FREE.

This is another amazing offer of the HOPE Programme which you may like to try, you can access the course in your own time and at your own pace so it's accessible to even those who lead really busy lives. Perfect for those who work full time, for parents with kids at home, and ... [See more](#)



Performance for your post

17621 People reached

380 Likes, comments and shares

295 Post clicks

34	72	189
Photo views	Link clicks	Other Clicks

NEGATIVE FEEDBACK

1 Hide all posts	2 Hide post
0 Report as spam	0 Unlike Page

380 Likes, comments and shares

BRANDED CONTENT DISTRIBUTION View Breakdown

17621	17621	0
Total reach	Organic reach	Paid reach

19041	19041	0
Total impressions	Organic impressions	Paid impressions

We have extended our offer to cover new groups of people who share common experiences including:

Long-Covid (including a course specifically for health and social care staff living with the symptoms of Long Covid)

Virtual HOPE Programme for Postnatal and Emotional Wellbeing

Hope+ Hear for yourself the impact that HOPE + has had on one of the participants in this podcast recording:

<https://vimeo.com/507020431/f0b7247643>



The banner features the 'the hope programme' logo on the left, a teal box with 'Virtual HOPE Postnatal & Emotional Wellbeing' in the center, and the 'hope for the community' logo on the right. Below the logos is a black and white photo of a baby in a white patterned outfit. To the right of the photo is the text 'CONGRATULATIONS ON BECOMING A MUMMY!' in large, bold letters. Below this is a question: 'Are you feeling overwhelmed? Tired? Stressed? Low? Anxious? Does every day feel like a battle?'. Further down, there is a paragraph about the physical and emotional journey of becoming a parent, followed by information about a free six-week Virtual HOPE course starting on Tuesday 5th January 2021. A list of dates for the course is provided: 05.01.2021, 12.01.2021, 19.01.2021, 26.01.2021, 02.02.2021, and 09.02.2021. A box contains contact information: 'For more information or to book', 'Call: 01803 210493', and 'Email: hope.devon@nhs.net'. At the bottom, there are logos for Livewell South West, Devon County Council, TORBAY CONNECT, PLYMOUTH RES, and NHS. The 'ROOTS' logo is also present on the right side.

Participant quotes:

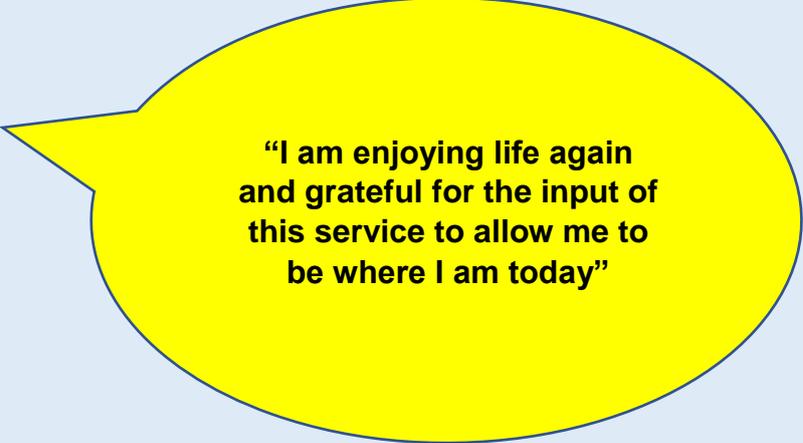
“This experience has been a life saviour for me”

“I’ve never felt so supported and I’ve gained friendships with people who understand, thank you”

“Since week 5 my husband and son, who came to visit, have noticed my hair has regrown, it was falling out in clumps back in January but since being on the programme this hasn’t happened and it looks thicker again.”

- Trialled and co-designed the virtual HOPE+ programme.
- Developed involvement with and funding for virtual reality headsets to support goal achievement.
- Gained a working partnership with Devon and Somerset Fire and Rescue service to provide home safety assessment in housebound, plus sized clients home's and allow for
- emergency evacuation assessment and planning to keep this vulnerable client group safer.
- Advocated change to the societal stigma around plus sized, housebound individuals
- Promoted the use of health coaching skills to allow for person centred change in self-management.

Jane is a woman in her 20's who due to an accident left her housebound, and led to significant weight gain. Jane's goal of wanting to access the community and return to work, was overruled by her mobility safety and recommendations. With open, honest shared conversations Jane was able to leave her flat and return to work in a part time role with reasonable adjustments made to her needs. As Jane's confidence increased, in time, she was able to take actions to get an adapted vehicle for her use which widened her working opportunities and community access. Jane is now successfully back working in the community.



**“I am enjoying life again
and grateful for the input of
this service to allow me to
be where I am today”**



HOPE: Client Stories (consent has been obtained by individuals for use of their story and images)

Valmai, spent most days restricted in her residential home with low self-esteem, feeling isolated and found it hard focusing on future goals.

Social occasions meant a lot to Valmai and her main goal was to have a tea party with a select number of close friends. Valmai created her own invitations and party bunting, something she never thought she could do.

"I am more assertive now and learning to enjoy life"

"I never thought my hands would be any good at being creative, I've surprised myself"

"I feel like I have achieved something for once"

Valmai then went on to join a local craft group gaining social enjoyment and personal gratitude. Valmai became more confident to access the community again which further enhanced her wellbeing and later resulted in a planned UK holiday away with her partner which was a longer-term goal discussed at the start of engagement.



"I finally have my freedom back"

"I feel organised and able to focus on things that are important to me, which I didn't used to do"

"the input from people like you has completely changed my life and I am very grateful for that. Thank you".

Jon has been housebound as a result of his plus size for many years. His mood would often become challenging and cause lack of sleep making him “put off things”. Through use of health coaching skills, it was recognised that troubling finances were an impacting factor. With support from the programme Jon organised these enabling him to “feel calmer with his finances”.

“I have got my mind back where it should be to function properly”



Jon had a goal to organise and sort through his garage which he had been unable to access for some years. After providing some suitable contacts, Jon independently organised a skip and together with help from a friend and the community outreach coordinator, he managed to de-clutter and organise this space.

“I am in the best mental state I have been in for years and it feels like a 100lb weight has been lifted off my shoulders”.

With partnership of Devon and Somerset Fire and Rescue service, Jon had a home safety fire assessment and had new smoke alarms fitted to increase safety precautions.

Jon’s actions of managing his health and situation became noticeably more positive as time went on. Jon began to take control of his goals and would often have achieved it and more in between our sessions.

Jon is now engaged with the healthy lifestyles team and accesses his workshop as often as he can.

“I am in the happiest place, brain wise I have been all my life”.

“now the only way is up, I can see light at the end of the tunnel”

Outcome 3: Valuing our workforce

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

Training Project - Highlights of success

During 2019/20 we have developed a range of education, learning and development programmes that support staff and our community partners in becoming more confident and informed about the legal framework supporting the work we do.

An Induction programme for new starters has been established, along with generic and specialist education pathways, including bitesize learning opportunities for carers and the voluntary sector. We have also developed an education programme to support staff undertake Tier 1 training as part of the Core Capability Framework for People with Autism.

Technology Enabled Care. Scoped and developed a training presentation along with Explainer films and eLearning to show how technology enabled care (TEC) can support people with certain conditions and vulnerabilities to live their lives with confidence, dignity and independence.

7 Minute Briefing (7MB) have been tested and trailed in relation to the Multi-Agency Framework which is a shared, cross sector understanding of what constitutes a safeguarding concern. It promotes across all organisations collective and transparent accountability and responsibility for decisions and actions in respect of safeguarding concerns. 7MB are now being developed across Adult Social Care that aims to strengthen the way teams are able to communicate more effectively. The brief duration should also mean that they hold people's attention, as well as giving managers something to share with their staff.

Career pathways and development opportunities for all staff groups are being developed from entry points to graduate levels of training. Competency frameworks will follow that underpin all training activities. This will allow for inclusive progression and developmental opportunities for all staff groups.

The aim of the training programmes and developing opportunities, through career pathways will contribute to improving the effectiveness of staff working in a strengths-based way and assure compliance with the Care Act 2014 in Adult Social Care; this includes alignment with the framework principles from Integrated Service Units Delivering Integrated Care: Personalised Care and Support - Conversations with people based on what matters most to them.

Support is built up around people's strengths, their own networks of support, and resources (assets) that can be mobilised from the local community. It aims to, increase efficiencies within and between business processes in Adult Social Care in Torbay which are measurable in terms of outcomes, process and balance (impact) through staff training based on insights from Adult Social Care Improvement Plan projects.

Advice and Information

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, began 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. As we approach 2021-22, Adult Social Care in Torbay continues to have demand on its services from different front doors, including residents of Torbay and their family and friends, local and community-based services, primary care and acute services. We have created a programme of work which will redesign the Adult Social Care front door. Working in partnership with the local networks to address continuity of access, seamless referrals, future needs analysis,

person-centred information, advice and guidance to ensure Care Act 2014 prevention principles are part of the key drivers of improvement.

An improved front door will increase diversion from formal care which is better for people and communities. The front door will enable and support an agreed approach to sharing information to provide well informed local networks with effective referral mechanisms that deliver good outcomes. The programme will develop a measurement strategy that enables impacts to be measured and business intelligence gathered which can be used for strategic commissioning.

Outcome 3: Case Studies

A qualified social work practitioner within the Torquay triage team talks about their experience of working in Adult Social Care in Torbay.

Louise describes a social work intervention she was involved with which received really positive feedback from the person's family members and resulted in a positive outcome for the individual.

Names have been anonymised to maintain confidentiality.

Summary:

Mrs A has a diagnosis of dementia and in December 2020 was found wandering outside confused and inappropriately dressed, she was admitted to hospital and then discharged to a short stay residential placement under the 6-week Covid funding stream.

My role was to complete a social care assessment and establish Mrs A's ongoing care and accommodation needs, and longer-term plans and care provisions.

Due to the current pandemic, and the challenges professionals face, we are frequently receiving updates on policies, procedures and practice, and regular guidance updates on how to implement such changes within our day to day practice. I feel that we have to embrace a positive attitude towards such changes and ensure the individuals within our communities remain at the centre of our practice. A positive attitude enabled me to be enthusiastic with regards to innovative and new ways of working. This included the use of technology to replace a traditional face to face visit or assessment.

The care home Mrs A was temporarily accommodated in, sadly experienced an outbreak of covid-19, therefore professional visits to the home were suspended. However, Mrs A's family wished for Mrs A to return home as soon as she was able to. Therefore, using the Attend Anywhere online system, we were able to arrange a meeting online quickly, whereby both Mrs A and her family could all be involved in the process.

Using the Attend Anywhere system also enabled me to complete a Mental Capacity assessment for Mrs A as per The Mental Capacity Act 2005. I was able to share my experiences of this with colleagues, and I found this experience to be a positive one for myself, Mrs A and her family. It meant we were able to communicate clearly online without the use of face masks or PPE, which can sometimes be a barrier to communication with individuals whom may have sensory impairments.

Mrs A's discharge home experienced a slight delay due to Mrs A contracting Covid within the care home, and later being admitted back into hospital. However, being pro-active and ensuring effective communication was maintained at this time was pertinent to the overall outcome. I ensured I continued with the discharge planning process and arranged for NRS-TECS to be installed within Mrs A's home address. I provided the family and hospital with regular updates and actions I had taken to support Mrs A being discharged back to her home address.

Multi-disciplinary and Partnership working was pertinent to Mrs A's return home. I ensured I maintained my professional responsibility and accountability, whilst recognising the pressures other teams and professionals may be under. Mrs A was on an extremely busy Covid ward within the hospital, so I ensured I updated different staff members daily to ensure communications were effective and fundamental information did not get missed. I referred to other disciplines such as occupational therapists, and ensured a robust package of support was in place alongside Mrs A's family support network to facilitate a safe discharge home.

Maintaining regular and empathetic contact with Mrs A's family enabled them to feel empowered and involved in the decision-making process for Mrs A. Although Mrs A met the criteria for residential care, Mrs A and her families wishes were for her to return home. This wish was achieved by being innovative and creative and utilising Mrs A's personal support networks alongside additional services. Mrs A returned home with the support of her family, TECS, OT and equipment input, a robust package of support and two ongoing nightshifts per week.

This intervention really emphasises the positive outcomes we can achieve with individual's and their families. As long as we ensure we are reactive and proactive as practitioners, and adopt 'a can-do attitude' and maintain effective relationships and communication with both other disciplines and with the individual families whom we work with.



Feedback from Mrs A's family:



Hi Louise

So nice to talk to you again this evening and thank you so much for checking in on Nana to ensure she got home ok from hospital.

As promised, I wanted to share with you the video of Nana meeting Mum today as she got wheeled out of hospital and then her in the car singing 'happy and you know it'. She has since had her hair done and looking tip top. Bless her. 🙏🌸

None of this would have been possible without you Louise, you have been so instrumental in Nana's care and we simply cannot thank you enough for everything you have done. It is clear you really care about your clients through your work, the way you have engaged with our family and just gone over and above to ensure all Nana's needs have been met. You really are an asset to the team. I feel compelled to copy in Sarah as your senior manager so she is aware of how fantastic we think you are.....although I am sure she probably thinks that already!

Financial position and use of resources.

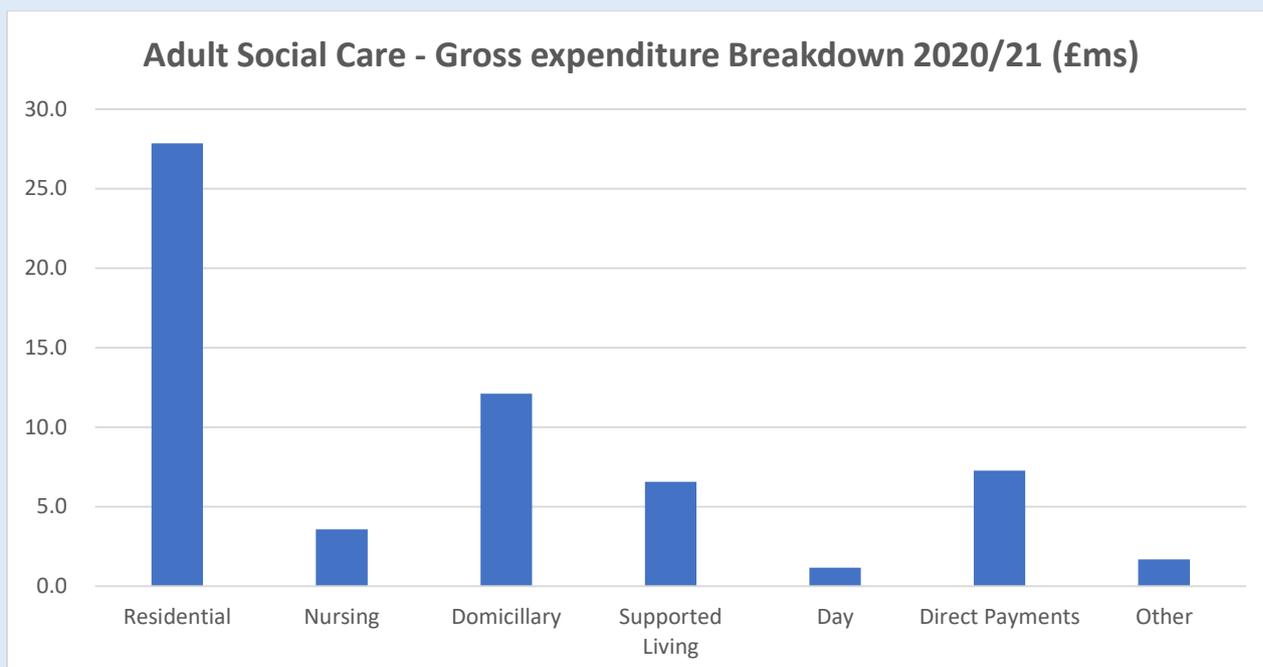
Our aim with this section of the review is to describe the financial resources available and how they have been used in the care sector. On 1st October 2015 an Integrated Care Organisation (ICO) was formed and this organisation's remit was to provide Adult Social Care (ASC) on behalf of the population 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 2020/21 this contribution was £48.7m and is to cover the cost of client care and any operational costs.

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 as well as 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 ASC 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 2,350 people receiving a service of some type.

Net expenditure on the cost of care alone totalled £48.0m in 2020-21 (note this figure includes estimated £3m of costs related to the Trust wanting higher ASC costs as a way of reducing acute health provision / costs). 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 make a contribution towards the cost of any care that the Council then puts in place. The income collected from these client contributions in 2020/21 amounted to £12.2m. The total (gross) expenditure on services was therefore £60.2m and the allocation of this gross expenditure across different types of services is illustrated in the chart below.



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.

In addition to the above core spend, the financial year 2020/21 was unprecedented with the impact of Covid 19. The Independent Sector market within Torbay needed additional financial support for it to play its part in dealing with the pandemic. Funding of over £7.0m was passported to providers through the Trust accounts and covered the following areas.

- Specific grants of circa £5.9m covering infection prevention & control, rapid testing and workforce capacity.
- General Covid funding for market support of over £1.2m.

Financial outlook for 2021-22 and beyond

The main challenge will link to the impact ongoing of Covid 19. Funding for this is expected to be non-recurrent and if providers continue to incur costs as they have, the lack of further funding may threaten their financial viability. The ICO / Council is committed to working with its providers over this time to ensure support is available and that any further 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 specifically in Torbay an elderly demographic compared to other parts of the country.

Despite these issues the ICO 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.

Further to this last point, both the Council and Devon Clinical Commissioning Group acknowledge the pressures facing social care and continue to believe that the ICO is still best placed to manage these services. The ICO will aim to achieve this through the managing of resources across health and social care to deliver a more efficient and effective profile of expenditure. This is needed not only to maintain a financially stable and sustainable model of care, but one that has the ability to improve people's experiences of the service. Such development will be done in consultation with the Council and, where it is necessary to make changes to the way services are delivered, consultation will take place with the people and carers who use those services.

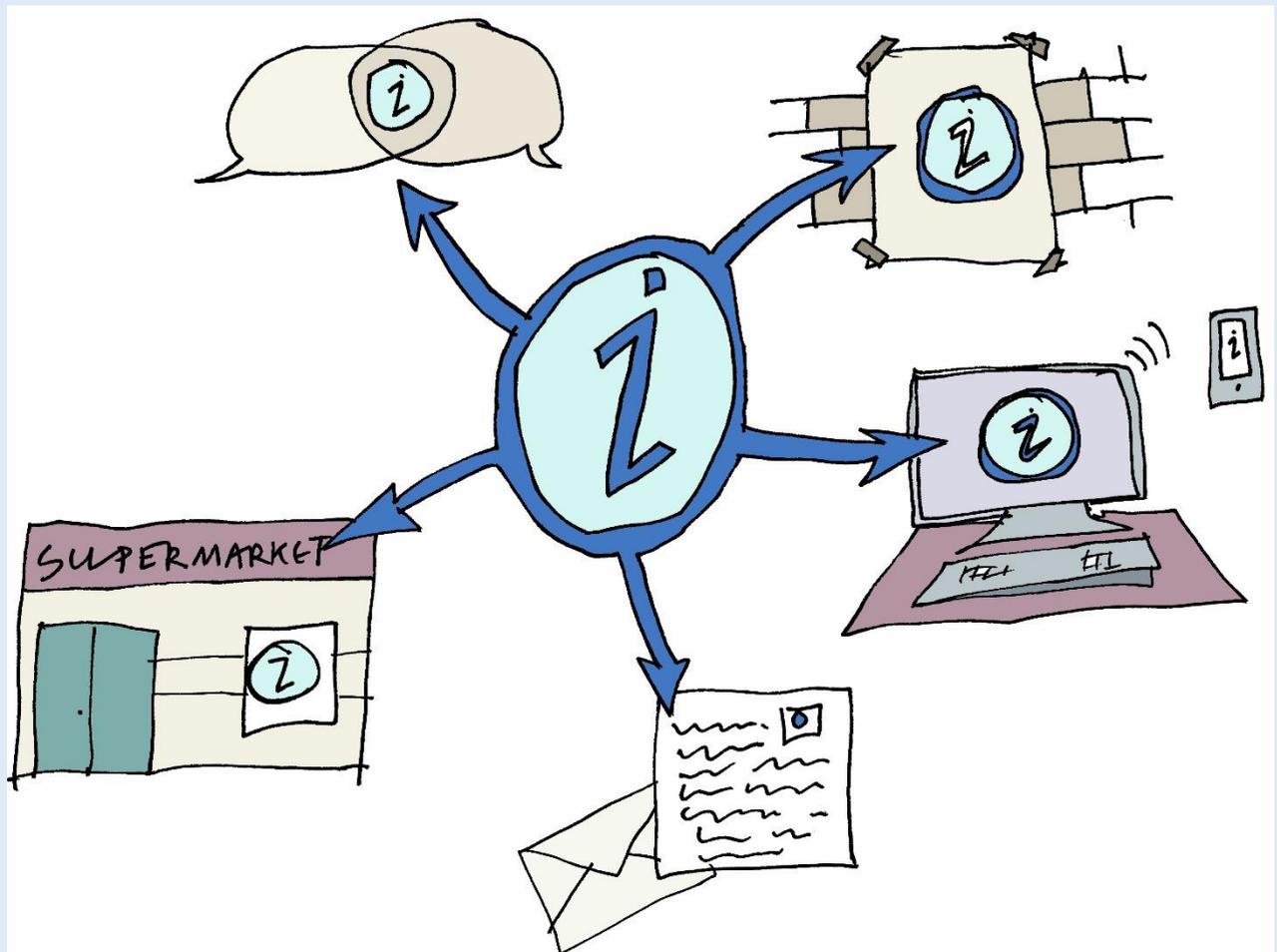
Looking after Information

The trust is committed to upholding the rights and freedoms of our service users and take seriously its responsibility in safeguarding the information that it holds. All incidents where a breach of confidentiality has occurred have been recorded on the Trust incident system in line with the organisation's policies. Risks to information are recorded on the organisation's risk management system in line with the Trust's policy.

The organisation submits evidence of our robust processes as part of the Data Security and Protection Toolkit which ensured the Trust met the toolkit standards for 2019-2020.

All breaches of confidentiality are scored in line with current guidance provided by the Information Commissioner's Office (ICO) with 10 incidents in 2019-2020 meeting the requirement for onward reporting. There were no incidents involving Adult Social Care data requiring onward reporting.

All data incidents, risks and Data Security and Protection Toolkit evidence is regularly reviewed at Information Governance Steering Group chaired by the Trust's Senior Information Risk Officer (SIRO).



Healthwatch response to the Local Account

2021 – 2022

Healthwatch Torbay is the independent consumer champion for people using local health and social care services in Torbay and South Devon. Healthwatch listens to what people like about services and what could be improved and shares those views with those who have the power to make change happen.

Healthwatch commends the effectiveness of Torbay's Adult Social Care teams in maintaining support for local people alongside pandemic challenges. We were pleased to understand that the Care Act Easement option has not been needed as existing duties could still be met.

This Local Account demonstrates an aspiration to continuously improve services and the progress made along those pathways. Whilst we support the mission and vision expressed in this Account, Healthwatch needs to be assured that this is driven by engagement with our local community to understand their experience of receiving social care. The thread of positive stories throughout gives evidence of effective outcomes as does the work to build partnership representation on decision-making forums.

The Account recognises the strength of integration across health and social care with a primary intent to build resilience in populations and individuals. This includes nurturing of the voluntary sector and creative approaches to building that relationship to the advantage of all.

The report rightly brings out the value in enhancing the mental health and well-being of family carers, the commitment to do more and listening to the voice of those who are seldom heard.

We look forward in the next year to working in partnership to gain even more from feedback and engagement, giving evidence to support the culture of learning. We are pleased to be working with our stakeholders and have been invited to join the Adult Social Care Improvement Board and the Torbay-Devon Joint Safeguarding Board.

We cannot end this comment without thanking the staff who have provided a rapid response to crisis during the pandemic; have used their knowledge and experience to make a difference to local people in a number of different settings and have just kept going with dedication.



Dr Kevin Dixon
Chair



Pat Harris
Chief Executive Officer

Appendix 1

Domain & KPI	2019/20 Outturn	2020/21 Outturn provisional	2019/20 Target	2020/21 Target	2019/20 England Average
Domain 1: Enhancing quality of life for people with care and support needs					
ASC 1A: Social care-related quality of life	19.8	19.3	19.7	19.7	19.1
ASC 1B: The proportion of people who use services who have control over their daily life	83.6%	85.1%	82.0%	82.0%	77.3%
ASC 1C part 1A: The proportion of people using social care who receive self-directed support (adults aged over 18 receiving self-directed support)	88.2%	72.2%	94.0%	94.0%	91.9%
ASC 1C part 1B: The proportion of people using social care who receive self-directed support (carers receiving self-directed support)	92.5%	96.0%	85.0%	85.0%	86.9%
ASC 1C part 2A: The proportion of people using social care who receive direct payments (adults receiving direct payments)	25.1%	20.5%	28.0%	28.0%	27.9%
ASC 1C part 2B: The proportion of people using social care who receive direct payments (carers receiving direct payments for support direct to carer)	92.5%	96.0%	85.0%	85.0%	77.1%
ASC 1D: Carer-reported quality of life	n/a	n/a	n/a	n/a	n/a
ASC 1E: Proportion of adults with a learning disability in paid employment	8.3%	7.2%	7.0%	7.0%	5.6%
ASC 1F: Proportion of adults in contact with secondary mental health services in paid employment (commissioned outside ICO)	3.0%	2.1%	6.4%	6.4%	9.0%
ASC 1G: Proportion of adults with a learning disability who live in their own home or with their family	78.6%	82.2%	80.0%	80.0%	77.3%
ASC 1H: Proportion of adults in contact with secondary mental health services who live independently, with or without support (commissioned outside ICO)	45.0%	78.7%	60.0%	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	50.8%	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	n/a	n/a	n/a	n/a	n/a

ASC 1J: Adjusted Social care-related quality of life – impact of Adult Social Care services	0.399	0.376	no tgt	no tgt	0.401
Domain 2: Delaying and reducing the need for care and support					
ASC 2A p1: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 1 - younger adults	24.3	17.5	14.0	14.0	14.6
ASC 2A p2: Permanent admissions to residential and nursing care homes, per 100,000 population. Part 2 - older people	516.2	423.4	450.0	450.0	584.0
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	80.3%	77.8%	76.5%	76.5%	82.0%
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	5.7%	3.1%	5.0%	5.0%	2.6%
ASC 2C p1: Delayed transfers of care from hospital per 100,000 population. Part 1 - total delayed transfers	10.0	n/a	no tgt	no tgt	10.8
ASC 2C p2: Delayed transfers of care from hospital per 100,000 population. Part 2 - attributable to social care	4.5	n/a	no tgt	no tgt	3.2
ASC 2C p3: Delayed transfers of care from hospital per 100,000 population. Part 3 - jointly attributable to NHS and social care	0.4	n/a	no tgt	no tgt	1.0
ASC 2D: The outcomes of short-term support % reablement episodes not followed by long term SC support	85.9%	86.8%	83.0%	83.0%	79.5%
Domain 3: Ensuring that people have a positive experience of care and support					
ASC 3A: Overall satisfaction of people who use services with their care and support	68.5%	71.2%	70.0%	70.0%	64.2%
ASC 3B: Overall satisfaction of carers with social services	n/a	n/a	n/a	n/a	n/a
ASC 3C: The proportion of carers who report that they have been included or consulted in discussions about the person they care for	n/a	n/a	n/a	n/a	n/a
ASC 3D part 1: The proportion of people who use services who find it easy to find information about services	72.5%	72.5%	80.0%	80.0%	68.4%
ASC 3D part 2: The proportion of carers who find it easy to find information about services	n/a	n/a	n/a	n/a	n/a
Domain 4: Safeguarding adults who circumstances make them vulnerable and protecting from avoidable harm					

ASC 4A: The proportion of people who use services who feel safe	70.8%	72.2%	72.3%	72.3%	70.2%
ASC 4B: The proportion of people who use services who say that those services have made them feel safe and secure	84.0%	81.6%	85.0%	85.0%	86.8%

Notes:

- RAG rating is against ASA target. Green = on target or within agreed tolerance
- Differences in survey KPIs are not always statistically significant due to survey margin of error
- Biennial carers survey 2020/21 postponed due to covid.

Appendix 2

Measure	2018/19	2019/20	2020/21	% change
Number of requests for support	6,249	6,210	5,407	-12.9%
Number of people received who received one-off support	1,189	1,148	1,156	+0.7%
Number of people who received short term reablement services	1,356	1,219	1,275	+4.6%
Number of people who did not go on to receive a service	2,492	2,434	2,136	-12.2%
Number of people who started to receive an on-going support service	604	667	544	-18.4%
% of service users who received a community-based service through self-directed support		88%	72%	
Number of people who were directed to other types of help and support	2,294	2,063	1,921	-6.9%
Number of services users receiving direct payments	553	532	482	-9.4%
Number of safeguarding concerns raised	1,089	753	1,098	+45.8%
Number of people who received long-term support services		3,047	3,225	+5.8%
% of people aged 18-64 who received long-term support services		39%	36%	
% of people aged 65+ who received long-term support services		61%	64%	
Number of people who received home care support	1,479	1,541	1,729	+12.2%
Number of people in permanent residential placements	906	940	930	-1.1%
Number of Carers on carers register		4,176	4,406	+5.5%
Number of Carers assessed and reviewed		1,277	1,187	-7.0%
Number of Carers with direct payments		609	546	-10.3%
Number of people with mental health issues who were supported by services	301	315	343	+8.9%
Number of people with learning disabilities living in residential or nursing accommodation	117	110	93	-15.5%

Meeting: Cabinet **Date:** 24 August 2021

Wards affected: All Wards

Report Title: Equality Objectives 2021-2025

Cabinet Member Contact Details: Councillor Carter, Cabinet Member for Corporate and Community Services, christine.carter@torbay.gov.uk

Director/Assistant Director Contact Details: Kate Spencer, Head of Policy, Performance and Community Engagement, kate.spencer@torbay.gov.uk

1. Purpose of Report

- 1.1 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:
 - **Eliminate unlawful discrimination**, harassment, victimisation and other conduct prohibited by the Act
 - **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it, and
 - **Foster good relations** between people who share a relevant protected characteristic and people who do not share it.
- 1.2 We are required to publish our objectives every four years, with our current objectives running until March 2021 and therefore new objectives need to be agreed.
- 1.3 Torbay Council's draft Equality Objectives were published for consultation on 14 June 2021. The consultation period ran for six weeks until 25 July 2021.
- 1.4 The consultation sought to determine views on the proposed Equality Objectives.
- 1.5 This report provides the details of the consultation, the feedback received and make recommendations on the Equality Objective which should be put forward to Council for approval.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver this ambition by ensuring a focus on the needs of all of residents across Torbay. Our Equality Objectives should form part of our business plan and be seen as supporting delivery of it. Our objectives should be an integral part of how we perform.
- 2.2 A set of Equality Objectives which we continually measure ourselves against will help support the organisation in becoming a Council fit for the future, in particularly as we look to our responsibilities as Corporate Parents and towards those with learning disabilities. They are also central to our work on tackling poverty, deprivation and vulnerability.
- 2.2 The reason for the decision is that it is a requirement of the Public Sector Equality Duty to publish one or more objective which we think we should achieve in order meet the General Duty as set out in 1.1 above. Our current Objectives expired in March 2021 and therefore a new set of Objectives needs to be agreed for the next four years.

3. Recommendation(s) / Proposed Decision

- 3.1 That the Council be recommended to agree the following Equality Objectives for 2021-2025:
 1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations, **providing support as appropriate.**
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with **our communities** and encourage participation.
 - **Ensure equality considerations are appropriately addressed within our procurement processes and contract management arrangements.**
 2. Reduce inequalities so Torbay and its residents thrive.
 - Deliver on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
 3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
 4. Support the diverse needs of our workforce

Our staff are one of our biggest assets and our employees come from a wide range of backgrounds with a variety of skills and knowledge. We are committed to supporting our staff and enabling them to provide the best possible service to our customers.

- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.
- **Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse population and communities.**

3.2 That the Head of Policy, Performance and Community Engagement prepare and implement an Action Plan to ensure that the Equality Objectives are embedded across the Council.

3.3 That, as part of the Action Plan, an Equality, Diversity and Inclusion Reference Group be established to support the Council in embedding the Equality Objectives in its work.

Appendices

Appendix 1: Consultation Feedback – Draft Equality Objectives

Background Documents

None

Supporting Information

1. Introduction

- 1.1 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:
- **Eliminate unlawful discrimination**, harassment, victimisation and other conduct prohibited by the Act
 - **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it, and
 - **Foster good relations** between people who share a relevant protected characteristic and people who do not share it.
- 1.2 We are required to publish our objectives every four years, with our current objectives running until March 2021. Therefore new objectives need to be agreed.

2. Options under consideration

- 2.1 Proportionality is a key principle underpinning the Public Sector Equality Duty and we should take a proportionate approach to setting equality objectives.
- 2.2 The Guidance from the Equality and Human Rights Commission says that our equality objectives should be part of our business plan and as supporting delivery of it. We are more likely to achieve the desired outcomes if our objectives are seen as an integral part of how we perform. In Torbay's case, the equality objectives are included within our Policy Framework as part of the Community and Corporate Plan.
- 2.3 As we move to refresh our Objectives, consideration needs to be given to our current position with a new Performance and Risk Strategy in place, business plans being prepared across the authority and the Torbay Racism Review underway.
- 2.4 The Guidance explains that, in order to inform the development of our objectives, we should have a clear understanding of the needs of our employees and service users and the issues they face related to their protected characteristics.
- 2.5 In drafting Objectives for Torbay Council research was carried out on the Equality Objectives of other local authorities and via equality leads at authorities including Devon County Council, Plymouth City Council, and Devon Clinical Commissioning Group. Data and key plans and strategies such as the Community and Corporate Plan, Joint Strategic Needs Assessment and Community Engagement and Empowerment Strategy, were reviewed to ensure consistency with the priorities of the organisation and identify equality challenges.
- 2.6 Three objectives were developed for Torbay, including a specific one to reflect the fact that the Torbay Racism Review is a local priority and implementing its recommendations is

therefore important. In addition, it was recognised that our previous objective of supporting the diverse needs of our workforce was still as relevant and important as before.

2.7 The following draft Equality Objectives were consulted on:

1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations.
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with the community and encourage participation.
2. Reduce inequalities so Torbay and its residents thrive.
 - Deliver on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
4. Support the diverse needs of our workforce.

Our staff are one of our biggest assets and our employees come from a wide range of backgrounds with a variety of skills and knowledge. We are committed to supporting our staff and enabling them to provide the best possible service to our customers.

- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.

3. Financial Opportunities and Implications

3.1 There are no financial opportunities or implications as a result of the recommendations.

4. Legal Implications

- 4.1 The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty.
- 4.2 The Council is also required to demonstrate compliance with its objectives once a year, which we do through the publication on our website of our Equality Information.

5. Engagement and Consultation

- 5.1 The draft Equality Objectives were publicised on the Council's consultation web pages between 14 June and 25 July 2021. Members of the public were notified of the consultation through social media posts on Facebook and Twitter and via the One Torbay Newsletter.
- 5.2 Feedback was invited from organisations operating locally to support people with protected characteristics including: Ageing Well Torbay, Age UK, Disability Support Torbay/Living Options, Intercom Trust, Play Torbay and Churches Together in Devon.
- 5.3 Members were briefed about the consultation and the Torbay Racism Review Panel were asked to review the four proposed objectives and provide comments at the request of the Overview and Scrutiny Co-ordinator and Vice-Chairman (rather than the Overview and Scrutiny Board as they felt that the Panel were best placed to give their views in light of its work).
- 5.4 SLT were also briefed, and all staff notified about the consultation via staff news. The Equality Objectives were also discussed as part of the Managers' Forum and their responses are included in the tables of comments in this report.
- 5.5 In total 14 emails were received in response to the consultation from members of the public, organisations, members and staff.
- 5.6 The Chair of the Torbay Racism Review responded that the outcomes and recommendations of the Review should be implemented and included within the Equalities Objectives and that the objectives to be reviewed each year.
- 5.7 There were five main themes to the feedback received about the draft Equality Objectives. A selection of comments from emailed responses, Managers' Forum and social media engagement are shown under the category headings in the following tables.
 - The need to increase awareness of equality requirements and the objectives amongst staff
 - The need for appropriate monitoring of the implementation of the objectives
 - More could be done to support those with protected characteristics
 - There are further opportunities to build equality considerations into services
 - Disagreement with the focus on those with protected characteristics

- 5.8 As a result of the consultation feedback, some slight amendments were made to the wording of the proposed Objectives and further detail was included around ensuring our contractors address equality issues and supporting our staff in meeting our Equality Duty. The amendments are shown in **bold** within the recommendations.
- 5.9 Many of the comments were around how we measure the impact of the Objectives and make sure that they are embedded in our everyday practice. To this end, it is recommended that an Action Plan be developed in order to implement them appropriately and effectively across the Council.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 There will be no impact on tackling climate change as a result of the recommendations.

8. Associated Risks

- 8.1 If the Council does not agree a set of Equality Objectives, then it will not be meeting its Public Sector Equality Duty.
- 8.2 Once adopted, we need to ensure that we take action to implement the Objectives.

Equality Impacts

9. Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	The aim of the Equality Objectives is to ensure that services across the Council have a positive impact on all those with protected characteristics.		
People with caring Responsibilities			
People with a disability			
Women or men			
People who are black or from a minority ethnic background (BME) (Please note Gypsies /			

Roma are within this community)			
Religion or belief (including lack of belief)			
People who are lesbian, gay or bisexual			
People who are transgendered			
People who are in a marriage or civil partnership			
Women who are pregnant / on maternity leave			
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Implementing our Equality Objectives will help to support the Council in improving the socio-economic environment in Torbay		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Implementing our Equality Objectives will help to support the Council in improving the public health in Torbay		

10. Cumulative Council Impact

10.1 By embedding the Equality Objectives within our Performance and Risk Framework, we can ensure that there are positive cumulative impacts across Council services.

11. Cumulative Community Impacts

11.1 By working with other public sector partners, who are required to meet the same Public Sector Equality Duty, we can work to have a positive cumulative community impact across Torbay.

Consultation Feedback - Draft Equality Objectives

July 2021

This document can be made available in other languages and formats.
For more information please contact consultation@torbay.gov.uk

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Executive Summary

Torbay Council's draft Equality Objectives were published for consultation on 14 June 2021. The consultation period ran for six weeks until 25 July 2021.

The consultation sought to determine views on the proposed Equality Objectives for the organisation which all local authorities are required to publish every four years in order to meet requirements under the Public Sector Equality Duty.

The draft Equality Objectives were made public on our website's consultation pages and promoted to Torbay Council members and staff, the Torbay Racism Review Panel, local organisations which support people with protected characteristics and the public via social media and our One Torbay newsletter. Feedback was invited to be sent to the engagement@torbay.gov.uk

Fourteen emails were received in response to the consultation. Social media posts reached 7032 accounts and prompted 24 comments.

Feedback Themes

The main themes raised in the feedback received for this consultation are:

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

Introduction

Background

The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and
- Foster good relations between people who share a relevant protected characteristic and people who do not share it.

Protected characteristics under the Equality Duty are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

We are required to publish our objectives every four years, with our current objectives running until March 2020. Proportionality is a key principle underpinning the Public Sector Equality Duty and we should take a proportionate approach to setting equality objectives.

The Guidance from the Equality and Human Rights Commission says that our equality objectives should be part of our business plan and as supporting delivery of it. We are more likely to achieve the desired outcomes if our objectives are seen as an integral part of how we perform. In Torbay's case, the equality objectives are included within our Policy Framework as part of the Community and Corporate Plan.

As we move to refresh our Objectives, consideration needs to be given to our current position with a new Performance and Risk Strategy in place, business plans being prepared across the authority and the Torbay Racism Review underway.

The Guidance explains that, in order to inform the development of our objectives, we should have a clear understanding of the needs of our employees and service users and the issues they face related to their protected characteristics.

In drafting Objectives for Torbay Council research was carried out on the Equality Objectives of other local authorities and via equality leads at authorities including Devon County Council, Plymouth City Council, and Devon Clinical Commissioning Group. Data and key plans and strategies such as the Community and Corporate Plan, Joint Strategic Needs Assessment and Community Engagement and Empowerment Strategy, were reviewed to ensure consistency with the priorities of the organisation and identify equality challenges.

Three objectives were developed for Torbay, including a specific one to reflect the fact that the Torbay Racism Review is a local priority and implementing its recommendations is therefore important. In addition, it was recognised that our previous objective of supporting the diverse needs of our workforce was still as relevant and important as before.

The following draft Equality Objectives were consulted on:

1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations.
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with the community and encourage participation.
2. Reduce inequalities so Torbay and its residents thrive.
 - Delivering on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
4. Support the diverse needs of our workforce.

Our staff are one of our biggest assets and our employees come from a wide range of backgrounds with a variety of skills and knowledge. We are committed to supporting our staff and enabling them to provide the best possible service to our customers.

- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.

Consultation

The draft Equality Objectives were publicised on the Council's consultation web pages between 14 June and 25 July 2021. Members of the public were notified of the consultation through social media posts on Facebook and Twitter and via the One Torbay Newsletter.

Feedback was invited from organisations operating locally to support people with protected characteristics including: Ageing Well Torbay, Age UK, Disability Support Torbay/Living Options, Intercom Trust, Play Torbay and Churches Together in Devon.

Members were briefed about the consultation and the Torbay Racism Review Panel were asked to review the four proposed objectives and provide comments at the request of the Overview and Scrutiny Co-ordinator and Vice-Chairman (rather than the Overview and Scrutiny Board as they felt that the Panel were best placed to give their views in light of its work).

SLT were also briefed, and all staff notified about the consultation via staff news. The Equality Objectives were also discussed as part of the Managers' Forum and their responses are included in the tables of comments in this report.

Consultation Responses

In total, 14 emails were received in response to the consultation from members of the public, organisations, members and staff.

The Chair of the Torbay Racism Review responded that the outcomes and recommendations of the Review should be implemented and included within the Equalities Objectives and that the objectives to be reviewed each year.

There were five main themes to the feedback received about the draft Equality Objectives. A selection of comments from emailed responses, Managers' Forum and social media engagement are shown under the category headings in the following tables.

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

The need to increase awareness of equality requirements and the objectives amongst staff

“...officers have said that they have no idea who they need to speak to about whether they need to undertake an Equalities Impact Assessment for a decision or who to talk to for advice generally on what the requirements are. I think there seems to be a gap in the information available to staff and what they need to do to ensure we are documenting our decisions correctly.

I agree with the proposed objectives but I think we need to do more to inform staff and that this is something that should be included in the objectives because if staff are ill-informed then we won't achieve the objectives.”

Addition to draft objective 4: “Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse population and communities.”

“Need to know a bit more of the content of the consultation before we can comment fully.”

Page 67 Agree with objectives, but staff have a lack of awareness of them.”

67 How can we ensure staff know how to make their communications accessible on all channels? Can we have some mandatory training for all staff on this?”

“Support / information for officers to ensure there remains a focus on these. That's it's just not a one off.”

“Some of the group unaware of the racism review outcomes and process / COVID impact”

“Expand on what we mean by equality and diversity - a very wide area - race, elderly, young, disadvantaged, people with disabilities etc - wide implication for the whole Council”

“The suggestions appear generic and inclusive but feel the size of this task requires more discussion to fully understand and engage with it”

The need for appropriate monitoring of the implementation of the objectives

“Firstly, thank you to the council for pursuing this incredibly important review into fair practices and treatment of those of “protected characteristics”. The proposals appear entirely positive. What are the proposals for reviewing implementation and effectiveness of these objectives? Who is “marking your homework”? It feels as though these objectives are on the woolly side - what are the KPIs for evaluating success? What statistics underline past failings on which improvement can be gauged?”

“The principles seem to cover what would be expected but it is how it is intended that they are to be implemented would be the question and measured and reviewed”

“How are the objectives going to be monitored to ensure that we are achieving them as an Authority?”

“what actions do we take forward and how to monitor”

“This is an excellent start. Interested to know how you will be evaluating progress and who is “marking your homework””

More could be done to support those with protected characteristics

“Whilst there are recently highlighted causes for concern which receive regular media coverage there are still issues facing people who have disabilities whose need within the wider environment of Torbay are not being addressed. Whilst I appreciate your intention may be to focus on attitudes and policies within the Council’s sphere of operation, I feel much could be done both within departments that are outward facing as well as the benefit that the Council could be to the wider community.”

“...I have witnessed how when several groups such as those who have caught the attention of the media believe that the only equal opportunities matters worth discussing at such meetings are those that affect and address their needs.”

“...I mentioned “outward facing Council departments, for example the planning department. As an example, permission was granted for a hospitality company to utilise outside space by installing decking; it had not occurred to either the applicant or the planning officer who approved the scheme that with the only access to this decking was by a series of steps would thus prevent access by a wheelchair user.

Councils have responsibility too for and locating of street furniture which is sometimes done in such a way that it presents a hazard to blind or disabled people. A blind eye is turned to pavement parking by the Council, yet this discriminates against blind, wheelchair users and people pushing prams forcing them into the road in order to get past the obstacle.

There is a rapidly growing trend in the use of both mobility scooters plus electric scooters and the Council are not addressing the control of their use on public pavements and spaces. These issues, although very real to those being disadvantaged have in recent times been ignored whilst it is perceived by many that the slightest issues raised by those of a varied sexual orientation or of colour receive immediate responses.

I hope your review not only addresses the problems of accessibility etc experienced by disabled people within Torbay at large but actually follows through with the appropriate action. To pay too much attention to those aspects of discrimination that have grabbed media attention will only serve to alienate those not served by the Councils endeavours.”

Page 99
The draft objective 1: Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.

• Ensure all relevant groups are included in consultations “(I would rather this said “Support all relevant groups...” as I think there needs to be recognition that some groups will need expenses / costs covered in order to be included)”

• Improve the accessibility of our events, meetings, information and communications

• Strengthen our relationship with the community and encourage participation. “(I would rather this said “relationships with our communities” to reflect the diverse communities in your area)”

“I agree with your statements on equality. What is really important is to ensure when you consult you go to different groups for feedback, too often, for speed you go to the same groups who are not representative of the majority. You could use volunteers to get more diverse feedback?”

“In-house / Council groups re protected characteristics to support individuals / what support does the Council offer Re recruitment of bame, older people, lgbtqi +?”

“Is disability included in these statements?”

“Racism is important, where are other protected characteristics - ? Add in inequalities review panel ? develop panel /subpanels”

“Would an officer heading up the Equality Objectives be useful to ensure an organisational direction is maintained (much like we have with climate change).”

There are further opportunities to build equality considerations into services

“...Whilst the objectives reference consultation in decision making and designing services they do not cover what we will do to ensure this is followed through into the contracts we put in place with external suppliers.”

“...it is the responsibility of those putting the external provision in place to ensure equality considerations are appropriately addressed within their requirements. Inclusion within the equality objectives is essential to raising staff awareness of their responsibilities in relation to external contracting arrangements.”

“...All contracts and contractors must have an equality policy and act too for the non discrimination of the protected characteristics and wider communities that may not be specifically covered also.”

“...A form of words cut and pasted from several other local authorities Equality objectives as an example could possibly be at its simplest. The council has a responsibility to ensure that individuals, voluntary organisations, firms and institutions acting on behalf of or as agents of the council do not practice unlawful acts of discrimination.

I would probably go a bit further in the words to state they must have the relevant policies and actively discourage discrimination, themselves. A subcontractor could do as much damage as the main contractor to our reputation should they be discriminating on our behalf and with our taxpayers monies...”

Disagreement with the focus on those with protected characteristics

"I would disagree to these proposals for Torbay. Can we have an English Riviera proud month instead, with dancing, flags and media, celebrating everyone else in Torbay and the joy of living in such a wonderful place. Bring back the classic palm tree icon from the 80s. Why do LGBT+ have to try and override events with their way of thinking?"

"sounds a good way to waste government funding again"

"Pity Councils can't review their main line services and put more effort into them than wasting time, money, etc on other services which do not affect the whole community."

"Equality between Torquay, Paignton and Brixham you mean? We ALL pay the same Council Tax, let's ALL have a fair share"

"Pretty straight forwards, just treat everyone the same."

How much?"

General

"I think it's great that Torbay Council is doing this and adopting new policies etc. There are way too many hate crimes and bigots in Torbay - thank you for working towards more inclusive thinking in the Bay!"

"Hmmm.... I'm always curious when you talk about reducing inequality as it risks you engaging in 'positive discrimination', which is still discrimination and unlawful. Who someone sleeps with or what colour their skin is should be of no concern at all to a council, that's how you treat people fairly."

"Agree with the objectives - easy to understand and straight forward"

Social Media Evaluation

Four social media posts each on Facebook and Twitter reached 7032 accounts and prompted 740 engagements, 24 comments, 20 likes and nine shares. There was much more engagement from Facebook than Twitter regarding this consultation. Torbay Council's Facebook page currently has 9,625 likes and 10,911 followers.

From 14 June to 25 July 2021, the Equality Objectives consultation was featured in the One Torbay residents' e-newsletter three times and a total of 28 of the subscribers clicked through to the consultation webpage. The consultation was also featured in Torbay Council's Staff News several times over the consultation period.

Social Media responses provided more of the negative feedback about the draft Equality Objectives and highlights the need to consider how we can foster good relations between people who share a relevant protected characteristic and people who do not share it, as part of the General Equality Duty for Local Authorities.

Meeting: Cabinet

24 August 2021

Report Title: Corporate Parenting Strategy

Wards Affected: All

Cabinet Member Contact Details: Cllr Cordelia Law, Cabinet Member for Children's Services, email : Cordelia.Law@torbay.gov.uk

Officer Contact Details: Anne-Marie Bond, Chief Executive, email : anne-marie.bond@torbay.gov.uk

1. Purpose of Report

- 1.1 To consider the Corporate Parenting Strategy, so that the Council has an improved Strategy as an interim position, pending the outcome of work that is currently being undertaken with children and young people so as to inform an ultimate Strategy for consideration.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver this ambition by ensuring that as Corporate Parents, the Council provides the very best for our cared for and care experienced young people.
- 2.2 The Children and Young People's Plan sets out Torbay Council's objectives and priorities for all services which directly affect children and young people across all the communities which make up Torbay. Its overriding objective is to ensure that all children, young people and care experienced young people and adults are safe, happy and healthy in order that they can reach their full potential. In the context of Corporate Parenting this objective can be re-stated so as to ensure

that our cared for children and care experienced young people are safe, happy and healthy in order that they can reach their full potential; and have all the opportunities that good parents afford their children.

- 2.3 The reasons for the decision are due to the fact that our current Corporate Parenting Strategy is out of date, having expired last year. In considering the tone of the previous strategy it is evident just how far the Council has travelled in its journey to a model of restorative practice and ensuring that our children are at the heart of everything we do as a Council. We recognise that it is imperative that our cared for and care experienced young people are a part of developing a final version of the Strategy, and that work is currently underway. However in the interim it is imperative that the Council has a Strategy that is current and is reflective of our approach as a Council.
- 2.4 The Corporate Parenting Strategy is not a Policy Framework document within our constitution currently, and therefore it is approved by the Cabinet. In our approach to ensuring that Corporate Parenting is fully understood and enacted across all Members and Officers, it is proposed that Cabinet makes a recommendation to Full Council that the Corporate Parenting Strategy be a Policy Framework document.
-

3. Recommendation(s) / Proposed Decision

- (i) That Cabinet approve the Corporate Parenting Strategy,
- (ii) That Cabinet recommend to Full Council that the Corporate Parenting Strategy become a Policy Framework document,
- (iii) That following engagement with children and young people a further updated Corporate Parenting Strategy be prepared for consideration by Council.

Appendices

Appendix 1: Corporate Parenting Strategy

Supporting Information

1. Introduction

- 1.1 The current Corporate Parenting Strategy is out of date having expired last year. Work is underway within the service to produce a Corporate Parenting Strategy which is informed by the views of our cared for and care experienced young people, however whilst that work is progressing it is important that the current strategy is updated. If one considers the tone of the previous strategy it is evident just how far the Council has travelled in its journey to a model of restorative practice and ensuring that our children are at the heart of everything we do as a Council, and it is important that we have a current strategy that reflects this.

2. Options under consideration

- 2.1 The current Corporate Parenting Strategy expired at the end of 2020. Whilst it is not a legal requirement to have the same, it is an essential element of Leadership, Management and Governance within Children's Services, and therefore doing nothing is not an option.

The 2018-2020 Strategy could have been extended, however in respect of the tone of the same, it does not align with the Council's restorative practice approach and therefore this is not recommended.

Rather than approving this Strategy the Council could await the outcome of the work that is currently being undertaken with our cared for children and care experienced young people. However given it is out of date and the tone does not align with current practice this is not recommended.

3. Financial Opportunities and Implications

- 3.1 There are no direct financial implications of this Strategy. There are existing financial implications of the Council fulfilling its role as Corporate Parent, and these will continue under this Strategy.

4. Legal Implications

- 4.1 There are no direct legal implications of this Strategy. There are existing legal responsibilities to those cared for and those who are care experienced, and these will continue under this Strategy.

5. Engagement and Consultation

- 5.1 As has already been set out, work is progressing with our children and young people to ultimately inform our Corporate Parenting Strategy. This Strategy has been prepared to ensure that an approved Strategy is in place pending the outcome of that work. Therefore the extent of engagement with young people on this version has been limited to the views of a small number of young people that have reviewed the same with the Head of Service.

5.2 Engagement has been undertaken with the Quartet, Corporate Parenting Board and a group of Foster Carers and the version for consideration includes revisions based upon the outcome of this engagement.

6. Purchasing or Hiring of Goods and/or Services

6.1 Not applicable

7. Tackling Climate Change

7.1 This Strategy will not directly relate to tackling climate change.

8. Associated Risks

8.1 If this Strategy is not approved the Council could face criticism as to the existing Strategy being out of date and not in line with our current approach.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	The strategy will have a positive impact on young people. It sets out clearly the Council's vision for Corporate Parenting and provides a governance structure to ensure it is delivered.		
	People with caring Responsibilities			No differential impact
	People with a disability			No differential impact
	Women or men			No differential impact
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			No differential impact
	Religion or belief (including lack of belief)			No differential impact
	People who are lesbian, gay or bisexual			No differential impact
	People who are transgendered			No differential impact

	People who are in a marriage or civil partnership			No differential impact
	Women who are pregnant / on maternity leave			No differential impact
	Socio-economic impacts (Including impact on child poverty issues and deprivation)	By being good Corporate Parents, we will provide our children and young people with the best start in life which could have consequential beneficial socio-economic impacts for them.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			No differential impact.
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	No cumulative council impact		
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	No cumulative community impact		

Corporate Parenting Strategy

Ensuring all our children are safe, happy
and healthy and reach their full potential



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1 Foreword

We are passionate in wanting Torbay and its residents to thrive. Central to this vision is making sure that everyone can play their part in supporting Torbay's children, and making Torbay 'child friendly.'

We are so proud of our children and we are committed to do all we can to support them to benefit from the many opportunities that the Bay has to offer. In all we do, we want our children to feel loved, supported and safe. We would like to take this opportunity to thank our incredibly dedicated fostering families and staff for the commitment they demonstrate to our children every single day.

We are committed to being great corporate parents, to ensure that our children have every opportunity to live happy and fulfilling lives.

Corporate Parenting Board



Cllr Steve Darling
Leader of Torbay
Council



Cllr Cordelia Law
Cabinet Member
for Children's



Cllr Nick Bye



Cllr Judith Mills



Cllr Lyn Sykes

2 Corporate Parenting Vision

The Children and Young People's Plan sets out Torbay Council's objectives and priorities for all services which directly affect children and young people across all the communities which make up Torbay. Its overriding objective is:

To ensure that all our children, young people and care experienced young people and adults are safe, happy and healthy in order that they can reach their full potential.

In the context of Corporate Parenting this objective can be re-stated;

To ensure that our cared for children and care experienced young people:

- are safe, happy and healthy in order that they can reach their full potential; and
- have all the opportunities that good parents afford their children.

We are committed to being an effective, caring and ambitious corporate parent and we will show this through;

- our love,
- our focus,
- our language, and
- our actions.

We are loving parents and we care deeply for our children. We will ensure they receive the same standard of care as any good parent would provide, protecting them and supporting them to cope with the dangers and risks of everyday life. We will celebrate and share in their experiences and achievements, no matter how big or small; and we are ambitious for them and will work hard to support them to achieve their aspirations and reach their full potential. We will do everything we can to make sure that our care experienced children are set up for life.

We know that our fostering families are critical in the lives of our children. We are committed to providing support and training for them and embrace them as a part of the Torbay fostering family.

We want Torbay to be a 'Child Friendly' place, a place that champions our cared for and care experienced children.

3 Introduction

This Strategy has been developed, to sit alongside a number of other strategies and plans, to ensure that we deliver for those children and young people who are cared for by the Council and those who are care experienced.

This Strategy is exclusively focused on achieving the best possible outcomes for our cared for children and care experienced young people for whom we are Corporate Parents. It provides the framework for Torbay Council, in all its respects, to fulfil our role in the lives of our children and young people.

In Torbay, we are passionate in believing that ensuring the effective care and protection for our cared for children is the most important responsibility we hold. In order to provide high quality services we must all work together to meet their needs.

The Strategy builds on Torbay's commitment to multi-agency working as we know that the best outcomes for our cared for children and care experienced young people can only be achieved through effective partnership working. The Council, our foster fostering families and independent providers, our NHS and education partners, the Police, the private sector and faith and voluntary sector organisations all contribute to improving the lives of our children and young people.

This Strategy also builds on the progress we have made in improving our services, however it will be further reviewed and updated following the focused work that is currently being undertaken with our cared for and care experienced children, so that we can truly reflect their voice within this strategy moving forward.

4 Context

Legal Duties

Under the Children Act 1989, a child is cared for by the Council if they are:

- Provided with accommodation for a continuous period for more than 24 hours,
- Subject to a Care Order,
- Subject to a Placement Order.

When a child or young person becomes cared for, we become their Corporate Parent.

A young person stops being cared for when they turn 18. At this point, they become a young adult eligible for help and assistance from the Council as care experienced. The Council continues to provide support to care experienced young people until they are 25.

We want to ensure that across the Council, including elected members, senior officers and all staff and fostering families, there is the shared vision, collective responsibility, and commitment to our cared for children and care experienced young people, including the provision of quality services for them.

5 Principles and Priorities

Corporate Parenting Principles

We will ensure that we meet the needs of our children and young people, and we will use these principles to guide every element of our approach.

We will always;

- act in their best interests and promote their physical and mental health and wellbeing,
- encourage them to express their views, wishes and feelings,
- take account of their views, wishes and feelings,
- ensure that their identity needs are met,
- help them gain access to, and make the best use of, services provided by us and our partners,
- promote high aspirations and seek to secure the best outcomes for them,
- ensure that they are safe and have stability in their home lives, relationships, education and work, and
- prepare them for adulthood and independent living and support them as they continue to grow and mature in their early adult lives.

We recognise that our fostering families are an integral part of Torbay's corporate parenting vision and are a crucial part of the team for our children. Our Fostering Statement and Charter sets out how we work with and support our fostering families.

Priorities

We have identified a number of priorities in ensuring we are the best corporate parents we can be. We will focus on these priorities. Set out below each of the Priorities are the relevant Pledges that we have made to our children and young people. The Pledges have been reviewed by The Circle as part of a consultation with young people in care and care experienced adults.

Priority 1: We will work with our children and young people

- We will come prepared, and we will listen.
- Our children and young people's views will come first, but we will be honest about what we can do.
- We will explain our children and young people's rights using language that is easily understood.
- We will use Language that Cares.
- We will respect our children and young people's privacy and work to ensure that they are not singled out or bullied at school, college, or in any other setting.
- We will use our training to be thoughtful about the challenges our children and young people have faced.
- We will celebrate our children's and young people achievements with them in the ways that they would like.

Priority 2: We will ensure our children and young people's homes are safe and meets their needs

- We will work with our children and young people’s carers to ensure their home is the best it can be.
- We will work together to keep our children and young people safe (safety planning).
- We will work with our children and young people’s carers to ensure that they have opportunities that they enjoy and enable them to have a voice if they want to.
- We will plan visits in advance and involve our children and young people in those plans.
- We will help our children and young people to stay in contact with any family they may have if they want that and explain the reasons if this is not possible.

Priority 3: We will support our children and young people to achieve their aspirations and fulfil their potential

- We will ask children and young people about what their goals are and support their achievement.
- We will develop a Personal Education Plan of the things they do in school, so they are helped to do well.
- We will work closely with schools, colleges or providers and offer our children and young people easy to understand reasons for any changes.
- We will encourage and support our children and young people to take up opportunities in education, employment and training until the age of at least 21, in ways that suit them.

Priority 4: We will ensure that our children and young people's physical, emotional, mental health needs are met

- We will work together to support our children and young people have a sense of well-being and personal identity.
- We will develop a plan to ensure our children and young people are healthy and wanting to have good choices called a Personal Health Plan.
- We will support our children and young people to access regular health and dental checks and any appointments or treatment they may need – virtually and in person.

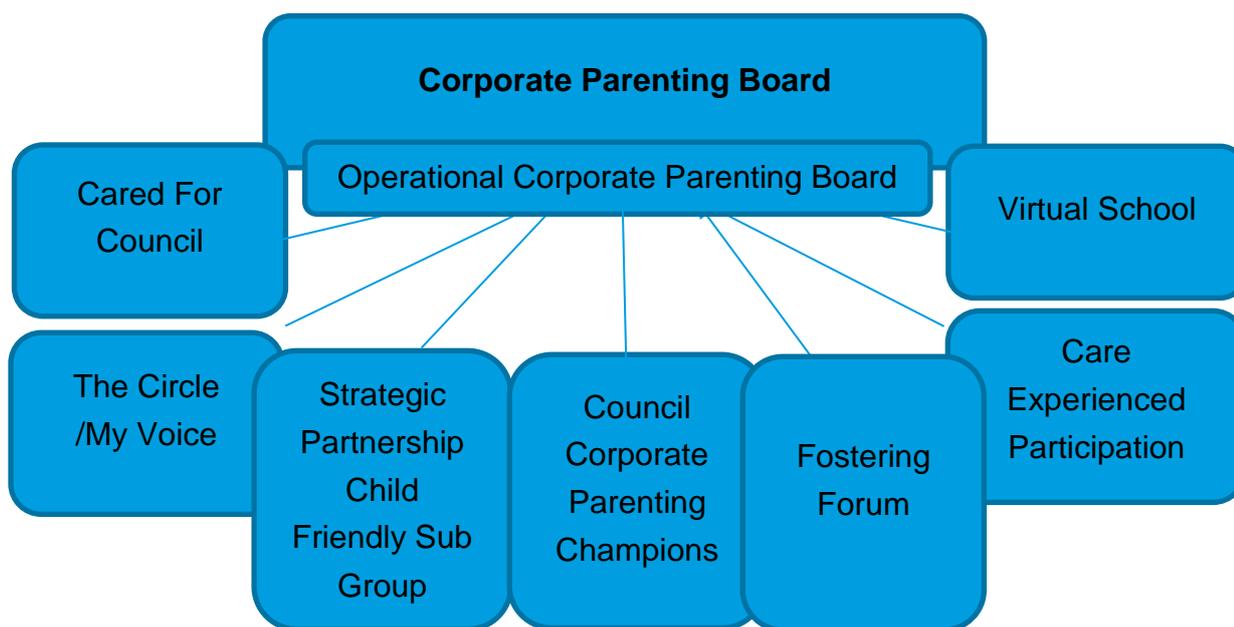
Priority 5: We will support our children and young people to develop into independent, confident and responsible adults

- We will support our children and young people to know that challenges and uncertainty are part of life and growth.
- We will ensure our children and young people to have support and advice, so they are less likely to take certain risks or be open to exploitation by others.
- We will work with our children and young people to develop the life skills we all need to achieve our goals and have the best opportunities for the future.

6 Governance

The Council's Community and Corporate Plan sets out our aspirations for the community of Torbay including children and young people. The Council's objective is to ensure that all children and young people are safe, happy and healthy in order that they can reach their full potential.

Whilst corporate parenting is the responsibility of the Council as a whole and of its partners, on a day-to-day basis our arrangements are set out below.



Corporate Parenting Board

This Board is chaired by the Cabinet Member for Children and comprises of a wider group of members drawn from all political groups together with partner representatives and senior officers from Children's Services.

The Board meets every two months and forms a key element within the Council's Constitution, providing a forum for regular, detailed discussion of issues and a positive link with our cared for and care experienced children and young people.

An Operational Corporate Parenting Board will be established, which will be chaired by the Chief Executive. The Operational Corporate Parenting Board will provide an operational oversight of all of the Corporate Parenting activities being undertaken and will operationalise decisions of the Corporate Parenting Board.

Fostering Forum

A Forum which enables our fostering families and senior managers to come together to focus upon how we work together to provide the very best care and opportunities for our children.

Virtual School

Torbay Virtual School provides the framework through which the educational needs of our cared for children are met working closely with educational providers, carers, social care and health practitioners, and children and young people. The work of the Virtual School is overseen by a Governing Body and led by the Virtual School Headteacher.

Educational attainment and progress for our children is subject to regular review to determine the effectiveness of the arrangements put in place for them via their Pupil Education Plan. The Virtual School also produce an annual report for the consideration of the Governing Body, Corporate Parent Members Group and Full Council.

The Circle and My Voice

The Circle and My Voice is facilitated by Torbay Youth Trust and brings together some of our cared for children to take part in activities on a regular basis and to obtain their views on the effectiveness of our arrangements for them. Their views have been instrumental in developing Torbay's Pledge for our cared for children.

Care Experienced Participation Group

This Group is facilitated by the Torbay After Care Team in conjunction with the Torbay Youth Trust and brings together a representative group of our care experienced young people to ensure their views are heard in the development and delivery of our services for them. Their work has been fundamental to our pathway plans.

Council Corporate Parenting Champions

All departments across the Council and our wholly owned companies, will have designated officers as Corporate Parenting Champions. The Champions will come together on a quarterly basis to help to shape their department's role in ensuring that we are good corporate parents, and that we provide opportunities for them as a result of the relationships we have as a Council.

Strategic Partnership Child Friendly Subgroup

Our Strategic Partnership will have a subgroup, which is focussed upon how organisations and communities come together collectively to become Child Friendly and support our cared for and care experienced children and young people, including opportunities that can be provided for them.

This document can be made available in other languages and formats.

Meeting: Cabinet

Date: 24 August 2021

Wards Affected: All Wards

Report Title: Children's Improvement Board and Governance Arrangements

Cabinet Member Contact Details: Councillor Law, Cabinet Member for Children, email: Cordelia.law@torbay.gov.uk and Councillor Carter, Cabinet Member for Corporate and Community Services, email Christine.carter@torbay.gov.uk

Lead Officer: Anne-Marie Bond, Chief Executive, email: anne-marie.bond@torbay.gov.uk

1. Purpose of Report

- 1.1 This report sets out proposals to strengthen the Council's governance arrangements for Children's Services and to provide focus and drive for Children's improvement beyond the Department for Education's (DfE) intervention.
- 1.2 The Children's Improvement Board (CIB) was established to oversee the Council's improvement plan as part of the DfE's intervention and has an independent chair. The CIB can be temporary and stepped down by the DfE when appropriate. It is proposed that the Council commits to retaining a Children's Continuous Improvement Board (CCIB) as the body to provide the focus and drive for our continuous improvement of Children's Services. The CCIB would continue with an independent chair to ensure the appropriate level of external challenge and that the CCIB oversee the Children's and Young People's Plan, rather than necessitating a separate meeting to do this. As such the Children's and Young People's Strategic Partnership Board would be stepped down.
- 1.3 There is also a need for governance structures within Children's to link to Adults Social Care to provide greater oversight for children who are transitioning into adult services. It is proposed the independent Chairs of both Adult and Children's Improvement Boards sit on the alternative boards to assist with making this linkage.
- 1.4 To further strengthen the governance and accountability of Children's Services and to ensure there is appropriate focus on children and young people by the Health and Wellbeing Board (HWB), it is proposed that the Cabinet Member for Children's Services is added to the membership of the HWB.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations

and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver this ambition by providing continued focus on improvement for Children's Services and the delivery of the Children's and Young People's Plan is fundamental in meeting the Community and Corporate Plan themes - in particular targeted action to 'Protect all children and give them the best start in life'.
- 2.2 The reason for the decision is to ensure the correct level and governance structure is in place to provide accountability for continued improvement and delivery within Children's Services, whilst ensuring that meetings are not unnecessarily duplicated.

3. Recommendation(s) / Proposed Decision

1. That Cabinet approves the Children's Continuous Improvement Board, with an independent Chair, as a permanent arrangement and beyond DfE intervention, to provide continued focus and drive for our Children's improvement journey. The Head of Governance Support be delegated authority to review the terms of reference and membership for the CCIB in consultation with the Cabinet Lead for Children's and Director of Children's Services.
2. That the Director of Children's Services, Independent Chair of the CCIB and the Director of Public Health undertake a review of the CCIBs work programme to ensure the objectives of the Children and Young People's Plan and the work of the Children's and Young People's Strategic Partnership Board are incorporated, and that an appropriate children and young people focus takes place in the Health and Wellbeing Board (HWB) and accordingly agree that the Children's and Young People's Strategic Partnership Board (CYPSB) be stepped down. The Monitoring Officer be requested to make any associated changes to HWB's terms of reference (in accordance with the Constitution, consulting with Group Leaders) ensuring that the Cabinet Member for Children's Services is within its membership.

Appendices

Appendix 1: Structure of Children's Services governance bodies

Background Documents

None

Supporting Information

1. Introduction

- 1.1 The Children's Improvement Board (CIB) was introduced when the Council's Children's Services went into intervention following its Ofsted inspection which rated the Council as inadequate. The CIB is a requirement of the DfE for our improvement of Children's Services. The CIB has an independent chair and its membership includes key partners.
- 1.2 The CIB can be stepped down by the DfE at the appropriate point in our improvement journey. Beyond this, it is proposed that the Council commits to retaining a CCIB as the body to provide the focus and drive for our ongoing improvement of Children's Services.
- 1.3 The Adults Improvement Board has an independent chair and it is proposed the CCIB would continue to have an independent chair to mirror the governance arrangements of the Adults Improvement Board.
- 1.4 There is also a need for governance structures within Children's to link to Adults to provide greater oversight for children who are transitioning into adult services. The proposals outlined above for both chairs to sit on the alternative boards would enable the independent Chairs to work together and strengthen the linkages between Children's and Adults.
- 1.5 The objective of the Children's and Young People's Plan is to ensure all of our children and young people are safe, happy and healthy in order that they can reach their full potential. It sets out a number of objectives and an action plan to achieve this, working across all services and partners. The Children's and Young People's Strategic Partnership Board (CYPSB) was set up to oversee the Plan. It is proposed that the CCIB will encompass the work the CYPSB to give it more focus and accountability for children and overseeing the Children's and Young People's Plan, whilst also linking closely with the HWB to ensure that there is an appropriate children and young people focus in that arena.
- 1.6 Currently the HWB only includes the Leader of the Council or their nominee on its membership. The Cabinet Member for Adults is the Leader's nominee and it is proposed to extend the membership of the HWB to also includes the Cabinet Member for Children, to ensure that the HWB ensures that it is appropriately focussed on our children and young people
- 1.7 A structure outlining the wider Children's Services governance bodies is attached at Appendix 1.

2. Options under consideration

- 2.1 To do nothing, but the governance and accountability for children will not be strengthened.

3. Financial Opportunities and Implications

- 3.1 The CIB currently has a paid Independent Chair and this would continue with the CCIB.

4. Legal Implications

- 4.1 None, associated changes to the Constitution will be undertaken by the Monitoring Officer in consultation with Group Leaders.

5. Engagement and Consultation

- 5.1 The Cabinet Member for Children's Services has been consulted on the proposals and is supportive of the way forward. The Independent Chair of the CIB and the Independent Chair of the Adults Improvement Board have also been consulted upon the proposal and are in complete support.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable.

7. Tackling Climate Change

- 7.1 Non-decision making meetings are currently being held remotely and therefore reduces the need for members, partners and officers to travel to the Town Hall for the meetings, this will help to reduce carbon emissions. In addition agendas and documents for meetings will be made available electronically to reduce the need for printing and postage. Documents still be available in an accessible format for those who require this.

8. Associated Risks

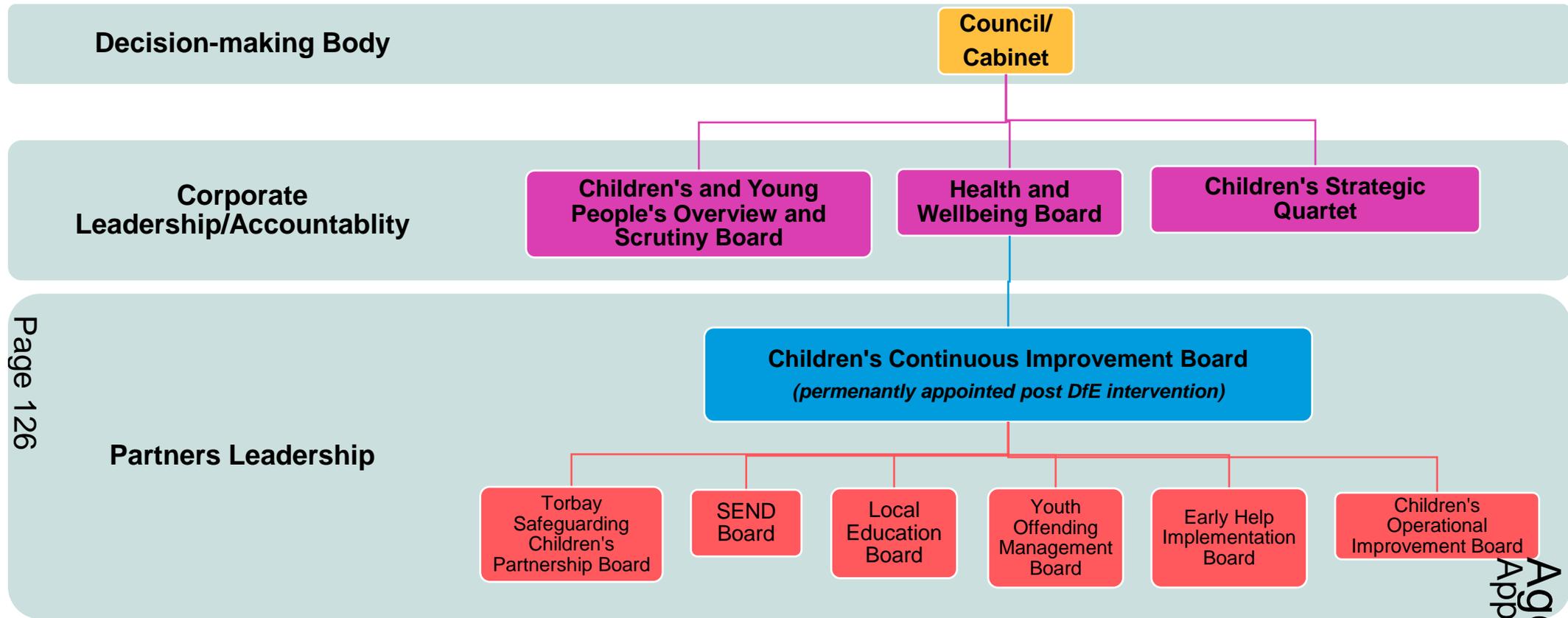
- 8.1 If strong governance arrangements for children are not in place, our ability to provide strategic leadership for the ongoing improvement journey for Children's Services will be impacted.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	The proposals will provide stronger strategic leadership and enable service improvements and linkages between children's and adult services, along with health.		
	People with caring Responsibilities	As above		
	People with a disability	As above		
	Women or men	As above		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	As above		
	Religion or belief (including lack of belief)			No differential impact
	People who are lesbian, gay or bisexual			No differential impact
	People who are transgendered			No differential impact
	People who are in a marriage or civil partnership			No differential impact

Women who are pregnant / on maternity leave	As above		
Socio-economic impacts (Including impact on child poverty issues and deprivation)	As above		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	As above		
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	The proposals will have a positive impact across Council services and partners.	
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	None	

Children's Services Governance Structure (Post DfE Intervention)



Meeting: Cabinet

Date: 24 August 2021

Wards Affected: All Wards in Torbay

Report Title: Policy for the Prevention of the Facilitation of Tax Evasion

Is the decision a key decision? No

When does the decision need to be implemented?

Cabinet Member Contact Details: Councillor Darren Cowell, Cabinet Member for Finance, Darren.Cowell@torbay.gov.uk

Director/Assistant Director Contact Details: Martin Phillips, Director of Finance, martin.phillips@torbay.gov.uk

1. Purpose of Report

- 1.1 The Criminal Finances Act 2017 Part 3 created the Corporate Offences of Failure to Prevent Facilitation of Tax Evasion. Under this Act, an offence may be committed by the Council where it fails to prevent an 'associated person' criminally facilitating the evasion of a tax, whether the tax evaded is owed in the UK or in a foreign country.
- 1.2 In response to the requirements of the Act, a 'Prevention of the Facilitation of Tax Evasion' Policy (referred hereinafter as 'the Policy') document has been prepared and is appendix 1 to this report.

2. Reason for Proposal and its benefits

- 2.1 To mitigate the risk of prosecution for the corporate criminal offences of the facilitation of tax evasion, the Council would need to prove that reasonable prevention procedures are in place. This would enable the Council to raise a defence.
- 2.2 The Policy demonstrates the Council's commitment to adopting a zero tolerance to all forms of tax evasion.
- 2.3 During 2021/22 the Council commits to undertake a risk assessment to identify those areas of the Council's activities where risk is highest and to implement the measures set out in the Policy.
- 2.4 If the Council were unable to prove that it had in place, reasonable prevention procedures, the penalties for this offence include: -
 - Unlimited financial penalties

- Ancillary orders e.g., confiscation orders
- Reputational damage

2.5 The Audit Committee met on 28 July and considered the policy as set out in the submitted report. The Audit Committee supported approval of the policy and recommended the Cabinet requested the Council's wholly owned companies to adopt the same if not a similar policy.

3. Recommendation(s) / Proposed Decision

3.1 That:

- i. The Prevention of the Facilitation of Tax Evasion Policy, as set out in Appendix 1 to the submitted report be approved;**
- ii. the Council's wholly owned companies be required to adopt the same or a similar policy.**
- iii. the Monitoring Officer be requested to review the Council's Financial Regulations and Contract Procedures as set out in the Council's Constitution.**
- iv. Cabinet notes that during 2021/22 the Council commits to undertake a risk assessment to identify those areas of the Council's activities where risk is considered high and to implement the measures set out in the Policy.**

Appendices

Appendix 1: Prevention of the Facilitation of the Tax Evasion Policy

Supporting Information

1. Introduction

- 1.1 The proposed Prevention of the Facilitation of Tax Evasion Policy is set out in Appendix 1.

2. Options under consideration

- 2.1 As set out in Appendix 1

3. Financial Opportunities and Implications

- 3.1 As set out in Appendix 1

4. Legal Implications

- 4.1 As set out in Appendix 1

5. Engagement and Consultation

- 5.1 N/A

6. Purchasing or Hiring of Goods and/or Services

- 6.1 N/A

7. Tackling Climate Change

- 7.1 N/A

8. Associated Risks

- 8.1 As set out in Appendix 1.

During 2021/22 the Council commits to undertake a risk assessment to identify those areas of the Council's activities where risk is considered high and to implement the measures set out in the Policy.

Prevention of the Facilitation of Tax Evasion Policy

July 2021



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This document can be made available in other languages and formats.
For more information please contact financial.services@torbay.gov.uk

1 Introduction

Torbay Council has adopted a zero tolerance to all forms of tax evasion, whether under UK law or the law of a foreign country, and is committed to prevent the facilitation of tax evasion. This Policy has the support of Senior Officers and Members of the Council.

Tax evasion and its facilitation are already a criminal offence, but it had been difficult to attribute criminal liability to a corporation where an offence has occurred. The Corporate Criminal Offence (CCO) legislation came into effect in 2017 with the aim of overcoming difficulties of attributing criminal liability to relevant bodies for the criminal acts of employees, agents or those that provide services on their behalf. Under the Criminal Finances Act 2017 (hereinafter referred to as 'the Act') a "Relevant body" means a body corporate or partnership (wherever incorporated or formed), local authorities fall into this definition.

The CCO legislation does not radically alter what is criminal but focuses on who is held to account for acts contrary to law. This is by focussing on the failure to prevent the crimes of those who act on behalf of the Council. An offence may be committed where a 'relevant body' fails to prevent an 'associated person' criminally facilitating the evasion of a tax, whether the tax evaded is owed in the UK or in a foreign country.

The CCO legislation is aimed at offences committed by those who act for or on behalf of the Council, the legislation does not hold the Council to account for offences by its customers.

The penalties for this offence will include:-

- Unlimited financial penalties
- Ancillary orders e.g., confiscation orders

The Council would also suffer reputational damage, were it to be found guilty of such an offence.

If the Council can demonstrate that it has put in place a system of reasonable procedures that identifies and mitigates the risk of facilitating tax evasion, then prosecution is unlikely, as it may be able to raise a defence.

All wholly owned subsidiary companies of Torbay Council must adopt a similar Policy.

2 The Criminal Finances Act 2017

Criminal Finances Act 2017 Part 3 created the Corporate Offences of Failure to Prevent Facilitation of Tax Evasion.

Tax Evasion

Tax evasion is the illegal non-payment or under-payment of taxes, usually as the result of making a false declaration (or an omission of declaration) of taxes due to the relevant tax authorities.

By contrast tax avoidance as described by * HM Revenue and Customs (HMRC) is:

Tax avoidance involves bending the rules of the tax system to gain a tax advantage that Parliament never intended. It often involves contrived, artificial transactions that serve little or no purpose other than to produce this advantage. It involves operating within the letter, but not the spirit, of the law.

Importantly, the corporate criminal offence of facilitation only applies to tax evasion. A third party must be found guilty of tax evasion before the Council can be found to have facilitated it.

Examples of Tax Evasion

- *You become aware, in the course of your work, that a third party has made or intends to make a false statement relating to tax; has failed to disclose income or gains to, or to register with, HMRC; has delivered or intends to deliver a false document relating to tax; or has set up or intends to set up a structure to try to hide income, gains or assets from a tax authority.*
- *You become aware, in the course of your work that a third party has deliberately failed to register for VAT (or the equivalent tax in any relevant non-UK jurisdiction) or failed to account for VAT.*
- *A third party requests payment in cash and/or refuses to provide an invoice or receipt for a payment made.*
- *You become aware, in the course of your work that a third party working for the Council as an employee asks to be treated as a self-employed contractor, but without any material changes to their working conditions.*

Acting in the Capacity of a Person Associated with the Council

The Council can only be guilty of an offence in this regard, if an

- employee,
- agent
- or other person who performs services for or on behalf of the Council,

facilitates a tax evasion offence.

*[Tax avoidance: an introduction - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The associated person can be an individual or a legal entity.

Where an employee criminally facilitates tax evasion in their private capacity they commit a tax evasion facilitation offence. In these circumstances, the Council would not be liable as an employer.

Similarly, a third party could be acting for multiple organisations. The offence is only committed where a tax evasion facilitation offence is committed by the person acting in the capacity of a person associated to the Council, that is undertaken 'for or on behalf of' the Council. Any activity of the associated person beyond that relationship, for example on behalf of another relevant body or carried out in their private capacity, as mentioned above, would not lead to liability for the Council.

3 Prevention

To mitigate the risk of prosecution for the corporate criminal offence of the facilitation of tax evasion, the Council would have to prove that it had in place, reasonable prevention procedures. This would enable the Council to raise a defence.

HM Revenue and Customs have produced guidance to help the Council put in place preventative processes and procedures. The guidance contains six guiding principles:

- Risk assessment
- Proportionality of risk-based prevention procedures
- Top level commitment
- Due diligence
- Communication (including training)
- Monitor and review

Risk assessment

The Council adopts and is committed to a strong anti-fraud and anti-tax evasion culture. Members and Senior Officers should consider risks from the 'Failure to prevent the facilitation of Tax Evasion' within the established risk assessment procedures and add this to the Council's risk register.

Proportionality of risk-based prevention procedures

Members and Senior Officers provide a high-level commitment to risk-based prevention procedures. The Council has governance and internal control procedures in place to meet the Council's statutory requirements and duties. This Policy adds to the Council's existing policies including the 'Whistle Blowing Policy' and 'Counter Fraud & Corruption Policy'.

Top level commitment

This Policy has been approved by the Council's Senior Leadership Team and the Council's Audit committee.

Due Diligence

Reasonable care and caution is exercised when processing all transactions, particularly high value/ high risk area payments.

Communication and training

All staff, especially those involved in processing and approving financial transactions, will be made aware of this Policy. The Policy will be available on the Council's website and the Council's intranet. On-line training will be incorporated into the Council's Fraud Awareness training. This training is mandatory for all staff. Further training will be developed for employees with the highest risk of exposure e.g., procurement, invoice processing, property transactions, BACS payments, payroll etc.

By the Council putting in place reasonable procedures that identifies and mitigates the risk of facilitating tax evasion, then prosecution is unlikely as it will be able to raise a defence.

4 Policy Statement

Tax Evasion

Torbay Council has a zero tolerance approach to all forms of tax evasion whether under UK law or under the law of any foreign country. Employees of the Council, its agents and contractual associates must not undertake any transactions which:

- Causes the Council to commit a tax evasion offence; or
- Facilitate a tax evasion offence by a third party.

Objective of the Policy

The Council aims to conduct its financial affairs in a law abiding way and will not tolerate either the commitment or facilitation of tax evasion. This Policy provides a framework for employees and associates to understand and implement arrangements to ensure compliance, identify potential breach and report as outlined in Section 6 below.

The Council requires that all relevant persons:

- Act honestly and with integrity at all times and to safeguard the Council's resources for which they are responsible
- Comply with the spirit, as well as the letter, of the law and regulations of all jurisdictions in which the Council operates, in respect of the lawful and responsible conduct of activities.

Scope of the Policy

This Policy applies to all Council's activities. Responsibility to control the risk of tax evasion occurring resides at all levels of the Council. It does not rest solely within Finance, but in all business services and corporate functions.

This Policy covers all personnel, including all levels and grades, those permanently employed, temporary agency staff, contractors, non-executives, agents, Members, volunteers, and consultants.

Staff responsibilities

The prevention, detection, and reporting of all forms of financial irregularity, including suspected tax evasion, are the responsibility of all those employed by the Council or under its control ("associated persons"). All staff are required to avoid activity that breaches this Policy.

As individuals you must:

- Ensure that you read, understand, and comply with this Policy
- Raise concerns as soon as practicable, if you believe or suspect that a conflict with this Policy has occurred or may occur in the future.

Failure to comply with the obligations detailed in this Policy, may result in disciplinary action for employees and the termination of arrangements with associates.

Should employees or associates be concerned that another employee or associate is facilitating a third party's tax evasion whilst acting 'for and on behalf of the Council', they should report this as shown in Section 6 below.

5 Torbay Council's Commitment

The Council commits to:

- Setting out a clear anti-tax evasion facilitation Policy and keeping it up to date
- Making all employees aware of their responsibilities to adhere strictly to this Policy.
- Raising awareness of the risks of tax evasion with employees so that they can recognise and avoid occurrences of potential tax evasion by themselves and others
- Undertaking a risk assessment to identify those areas of the Council's business where risk is considered to be highest
- Targeted training of services where the perceived risk is higher
- Promoting good ethical behaviour by employees in all of its forms
- Encouraging its employees to be vigilant and to report any suspicions of tax evasion, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately
- Investigating instances of alleged tax evasion
- Referring investigations to the appropriate authorities where it is appropriate to do so
- Taking firm and vigorous action against any individual(s) involved in tax evasion, or the facilitation of it
- Providing information to all employees on how to report breaches and suspected breaches of this policy
- Including appropriate clauses in contracts to prevent tax evasion.

The Council seeks to maintain relevant procedures, including top-level commitment to tackling tax evasion and effective communication, including training.

6 Reporting a breach or raising a concern

Within Torbay Council everyone has a responsibility to help detect, prevent and report instances of tax evasion. If you have a concern regarding a suspected instance of the facilitation of tax evasion, you can:

- Engage the Council's Whistleblowing Policy:-
[Whistleblowing \(torbay.gov.uk\)](https://www.torbay.gov.uk/whistleblowing)
- Alternatively, use the Council's Fraud Reporting process:-
[Fraud within or against the council - Torbay Council](#)

This information is also available on the Council's [Fraud](#) intranet site.

Anonymous concerns can be submitted, although if you have missed vital information in your submission remaining anonymous may prevent an investigation commencing or continuing.

7 Policy Review

The Director of Finance (s.151 Officer) and the Council's Audit Committee will ensure the continuous review and amendment of this Policy, to ensure that it remains compliant with good practice and legislative requirements.

Useful links:

[Tackling tax evasion: Government guidance for the corporate offences of failure to prevent the criminal facilitation of tax evasion \(publishing.service.gov.uk\)](#)

[Criminal Finances Act 2017, Part 3 – Corporate Offences of Failure to Prevent Facilitation of Tax Evasion](#)

**Meeting: Audit Committee
Cabinet**

**Date: 28 July 2021
24 August 2021**

Wards Affected: All

Report Title: The CIPFA Financial Management Code – Desk Top Review 2020/21

Cabinet Member Contact Details: Councillor Cowell, Cabinet Member for Finance,
Darren.cowell@torbay.gov.uk

Director/Assistant Director Contact Details: Martin Phillips, Chief Finance Officer,
martin.phillips@torbay.gov.uk

1. Purpose of Report

- 1.1 The report sets out a desk top review for 2020/21 undertaken by the Chief Finance Officer (CFO) in line with the CIPFA Financial Management Code of Practice (the Code).

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver this ambition by ensuring the Council has in place robust processes to satisfy the principles of good financial management supporting the Council in being fit for the future.
- 2.2 The reasons for the decision are to assist the Council in working towards full compliance with the code. The first full year of compliance is due to be 2021/22.

3. Recommendation(s) / Proposed Decision

Audit Committee resolved:

- (i) That the report be noted and that the Audit Committee reviews the Council's compliance with the Financial Management Code on an annual basis with exception reporting on reoccurring or continuing issues.

Recommendation for Cabinet

- (ii) That Cabinet note the report.

Appendices

Appendix 1: The CIPFA Financial Management Code CFO "Desktop" Review 2020/21

Background Documents

The CIPFA Financial Management Code and Guidance Notes.

Supporting Information

1. Introduction

- 1.1 The code was released by CIPFA in October 2019. The code is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. The Code therefore for the first time sets the standards of financial management for local authorities.
- 1.2 The Code is based on principles rather than prescription. Torbay Council must demonstrate that the requirements of the code are being satisfied, this is a collective responsibility of elected members, the Chief Finance Officer and the Senior Leadership Team.
- 1.3 The first full year of compliance will be 2021/22. This reflects the recognition that organisations will need time to work towards compliance.
- 1.4 To establish the level of compliance at present the Chief Finance Officer undertook a desk top review which is set out in Appendix 1
- 1.5 An action plan based on the initial desk top review will be completed and will be extended after a more detailed review of the Code during 2021/22.

2. Options under consideration

- 2.1 None

3. Financial Opportunities and Implications

- 3.1 Whilst the desk top review does not have any financial implications in terms of actual money, ensuring we have sound and robust systems reduces the opportunities for error and fraud.

4. Legal Implications

- 4.1 CIPFA's judgement is that although the code does not have legislative backing it applies to all local authorities and builds on existing best practice and for the first time sets explicit standards of financial management.

5. Engagement and Consultation

- 5.1 There has been no engagement and consultation as this is an internal review of the Councils processes.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 Not applicable

7. Tackling Climate Change

7.1 Not applicable

8. **Associated Risks**

8.1 To not undertake the review could result in the Council not being compliant with the code in 2021/22.

The CIPFA Financial Management Code

CFO “Desk Top” Review 2020/21

The CIPFA Financial Management Code was released by CIPFA in October 2019.

Extracts from the consultation document have been replicated in this document

Objectives

The CIPFA Financial Management Code (CIPFA FM Code) is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. The CIPFA FM Code therefore for the first time sets the standards of financial management for local authorities.

The Code is based on a series of principles supported by specific standards and statements of practice which are considered necessary to provide the strong foundation to:

- financially manage the short, medium and long term finances of a local authority;*
- manage financial resilience to meet foreseen demands on services; and*
- financially manage unexpected shocks in their financial circumstances*

The Code is based on principles rather than prescription. Torbay Council must demonstrate that the requirements of the Code are being satisfied, **this is a collective responsibility of elected members, the Chief Finance Officer and the Senior Leadership Team.**

The FM Code should not be considered in isolation and accompanying tools, including the use of objective quantitative measures of financial resilience, should form part of the suite of evidence to demonstrate sound decision-making.

CIPFA’s judgement is that although the FM Code does not have legislative backing it applies to all local authorities.

The first full year of compliance will be 2021/22. This reflects the recognition that organisations will need time to work towards compliance.

The CIPFA Statement of Principles of Good Financial Management

The Code requires that a local authority demonstrates that its processes satisfy the principles of good financial management for an authority of its size, responsibilities and circumstances. Good financial management is proportionate to the risks to the authority's financial sustainability posed by the twin pressures of scarce resources and the rising demands on services. The FM Code identifies these risks to financial sustainability and introduces an overarching framework of assurance which builds on existing best practice but for the first time sets explicit standards of financial management.

The underlying principles of the Code:-

- Organisational **leadership** - demonstrating a clear strategic direction based on a vision in which financial management is embedded into organisational culture
- Accountability** - based on medium term financial planning which drives the annual budget process supported by effective risk management, quality supporting data and whole life costs
- Financial management is undertaken with **transparency** at its core using consistent, meaningful and understandable data, reported frequently with evidence of periodic officer action and elected member decision making
- Adherence to professional **Standards** is promoted by the leadership team and is evidenced.
- Sources of **assurance** are recognised as an effective tool mainstreamed into financial management and includes political scrutiny and the results of both external audit, internal audit and inspection.
- The long term **sustainability** of local services is at the heart of all financial management process and is evidenced by prudent use of public resources.

CIPFA Financial Management Standards Summary

FM Standard Ref	CIPFA Financial Management Standards	Related Principal	Red 1-3	Amber 4-7	Green 8-10	Notes:
	Section 1 The Responsibilities of the Chief Finance Officer and Leadership Team					
A	<p>The leadership team demonstrates that the services provided by the authority provide value for money.</p> <p>Key questions</p> <p>Does the authority have a clear and consistent understanding of what value for money means to it and to its leadership team?</p> <p>Does the authority have suitable mechanisms in place to promote value for money at a corporate level and at the level of individual services?</p> <p>Is the authority able to demonstrate the action that it has taken to promote value for money and what it has achieved?</p>	Leadership		7		<p>Financial Implications in all Council reports.</p> <p>Consideration to be given to improve subsequent performance reporting from the implementation of the decisions.</p>
B	<p>The authority complies with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government</p> <p>Key questions</p> <p>Is the authority's CFO a key member of the leadership team, involved in, and able to bring influence to bear on, all material business decisions?</p> <p>Does the CFO lead and champion the promotion and delivery of good financial management across the authority?</p>	Leadership			8	CFO part to leadership team and is a direct report to Chief Executive.

	<p>Is the CFO suitably qualified and experienced?</p> <p>Is the finance team suitably resourced and fit for purpose?</p>					
	Section 2 Governance and Financial Management Style					
C	<p>The leadership team demonstrates in its actions and behaviours responsibility for governance and internal control.</p> <p>Key questions</p> <p>Does the leadership team espouse the Nolan principles?</p> <p>Does the authority have in place a clear framework for governance and internal control?</p> <p>Has the leadership put in place effective arrangements for assurance, internal audit and internal accountability?</p> <p>Does the leadership team espouse high standards of governance and internal control?</p> <p>Does the leadership team nurture a culture of effective governance and robust internal control across the authority?</p>	Assurance			8	<p>Constitution including officer scheme of delegation, financial regulations, and contract regulations.</p> <p>Council has effective Audit Committee and Internal Audit functions.</p>
D	<p>The authority applies the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016)</p> <p>Key questions</p> <p>Has the authority sought to apply the principles, behaviour and actions set out in the framework to its own governance arrangements?</p>	Accountability			8	<p>The Council has adopted the Code of Corporate Governance within its Constitution and prepares an annual governance statement to measure how the Council has complied with the Code. The Annual Governance Statement is</p>

	<p>Does the authority have in place a suitable local code of governance?</p> <p>Does the authority have a robust assurance process to support its AGS?</p>					<p>reviewed by the Council's Audit Committee.</p> <p>The Constitution provides the main driver and framework for the Council's governance arrangements.</p> <p>Senior Leadership (political and officer) maintain oversight and accountability for ensuring good governance through a number of mechanisms, including monthly cross party Council Leadership Group meetings with Group Leaders, Chief Executive and Monitoring Officer.</p> <p>Consideration to be given to setting a formal plan at the start of each year to demonstrate how compliance will be met linked to AGS at year end.</p>
E	<p>The Financial Management Style of the authority supports financial sustainability</p> <p>Key questions</p> <p>Does the authority have in place an effective framework of financial accountability?</p>	Sustainability			8	<p>Finance staff part of leadership meeting and key project boards.</p> <p>LGA Peer Review and CIPFA Financial Resilience review.</p>

	<p>Is the authority committed to continuous improvement in terms of the economy, efficiency, effectiveness and equity of its services?</p> <p>Does the authority's finance team have appropriate input into the development of strategic and operational plans?</p> <p>Do managers across the authority possess sufficient financial literacy to deliver services cost effectively and to be held accountable for doing so?</p> <p>Has the authority sought an external view on its financial style, for example through a process of peer review?</p> <p>Do individuals with governance and financial management responsibilities have suitable delegated powers and appropriate skills and training to fulfil these responsibilities?</p>					<p>Consideration of ongoing training around financial literacy of SLT and key staff.</p>
	<p>Section 3 Long to Medium Term Financial Management</p>					
	<p>The authority has carried out a credible and transparent Financial Resilience Assessment</p> <p>Key questions</p> <p>Has the authority undertaken a financial resilience assessment?</p> <p>Has the assessment tested the resilience of the authority's financial plans to a broad range of alternative scenarios?</p> <p>Has the authority taken appropriate action to address any risks identified as part of the assessment?</p>	<p>Assurance</p>		<p>7</p>		<p>Council has a rolling three-year MTRP and reviews its reserves on an annual basis.</p> <p>Council is aware of its financial resilience risks, but these could be documented more in a formal review.</p>

<p>G</p>	<p>The authority has a Long-Term Financial Strategy for financial sustainability.</p> <p>Key questions</p> <p>Does the authority have a sufficiently robust understanding of the risks to its financial sustainability?</p> <p>Does the authority have a strategic plan and long-term financial strategy that adequately address these risks?</p> <p>Has the authority sought to understand the impact on its future financial sustainability of the strategic, operational and financial challenges that it might face (eg using a technique such as scenario planning)?</p> <p>Has the authority reported effectively to the leadership team and to members its prospects for long-term financial sustainability, the associated risks and the impact of these for short and medium-term decision making?</p>	<p>Sustainability</p>		<p>7</p>	<p>Council has a rolling three-year MTRP and rolling four-year capital plan. Future revisions of the plan need to include the planned net service reductions.</p> <p>The sensitivity of future risks could be documented more.</p>
<p>H</p>	<p>The authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities</p> <p>Key questions</p> <p>Has the authority prepared a suitable capital strategy?</p> <p>Has the authority set prudential indicators in line with the Prudential Code?</p> <p>Does the authority have in place suitable mechanisms for monitoring its performance against the prudential indicators that it has set?</p>	<p>Standards</p>		<p>9</p>	<p>Full compliance</p> <p>Consideration to be given to a wider SLT challenge on performance</p>

I	<p>The authority has a rolling multi-year Medium Term Financial Plan consistent with sustainable service plans</p> <p>Key questions</p> <p>Does the authority have in place an agreed medium-term financial plan?</p> <p>Is the medium-term financial plan consistent with and integrated into relevant service plans and its capital strategy?</p> <p>Has the medium-term financial plan been prepared on the basis of a robust assessment of relevant drivers of cost and demand?</p> <p>Has the medium-term financial plan been tested for resilience against realistic potential variations in key drivers of cost and demand?</p> <p>Does the authority have in place a suitable asset management plan that seeks to ensure that its property, plant and equipment including infrastructure assets contribute effectively to the delivery of services and to the achievement of the authority's strategic aims?</p>	Sustainability		5	<p>Council has a rolling three-year MTRP and rolling four-year capital plan. Business plans have been reintroduced which will need to integrate to/from the MTRP.</p> <p>Need to include future year reductions into plan.</p> <p>Asset Management Plan and its management to be reviewed to ensure it is compliant.</p>
Section 4 The Annual Budget					
J	<p>The authority complies with its statutory obligations in respect of the budget setting process.</p> <p>Key questions</p> <p>Is the authority aware of its statutory obligations in respect of the budget-setting process?</p>	Standards		10	Full compliance in relation to statutory requirements

	<p>Has the authority set a balanced budget for the current year?</p> <p>Is the authority aware of the circumstances under which it should issue a Section 114 notice and how it would go about doing so?</p>					
K	<p>The budget report includes a statement by the Chief Finance Officer on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves.</p> <p>Key questions</p> <p>Does the authority’s most recent budget report include a statement by the CFO on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves?</p> <p>Does this report accurately identify and consider the most significant estimates used to prepare the budget, the potential for these estimates being incorrect, and the impact should this be the case?</p> <p>Does the authority have sufficient reserves to ensure its financial sustainability for the foreseeable future?</p> <p>Does the report set out the current level of the authority’s reserves, whether these are sufficient to ensure the authority’s ongoing financial sustainability and the action that the authority is to take to address any shortfall</p>	Standards			8	Detailed review of reserves report presented.
	Section 5 Stakeholder Engagement and Business Plans					

L	<p>The authority has engaged with key stakeholders in developing its long-term financial strategy, medium term financial plan and annual budget.</p> <p>Key questions</p> <p>How has the authority sought to engage with key stakeholders in developing its long-term financial strategy, its medium-term financial plan and its annual budget?</p> <p>How effective has this engagement been?</p> <p>What action does the authority plan to take to improve its engagement with key stakeholders?</p>	Transparency		6	<p>Annual budget is subject extensive consultation and scrutiny. With some key services such as ASC and subsidiary companies there is ongoing longer-term planning.</p> <p>There is currently limited consultation on the longer-term financial strategy.</p>
M	<p>The authority uses a documented option appraisal methodology to demonstrate the VFM of its decisions</p> <p>Key questions</p> <p>Does the authority have a documented option appraisal methodology that is consistent with the guidance set out in IFAC/PAIB publication Project and Investment Appraisal for Sustainable Value Creation: Principles in Project and Investment Appraisal?</p> <p>Does the authority offer guidance to officers as to when an option appraisal should be undertaken?</p> <p>Does the authority's approach to option appraisal include appropriate techniques for the qualitative and quantitative assessment of options?</p> <p>Does the authority's approach to option appraisal include suitable mechanisms to address risk and uncertainty?</p>	Transparency		6	<p>All major decisions are supported by a business case and a financial appraisal.</p> <p>Consideration could be given to formalising a standard format to be used.</p>

	Does the authority report the results of option appraisals in a clear, robust and informative manner that gives clear recommendations and outlines the risk associated with any preferred option(s)?					
	Section 6 Monitoring Financial Performance					
N	<p>The leadership team takes action using reports enabling it to identify and correct emerging risks to its budget strategy and financial sustainability</p> <p>Key questions</p> <p>Does the authority provide the leadership team with an appropriate suite of reports that allow it to identify and to correct emerging risks to its budget strategy and financial sustainability?</p> <p>Do the reports cover both forward and backward-looking information in respect of financial and operational performance?</p> <p>Are there mechanisms in place to report the performance of the authority’s significant delivery partnerships such a contract monitoring data?</p> <p>Are the reports provided to the leadership team in a timely manner and in a suitable format?</p> <p>Is the leadership team happy with the reports that it receives and with its ability to use these reports to take appropriate action?</p>	Assurance		7		<p>Monthly reporting to managers and SLT. Quarterly reporting to leadership team and all members.</p> <p>Consideration of need to improve reporting to leadership team of subsidiary company performance</p> <p>Need to improve and link operational performance to financial performance</p>
O	The leadership team monitors the elements of its balance sheet which pose a significant risk to its financial sustainability.	Leadership		7		Key parts of the balance sheet that impact on the council’s operations are reviewed regularly such as treasury management – such as

	<p>Key questions</p> <p>Has the authority identified the elements of its balance sheet that are most critical to its financial sustainability?</p> <p>Has the authority put in place suitable mechanisms to monitor the risk associated with these critical elements of its balance sheet?</p> <p>Is the authority taking action to mitigate any risks identified?</p> <p>Does the authority report unplanned use of its reserves to the leadership team in a timely manner?</p> <p>Is the monitoring of balance sheet risks integrated into the authority's management accounts reporting processes?</p>					<p>cashflow and CFR and non-treasury investments. Reserves are reviewed on an annual basis and link to budget and MTRP.</p> <p>Consideration to be given to a wider update on all aspects of balance sheet. Greater challenge of the highest and best use of the council non-current assets.</p>
	<p>Section 7 External Financial Reporting</p>					
	<p>The Chief Finance Officer has personal responsibility for ensuring that the statutory accounts provided to the local authority comply with the Code of Practice on Local Authority Accounting in the United Kingdom.</p> <p>Key questions</p> <p>Is the authority's CFO aware of their responsibilities in terms of the preparation of the annual financial statements?</p> <p>Are these responsibilities included in the CFO's role description, personal objectives and other relevant performance management mechanisms?</p>	<p>Accountability</p>			<p>9</p>	<p>Full compliance (to date)</p> <p>Consideration of including in objectives and performance management.</p>

	Have the authority's financial statements hitherto been prepared on time and in accordance with the requirements of the Code of Practice on Local Authority Accounting in the United Kingdom?					
Q	<p>The presentation of the final outturn figures and variations from budget allow the leadership team to make strategic financial decisions.</p> <p>Key questions</p> <p>Is the authority's leadership team provided with a suitable suite of reports on the authority's financial outturn and on significant variations from budget?</p> <p>Is the information in these reports presented effectively?</p> <p>Are these reports focused on information that is of interest and relevance to the leadership team?</p> <p>Does the leadership team feel that the reports support it in making strategic financial decisions?</p>	Accountability		7		<p>Outturn information is presented to leadership team and where appropriate future budgets are adjusted.</p> <p>Consideration to be given to a documented challenge of a service's outturn position both in relation to its net cost but also the outcomes achieved.</p>

DRAFT

Meeting: Cabinet

Date: 20 August 2021

Wards Affected: All

Report Title: Increasing Local Spend

Cabinet Member Contact Details: Darren Cowell, Deputy Leader of the Council and Cabinet Member for Finance, darren.cowell@torbay.gov.uk

Director/Assistant Director Contact Details: Martin Phillips, Director of Finance, martin.phillips@torbay.gov.uk

1. Purpose of Report

- 1.1 To provide information on the pilot that will be undertaken to use the SupplyDevon hub as the route to market for external Council spend between £5,000 and £50,000 from 01 September 2021 to 31 March 2022, in order to increase the level of spend with Torbay based businesses.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1. The proposals in this report help us to deliver this ambition by increasing GVA through circulation of spend locally, ensuring equitable inclusion of suppliers on race & gender and reducing carbon emissions through local sourcing. Additionally, use of the SupplyDevon hub will support more effective use of resources by reducing the need for Procurement, Contract Management and Commissioning to be involved in low level spend, enabling resources to be focussed on high value, more complex procurements. It will also increase oversight and visibility of spend and support the Council meets its obligations to maintain a full and up to date Contract Register.

Use of the SupplyDevon hub will support the following priority domains:

- thriving people
 - thriving economy
 - tackling climate change
 - Council fit for the future
-

3. Recommendation(s) / Proposed Decision

3.1. This report is for information only.

Appendices

None

Background Documents

None

Report Clearance

Supporting Information

1. Introduction

1.1 In June 2021 Government published the National Procurement Policy Statement, which sets out the strategic priorities for public procurement and how contracting authorities can support their delivery. These priorities include generating economic growth, helping our communities to recover from the COVID-19 pandemic and supporting the transition to net zero carbon. We can support these priorities, delivery of the Community and Corporate Plan and the Community Wealth building agenda by increasing the amount of Council spend with Torbay based businesses¹ from its current level of below 10%².

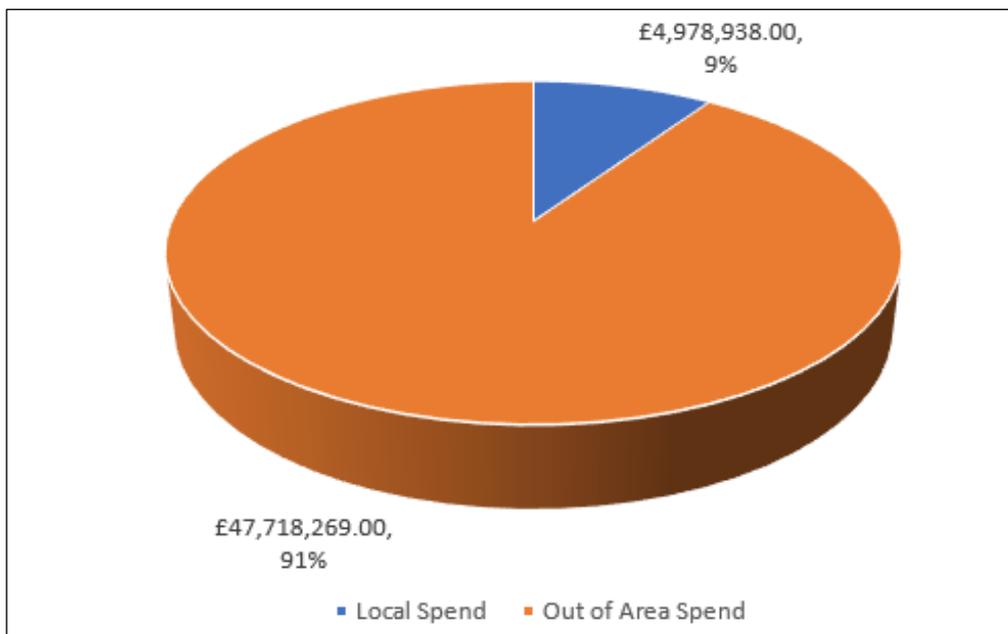


Figure 1 Spend with Torbay Based Businesses – Financial Year 2020-2021³

- 1.2 For spend between £10,001 and £50,000 Contract Procedures require contracting departments to seek quotes from a minimum of 3 suppliers, one of which must be Torbay based. The Council has no visibility as to whether this is being adhered to for spend between £10,001 and £25,001, or whether all spend over £5,000 is being published on the Contract Register.
- 1.3 As part of the response to the COVID-19 pandemic the government funded a consortium comprising Applegate (procurement portal), Ghyston (software development) and the University of Exeter (machine learning, artificial intelligence and carbon auditing) to develop a procurement platform to primarily support the purchasing of PPE. Following the successful roll out of the COVID-19 Supply Hub, the consortium was awarded further funding to develop a general Devon supply hub to support the recovery of the local economy. The SupplyDevon hub, which

¹ Businesses registered on the system with an address within the Torbay local authority boundary

² Data Source: FIMS

³ The local spend does not include spend with Council owned companies or Torbay & South Devon NHS Foundation Trust

went live in February 2021, uses artificial intelligence to identify suppliers from within the local authority boundary or wider Devon who are then invited to bid for the work. It is a simple on-line platform, free to use for contracting authorities and suppliers and is particularly suited to tail spend.

- 1.4 Use of SupplyDevon, which identifies all potential suppliers on their ability to meet the need, for low value contracts should increase the level of spend with suppliers based in Torbay or where there is no Torbay supplier registered, enable the spend to remain within Devon.
- 1.5 By using the SupplyDevon hub as our route to market for low level spend, we can:
- increase the spend that remains within Torbay (or Devon where there is no Torbay based supplier)
 - feed into the Community Wealth Building agenda, with SupplyDevon already being used a route to market for selected contracts by Torbay & South Devon NHS Foundation Trust and its use being considered by South Devon College
 - reduce the reliance contracting departments have on their own knowledge of the local supply market and the need to undertake extensive research to identify potential local suppliers
 - remove the lack of visibility around whether the current requirement to invite at least one local supplier to bid where spend is between £10,001 and £25,000 is being met
 - remove the potential for favoured suppliers to regularly be given the opportunity to bid for and be awarded work
- 1.6 It is also recognised that whilst SupplyDevon is developing, the full range of suppliers we would be seeking to use may not be signed up. There may be occasions at least initially when it cannot be used, however when an opportunity is entered on the portal the list of potential suppliers is provided immediately, so will not cause any significant delays to contracts being put in place.
- 1.7 The table below shows the contracts recorded on the Contracts Register with a commencement date during the financial year 2020/2021:

Spend Level	Total Contracts		Suppliers with a Torbay Postcode ⁴		% of Local Contracts	
					No.	Value
Up to £10,000	27	£213,406	7	£64,518	26%	30%
£10,001 to £25,000	21	£366,063	4	£63,977	19%	17%
£25,001-£50,000	29	£1,157,551	5	£193,596	17%	17%
Over £50,001	54	£50,960,187	8	£4,656,847	14%	9%
Total	131	£52,697,207	24	£4,978,938	18%	9%

⁴ Does not include spend with Council owned companies or Torbay & South Devon NHS Foundation Trust

This shows that of the 77 contracts with a value below £50,000 only 16 (£322,091) were awarded to local suppliers, with 61 contracts valued at £1,414,929 awarded to suppliers outside of Torbay⁵.

2. Options under consideration

2.1. The other options considered were:

- do nothing. This option was discounted as maintaining the status quo would not lead to change in the level of local spend.
- mandate that where a request for quote process was being undertaken only local suppliers could be invited to bid. This option was discounted as it would require a level of knowledge of local supply markets the Council does not currently have, along with the capacity to monitor compliance, which would potentially divert Procurement, Contract Management and Commissioning resource from higher level more complex procurements.
- run open tenders through the Council's current e-tendering portal for all spend over £5,000. This option was discounted as the system cannot be tailored to enable advertising of opportunities to local suppliers only.

3. Financial Opportunities and Implications

3.1. SupplyDevon allows for all identified suppliers to be invited to bid, rather than just a minimum of 3, best value can be tested across the wider market. Although it is recognised this does not consider whether suppliers based outside of Torbay / Devon could offer better value. This must be weighed up against the benefits to the local economy of keeping a higher level of spend within Torbay.

4. Legal Implications

4.1. There are no legal implications in respect of the proposal as the spend being considered is below the threshold governed by the Public Contracts Regulations 2015.

4.2. Changes to the spend thresholds and procurement processes set out in Financial Regulations and Contract Procedures will require amendment.

5. Engagement and Consultation

5.1. The pilot will be used as a means of consulting with the market before consideration is given to the permanent adoption of the SupplyDevon hub as the Council's route to market for low level spend.

6. Purchasing or Hiring of Goods and/or Services

6.1. The value of the contracts that will be put in place through the SupplyDevon hub are below the threshold set out in the Council's Social Value Policy.

⁵ Data Source: Council Contracts Register

7. Tackling Climate Change

7.1. This proposal supports climate change by reducing carbon emissions through local sourcing

8. Associated Risks

8.1. No risks identified in connection with this proposal.

Budget Outturn Monitoring 2020/21 – Quarter Four - Outturn Report of the Overview and Scrutiny Board

**Report to Cabinet on 24 August 2021 and Audit Committee on 28
July 2021**

Background

The Overview and Scrutiny Board met on 14 July and considered the budget monitoring outturn report for 2020/2021 which provided a high-level budget summary of the Council's revenue and capital position, based on figures on 31 March 2021. The report was discussed at the Cabinet meeting held on 13 July 2021 and was presented to the Council meeting on 29 July 2021.

The Overview and Scrutiny Board made the following recommendations:

Recommendation to Cabinet:

- 1) That the Cabinet be recommended to request that the Director of Place in consultation with the Chairwoman of the Harbour Committee works with the Section 151 Officer and the Cabinet Member for Finance to take the necessary steps to increase the Harbour Reserve Fund to a level that is financially acceptable; and

Recommendation to Audit Committee:

- 2) That the Audit Committee be requested to consider a report on the detailed financial reporting and monitoring of the Council's wholly owned companies.

Cabinet Response to the recommendations of the Overview and Scrutiny Board – Budget Outturn Monitoring 2020/21 – Quarter Four - Outturn Report of the Overview and Scrutiny Board

No.	Recommendation:	Cabinet Response:
1.	That the Cabinet be recommended to request that the Director of Place in consultation with the Chairwoman of the Harbour Committee works with the Section 151 Officer and the Cabinet Member for Finance to take the necessary steps to increase the Harbour Reserve Fund to a level that is financially acceptable	<p>The Cabinet welcomes this direction from the Overview and Scrutiny Board and notes that the recommendation has been superseded by the decision taken at the Council meeting on 29 July 2021 as follows:</p> <p>2c) £0.1m being allocated to reinstate the Harbour Reserve Fund, with the Cabinet requested to review in Autumn 2021 the adequate resourcing of the Harbour function.</p> <p>The Cabinet will consider the future resourcing of the Harbour function as part of the overall budget setting process.</p>

Meeting: Cabinet

Date: 24th August 2021

Wards affected: Cockington with Chelston, Tormohun, Preston

Report Title: Redevelopment of Former WCs – Corbyn Head & Preston

When does the decision need to be implemented: Immediately.

Cabinet Member Contact Details: Cllr Swithin Long, Cabinet Member for Economic Regeneration, Housing & Tourism. Swithin.long@torbay.gov.uk Cllr Darren Cowell, Cabinet Member for Finance. Darren.cowell@torbay.gov.uk

Director/Assistant Director Contact Details: Liam Montgomery, Director of Asset Management, Investment & Housing. Liam.montgomery@tda.uk.net

1. Purpose of Report

- 1.1 To develop the former WC's at Corbyn Head and Preston (North) via the Growth Fund to form café/restaurant premises with provision of community facilities. The WC's are no longer fit for purposes and are closed.
- 1.2 The proposal is to agree a building specification then enter into an Agreement for Lease with two operators selected following a marketing exercise, who will take the development on in shell form on completion of a 25 year Lease and fit out to an agreed specification at their own expense.
- 1.3 The intended outcome is to maximise the potential of currently unused assets by creating new quality business premises which will generate new jobs, promote inward investment and provide new leisure facilities for residents and visitors.

2. Reason for Proposal and its benefits

- 2.1 The reason for the decision is to enable the redevelopment of two buildings that are currently redundant and impacting negatively on the surrounding environment. The proposal will create two thriving businesses and provide facilities for the public such as WCs and showers.
- 2.2 Direct investment in these properties, rather than disposing of them by way of a lease and the leaseholder providing the investment, will ensure that pace and quality is maintained at these important locations.
- 2.3 The proposed redevelopment of the former WCs will create in total 40+ jobs with established employers who offer training opportunities. The Councils investment in these properties will be funded from the ongoing rental stream that will be created.

- 2.4 The proposals in this report help us to deliver the Council's ambitions by the creation of 40+ jobs with established employers who offer training opportunities and have links with local colleges. The proposals will also raise the profile of the area and encourage inward investment from other businesses. The proposed redevelopment will be undertaken with consideration given to energy efficiency and the businesses would commit to initiatives such as plastic-free packaging, reduction in food-miles etc.

3. Recommendation(s) / Proposed Decision

1. Subject to:
- the tenant entering into an agreement for lease,
 - the criteria set out in the Growth Fund are met,
 - a detailed business case, demonstrating the rental stream is sufficient to repay any loan, is approved by the S151 officer

that sufficient borrowing be authorised to fund the redevelopment of former public toilets at Preston and Corbyn Head, identified by the land edged red at Appendix 1.

- 2 That delegated authority be given to the Director of Asset Management, Investment and Housing to agree and finalise the detailed lease terms and to enter into a 25 year lease with the tenants.

Appendices

Appendix 1 – Plan of Corbyn Head and Preston Site

Supporting Information

1. Introduction

- 1.1 Both buildings are closed to the public and not fit for purpose as WCs. The buildings are both in a reasonable condition, but it is anticipated that they will fall further into disrepair. This may encourage anti social behaviour and does not foster the impression of Torbay being a thriving place to live and visit if buildings in such prominent positions are empty and unused.
- 1.2 Following a marketing exercise in late 2020, the preferred bidders selected for Corbyn Head are WeSup Limited, and for Preston, Pierhead Cafes & Bars Limited. However if final terms cannot be agreed with the selected bidders, then alternative shortlisted bidders will be considered.
- 1.3 The proposal will remove the ongoing maintenance liability of these buildings and represents an opportunity to:
 - Create new jobs with training opportunities year round.
 - Design good quality energy efficient buildings and require the operator to adopt environmentally friendly initiatives which may encourage others to follow suit.
 - Generate a rental income and revenue from business rates. Once the Growth Fund finance is repaid, the asset will be purely income generating.

2. Options under consideration

- 2.1 Providing the respective bidders with a long lease and then for them to obtain a planning permission and redevelop the site was considered.

Due to a range of reasons including available finance, the interested parties were planning to redevelop the properties in stages over a number of years.

It was felt that the proposed option gave greater certainty to the Council around the delivery timeframe and the quality of what would be produced.
- 2.2 Alternative courses of action may include refurbishing the buildings for community use only or as WCs. This would create a revenue pressure on the Council with no identified funding source. This route would also forgo the opportunity to maximise the potential from these spaces and generate income from the buildings and may otherwise result in an ongoing maintenance liability for the Council.

3. Financial Opportunities and Implications

- 3.1 It is proposed that the cost of the preliminary works/surveys, design, planning consultancy and construction are financed via the Growth Fund. We believe that the project will meet the criteria for the Growth Fund.

- 3.2 It is proposed that the cost of servicing the finance will be met through the receipt of a market rent for the completed development.
- 3.3 The amount of funding needed will not be known until preliminary works/design and costings are undertaken.

4. Legal Implications

- 4.1 None, other than to enter into an Agreement for Lease and then a 25 year lease with the proposed operators.

5. Engagement and Consultation

- 5.1 Since the initial marketing of the opportunity at the end of 2020, the proposed details of the project have been treated as confidential.
- 5.2 It is proposed to carry out a period of community engagement and consultation during the design stage and via the planning process.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 The Public Services Value (Social Value) Act 2012, would be considered as part of the process to instruct a construction partner.

7. Tackling Climate Change

- 7.1 It is proposed that the buildings would be redeveloped to maximise energy efficiency. Part of the selection process to identify a preferred potential operator for the proposed new premises, was based on the operator's track record of implementing environmentally friendly initiatives such as plastic-free packaging, reducing food miles, encouraging the use of bicycles etc. These requirements will be set out in the lease documents.

8. Associated Risks

- 8.1 The risk associated with the proposal not being implemented would be that the buildings would fall into disrepair representing a maintenance liability for the Council. This may also encourage anti social behaviour and create a negative impression of Torbay's ability to attract investment.
- 8.2 The largest financial risk is linked to the proposed tenant facing difficulties and potentially unable to repay the rent. In this scenario the Council would obtain possession of the building and seek a new tenant to operate the facility. It is considered that the location of these properties would see a good range of interest once the buildings are complete and available for occupation.

Equality Impacts

9. Identify the potential positive and negative impacts on specific groups

[Click here to enter text.](#)

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people	Potential to include modern WCs & activities		
People with caring Responsibilities			No differential impact on this group with this proposal.
People with a disability	Potential to include modern WCs with disabled facilities		
Women or men			No differential impact on this group with this proposal
People who are black or from a minority ethnic background (BME) (Please note Gypsies / Roma are within this community)			No differential impact on this group with this proposal
Religion or belief (including lack of belief)			No differential impact on this group with this proposal
People who are lesbian, gay or bisexual			No differential impact on this group with this proposal
People who are transgendered			No differential impact on this group with this proposal
People who are in a marriage or civil partnership			No differential impact on this group with this proposal

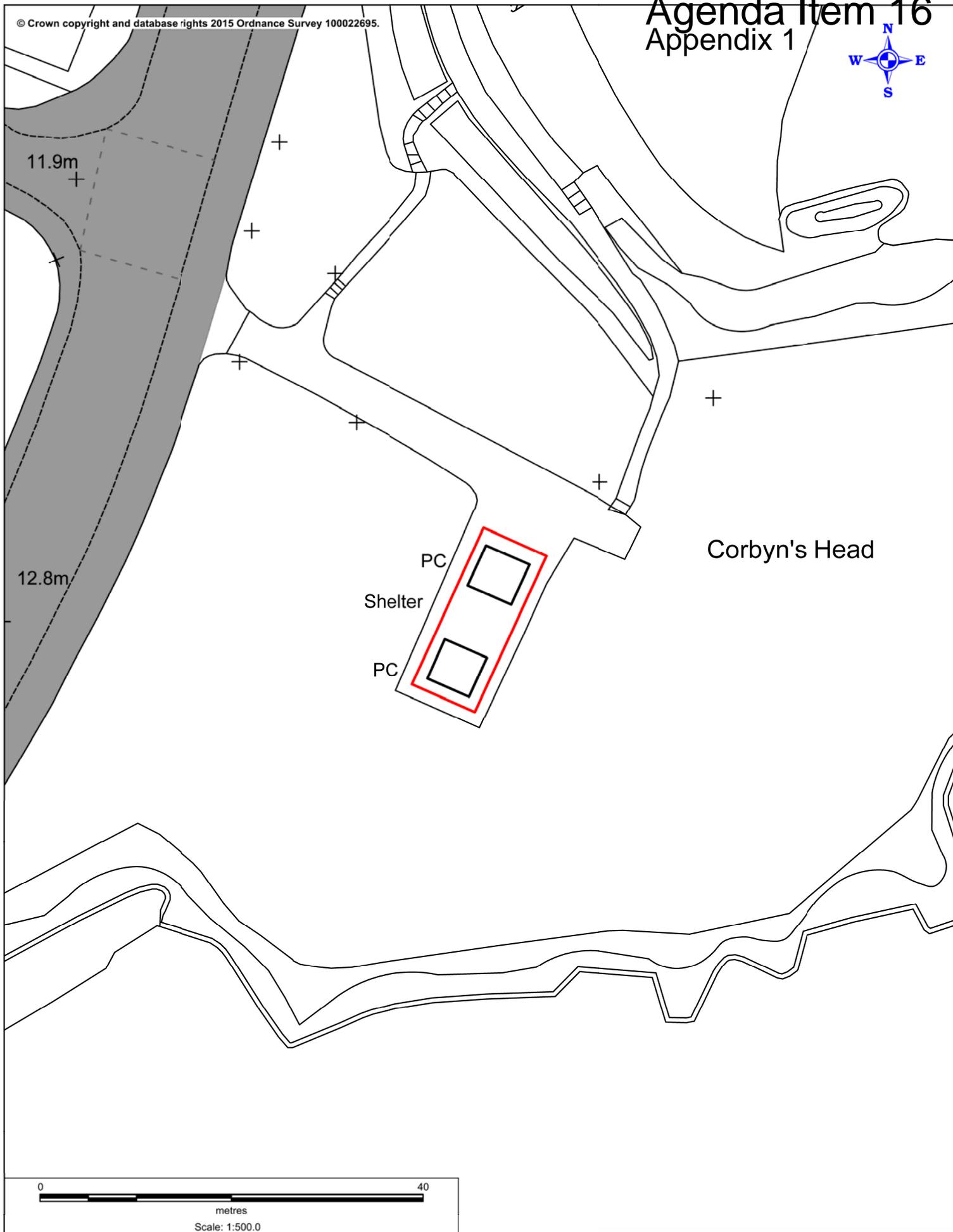
Women who are pregnant / on maternity leave			No differential impact on this group with this proposal
Socio-economic impacts (Including impact on child poverty issues and deprivation)	Creation of jobs with training opportunities		
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			No impact on the health of the population

10. Cumulative Council Impact

10.1 None

11. Cumulative Community Impacts

11.1 None

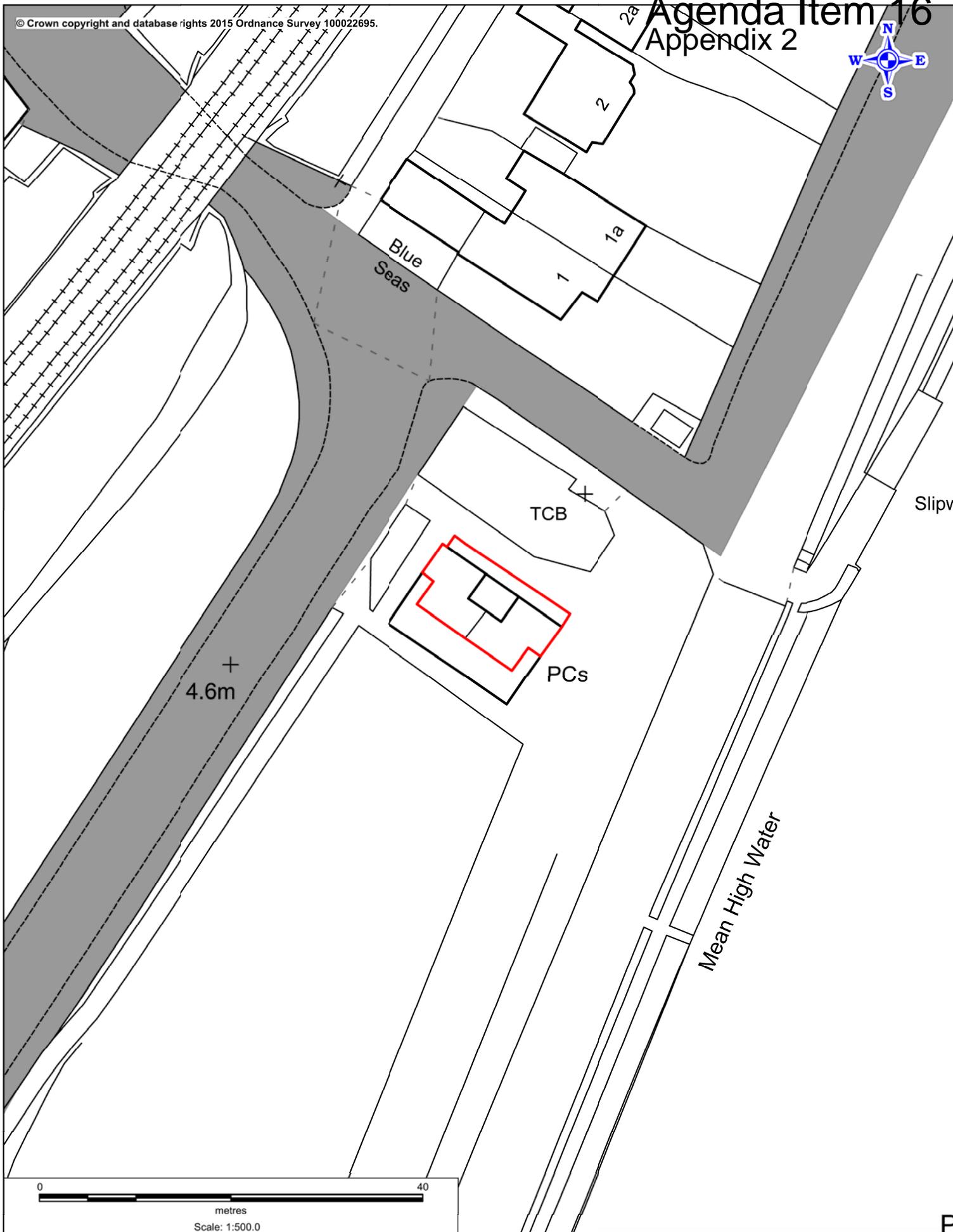


EM Plan No: EM2593
Date: 1st July 2015
Title: Corbyn Public Toilets, Torquay.

Asset No: T0245AA
LR Title No: DN521785
Scale: 1:500
Area: 127.99m²



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EM Plan No: EM2584
Date: 1st July 2015
Title: Preston Green North Public Toilets, Paignton.

Asset No: P0635AK
LR Title No: DN545274
Scale: 1:500
Area: 113.47m²



Meeting: Cabinet

Date: 24 August 2021

Wards Affected: Collaton St Mary

Report Title: Expansion of EFFECT Photonics onto Torbay Business Park

Cabinet Member Contact Details: Councillor Long, Cabinet Member for Economic Regeneration, Tourism and Housing, swithin.long@torbay.gov.uk

Director/Assistant Director Contact Details: Alan Denby, Director of Economic Strategy, alan.denby@tda.uk.net

1. Purpose of Report

- 1.1 To support the Council's ambition for a thriving economy in Torbay. Cabinet is asked to support, through the Growth Fund, the creation of a new Electronics & Photonics Production Park and build out the first unit for an anchor tenant.¹ The Levelling Up Fund (LUF) application and the outcome of that application will determine the scale of investment required.
- 1.2 Sector development work undertaken by TDA has encouraged growth in this sector most recently through the successful delivery of EPIC. Working closely with tenants and wider sector businesses has identified the pressing requirements for space for EFFECT Photonics and it is proposed that they will become the anchor tenant on this new development supporting both inward investors and Torbay's hi-tech businesses as they move from R&D into production and manufacturing.
- 1.3 This paper sets out two funding options for the Council. Option 1 is to provide the Council's match funding contribution committed as part of the LUF application process. Option 2 provides the funding for the EFFECT Photonics unit securing its significant anticipated economic benefits if the LUF bid is unsuccessful.
- 1.4 The delivery model proposed is for Torbay Council to acquire the land and build the property and subsequently lease to EFFECT Photonics. In return, Torbay Council will secure future jobs in the electronics and photonics sector, estimated to be 175 new jobs generating an additional £18M a year extra into the local economy. The Council will also receive rental income expected to be £286,000 per annum and business rates estimated to be £88,000² per annum.
- 1.5 The Council is asked to consider 2 financing options:

¹ Part of a £20M bid into govt submitted on 18th June. Decision expected in Autumn. This paper identifies the match funding required for the Electronics and Photonics Production Park. A further paper will follow setting out the Council's match funding commitment to the Brixham Fish Quay and Market Extension.

² Based on rateable value for Nissha Medical

- A successful LUF application resulting in a minimum of £683,759³ of match funding needed to support the project.
- An unsuccessful LUF application resulting in the full project cost of £4,754,300⁴ needed to support the project.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

2.1 The proposals in this report help us to deliver this ambition by supporting the delivery of the Economic Repositioning Plan as well as the recent Levelling Up Fund Application. In particular this will support the 'Thriving Economy' element of the Community and Corporate Plan through improved investment in economic growth, jobs and infrastructure within Torbay.

2.2 The reasons for the decision are to:

- Ensure match funding is available should Torbay be successful with the LUF application
- Ensure a local company, EFFECT Photonics, can continue to grow within Torbay, should the LUF application be unsuccessful.

2.3 Economic benefits are as follows:

EFFECT Photonics expects to create 175 new additional jobs that will generate local wages of £7.3M per year, and GVA of £18M per year. The average salary in this sector is £33,000 per annum, nearly 70% higher than Torbay's average salary⁵. GVA per worker in this sector is twice the Torbay average.

Most of the jobs will be in technician and engineering roles. All roles are expected to be full-time.

Whilst EFFECT Photonics has not struggled to fill most of the roles that it has created locally, their rapid growth is creating demand for skilled labour in this sector. South Devon College, with support from TDA and Hi-Tech Cluster, is developing a new training programme for the electronics and photonics sector and has recruited a Sector Skills lead for this area. In line with the sector pathway approach recommended in the Economic Repositioning Plan training will be provided for those who want to access jobs in the sector, and those already employed in the sector. This will help to ensure that there are suitably skilled local people available to fill the new jobs that are created, maximising the benefits within Torbay.

³ Subject to final costings

⁴ Subject to final costings

⁵ Annual Survey of Hours and Earnings, gross annual median workplace-based earnings, 2020

3. Recommendation(s) / Proposed Decision

That Cabinet be recommended:

If the Levelling Up Fund application is successful

- i. That delegated authority be given to the S151 officer in consultation with the Portfolio Holder to satisfy himself that the Growth Fund criteria are met, and that there is a robust business case, including an agreement for lease, to authorise allocation from the Growth Fund to match fund the construction of the building described in the report, being a minimum of £683,759.

If the Levelling Up Fund application is unsuccessful then:

- ii. That delegated authority be given to the S151 officer in consultation with the Portfolio Holder to satisfy himself that the Growth Fund criteria are met, and that there is a robust business case, including an agreement for lease, to authorise allocation from the Growth Fund to construct in totality the building described in the report.
- iii. That delegated authority be given to the Director of Asset Management, Investment and Housing in consultation with the Portfolio Holder to agree and finalise the detailed lease terms.

Supporting Information

1. Introduction

Effect Photonics is an Anglo/Dutch company developing world leading products from their existing Torbay sites at Brixham Laboratory and EPIC. They develop and deliver highly integrated optical products based on Indium Phosphide (InP) which is the material of choice for creating efficient laser light sources, waveguides, modulators, and photodiodes used in optical communication systems throughout the world. They are experts in developing photonics components within a single chip and being able to produce these in volume with high yield at low cost. With this capability, EFFECT Photonics is addressing the need for low-cost solutions driven by the soaring demand for high bandwidth connections between data centres and back from mobile phone towers.

Two years ago, the company were supported by Torbay Council through an asset backed loan which enabled them to purchase vital manufacturing equipment. This allowed them to continue to develop their technology while moving to greater volume production to meet increasing global demand for their products. They have recently been awarded a £150,000 grant through the Heart of the Southwest LEP's ERDF Soft Landings Programme to support their continued growth in Torbay. Effect is developing products which are world leading and this growth is expected to support the creation of 175 new jobs in a key local sector where productivity levels and wage rates are higher than local averages supporting the area's economic repositioning.

EFFECT Photonics continue to be successful with ongoing investment funding and recently secured \$43M in round C series funding to develop single chip coherent optics and scale production. This year, they have expanded further taking lab and office space at the Electronics and Photonics Innovation Centre (EPIC) in addition to space at Brixham Laboratory. As a high growth company, they now want to expand further in order to scale up their manufacturing to meet customer demand. Through TDA, EFFECT Photonics is working with Midas to design and build a 26,004 sq. ft. facility at Torbay Business Park. This facility will include office, production and cleanroom space. Costs are currently estimated to be £4.75M (see Appendix 1).

EFFECT Photonics is only interested in a leasehold arrangement. On Torbay Business Park, neither the landowner nor the developer is interested in leasing the completed building; the landowner is looking to sell the land and the developer's business model is to sell the completed build. As with other units on this Business Park (Unit E, Nissha Medical), these developments have only occurred with intervention from the Council. Market failure is evidence with employment sites in Torbay. A study undertaken in 2019⁶ clearly identifies abnormal cost and infrastructure costs as reasons for market failure. This project would not happen without intervention from the Council.

The rent sought will be the higher of either a market rent or rent sufficient to cover the Council's borrowing costs. Based on the current budget estimates the starting point for negotiating is £286,000 per annum which is based on a gross internal area of 26,004 sq. ft. at a blended rental rate (across the entire building) of £11 p sq. ft. This is based on advice from a commercial property agent and represents a level at which the market would initially seek for a new building of this type. A rental at a figure substantially less than this figure would have the potential to negatively impact the open market by creating

⁶ Heart of the Southwest Employment Land Review, Hardisty Jones, 2019

low comparable evidence for future new builds thereby limiting market interest in increasing the supply of employment space, a key risk to achievement of the Council's economic growth objectives.

The rental figure is based on EFFECT Photonics entering into a 25-year full repairing and insuring lease on institutional terms. The lease would incorporate a provision for rent reviews every 5 years subject to an upward only rent review mechanism. It is anticipated that the Council would seek that the lease terms are guaranteed by the EFFECT parent company.

Early discussions with EFFECT Photonics have indicated that they would be looking for a break option at year 10 giving the Council 10 years term certain.

Economic Benefits

EFFECT Photonics expects to create 175 new additional jobs that will generate local wages of £7.3M per year, and GVA of £18M per year. The average salary in this sector is £33,000 per annum, nearly 70% higher than Torbay's average salary⁷. GVA per worker in this sector is twice the Torbay average.

Most of the jobs will be in technician and engineering roles. All roles are expected to be full-time.

Whilst EFFECT Photonics has not struggled to fill most of the roles that it has created locally, their rapid growth is creating demand for skilled labour in this sector. South Devon College, with support from TDA and Hi-Tech Cluster, is developing a new training programme for the electronics and photonics sector and has recruited a Sector Skills lead for this area. In line with the sector pathway approach recommended in the Economic Repositioning Plan training will be provided for those who want to access jobs in the sector, and those already employed in the sector. This will help to ensure that there are suitably skilled local people available to fill the new jobs that are created, maximising the benefits within Torbay.

2. Options under consideration

Please see **Part 2 CONFIDENTIAL** financial and commercial appendix.

3. Financial Opportunities and Implications

Torbay Council has committed to providing match funding for the LUF application; Torbay's contribution to this project is set out in option 1. Should Torbay's application be successful, the result will be a significant surplus for the Council. This surplus will help address the Council's anticipated financial challenges and would provide the opportunity to increase investment in complementary economic growth activity.

Should Torbay be unsuccessful with the LUF application, the Council can still cover its borrowing costs in all of the loan scenarios – this does however assume no change in project costs and a rent in the region of £11 per sq. ft. is achieved. The working assumption is that negotiations will proceed on the basis that Council costs are at least covered.

The implication of not supporting both options is that if Torbay is unsuccessful with the funding application to Levelling Up Fund, Torbay Council will not be able to acquire the

⁷ Annual Survey of Hours and Earnings, gross annual median workplace-based earnings, 2020

land and building and lease to EFFECT Photonics. The result may put an end to the project locally and EFFECT Photonics may consider other locations outside of Torbay.

A further (estimated) £88,000 per annum will be generated through business rates.

It is possible that EFFECT Photonics may seek further loan funding from Torbay Council to build the Cleanroom required. If so, this will be the subject of a future report.

4. Legal Implications

The Council does not currently own the site, the use of the selected developer will be a condition of the land sale to the Council. On the basis of exclusive right the appointment of the developer by the Council will be exempt from the requirements of the Public Contracts Regulations 2015.”

5. Engagement and Consultation

TDA consulted with local stakeholders in February 2021 to understand the priority needs and opportunities in Torbay that would drive forward the economy. Virtual discussions have been held with Torbay Council, South Devon College, Torbay Business Forum, Torbay Hi Tech Cluster and Torquay, Paignton and Brixham Chambers. Amongst the priorities is the need to deliver employment land and support the growth of the hi-tech sector.

6. Purchasing or Hiring of Goods and/or Services

TDA will work with the Developer to establish and implement an Employment and Skill Plan creating training and job opportunities for local people, in line with Torbay’s Community Wealth Building ethos.

7. Tackling Climate Change

The growth of the electronics and photonics sector contributes to the Ten Point Plan for a Green Industrial Revolution⁸, through creating communications technologies that reduce the need to travel, are lower energy and more efficient.

We will explore with the Developer site specific energy saving measures.

8. Associated Risks

There are several risks associated with this investment.

- The project cost is an estimate and therefore could go up. This estimate is based on discussions between Midas and Effect Photonics, so this cost does have a degree of accuracy.
- Ensuring EFFECT Photonics has sufficient credit to meet the rental payments. A Dun and Bradstreet report has been included indicating the risk is low. The company has this year secured a \$43M Venture Fund (which will be used across the entire company) which does not yet appear on the balance sheet.
- EFFECT Photonics is seeking a lease with a 10-year break, and the loan period is 25 years so it might be necessary to re-let the building. There will be elements of this building that will be bespoke (e.g. Clean Room) but the expectation is that tenants for the Electronics and Production Park are likely to require such facilities.

⁸ <https://www.gov.uk/government/publications/the-ten-point-plan-for-a-green-industrial-revolution>

Alternatively, the Clean Room could be removed at the end of the tenancy to ensure a broader appeal across a range of sectors. In the instance that Torbay is successful with the LUF application, the Council could choose to borrow the money over a shorter time period. TDA will manage the process to ensure that the building is of a nature that would be attractive to the market as much as possible.

- Should the Council not agree to Option 2, there will be abortive costs associated with this project to the point we receive an outcome to the Levelling Up Fund application.
- Should the Council not agree to Option 2, EFFECT Photonics will need to be informed that support with this project will only be possible in the event of a successful Levelling Up Fund application. Therefore, should the application be unsuccessful, EFFECT Photonics may be forced to consider other locations outside of Torbay.
- The return on investment with Option 1 is very high as to possibly question whether government intervention is needed. The guidance is clear that projects provide a minimum of 10% match funding. With this project, the match funding contribution is 14%.

Equality Impacts

9.	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)		There is no differential impact
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)		There is no differential impact
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	None	
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	None	

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Meeting: Cabinet

Date: 24 August 2021

Wards Affected: Barton with Watcombe

Report Title: Project update for the creation of a solar farm on land at Nightingale Park to sell the electricity for a return on investment and help meet the Council's carbon neutral priority.

When does the decision need to be implemented? Immediately

Cabinet Member Contact Details: Councillor Swithin Long, Cabinet Member Economic Regeneration, Tourism and Housing

Director/Assistant Director Contact Details: Liam Montgomery, Director of Asset Management, Investment & Housing, liam.montgomery@tda.uk.net

1. Purpose of Report

- 1.1 To develop a solar scheme that will provide renewable energy via a private wire to Torbay Hospital to help meet the Council's carbon neutral priorities. On 28th July 2020 informal Cabinet authorised the borrowing of £2,000,000 to allow the delivery of a solar farm at Nightingale Park for the purposes of selling the power to end users in the area and to the national grid if necessary and provided delegated authority to the Chief Executive in consultation with the Chief Financial Officer to agree and finalise any Power Purchase Agreement with end users. The Cabinet paper with accompanying appendices is contained in appendix 1.
- 1.2 Through further feasibility work a more robust understanding of the development costs have been achieved along with a better understanding of the potential end user within the area. Nightingale Park is a brownfield site being a former landfill from the 1950's until the 1980's. Brownfield sites, especially land fill, are more expensive to develop than Greenfield sites. As a result of further feasibility work the output of 3.2MWp (MWp is an abbreviation for **Megawatt peak** – a unit of measurement for the output of power from a source such as solar or wind where the output may vary according to the strength of sunlight or wind speed. MWp is a measure of the maximum potential output of power) is confirmed but the total development costs are expected to be £3,050,000 which includes the private wire connection costs to the end user. The original advice suggested lower construction costs; however, an end user was unknown. Now an end user for the solar power is known and therefore we have been able to calculate more robust connection costs.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

2.1 The proposals in this report help us to deliver this ambition by providing economic growth whilst tackling climate change.

Torbay Council will be working collaboratively with the HealthTrust to provide sustainable power to the new hospital. It is estimated that 3.2MWP will be generated from the solar development. This energy will be used by the hospital/ local people and will help to reduce Torbay's Carbon footprint. The solar development will help address the climate change in a positive manner.

The proposed solar development will provide employment during the design, construction and maintenance of the project. The project has the ability to provide energy for a period of 25 plus years. The solar scheme will help create quality jobs with good pay.

Proposals will also consider how to improve the current recreational use of the site which is used informally by mainly local residents whilst providing ecological mitigation to provide a biodiversity net gain. The recreational use of the site will help to support healthy, physically active lives for all.

2.2 The original advice suggested lower construction costs; however, an end user was unknown. Now an end user for the solar power is known we have been able to calculate more robust connection costs. The proposed solar development can still provide benefits for climate change, on site recreation and biodiversity and provide a positive financial return.

3. Recommendation(s) / Proposed Decision

That the i) to iii) of the exempt decision made by the Cabinet 11 August 2020 (Minute 115h/08/20 refers) be rescinded and that the following be approved:

1. That, subject to the criteria in the Growth Fund strategy being met and a detailed business case approved by the Section 151 Officer in consultation with the Cabinet Member for Economic Regeneration, Tourism and Housing, Cabinet authorise up to £3.1m from the Growth Fund to fund the construction and delivery of the solar farm.
2. That, Delegated authority be given to the Chief Executive in consultation with the Leader of the Council to agree and finalise the detailed terms of the power purchasing agreement with an end user.

3. If necessary delegated authority be given to the Chief Executive in consultation with the Leader of the Council to agree and finalise the terms of setting up a separate special purpose vehicle with the Health Trust, if this is deemed the most appropriate route to ensuring both the sale of the energy by the Council and its purchase by the Health Trust is undertaken in accordance with the requirements of the Public Contracts Regulations.
4. In the event that the HealthTrust have not entered into a formal agreement to purchase the power generated by the solar farm by 31st October and subject to a detailed business case being approved by the Section 151 Officer then delegated authority be given to the Chief Executive in consultation with the Leader of the Council to use the power directly to create a sustainable energy source for the Council.
5. That the Cabinet reconfirms their decision in respect of iv) of the exempt decision made by the Cabinet 11 August 2020 (Minute 115h/08/20 refers):

‘That a report be presented to the next Cabinet Meeting after completion of the deal, as to the potential use of up to 10% of the surplus generated, being made available for community use within 1 mile, straight line distance of Nightingale Park.’

Appendices

Appendix 1: Previous cabinet paper and appendices dated 28/07/20 (PART 2)

Appendix 2: Off-site cable routes (PART 2)

Appendix 3: Financials for NHS private wire scheme (PART 2)

Background Documents

None.

Supporting Information

1. Introduction

- 1.1 There is a clear and compelling rationale to mitigate and adapt to a changing climate, which is why Torbay declared a climate emergency in June 2019 and committed to, in Torbay's Community and Corporate Plan (2019-2023), becoming a Carbon Neutral (CN) council and working with others to create a carbon neutral community by 2030.
- 1.2 In order to achieve carbon neutrality one of the key things we will need to do is to change the way we power our homes and businesses. This will mean rapidly increasing the amount of renewable energy we generate across the UK. This can be from a range of sources including solar and wind energy. Current renewable energy production in Torbay is largely from roof mounted solar photovoltaic panels and provides 1.6%¹ of Torbay's current electricity consumption.
- 1.3 To develop a solar scheme that will provide renewable energy locally via a private wire to Torbay Hospital will therefore help Torbay generate more renewable energy that will save carbon emissions and work towards carbon neutrality. On 28th July 2020 informal Cabinet authorised the borrowing of £2,000,000 to allow the delivery of a solar farm at Nightingale Park for the purposes of selling the power to end users in the area and to the national grid if necessary and provided delegated authority to the Chief Executive in consultation with the Chief Financial Officer to agree and finalise any Power Purchase Agreement with end users. The Cabinet paper with accompanying appendices is contained in appendix 1.
- 1.4 Through further feasibility work a more robust understanding of the development costs have been achieved along with a better understanding of the potential end user within the area. Nightingale Park is a brownfield site being a former landfill from the 1950's until the 1980's. Brownfield sites, especially land fill, are more expensive to develop than Greenfield sites. As a result of further feasibility work the output of 3.2MWP is confirmed but the total development costs are expected to be £3,050,000 which includes the private wire connection costs to the end user. The original advice suggested lower construction costs; however, an end user was unknown. Now an end user for the solar power is known and therefore we have been able to calculate more robust connection costs. Several discussions have been held with the Torbay and South Devon NHS trust to provide a private wire from the proposed solar development at Nightingale Park to Torbay Hospital. In the Cabinet paper from last year a nearby Supermarket was considered as a potential end user of the power. The energy requirement for the supermarket is 0.5 – 1 MW being relatively low. The Hospital can take all proposed 3.2MW but is further away from Nightingale Park and involves the crossing of a dual carriageway and a rail line. Due to the greater length of private wire and the need for it to cross a private bridge owned by Network Rail the private wire will be more costly. Torbay Hospital has a greater energy demand than a nearby supermarket with the supermarket indicating that it is no longer interested in purchasing this power. Appendix 2 demonstrates how the distance of the private wire has increased.
- 1.5 A viable scheme can still be achieved, and the project still has multiple benefits as set out in the original report. However, in light of altered development costs (which continue to be estimated) a further £1,050,000 is required to develop the solar

¹ University of Exeter 2020 Net Zero Torbay Report

scheme. A viable scheme requires the energy produced to be sold to the Trust in the region of £70 per KWh. The Trust has confirmed that this price would be acceptable but still requires a formal decision. The Trust has also indicated that it may wish to provide some capital investment in order to bring the price of energy down. The Trust would not own or have any responsibility for the development. This will be explored further. Currently discussions are ongoing with a view to understanding the Trusts procurement obligations and associated timescales, but they have recently indicated that to satisfy their procurement rules they need to take advantage of the Teckal exemption, in order to do this a Teckal company with the HealthTrust will be required to pass the power contract through. Heads of Terms in advance of a Power Purchase Agreement are currently being discussed.

2. Options under consideration

2.1 The NHS trust has indicated that it wants to receive all the energy produced. It is advantageous to have an end user that wishes to take all the energy as usually energy sold via a private wire achieves a higher figure when compared to selling directly into the grid. The NHS trust has a larger energy demand in comparison to other potential end users and these other potential end users have not been as positive about receiving the energy. Should an agreement with the NHS trust not be achieved, there is the possibility of selling the power direct to the grid.

3. Financial Opportunities and Implications

3.1 With the energy produced to be sold in the region of £70 per KWh the solar project will cover its development costs with the ability to make a modest profit at year one which increases year on year. Appendix 3 contains 2 appraisals. The first tab demonstrates that £65 per MWh at a borrowing rate of 2.5% is viable. The second tab demonstrates that £69 per MWh at a borrowing rate of 3% is viable. The Development Manager and Finance Manager have worked together to produce the appraisals and information that informs them.

3.2 The creation of a company, if required, for the life of the contract will require resources at both set up and ongoing to ensure appropriate governance and financial administration.

4. Legal Implications

4.1 A legal agreement (Power Purchase Agreement) with the Trust will need to be signed in order to bind the Trust to a price for the power over a certain duration (likely to be up to 25 years). Currently Heads of Terms are being discussed which agree the Principles for the Power Purchase Agreement.

5. Engagement and Consultation

5.1 The site falls within the ward of Barton with Watcombe. Cllrs Steve Darling, John Dudley and Swithin Long are responsible for this ward and will to be briefed.

Public consultation prior to the submission of a planning application will take place with the Neighbourhood Planning Group and Community Partnership Group. Standard consultation will also take place as part of the planning process.

6. Purchasing or Hiring of Goods and/or Services

6.1 The proposal will involve the procurement of services. Where permissible under procurement legislation local companies will be invited to provide quotes and the Public Contracts Regulations 2015 together with the Councils financial regulations and contract procedures will be adhered to.

7. Tackling Climate Change

7.1 The solar development will tackle climate change by producing solar energy to power most likely the local hospital. This will reduce Torbay's Carbon footprint through the production of 'green energy' which will be consumed locally making a positive contribution to tackling climate change and creating a carbon neutral community.

8. Associated Risks

8.1 Should the Power Purchase Agreement not be signed with the NHS Trust an alternative end user will need to be found. If no alternative end user is found, alternatively, the energy could be fed into the national grid albeit potentially at a lower £ per MWh with possible capacity restrictions.

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	<p>Green energy will be produced and consumed locally by all age groups.</p> <p>The proposals seek to improve the recreational offer at Nightingale Park which is open to all age groups</p>		
	People with caring Responsibilities			There is no differential impact.
	People with a disability	The recreational proposals could provide a more usable path within Nightingale Park when compared to the existing path.		
	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 proposals are likely to have a positive economic impact through the provision of quality local jobs.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact.
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)			
11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)			

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