

Cabinet

Agenda

Date: Tuesday, 3rd November, 2009
Time: 2.00 pm
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Where a member of the public wishes to ask a question of a Cabinet Member three clear working days notice must be given to the Democratic Services Manager, and the question must be submitted in writing.

4. **Minutes of Previous meeting** (Pages 1 - 4)

To approve the minutes of the meeting held on 6 October 2009.

Contact: Paul Mountford, Democratic Services
Tel: 01270 529749
E-Mail: paul.mountford@cheshireeast.gov.uk

5. **Transformation of Services for Adults – Phase 2 (Key Decision – Forward Plan Ref CE09/10-28)** (Pages 5 - 18)

To update Cabinet on the current and next stages in the Redesign of Adults Social Care Services, the achievability of the Medium Term Financial Strategy (MTFS) targets and the decisions now required to ensure these are met.

6. **Business Planning Process 2010-13 (Key Decision – Forward Plan Ref CE09/10-32)** (Pages 19 - 40)

To provide an update on the Business Planning Process, consider the approach to closing the current funding gap, and seek approval for the material for sharing with Cheshire East Members and stakeholders as part of the November budget consultation.

7. **Updated Position : LSC transfer and Post 16 Funding** (Pages 41 - 62)

To receive an update on arrangements for the transfer of 16-19 funding from the Learning Skills Council to Local Authority control from April 2010.

8. **Notice of Motion - Free Car Parking Trial in Macclesfield** (Pages 63 - 66)

To consider a Notice of Motion submitted at Council on 23 July 2009, calling for the suspension of car parking charges on Saturdays in Macclesfield Town Centre for a trial period.

9. **Interim Single Equality Scheme 2009 - 2010** (Pages 67 - 104)

To consider a report on the Interim Single Equality Scheme and Action Plan 2009 – 2010.

10. **A Corporate Approach to Health Improvement and Reducing Health Inequalities** (Pages 105 - 114)

To consider proposals to help the Council to improve health and reduce health inequalities across the communities of East Cheshire.

(There are no Part 2 items)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Tuesday, 6th October, 2009 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brickhill, D Brown, P Findlow, F Keegan, A Knowles,
J Macrae and P Mason.

Councillors in attendance:

O Hunter, A Moran, D Neilson, L Smetham, A Thwaite and R Westwood.

Officers in attendance:

Chief Executive, Strategic Director People, Strategic Director Places, Head of
Organisational Development, Head of Policy and Performance, Borough
Treasurer and Head of Assets, and Borough Solicitor.

113 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor W Fitzgerald.
Councillor J Macrae was present for the final item only.

114 DECLARATIONS OF INTEREST

Minute 119 (Appointments to Outside Organisations) - John Nicholson
(Strategic Director Places) declared a personal interest by virtue of being a
Member of the South East Cheshire Enterprise Board and Councillor D
Brown declared a personal interest by virtue of being a Director of that
Board. Councillors P Findlow and B Silvester each declared a personal
interest by virtue of being among those named for appointment to the
County Councils Network.

115 PUBLIC SPEAKING TIME/OPEN SESSION

Sir Giles Watmough addressed the Cabinet on a number of his concerns.

116 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 22 September 2009 be approved
as a correct record.

**117 CLIMATE CHANGE AND SUSTAINABILITY: THE LEADERSHIP
ROLE OF THE COUNCIL**

Consideration was given to the report of the Strategic Director Places on the role of the Council in leading the climate change/environmental sustainability agenda and endorsement was sought for the development of short, medium and long term objectives. At the meeting the Strategic Director (Places) reported that the draft plan, circulated as Appendix 1 to the report, incorrectly referred to a Climate Change Committee and he confirmed that it was intended to continue with the existing Steering Group approach.

RESOLVED

For the reasons set out in the report: -

1. That Cabinet endorses the commitment to the climate change agenda and commits to the engagement of senior Members and Officers to deliver against the key activities outlined in the report.
2. That a comprehensive climate change and sustainable development strategy be developed for Cheshire East, one of the first components of which will be the production of an interim Carbon Management Plan
3. That the potential financial impact of the Carbon Reduction Commitment from 1 April 2010, and the need for a project plan to mitigate the risks and to make appropriate provision within the Medium Term Financial Strategy to address this risk, be noted.

118 ANTI MONEY LAUNDERING POLICY

Consideration was given to an Anti-Money Laundering Policy, to ensure that the Council establishes prudent and responsible anti-money laundering controls and reporting arrangements, to detect and avoid involvement in the offences described in the regulations.

RESOLVED

For the reasons set out in the report: -

That approval be given to the Anti-Money Laundering Policy set out in Appendix A of the report.

119 APPOINTMENTS TO OUTSIDE ORGANISATIONS

John Nicholson and Councillors D Brown, P Findlow and B Silvester had all declared personal interests in this item.

Consideration was given to a number of issues that had arisen in respect of appointments to the South and East Cheshire Enterprise Board, to the addition of the County Councils Network to the list of Category 1

organisations (outside organisations within the remit of the Cabinet) and to the appointment of four Councillors to it.

RESOLVED

For the reasons set out in the report: -

1. That Councillors D Brown, J Hammond, J Macrae and B Moran, the current appointees to South and East Cheshire Enterprise Board be appointed to Congleton Learning Partnership, with immediate effect;
2. That the term of office be coterminous with the appointment to the South and East Cheshire Enterprise Board;
3. That Cheshire East Council joins County Councils Network as a member authority;
4. That County Councils Network be added to the list of Category 1 outside organisations which fall within the remit of Cabinet to make appointments;
5. That Councillors W Fitzgerald, P Findlow, B G Silvester and Councillor A Moran be appointed as the Council's representatives on County Councils Network.

120 MANAGING WORKFORCE CHANGE

Consideration was given to the report of the Head of Human Resources and Organisational Development on progress made towards completing the Council's organisational structures, and on the management of redeployment.

RESOLVED

For the reasons set out in the report: -

That Cabinet notes how changes to the Council's workforce are being managed including the arrangements to manage redeployment.

121 EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

122 **MANAGING WORKFORCE CHANGE**

Consideration was given to the report of the Head of Human Resources and Organisational Development. It was reported that since the report had been prepared an additional application for voluntary redundancy had been received, details of which were circulated.

RESOLVED

For the reasons set out in the report: -

1. That Cabinet notes how changes to the Council's workforce are being managed including the arrangements to manage redeployment.
2. That Cabinet supports the decision of the Chief Executive to release the Personnel Manager, Personnel Officer, Clerical Assistant and Business Support Manager, under the arrangements agreed in relation to severance provisions for non teaching employees in the Council.
3. That approval be given to the additional application from the Environmental Services Manager on the same terms as (2) above.

123 **PROCUREMENT AUDIT - MACCLESFIELD**

Consideration was given to the report of the Borough Solicitor.

RESOLVED

For the reasons set out in the report: -

That approval be given to enter into discussions with the current developer on the following basis: -

1. The balance of any renegotiation must rectify so far as possible the weaknesses of the current agreement.
2. External legal advice from Nabarro Nathanson should be obtained on procurement, vires and the drafting of any new agreement.
3. External valuers should be retained to assist with valuation and negotiation.
4. The Audit Commission should be made aware of the position.
5. There must be compliance with proper procurement practices.

The meeting commenced at 2.00 pm and concluded at 3.00 pm

CHESHIRE EAST COUNCIL

Cabinet

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|--------------------------|---|
| Date of Meeting: | 3 November 2009 |
| Report of: | Phil Lloyd - Head of Adults Services / Ceri Harrison - Head of Transformation |
| Subject/Title: | Transformation of Services for Adults – Phase 2 (Key Decision – Forward Plan Ref CE09/10-28) |
| Portfolio Holder: | Councillor Roland Domleo |

1.0 Report Summary

- 1.1 This report updates Cabinet on the current and next stages in the Redesign of Adults Social Care Services, the achievability of the Medium Term Financial Strategy (MTFS) targets and the decisions now required to ensure these are met. Acceleration of the radical approaches inherent within the Redesign is needed in order to attempt to meet the 3 year MTFS now emerging. On current estimates this may require Adult Services to deliver a further £7.9m by Year 3 over and above the £4m target set for the current year on the incoming budget of £76m. This would constitute a 16% reduction over 4 years and its achievement may well pose major risks if it is applied fully.
- 1.2 This report sets out the next stage of proposals which are needed to address rising demand, reducing costs, improving choice and modernising service provision. All proposals are in keeping with the overarching principles and strategy of personalised, preventive and 'lean' Adults Services but the pace and scale at which they may have to be introduced as a result of financial pressures within the Council may pose risks and these are identified.
- 1.3 Significant savings and transformation of services are planned however, as part of the agreed strategy and these are set out below.

2.0 Decision Requested

That Cabinet decide to

- 2.1 Reduce the current in-house provision of routine domiciliary care services as this service can be provided at an acceptable quality and cost by the independent sector.

- 2.2 Redefine the primary function of the in-house domiciliary care service as a reablement¹ service.
- 2.3 Review the provision of the Housing Network support for Adults with Disabilities and consider the business case for securing that service from an independent provider.
- 2.4 Undertake a fundamental review of use of buildings within Adult Services aiming to rationalise and localise functions across services and partners.
- 2.5 Agree to address the issues presented by the inherited provision of Community Support Centres looking at the rationalisation of the current stock of 5 centres being replaced by the enhanced facilities at Lincoln House (already agreed by Cabinet as part of the Dementia Strategy) and the creation in the future of a purpose built new facility, subject to a business case being made to Cabinet in future and taking into account the previous public consultation exercise.
- 2.6 Agree to consider how much directly provided service should continue (and how long for) in order to mitigate against market failure (or other emergency) and resolve in principle that the Council's role in direct service provision should be to provide the most complex services of last resort.
- 2.7 Agree to explore the option for running existing in house provision as 'arms length' and/or jointly with health to exploit commercial benefits and freedoms from such models and maximise efficiencies.
- 2.8 Agree to review significantly the current service level and performance from the shared transport service jointly with the Head of Regeneration and Central and Eastern Cheshire Primary Care Trust to identify what transport should be commissioned strategically.
- 2.9 Review the current provision of the hot meals service.
- 2.10 Approve and progress the list of specific joint commissioning and integrated service provision initiatives with Central and Eastern PCT.
- 2.11 Undertake a joint review with the Corporate Procurement service to identify savings to be achieved by more effective contracting arrangements.
- 2.12 Note the fact that this redesign constitutes a 3 to 5 year strategy to invest in front-end services and ultimately reduce the current level of care costs which will present budget pressures in the interim; and make provision corporately for contingency funding in respect of the required changes in Adults Social Care in order to mitigate the risk of too much change too quickly.

3.0 Reasons for Recommendations

- 3.1 The above policy changes have been proposed to improve the services that we offer to our customers, to allow them to have real choice in how they spend their individual budgets and benefit from enhanced preventive and reablement

¹ Reablement can be defined as a focused, time limited intervention of services, which are aimed at addressing and improving a physical or mental disability but which should improve outcomes for individuals at an early stage.

services. At the same time, by using our building assets more effectively, employing staff more efficiently, prioritising what we do and running the services in a professional 21st century manner, we will liberate substantial resources which can be used to improve service provision and/or deal with budget pressures.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 All

**6.0 Policy Implications including - Climate change
- Health**

6.1 All proposals in this report are fully consistent with the approved policies and principles in relation to the Redesign of Adults Social Care Services agreed by Cabinet on 16th June 2009, and the Council's Transformation Principles agreed by Cabinet on 14 July 2009. **(See Appendix 1)**

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 None.

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 There are many benefits of the transformation of Adults Social Care but from a financial perspective the initiative is, in part, aimed at investing in prevention and reablement services in order to reduce demand on the social care system and therefore reduce overall care costs – a major percentage of the revenue budget. However, this is a medium to long term strategy and will take time to have the desired impact. In the current year therefore there is still an inherent pressure on care costs which includes an underlying overspend against a growing population and this needs to be recognised within the Council's approach to budget management and monitoring. A significant proportion of the temporary funding was to meet overspending against care costs whilst the strategy takes effect – this could take up to 5 years due to the nature of the service being provided and the costs to be taken out of the system.

8.2 Many proposals within this report are aimed at reducing costs or increasing income whilst still meeting the Council's statutory duty of care. At this stage, it is estimated that a further £5.9m net (£7.2m gross to absorb growth) over and above the current year £4m target could be achieved over the next 3 years but this is contingent on the provision of

temporary funding being available, growth numbers estimated correctly and appropriate and realistic timescales being applied. Specific budget changes will be incorporated and refined within the Council's budget setting process now underway but will be set within the context of the policy direction set out in this report and addressing the outcomes of consultation where appropriate.

- 8.3 Cabinet approved the earmarking of temporary funding for the implementation of the Redesign of Adults Social Care Services. As stated above, some of this amount was to offset the effect of care costs reducing over time and therefore help to address the short term budget pressure identified above. It is anticipated that change management costs and redundancy provision within this will also be fully committed to achieve the transformation. A further £1.4m Social Care Reform Grant will be allocated from Government to Cheshire East Council in 2010-11 for this purpose, but it may be necessary to set aside further additional temporary contingency funding, access the Corporate pot for redundancy costs, and / or carry forward any unspent monies into next year from the current temporary provision. This will be clarified as the budgetary position emerges during the year and will be confirmed as part of the mid year and three quarter year review process.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 All proposals within the Redesign of Adults Social Care Services must take place within the framework of existing community care legislation. All proposals are therefore being developed in conjunction with Officers from council's legal service to ensure the Council continues to meet its statutory community care duties. Arbitrary reductions in service may expose the Council to legal challenges. It is therefore essential that any rationalisation of services takes account of the impact of such actions on service users and their families and ensures the Council can continue to meet any assessed eligible need for community care services.
- 9.2 As the proposals set out in this report impact particularly on disabled people, Members must have due regard to their obligations to promote disability equality under the Disability Discrimination Act 2005. Reviews of service provision set out in this report will need to include equality impact assessments which can be taken into account when detailed proposals are brought back to Members.

10.0 Risk Management

- 10.1 As mentioned above these proposals are in keeping with the strategic aims of the Council for the provision of social care. The level of savings required however may be in excess of what is achievable without serious risk to service users and which may put the Council in breach of its statutory duties. Officers have advised the level and pace of change which is deemed to be manageable. This programme is

managed based on Prince 2 methodology and a risk register is monitored and managed by the Head of Service and Programme Board.

11.0 Background and Options

- 11.1 At its meeting on 16 June 2009, Cabinet approved the implementation of the Redesign of Adults Social Care Services. Several recommendations were approved including the provision and enhancement of information, preventive and reablement services, the introduction of a resource allocation system, integration with Health and the creation of locality teams operating lean systems.

Vision and Strategic Aims

- 11.2 In line with these changes leadership development work with the newly formed Adults Senior Management Team has been undertaken to identify the overall purpose and strategic aims of Adults Services and this is quoted below:

'The Vision of the Adult Services of Cheshire East Council is that adults who need help will get the help they require to promote their wellbeing, health and care.

The Purpose of the Adult Services of Cheshire East Council is to get the greatest possible increase in independence for those adults, families, carers and communities who need help. We will do that by:

- *Listening to people so that we understand their needs and the risks they face.*
- *Helping everybody to get the information and advice they need.*
- *Agreeing with people what outcomes they want to achieve.*
- *Helping people who need, or who are likely to need, public funding to find the services which will be right for them.*
- *Doing the things which we are required to do by law and regulations.*

In doing those things we will:-

- *treat everybody with dignity and respect.*
- *demonstrate the ASPIRE values which the Council has agreed.*
- *get the Council, its partners and local people to pull together in support of our Vision and Purpose.'*

Progress to date

- 11.3 Operational progress since the approval is significant. The first locality team was launched in Wilmslow on 9th July and is operating new lean ways of working against a well documented (now copyrighted) process map. The remaining roll out across the Borough is shown at **Appendix 2**. Evidence is gathering that fewer users coming through this system are requiring care packages, although this needs to be substantiated. Direct Payments and Individual budgets have increased from 20 per

month to 50 and the LAA target is being constantly monitored and managed. Evidence is also building that users are expressing an interest in purchasing leisure services to improve their outcomes from within individual budgets and this will have implications across the wider Council, particularly Health and Wellbeing services. A pre-loaded payment card is being piloted to make the personalisation process easier for users. ICT kit and support for flexible and mobile working has been rolled out to 130 staff.

- 11.4 In addition, Provider Services are currently undergoing a major restructure with a planned reduction of approximately 95 posts to date which will deliver annual savings in excess of £1m, through redundancy and other mechanisms. Further work is being done to finalise the Resource Allocation System and this is expected to be complete by December. Overall the change programme is on track but there is still a great deal to achieve requiring continued clear direction, strong leadership and effective staff engagement and good will.

LGA / DoH Progress Measures

- 11.5 These changes are set within a national context and all council's are under the spotlight to transform – not tinker with – social care services. Indeed Social Care Reform Grant is allocated to councils based on such progress. The LGA, DoH and ADASS have now published a set of progress measures for Councils to establish relative performance which will be considered by the Care Quality Commission and may ultimately be incorporated within the Council's CAA. These measures are set out below and it is clear that at this stage Cheshire East Council is well placed to meet these measures as a result of its current policy development and scale of change:

Effective partnerships with people using services, carers and other local citizens

Self directed support and personal budgets

Prevention and cost effective services

Information and advice

Local commissioning

The supporting document can be found at the following link:

<http://www.idea.gov.uk/idk/aio/13603402>

- 11.6 Additionally, the Government Green Paper on future funding of care emphasises the need for Councils and PCTs to shift the direction of services towards prevention and reablement, increase choice and control and deliver better services and support for carers. The proposals in this report allied to the June 16 report ensure that Cheshire East Council is well placed in respect of this agenda also.

Next steps and options

The following sections outline the recommended way forward for the next phase 2 of transformation of Adults services in Cheshire East Council:

Future of Provider Services

- 11.7 Provider services currently run by the Council accounts for 40% of current year budget at a total of £29.1m. The Council has a strategy to ensure that these costs are fully covered by income from a variety of sources in order to prepare for a more commercial and efficient approach to service delivery.
- 11.8 Provision covers a huge range of services including the provision of general and specialist Domiciliary Care (home visits, reablement and support); daytime activities and domestic support and care for older people and users with learning and physical disabilities and mental health needs; facilities which provide respite for carers; community support centres and day services for older people.
- 11.9 The first phase of transformation has involved the bringing together of all provider services under one arm of the structure in order to rationalize the incoming staffing structures and make significant efficiencies. This is set to achieve over £1m permanently by the end of the next financial year. The next phase is concerned with reshaping this leaner and more clearly defined set of provider services to respond effectively to the need for services that increase independence and individual outcomes and reduce care costs thereby addressing financial pressures most effectively.
- 11.10 The overall direction of travel builds on the Council's agreed transformation principles of focusing on core business, transferring services to other agencies who are better able to deliver; sharing services, getting local, and investing in preventive services.
- 11.11 The following major specific decisions are required to reshape in house provision in the short to medium term:
 - 1. Reduce the current in house provision of routine domiciliary care services as these are capable of being provided by independent providers. This would involve service users being redirected out of in-house home care service into external provision on a phased basis through their scheduled service review. The Council should retain discretion to continue this service only where a gap can be identified or if there is an assessed need for continuity of care.
 - 2. Re-designate the above service to deliver reablement. This will keep people better for longer and reduce pressure on the social care system and care costs and fulfil the Council's policy to grow its reablement service and promote independence.

3. Review the provision of the Housing Network support for Adults with Disabilities and consider the business case for securing that service from an independent provider.
4. Undertake a fundamental review of use of buildings within adult's services and seek to rationalize and localize functions across services and partners.
5. (As part of 4) agree in principle to address the issues presented by the inherited provision of Community Support Centres which are now heavily under subscribed and will soon be unfit for purpose. This would involve developing the Council's agreed Dementia strategy by rationalizing the current stock of 5 centres to be replaced by the enhanced facilities at Lincoln House in Crewe and the creation of a purpose built new facility. This would be subject to a business case being made to Cabinet in future and taking into account the previous public consultation exercise on this matter.
6. Determine how much directly provided service should continue (and how long for) in order to mitigate against market failure (or other emergency) and provide the most complex services of last resort and Agree in principle to explore the option for running existing in house provision as 'arms length' and/or jointly with health to exploit commercial benefits and freedoms from such models and maximise efficiencies.
7. Note the purchase of new uniforms in order to highlight the new identity and focus for provider services within Cheshire East. Staff are currently still wearing County Council logos, and uniforms are worn within former older peoples i.e. Community Support Centres, Home Care and Day Services. New uniforms would be available to wider groups of provider staff and would cost in the region of £65K to be funded from the temporary monies approved by Cabinet in June and / or LGR transitional funds.

Transport

- 11.12 The Council's budget for social care transport is £1.8m, however the current level of transport offered is over and above assessed critical and substantial social care needs and as such is a discretionary service. It is felt that in terms of overall priorities the Council should consider diverting this resource to other more critical aspects of care. It is also felt that this service in some ways encourages dependency and works against personalisation and independence.

It is proposed that Cabinet agree to fundamentally review the current transport service (currently delivered through the shared Integrated Transport Unit) and that this be carried out jointly with the Head of Regeneration and Central and Eastern PCT to determine the best delivery mechanism and set

new levels of service. In the advent of personal budgets, the provision will be split between resource to pay for individually commissioned transport; and strategically commissioned public and community transport so that it is fully accessible to most people assessed as having critical or substantial care needs. 'Internal' Shared service providers could decide to offer transport but would not necessarily have an agreement with Social Care to do so.

Meals

11.13 The Council's budget for the provision of community meals is £692K plus administration costs (2 FTEs for billing etc). The requirement to provide hot meals however could be delivered through more efficient mechanisms than through the current 'meals on wheels' contract, although help to prepare a meal is and can be carried out by Home Care providers.

It is proposed that the new contract for provision of hot meals removes any current level of subsidy and allows sufficient flexibility to ensure that meals are only provided to those with an eligible need and that meals are provided to a good quality from a variety of providers in line with increased choice and control for users.

Health

11.14 Meaningful joint commissioning and integrated service provision with health is essential if both organisations are to address their financial pressures and provide best value for money. The following is a list of principles for Cabinet to adopt to underpin these developments:

- To take a proactive front-end approach to Prevention and Reablement
- To drive down the costs and drive up the quality of Health & Social care services
- To work towards true integration – being willing to cede control
- Deliver services on more local basis
- Develop multi-disciplinary teams
- Ensure we have a good information 'offer'
- To include emergency response
- To review levels of internal provision
- Utilise the least possible resources from either party
- Aim to reduce demands on the system
- Ensure innovation is embodied in our thinking

The future model will include the following (subject to successful pilots):

- Develop a joint reablement/rehabilitation service
- Develop a joint Continuing Health Care assessment process & team
- Develop a joint Long Term Conditions assessment process & team
- Develop a coordinated approach for Very High Intensity users
- Develop a coordinated approach for COPD users
- Develop a single point of contact methodology (inc Safeguarding)

- Establish the potential for shared accommodation (inc IT compatibility)
- Establish a shared Leadership Development Programme
- Embed Carers contingency planning
- Develop an Integrated Discharge Team

It is recognised that delivering such a large agenda together is potentially difficult and time consuming. However, a significant effort will be made to connect the work of the Council with that of the PCTs. In the event that any of the suggested agenda cannot be accomplished, Adult Services will still proceed with a programme of transformation that will aim to improve performance and outcomes within a balanced budget. Clearly there will be more benefits to the public and more savings if the process is completed jointly. At this stage, progress is being made with the above list of projects and in particular the development of multi-agency team working through the high intensity user project (above). This is currently being piloted and is well underway in Wilmslow and which will be rolled out across the Borough during the rest of the year in line with the roll out of local teams.

Procurement

11.15 A number of significant contracts are in operation for the provision of social care – ie. £32.2m Nursing and Residential (out of total forecast care costs of £50.3m). Traditionally these have been developed and negotiated from within the service. Other organisations report major benefits by dealing with such contracts on a more corporate and commercial basis.

It is proposed that a joint review with the Corporate Procurement Service and the PCT is undertaken to identify savings to be achieved by more effective contracting arrangements building on work done to date.

Staff Roles including the Role of Social Workers

11.16 The redesign of social care and application of lean systems thinking has lead to a fundamental review of staff roles. New roles are being designed to fit the new world and make the best to use the expertise and skill of staff.

11.17 It is clear, however that there is a future for social workers within this model. Their skills are needed where they will be most effective. Their role should therefore be targeted to safeguarding issues, adult protection and any areas where there is a statutory requirement for qualified Social Workers for e.g. in the field of Mental Health. It is proposed that a tiered approach to the allocation of work is developed so that there is a clear correlation between the complexity of the work a member of staff does and the training supervision and pay that they receive.

It is worth noting that there is a National Social Work Taskforce which will be examining social work with both children and adults and this will also have implications for the future role and training of Social Workers

In general terms, staff have been briefed throughout the redesign and many are directly involved in the programme of change. A staff newsletter and briefing is issued fortnightly highlighting the main developments and actions required. Unions are also consulted on a regular basis.

Other

11.18 Other mechanisms to make efficiencies and savings are being introduced but this report highlights the main changes which require political approval at this stage.

11.19 Members are also asked to note that the service intends to bid for Specific Government Grant of £2m to support a common assessment framework and related critical ICT implementation and integration of systems such as PARIS and Sharecare. This will require the Council to operate as a demonstrator site but there are benefits in taking this approach to deliver the redesign and improve current systems and information as well as taking pressure off the current capital programme. The outcome of the bid will be known in December.

Involvement of Service Users

11.20 Steps will be taken wherever appropriate to involve and engage those users who are affected by the proposed changes to service delivery identified in this report. The Council has a duty to involve users in changes which affect them. This will be done through the Local Involvement Networks and engagement with the voluntary sector where appropriate. Equality impact assessments will also be carried out to ensure that any future decisions take account of the effect of changed services upon specific service user groups.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Ceri Harrison

Designation: Head of Transformation

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Transformational principles

1. Delight our Customers

- **Easy access** to services that people need **from the place they need it**
- **Locally based** services which reflect how **families and communities live**
More services to **keep people well and safe** for as long as possible
- **More personalised services**, to give people **more choice and control** over resources available to them
- **First point of contact resolution** for the majority of customer enquiries and issues.

2. Manage our Costs

- **Better and more flexible use** of Council and partner assets and resources.
- **Services to be provided** by those people / organisations **best placed** to deliver
- **Sharing of support services** with partners where appropriate
- **Only provide services** which are **core to our business**
- **Better use of appropriate technology** to modernise and improve service delivery
- **Outcomes measurement** and evidence of improvement and value in all we do

3. Develop our Culture

- **Lean services to suit customers** and not ourselves, understanding the **end-to-end** customer journey and experience
- **Actively engage and involve** customers, communities, partners & employees
- **Experiment** with new methods and take sensible risks, learn from our mistakes.
- Invest in and **support our people** to learn and develop so that they **grow with the organisation**
- Work as **one team** across organisational boundaries to build "Team Cheshire East".

PHASING OF ASCR ROLLOUT – Update Sept 09

| AREA | TIMING |
|--------------------------|---------------------|
| Knutsford Wilmslow | Completed July 2009 |
| Macclesfield Poynton | Nov 2009 |
| Congleton | Jan 2010 |
| Crewe Nantwich | Feb 2010 |
| Additionally | |
| Pan- Borough Review Team | Oct 2009 |
| | |

CHESHIRE EAST COUNCIL

Cabinet

| | |
|--------------------------|---|
| Date of Meeting: | 3 November 2009 |
| Report of: | Borough Treasurer and Head of Assets |
| Subject/Title: | Business Planning Process 2010-13 (Key Decision – Forward Plan Ref CE09/10-32) |
| Portfolio Holder: | Councillor Frank Keegan |

1 Report Summary

1.1 The purpose of the cabinet report is to provide an update on the Business Planning Process in terms of :

- Impact of policy proposals / capital schemes
- Outcome of challenge sessions
- Updates to the financial scenario

and to ask Members to consider the approach to closing the current funding gap and to approve the material for sharing with Cheshire East Members and stakeholders as part of the November budget consultation.

2 Decision Requested

2.1 To note the update on the Business Planning Process.

2.2 To agree the Budget Consultation approach.

3 Reasons for Recommendations

3.1 The Business Planning Process must develop robust revenue and capital proposals taking account of stakeholder feedback.

4 Wards Affected

4.1 Not applicable

5 Local Ward Members

5.1 Not applicable

6 Policy Implications – Climate Change – Health

6.1 The report contains policy proposals which will impact on service delivery.

7 Financial Implications for Transitional Costs (Authorised by the Borough Treasurer)

7.1 None

8 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 The report includes details of policy proposals which will affect service budgets from 2010-11 onwards.

9 Legal Implications (Authorised by the Borough Solicitor)

9.1 The Medium Term Financial Strategy must be underpinned by robust estimates and the level of reserves maintained by the Authority must be adequate.

9.2 The Council must have a robust process for budget setting in order to fulfil its fiduciary duties.

10 Risk Management

10.1 The steps outlined in this report will significantly mitigate the three main legal and financial risks to the council's financial management:

- The council must set a balanced Budget
- The council must set a legal Council Tax for 2010-11
- The council should provide high quality evidence to support submissions for external assessment. This can have the affect of reducing scrutiny, and audit charges, that can be related to risk.
- That council borrowing will comply with the Treasury Management Strategy

A more detailed risk analysis is set out at **Appendix A**.

10.2 In most cases a risk assessment of the individual proposals being put forward was carried out by each directorate.

11 Background and Options

BACKGROUND

The Process

11.1 The Business Planning Process was approved at Cabinet on 14th July 2009 and set out the need to ensure limited resources are used in the most effective way to meet priorities and service delivery targets.

11.2 The process included the ideas that:

- Strategic & Service planning would be integrated with Financial Planning
- A link would exist from overarching objectives through to service plans and development of the Corporate Plan

- Services, in consultation with cabinet members, should take the lead in generating proposals in line with such aims.

- 11.3 The report acknowledged that it will take time to fully align and evolve all these strands into a single Business Planning Process and to then further develop elements such as enhanced Budget Consultation.
- 11.4 The Capital Planning Process was also approved by Cabinet on 14 July 2009 as part of the Capital Strategy (incorporated in the Medium Term Financial Strategy 2010-2013). The strategy sets out the process for the development of the Capital Programme and the main criteria on which new schemes will be evaluated.
- 11.5 In the annual planning cycle a project appraisal system is used where services submit business cases for each prospective new capital scheme. The schemes are submitted to the relevant departmental management team for overall ranking in comparison to other schemes put forward.
- 11.6 The schemes receive an initial assessment by the Capital Appraisal and Monitoring Group (CAMG) who assess the viability of the scheme and provide guidance on technical, planning and legal issues to Project Leads. The CAMG met on 22nd September 2009 and compiled an initial draft programme from the business cases submitted. The draft programme was submitted to the Capital Asset Group (CAG) on 25th September 2009 for consideration against the Council priorities and the estimated resources.

Financial Analysis

Revenue

- 11.7 Cheshire East Borough Council is a relatively low funded rural local authority which provides local services to over 360,000 residents.
- 11.8 Although the Cheshire East tax base is the highest for a billing authority in the Northwest*, the Charts in **Appendix B** show that, in comparison to '15 Near Neighbours' (defined by CIPFA), the percentage of grant funding per head is lowest. It is also the lowest in the Northwest. This means taxpayers in the borough fund a greater percentage of local services than anywhere else in the area.
- 11.9 In addition to this, only 39% of the business rate collected in Cheshire East is retained by the council (55% if Fire & Police Authorities included). Only one of the near neighbours has a percentage lower than this. This means the productivity of business' in the area does not provide significantly higher funding for the local authority.
- 11.10 The above financial information, and the fact that income from fees and charges are average for a unitary authority, creates significant budget pressures from the following issues:
- Inflationary increases in costs of services
 - Demographic changes leading to increased service requirements
 - Legislative and best practice impacts on service delivery
 - Costs associated with aggregation of services
 - Falling income from the impact of recession

*Note Cumbria & Lancashire 'County' Councils have larger tax bases than Cheshire East BC

- 11.11 In addition there are emerging pressures related to the 2009-10 financial performance. The Mid-Year Review, currently in development, is not expected to significantly change the quarter one predictions. Where these pressures cannot be mitigated it creates immediate pressure on the 2010-11 baseline budget.
- 11.12 All of the above impacts have created a significant budget gap, where funding does not match proposed expenditure on services. A robust process has therefore been started to provide members, officers and stakeholders with an opportunity to address key service issues and provide early consideration on how to respond to these issues.

Capital

- 11.13 The capital programme is currently £112.007m in 2009-10, £53.586m in 2010-11 and £12.46m in later years. The 2009-10 programme consists of on-going legacy schemes (£70.923m) and new starts (£41.084m). Departments have been requested to review the current programme, in particular the schemes brought forward from predecessor authorities; to consider the capacity of the organisation to deliver such a large programme and if the schemes are still in line with the strategies and corporate objectives of Cheshire East Council.
- 11.14 The programme is funded from both direct (grants, external, linked capital receipts), and in-direct (borrowing approvals, revenue contributions, capital reserve, non-applied receipts) income. A corporate capital pot which comprises an element of departmental specific grant allocations and unapplied capital receipts is used to fund core programme schemes, such as ICT and asset improvements. In accordance with the Capital Strategy a 5% top slice is taken from departmental allocations, for 2010-11 this equates to £0.739m. In addition an initial allocation of £0.500m has been identified from revenue and £0.600m from unapplied capital receipts, which gives a total corporate pot for 2010-11 of £1.839m.
- 11.15 The Capital Receipts Policy ensures that receipts are used in the most beneficial way to support corporate priorities and strategic objectives of the Council. The policy is intended to separate the use of resources from the means of acquiring resources therefore supporting the strategic approach to capital investment. This means that all non-linked receipts will be pooled centrally and allocated to projects via the Capital Asset Group.
- 11.16 The forecast for future capital receipts is currently limited due to the economic climate and the downturn in the property market, however the potential for capital receipts in 2010-11 has been identified as:
- Receipt from sale of County Hall (East Share) - Approx £5m
 - Farms Estate (net of 25% costs) - Approx £1m

In addition to the above, brought forward capital receipts will be available from the predecessor Councils of Cheshire East. Further work is still to be carried out on the aggregation of the balance sheet and the confirmation of committed capital receipts, however an indicative figure is in the region of £10 – £12m. The majority

of this arises from the sale of the Macclesfield housing stock where £6m was set aside for investment purposes and £3m for a review of leisure services.

ADDRESSING EXTERNAL ASSESSMENT CRITERIA

- 11.17 The Business Planning Process will provide evidence that the Council is addressing the criteria set out in the Audit Commission's Comprehensive Area Assessment – Use of Resources Assessment in relation to Managing Finances. **Appendix C** sets out the criteria and how these are being addressed.
- 11.18 At this stage, given the scale of the current funding gap, the key challenge for the Authority is to clearly demonstrate how it will invest in priority areas and will continue to operate services within the funding available.

UPDATE

The Outcome of Challenge Sessions

Revenue

- 11.19 Directors and Cabinet Members worked together during August to develop policy proposals for the short and medium term. The financial impact of these proposals were summarised in relation to revenue and capital and their overall affordability.
- 11.20 The initial proposals were reviewed by Corporate Management Team (CMT) and then examined at a series of Challenge Sessions, chaired by Cllr Keegan (Resources Portfolio Holder), to understand and refine the options. Directors, Heads of Service and, where possible, Cabinet Members attended to discuss the proposals for their service areas. The outcome of these sessions was a mix of specific actions and a need for further refinement to develop the proposals into a suitable format for sharing with a wider audience.
- 11.21 Some key refinements from the Challenge Process included:
- All Directorates to thoroughly review and justify all growth proposals;
 - All Directorates to challenge proposed savings to see if targets can be increased and / or brought forward;
 - Consider the scope for additional savings;
 - Consider invest to save bids if they can result in cashable savings in 2010-11.
 - Replace "To be confirmed" with figures or identify items as + or - , magnitude and timescale.
- 11.22 Each Directorate will now be taking forward their key action points.

Capital

- 11.23 The initial draft capital programme was considered by Directors and Cabinet members through a series of challenge sessions. The outcome of these sessions was a mix of specific actions including:

A re-examination of the proposed schemes against the following prioritisation criteria.

- Transformation (how does the scheme contribute towards the corporate transformation goals)
- Infrastructure (how does the scheme support the ICT infrastructure and asset base)
- Compliance (what is the level of risk of non-compliance with statutory, legislative and health and safety requirements)

An exercise to identify schemes considered to be core programme and eligible for funding from the Corporate Pot. These are schemes which are necessary for the day to day delivery and operation of the Council and in the main relate to the maintenance and development of the ICT infrastructure and the asset base.

An assessment of the ICT bids against the ICT Strategy. A number of ICT bids have been identified from within services these will now be assessed and prioritised in accordance with the Strategy. Consideration also needs to be given to successor systems and the requirement to build up funds for future ICT capital investment.

An assessment of departmental bids relating to the on-going maintenance and improvement of assets, these will be reviewed by the Asset Management department and considered against a strategic view of assets and the Corporate Accommodation Strategy.

An initiative is currently underway between the Council and the NHS in Cheshire East working towards a vision of integrated care. This will require a high level, strategic review of the opportunities to dispose of land and buildings and to develop co-location of services. It is recognised that the Asset Management department do not have the capacity to undertake a review of this size, therefore the Head of Asset Management has been tasked with assessing the cost of commissioning this work from an outside organisation.

Post Challenge - Review of Financial Position

Revenue

- 11.24 The Cabinet report of 14th July 2009 highlighted a potential budget deficit of £5.3m in 2010-11, and each directorate was provided with a budget target solely related to its share of the net annual spend. The budget proposals returned early in September reflected significant additional growth pressures and the deficit therefore increased through this process to £11.8m.
- 11.25 Following the challenge sessions, the gap extended further, to £13.8m, following reaction to service proposals that are not currently appropriate.
- 11.26 **Table 1** (below) shows the current financial scenario. The table shows how income from Council Tax and grant funding is reduced by central adjustments such as inflation, capital charges and payment back to reserves for transitional costs. The base budgets for each directorate reflect ongoing liabilities adjusted by the recent proposals. Further detail is provided at **Appendix D**.

Table 1: Budgetary Pressure is focused on 2010-11

| | 2010-11 | | 2011-12 | | 2012-13 | |
|---------------------------------------|---------|--------------|---------|--------------|---------|--------------|
| | £m | £m | £m | £m | £m | £m |
| FUNDING | | | | | | |
| Council Tax | 173.7 | | 174.2 | | 174.7 | |
| Less Deficit on Collection Fund | -0.5 | | 0.0 | | 0.0 | |
| Grant Funding (RSG and NNDR) | 63.5 | | 63.5 | | 63.5 | |
| Less: Central Adjustments | -30.9 | | -32.8 | | -33.6 | |
| TOTAL FUNDING | | 205.8 | | 204.9 | | 204.6 |
| EXPENDITURE | | | | | | |
| People | | | | | | |
| Base Budget | 125.0 | | 122.5 | | 121.9 | |
| Current Proposals | -0.1 | | -2.6 | | -3.3 | |
| Total | | 124.9 | | 119.9 | | 118.6 |
| Places | | | | | | |
| Base Budget | 51.4 | | 51.7 | | 52.4 | |
| Current Proposals | 3.8 | | -1.3 | | 0.1 | |
| Total | | 55.2 | | 50.4 | | 52.5 |
| P&C | | | | | | |
| Base Budget | 36.9 | | 36.7 | | 36.6 | |
| Current Proposals | 2.6 | | -1.6 | | -1.3 | |
| Total | | 39.5 | | 35.1 | | 35.3 |
| TOTAL EXPENDITURE | | 219.6 | | 205.4 | | 206.4 |
| FUNDING GAP | | 13.8 | | 0.5 | | 1.8 |
| FUNDING GAP - THREE YEAR TOTAL | | | | | | 16.1 |

Source: Business Planning Process – Directorate Responses at 13th October 2009

The Council can tackle the funding deficit in a number of ways, however each measure on its own carries risk, and it is therefore likely a combination of approaches may be required.

- **Measure 1 ~ Challenge Funding Assumptions**

- The July Cabinet report set out a number of key planning assumptions based on funding levels. This included central financial adjustments such as repayment of reserves (£2.75m pa); levels of non pay inflation (2.5% = £2.5m); Contingency (1% = £2.1m) and Capital Financing (circa £15m per annum).

These assumptions can be challenged to ensure they are up to date and reflect current Council policy. See **Appendix D**.

- **Measure 2 ~ Increase Council Tax**

- A 1% increase in Council Tax increases funding by £1.7m, however, guidelines announced in November 2008, by Local Government Minister

John Healey, make it clear that any increase in Council Tax should be substantially below 5%. Average increases in 2009-10 were 3.0% across the UK, an increase of this amount for Cheshire East would increase funding by £5.1m

- **Measure 3 ~ Use General Reserves**

- The Council's reserves strategy uses risk assessment to inform the prudent level of reserves. This complies with the requirement to maintain adequate reserves (see 9.0 Legal Implications, above).
- The scenario already includes a commitment to repay transitional costs from the LGR process.
- The key risk from using reserves to support the revenue budget is sustainability. This relates not only to the clear fact it is an approach that cannot be repeated in the medium term, but also to the risks from poor external assessment of the council's financial standing.

- **Measure 4 ~ Reduce Expenditure**

- The current proposals from services highlight efficiencies of £6.97m, however this is exceeded by growth pressures of £11.98m. The council can challenge services to increase efficiency or reduce services whilst retaining focus on the council's priorities.

- **Measure 5 ~ Increase Income**

- Income from customers paying for council services relates to only 8% of total income. Current proposals have highlighted a fall of £1.01m in income. This is in reaction to impacts from the recession, which are only partly mitigated by potential additional income sources.

Capital

11.27 Schemes for inclusion in the initial draft of the capital programme for 2010-11 amounted to £53.1m of which £31.7m are directly funded. Further work including the actions identified in paragraph 11.23 will now be undertaken to review the schemes and re-assess the funding gap.

11.28 The Council can bridge the affordability gap in a number of ways, however it is likely a combination of approaches may be required.

Measure 1: Downsizing the programme by deferring schemes until a later year or deleting schemes from the programme.

Measure 2: Use of Capital Receipts,

- to increase the Corporate Pot to fund the Core Programme
- to establish funding pots for each of the three directorates

Measure 3: Prudential Borrowing in accordance with the Council's Treasury Management Strategy.

12.0 BUDGET CONSULTATION

12.1 The authority is committed to enhanced consulting arrangements through:

- More regular consultation;
- Consulting earlier in the Budget setting process and at a time when feedback can be taken into account;
- Consulting on policy proposals.

12.2 The July Cabinet report proposed a two stage approach to consultation:

Stage 1 – November

Stage 2 – January

12.3 As the budget requires significant work to develop further savings proposals it is not considered appropriate to only share part of the total picture with stakeholders. Therefore the recommended approach is to ask stakeholders about their priorities.

12.4 **Appendix E (to be completed)** contains more details on the Financial Context and services provided. This will be made available to stakeholders before the meetings.

12.5 The broad structure of the material and events is :

Introduction

Briefing on Service Issues and Priorities

Financial Context

Specific Details

12.6 **Meetings** – four matching certain Local Area Partnership boundaries. Evenings (drinks from 6.30pm, 7pm start) have been selected to try and capture a wide range of stakeholders.

12.7 **Schedule of Meetings**

- Monday 23/11
- Tuesday 24/11
- Wednesday 25/11
- Thursday 26/11

To be held in :

- Knutsford / Wilmslow LAP area
- Congleton LAP area
- Macclesfield / Poynton LAP area
- Crewe / Nantwich LAP area

The match of dates, areas and venues to be determined.

Format for Consultation Events

12.8 Intro by Leader and Chief Executive / Director on purpose (ie to help us understand the local communities' priorities for our use of limited resources)

12.9 Cabinet Members Briefing to whole audience on:

- a. Budget aims and priorities
- b. Service issues

c. Financial context

- 12.10 Suggest three Cabinet speakers per session, one for each Directorate, and alternating between meetings, to give local representation where possible.
- 12.11 Breakout into mixed discussion groups to consider the issues raised and services provided. Each group to be facilitated by senior officers (with support to capture comments). Groups will be asked to identify their priorities via scoring to show where they would accept growth or savings (20-30 items max). Use a chart to capture where increases / decreases in spending could occur based on the priorities of the group.
- 12.12 Consultees also complete individual feedback form based on discussions.
- 12.13 Feedback on decisions of each group.
- 12.14 Brief Q&A session.
- 12.15 **Outcomes** – an assessment of priorities to feed back into the Cabinet’s budget decision making process.
- 12.16 **Invitations** – via formal invitation letter / e-mail in late October.
- 12.17 **Display Material** – use existing publicity material where possible and create some additional “pop ups” / display boards setting out details on activity / metrics for relevant service areas.
- 12.18 **Venues** – the intention is to use lower cost public venues where possible and practical.
- 12.19 **Reporting** – a summary of the feedback will be agreed with CMT and Cabinet and inform the development of budget proposals. A revised package will form part of the Business Planning Process report to Cabinet on 22 December 2009.
- 12.20 **Stakeholders** – the following people will be invited:
- Schools Forum (via programmed meeting on 1st December)
 - Trades Unions (via the Staffing Committee on 22 October)
 - Independent voluntary providers
 - Social Care users and carers
 - LSP / LAP representatives
(third sector reps covered above)
 - Parish Councils
 - Primary Care Trust
 - Businesses – including the Chambers of Commerce
 - Connexions
 - Cheshire Police and Fire
 - The general public via a citizen’s panel
 - Youth Mayor and student reps at Further Education colleges.
- 12.21 It is important Cabinet Members attend these events and take part in the various activities.

13 Where Next

- 13.1 The timetable below sets out the key stages to setting a Budget and Council Tax in February 2010.

2009

| | |
|-----------|---|
| September | Challenge |
| October | Review / Refine and update Scenario |
| November | Cabinet agree consultation material |
| November | Consultation events |
| December | Refine package in light of consultation, funding announcements and latest information |

2010

| | |
|----------|---|
| January | Share updated proposals with stakeholders |
| February | Budget and Council Tax set |

14 Overview of Year One and Term One Issues

- 14.1 The MTFS and the associated planning assumptions will impact on the first Term by setting a framework for the development of budgetary and policy options and Capital Schemes which will impact on service delivery and Council Tax levels.

15 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

| | |
|--------------|--|
| Name: | Lisa Quinn |
| Designation: | Borough Treasurer and Head of Assets |
| Tel No: | 01270 686628 |
| Email: | lisa.quinn@cheshireeast.gov.uk |

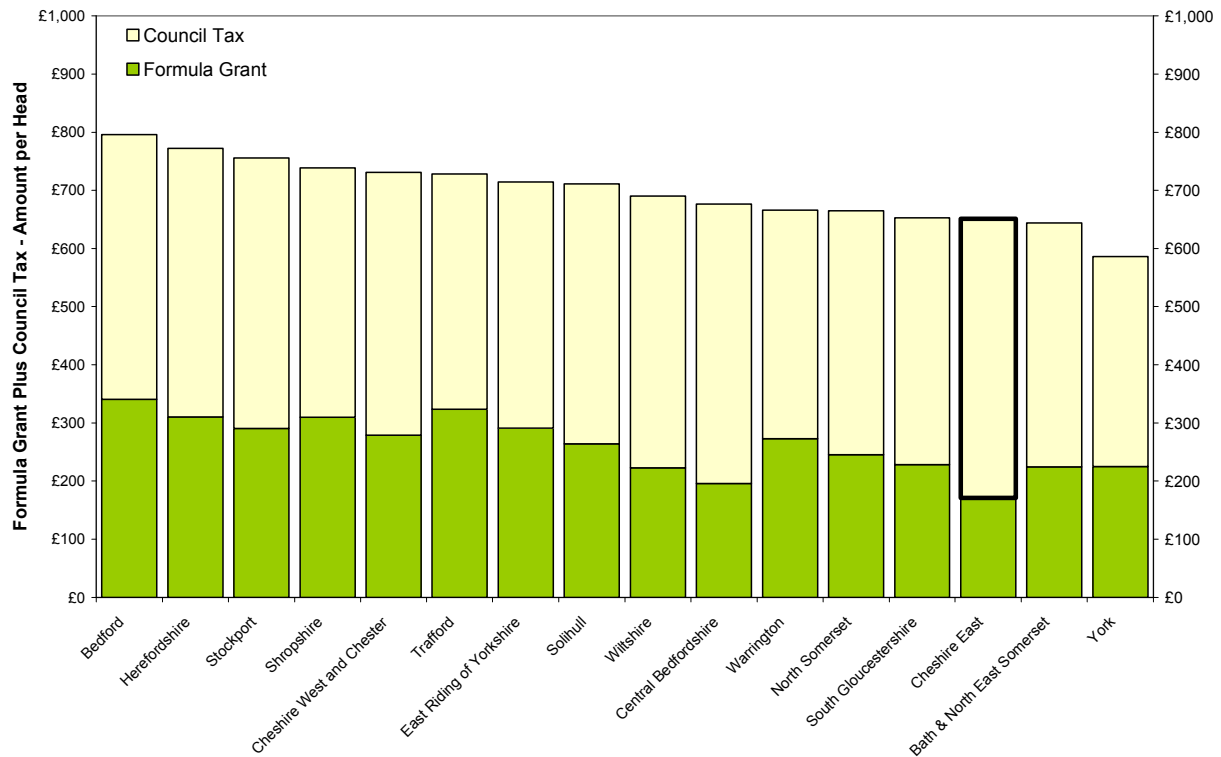
Risk Assessment – Business Planning Process 2010-13

| Ref | Risk | Assessment of Risk (now) H / M / L | Proposed Mitigating Action | Assessment of Risk After Mitigating Action H / M / L | Manager |
|-----|---|---|--|--|---------------|
| 1 | Failure to deliver a balanced Budget, Capital Programme, DSG Budget and Council Tax on 25 February for Council approval. | H | Ensure robust Business Planning process is followed and all necessary stages are achieved. | L | Alex Thompson |
| 2 | Slippage in the Business Planning process due to deadlines not being achieved. | H | Create second version of process with reserve dates / alternative forums to receive papers. | M | Alex Thompson |
| 3 | Links to Corporate Priorities – failure to clearly link resource allocation / investment / disinvestment to priorities in the Community Strategy / Corporate Plan and satisfy CAA requirements. | H | Maintain regular contact with Policy and Performance staff to align process and timetable accordingly. | L | Alex Thompson |

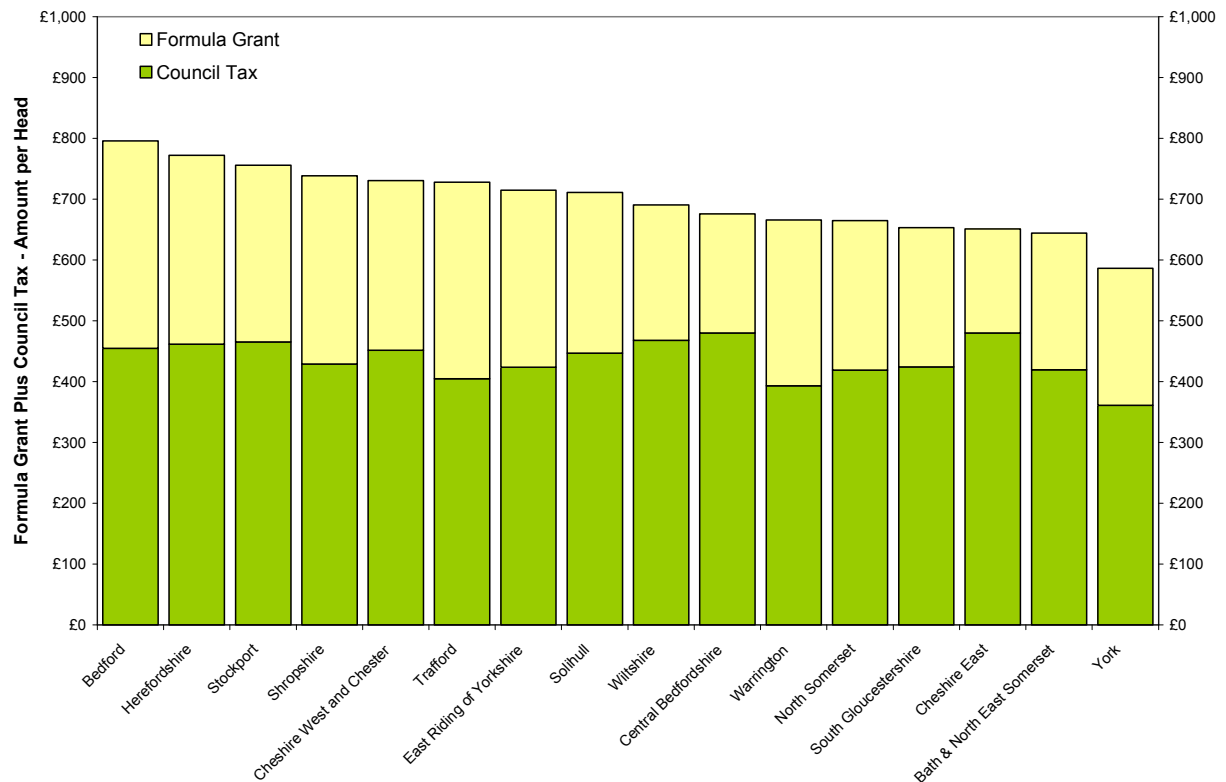
| Ref | Risk | Assessment of Risk (now) H / M / L | Proposed Mitigating Action | Assessment of Risk After Mitigating Action H / M / L | Manager |
|------------|---|---|---|---|----------------|
| 4 | Key Planning Assumptions do not match actual information and there is a greater funding gap than used for planning purposes. Potential need to issue revised targets at a later stage in the process. | H | Establish robust set of assumptions challenged and agreed by Management Team and Cabinet as basis for planning. Acknowledge recession, etc may impact on these and remedial action may be needed. Continue to monitor position and liaise with the Society of County Treasurers, etc. | M | Alex Thompson |
| 5 | Very significant in year cost pressures result in high savings targets that cannot be achieved without severe service cuts. | H | Establish effective remedial actions to address pressures / reduce demand for services. | M | Alex Thompson |
| 6 | Cabinet's Council Tax aspirations cannot be achieved and public faces a Council Tax increase. | H | Cabinet Members to make challenging decisions over service levels to ensure Council Tax commitment can be retained. | M | Alex Thompson |
| 7 | Budget Consultation – failure to deliver a Politically acceptable set of policy proposals for consultation purposes. | H | Maintain regular contact with Departmental and Finance Leads to ensure Cabinet Members fully involved in development of proposals. | L | Alex Thompson |
| 8 | Cheshire East Council does not achieve broad NI179 efficiency targets. | M | Make early assessment and take remedial action if additional efficiency savings have to be found. | L | Alex Thompson |

| Ref | Risk | Assessment of Risk (now) H / M / L | Proposed Mitigating Action | Assessment of Risk After Mitigating Action H / M / L | Manager |
|------------|--|---|--|---|----------------|
| 9 | Inadequate capacity within Financial Planning team due to delays in recruitment process / loss of temporary staff and expertise at critical time in process. | M | Ensure recruitment process is promptly completed and skilled team is available. | L | Alex Thompson |
| 10 | Swine Flu impacts on Member / Directorate / Finance capacity to respond to requirements of process. | M | Ensure appropriate skills are available in reserve to provide cover. Acknowledge that Business Planning is a priority 3 function and there may have to be slippage. | M | Alex Thompson |

2009-10 Council Tax and Formula Grant Analysis for Cheshire East and Nearest Neighbours



2009-10 Council Tax and Formula Grant Analysis for Cheshire East and Nearest Neighbours



Source: DCLG Revenue Estimates data 2009-10

Summary of Comprehensive Area Agreement : Use of Resources Themes & Key Lines of Enquiry and how addressed via the Business Planning Process

| Issues | Evidence |
|--|---|
| <p>Does the organisation plan its finances effectively to deliver its strategic priorities and secure sound financial health?</p> <p>The organisation:</p> <ul style="list-style-type: none"> • integrates financial planning with strategic and service planning processes on a medium to long-term basis; • engages local communities and other stakeholders in the financial planning process; • manages spending within available resources and is financially sound over the medium term; • recognises individual and collective responsibilities for financial management and values and develops financial skills. | <p>Detailed Business Planning Process linking the Council's performance and priorities with revenue and Capital planning over a rolling 3 year period.</p> <p>The Process will include enhanced Budget Consultation arrangements.</p> <p>Robust Financial Scenario based on key planning assumptions and active monitoring of expected reserves priorities built over a 3 year period.</p> <p>Debate on process and agreement of key planning assumptions at CMT and Cabinet.</p> |
| <p>Does the organisation have a sound understanding of its costs and performance and achieve efficiencies in its activities?</p> <p>The organisation:</p> <ul style="list-style-type: none"> • understands its costs, including whole life, transaction and unit costs, the main factors that influence these and how they link to performance; • takes account of this understanding of its costs and performance in decision making and commissioning; • identifies the scope for making efficiencies and is on track to achieve planned efficiencies. | <p>Generation of policy proposals and Capital Schemes within Directorates.</p> <p align="center">"</p> <p align="center">"</p> |

Review of Financial Scenario

This Appendix sets out further details on the review of the Financial Scenario. At this stage there is no additional information available on Government Grant funding therefore no changes have been made. The table below summarises the Key Planning Assumptions used in the Financial Scenario, their impact and the associated risks. Further details are provided on items that may need to be revisited.

Key Planning Assumptions

| Item | Assumption | Impact | Risk |
|--|--|------------|--|
| Council Tax | 0% per annum | 1% = £1.7m | Cabinet commitment, public expectations |
| Council Tax Collection Fund | £0.5m deficit in 2010-11, nil in 2011-13 | £ for £ | Variance to Actual |
| Formula Grant (Revenue Support Grant and Business Rates) | As issued for 2010-11. 0% thereafter | 1% = £0.6m | Potential decreases in funding from 2011-12. |
| Pay Inflation | 1.5% per annum | 1% = £1.1m | Final pay award higher and funding required from contingency / reserves |
| Non Pay Inflation | 2.5% per annum | 1% = £1m | Inflationary pressures may be higher and real terms reduction in spend. |
| Exceptional Inflation | 1.75% per annum | 1% = £1m | Contractual pressures may be higher and services have to fund difference |
| Contingency | 1% per annum | 1% = £2.1m | Insufficient level for unexpected costs |
| Funding Contingency | £0.75m per annum from 2011-12 | £ for £ | “ “ |
| Capital Financing | Circa £15m per annum - as calculated for 2009-12 Capital Programme | £ for £ | To be reviewed as Capital Programme is developed |
| Transitional Costs | Nil | £ for £ | Insufficient level for unexpected costs |
| Repayment of original Transitional Costs | £6.7m 2011-13 to meet three year target | £ for £ | Need to use Reserves to meet repayment targets |

Source : Cheshire East Financial Scenario

ITEMS FOR REVIEW

FUNDING

1. Council Tax Collection Fund Surplus / Deficit:

Definition

The difference between the expected amount of Council Tax to be collected and the actual amount. Any difference forms a £ for £ additional income or cost against the following years budget.

July Assumption

A deficit of £0.8m was brought forward into the current financial year. This trend was expected to continue as outturn positions were confirmed and collection rates stayed high. Both these factors suggested a further deficit may be experienced for 2010-11. The assumption was to budget for a **deficit of £0.5m** in 2010-11 rather than net nil.

November Assumption

To be determined

2. Council Taxbase

Definition

This represents the estimated number of band D equivalent properties used for setting the Council Tax. The 2009-10 taxbase was 144,761 with each 0.1% change equating to £0.180m.

July Assumption

The forecast annual change was 0.7% pa based on actual recent experience. Given the current economic climate and slowdown in housing development this increase was **reduced to 0.3% per annum** to match increases experienced in previous years.

November Assumption

To be determined

EXPENDITURE

3. Pay Inflation

Definition

Pay inflation is applied to 53% of the budget. On a base of £114m each 1% equals £1.14m.

July Assumption

The 2009-10 assumption was 2.5%, at that stage the pay offer was 0.5%, therefore the provision of **1.5% per annum** was agreed for 2010-11 given that negotiations have some way to go.

November Assumption

The pay award for 2009-10 has now been agreed at 1%. With RPI expected to increase **no change** is proposed.

4. Non Pay Inflation

Definition

Non pay inflation is applied to 47% of the budget (including all fees and charges). Based on a budget of £101m each 1% equals £1m.

July Assumption

The 2009-10 assumption was 0.5% with exceptional items at 3.1%. However, RPI was expected to increase and inflationary pressures facing the Authority set to continue.

Therefore, the assumption of **2.5% per annum** plus an additional provision for exceptional items at 1.75% per annum was agreed.

November Assumption

With the Authority experiencing significant cost pressures **no change** is proposed to these figures.

5. Pensions

Definition

A provision for the additional employer contributions resulting from an actuarial review.

July Assumption

As per the 2009-10 scenario a provision of £0.6m has been made for 2011-12.

November Assumption

To be determined

6. Transitional Costs

Definition

A provision for additional costs incurred as a result of re-organisation.

July Assumption

Agreed to make no provision in 2010-13 for any further costs relating to:

- Redundancy
- Early retirement
- Relocation

November Assumption

No change.

7. Contribution to / from Reserves

Definition

A one off allocation from / to the financial scenario to the Council's General Reserves.

A minimum strategic level of reserves will be maintained in accordance with the Reserves Policy & Strategy approved as part of the MTFS process for 2009-10. Any indication that reserves will be above or below this position will be carefully considered by Members and the Chief Financial Officer. Actions may then be necessary to return the reserves to an appropriate level within the overall financial scenario.

July Assumption

The impact on reserves of issues such as transitional costs are being monitored. As the 2008-09 accounts are closed the starting position will be finalised. However, emerging issues in 2009-10 will also impact on the closing balance at 31st March 2010. The Reserves Policy & Strategy will be reviewed by September 2009.

The July position included contributions back to Reserves of circa £2.2m pa for 2010-11 and 2011-12 and £4m for 2012-13.

November Assumption

Transitional costs incurred in 2008-09 proved to be higher than the original forecasts. In order to remain within the original agreed payback period of three years the repayment figures for 2010-11 and 2011-12 need to be increased to £6.7m pa. To negate any impact of this on the bottom line the options are to use reserves to meet this higher repayment or rephase the repayment of Transitional Costs.

8. Additional Temporary Flexibility

Definition

An analysis of additional temporary funding sources that may help to alleviate pressures.

July Assumption

Given the level of uncertainty no additional income was assumed.

November Assumption

The only significant development is the announcement of LABGI funding for 2009-10 of £347k and a reduction in the national allocation for 2010-11. Given this continued uncertainty no additional flexibility is assumed.

9. Current Policy Proposals / Funding Gap

Definition

It was agreed the resulting shortfall based on the assumptions in the scenario would be addressed by asking Directorates to generate Policy Proposals

July Assumption

A series of targets were set.

November Assumption

As considered in para 11.18 these targets have been significantly underachieved and the current shortfall is £13.8m in 2010-11. The way forward is also considered in para 11.18.

Outline of Budget Consultation Material

This material is being developed. The format is expected to be :

1. Introduction from Leader and Chief Executive.
2. Explanation of the process that is taking place.
3. Explanation of the Financial context drawing on the financial scenario, shortfall in funding compared to growth and inflationary pressures, funding gap and process to close gap.
4. Briefing on service issues - Portfolio Holders / Directors to be asked to set out key pressures / issues affecting their service areas and potential ways forward.

Information presented in People and Places theme or more direct issues eg Waste.

To include a section on back office pressures / efficiencies and refer to achievements in 2009-10 budget.

5. Details of the challenge facing stakeholders in the mixed discussion groups.
6. Details of where next.
7. Individual Questionnaire.

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CHESHIRE EAST COUNCIL

Cabinet

| | |
|--------------------------|---|
| Date of Meeting: | 3 November 2009 |
| Report of: | Director of People |
| Subject/Title: | Updated Position : LSC transfer and Post 16 Funding |
| Portfolio Holder: | Councillor Paul Findlow |

1.0 Report Summary

- 1.1 The purpose of this report is to provide a detailed update on the arrangements for the transfer of 16-19 funding from the LSC (Learning & Skills Council) to Local Authority control as from April 2010. This paper provides further details and recommendations relating to this transfer process, building on the earlier cabinet paper which was approved on the 16th June. A significant amount of the work relating to this process is being undertaken through the newly formed Sub Regional Group involving Cheshire East, Cheshire West & Chester and Warrington. This joint body is required to undertake the required steps to manage the full transfer arrangements including governance through external support from Government Office North West, the Young People's Learning Agency and React (Raising Expectations Action Programme), acting on behalf of the Department for Children, Schools & Families. The key action required from this paper is to endorse the proposed Memorandum of Understanding which sets out the collaborative arrangements between the three Local Authorities.

2.0 Decision Requested

- 2.1 To note the emerging collaboration and identified duties of the Sub Regional Grouping (SRG) and its continuing work to establish effective arrangements for the smooth transition of 16-19 funding from the LSC to Local Authorities.
- 2.2. To endorse the proposed Memorandum of Understanding (Appendix 1) which sets out an agreement of collaboration between the three Local Authorities in terms of strategic management, decision making processes, commissioning arrangements as well as stakeholder engagement.
- 2.3 To endorse the integration of 5 additional LSC staff to the Cheshire East workforce as part of the LSC transfer process. The identified staff have a variety of valuable skills and aptitudes which will add significant value to the work of Cheshire East in terms of integrating the activities and

functions of the previous LSC work streams as well as helping to secure improved outcomes for learners.

3.0 Reasons for Recommendations

- 3.1 The Post 16 transfer arrangements are likely to result in the Local Authority incurring expenditure, as well as receiving additional funding, which is significant in relation to the local authority's budget for the service or function to which the decision relates.

4.0 Wards Affected

- 4.1 All Wards will be affected by the LSC transfer as the implications for the transfer impact upon all secondary schools and colleges. As the issues relate to 14-19 reforms, schools with or without Sixth Forms are affected. In addition, the engagement of work based learning providers and employers will equally be affected in terms of supporting work related learning opportunities for young people as well as young apprenticeships schemes.

5.0 Local Ward Members

- 5.1 No specific Ward Members identified.

6.0 Policy Implications including - Climate change - Health

- 6.1 The Corporate Plan outlines the organisation's priorities which reflect the needs to all communities. These priorities are aligned to local partnership arrangements as part of the Local Area Agreement. The Post 16 transfer arrangements specifically relate to identified priority areas (in the majority of cases, through identified National Indicators) as they apply to Children & Families and the direct work of service teams. These include reducing NEET (Not in Education, Employment or Training) and take up of 14-19 Diplomas.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 Not applicable

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

- 8.1 The LSC currently has allocated to all Cheshire East Schools and Colleges funding for the current academic year 2009-10. As part of the LSC transfer arrangements, a new National Commissioning Framework is being currently taken through Parliament as part of the Apprenticeships, Skills, Children & Learning Bill with a consultation

period commencing on the framework in October. The main objectives of the commissioning process are to:

- a. Determine the education and training needs of all young people.
- b. Ensure that the quality of provision at least meets minimum standards and continues to improve.
- c. Ensure that provision is commissioned within the framework of the national funding system.
- d. Ensure that provision is affordable with national and regional budgets.
- e. Enable the respective parties to the commissioning process to deliver their responsibilities for handling and accounting for the revenue and capital funds invested in young people's learning.

Any dates in terms of the commissioning and funding allocations process have yet to be confirmed

- 8.2 The 16-19 commissioning arrangements also include the continuing expansion of the 16-19 Apprenticeship scheme. This programme will be undertaken in conjunction with the National Apprenticeship Scheme (NAS) and will take into account the mix and type of apprenticeship provision which is available across Cheshire East. NAS will support Local Authorities in the management of budgets within which apprenticeship operations must operate.
- 8.3 As part of the LSC transfer arrangement, the 5 additional staff which the Local Authority will integrate into current staffing structures will come with three years of funding to cover salary and on costs. In addition, additional funding will be available to cover additional resource implications including IT equipment.
- 8.4 In terms of linkage to 16-19 LSC capital programmes, no further capital programmes are being considered for this year and there is an ongoing review of current and possible future commitments against the budget for 2010-11. Further information is due later this term.
- 8.5 There will be a requirement to fully understand and prepare for the increased work streams associated with the transfer. Firstly, there will be additional demands on current financial officers to integrate the significant additional funding and resource implications within existing workloads and this may require additional financial capacity. Secondly, increased training requirements of existing staff to fully understand the new functions will inevitably result in additional costs in terms of time and attendance at regional & local training programmes as provided by React.

- 8.6 There is a clear need to integrate the work of the Sub Regional Group with new initiatives which are being developed within Cheshire East. The Future Jobs Fund programme, initiated through economic regeneration, has a significant grant income to provide 200 employment opportunities for vulnerable young people and this initiative will have clear links with the 19-25 agenda as part of the SRG.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 As stated in the White Paper (March 2008) , “Raising Expectations: enabling the system to deliver”, these reforms make the expectation that all young people will participate in education or training until the end of the academic year in which they turn 17 by 2013 and 18 by 2015.
- 9.2. The proposed memorandum of Understanding is currently in the process of being scrutinised by legal services to ensure it is fit for purpose in terms of an agreement for collaboration between the three Local Authorities.
- 9.3 The legal implications relating to the transfer of LSC staff to Cheshire East Local Authority is also being investigated in terms of the terms and conditions of transfer under TUPE.

10.0 Risk Management

- 10.1 There are regional and national arrangements in place to check the ongoing readiness of the sub regional group to successfully undertake its function in all transfer arrangements. Reports from GONW and React are reporting that the current rate of progress is positive and all necessary arrangements are in place at this early stage of the process. A structured monitoring programme of ‘Readiness to deliver’ will be initiated over the coming months to minimise any risk in terms of the ongoing work of the SRG.
- 10.2 The transfer of LSC staff to the Local Authority may bring some potential risk in terms of ensuring that these additional posts are filled with suitably experienced staff. The indications of both appointed as well as matched staff shows positive signs in terms of both experience and expertise and it is essential that a successful induction programme is initiated with these new staff to Cheshire East.
- 10.3 The increased financial accountability will bring potentially increased pressures on current staff to meet the demands associated with the transfer of 16-19 funding. This financial capacity will have to be monitored closely as part of the transitional arrangements..

11.0 Background and Options

- 11.1 In June 2007, the Department for Children, Schools & Families (DCSF) announced, as part of the Machinery of Government changes, that responsibility for planning and funding for 16-18 year olds will transfer from the Learning and Skills Council (LSC) to Local Authorities in 2010. A key part of this structural change would require all Local Authorities to work within Sub Regional Groupings which promote localised collaboration, building upon current successful partnership arrangements.
- 11.2 Through the React programme and the LSC, this shadowing year will include a detailed programme of training and development for both transferred staff and Local Authority staff. This training programme will commence in November.
- 11.3 Existing work as part of the normal LSC activity with local Authorities will continue during this transition year. The key activity this term includes the completion/agreement of a Local Area 14-19 statement of need.
- 11.4 The Sub Regional Group is currently undertaking a programme of meetings of staff across all three Local Authorities in terms of both induction as well as identifying priority actions resulting from the transfer arrangements. Key groups of staff who will be establishing regular meetings include HR, Health & Safety, Audit, Learners with Learning Difficulties or Disabilities (LLDD) and Contracting.
- 11.5 As well as its continuing development of constitutional arrangements, the Sub Regional Group are very keen to utilise its newly formed collaborative powers to begin to tackle the strategic issues which are common across the sub region. The initial focus areas will include reducing NEET as well as travel to learn patterns with neighbouring authorities who are not part of our sub region.

12.0 Overview of Year One and Term One Issues

- 12.1 As of September 2009, the Post 16 transfer arrangements have commenced in that we are now within the identified transition year which runs through to April 2010 when the full transfer of responsibilities moves to the Local Authority. The Sub Regional Group will monitor all transfer arrangements throughout this year with the strategic core group currently meeting on a three week cycle. The LSC have identified a calendar of dates when key actions will be required. Many of these relate to allocated funding to Local Authorities and this will be determined through the National Commissioning Framework which is due out for consultation later this month (October). It is expected that actual figures in terms of funding to Cheshire East schools and colleges will not be finalised until March next year.

- 12.2 In terms of LSC transferred staff, October 1st saw the commencement of the formal shadow arrangements which requires the Local Authority to establish effective induction processes for the 5 staff. A national training framework will also commence in november to support the transfer arrangements.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Children & Families: Improvement & Achievement
Tel No: 07770 322965
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**Memorandum of Understanding
For the operation of
The Cheshire's and Warrington Sub-regional Group
for Commissioning Post 16 Education and Training**

Between

Warrington Borough Council

-and-

Cheshire East Council

-and-

Cheshire West and Chester Council



This is an Agreement for Collaboration (hereinafter referred to as a “Memorandum of Understanding” (“**MoU**”) between Warrington Borough Council, Cheshire East Council and Cheshire West and Chester Council (hereinafter each a Local Authority and referred to collectively as ‘**the three authorities**’).

This agreement is dated [March 2010] for the purposes set out below.

Collectively, the three authorities will be known as The Cheshires and Warrington Sub-regional Group (“**the SRG**”).

1 Purpose

- 1.1 This agreement will regulate the operation of the SRG with regard to the commissioning of 16-19 education and training within the three authorities (extended to the age of 25 for learners with learning difficulties or disabilities).

2 Background

- 2.1 A Stage One submission for this SRG was presented to Government Office North West (“**GONW**”) by Warrington Borough Council and Cheshire County Council in September 2008. GONW approved the proposal in November 2008. A Stage Two submission was made in February 2009 which developed the detail of the arrangements to be put in place.
- 2.2 The rationale for building on the well established partnerships pre-existing across Cheshire and Warrington, which have a proven history of successful and effective collaboration, was accepted. The three authorities welcomed this opportunity to establish sector-led arrangements to support learners across the SRG area.
- 2.3 The three authorities are committed to the setting up the SRG and working to see its successful implementation. The SRG will work together to ensure a seamless transfer of responsibilities from the Learning and Skills Council to local authorities in the interests both of learners and provider organisations.

3 Values and Principles

- 3.1 The existing values and principles to which partners have been committed for some time will be applicable to the future working of the sub-regional group (see Appendix 2).
- 3.2 In working together the SRG aims to:
 - a) Improve outcomes for all young people who will always be at the centre of what the SRG shall do; and
 - b) Ensuring that the voice of the learner is heard; that learners are treated with respect; and that their individual needs are recognised.
- 3.3 At all times the SRG will:

- a) Work together in a spirit of openness, co-operation and trust; and
- b) Maintain an equitable approach towards all providers, recognising the value of a diverse range of provision and the different strengths and contribution that each provider brings; and
- c) Ensure that a full range of high quality and accessible provision is available to meet the needs of all young people in the sub-region, including vulnerable and hard to reach groups.

4 **Delivery Model**

- 4.1 Each Local Authority is to be responsible for funding and commissioning Further Education, Sixth Form Colleges and School Sixth Forms in their own area within priorities set by Employment and Skills Board/and or agreed through the SRG.
- 4.2 This assignment of priorities will allow the development of a strong SRG whilst enabling individual authorities to ensure alignment with their existing 14-19 partnership and children's trust arrangements.

5 **Joint Working Arrangements and SRG Structure**

- 5.1 The structure model for the SRG is as described in Appendix 1 attached.
- 5.2 A Director of Children's Service or equivalent, drawn from the three authorities, will attend the **Regional Planning Group** on behalf of the SRG to ensure that its interests and priorities are reflected in this wider arena. Representation will rotate will rotate on an annual basis as follows
 - Warrington Borough Council, September 2008 – August 2009
 - Cheshire West and Chester, September 2009 –August 2010
 - Cheshire East, September 2010 – August 2011

The representative on the Regional Planning group will be briefed by a member of the SRG Strategic Board (as described below) and will feedback to all three authorities.

- 5.3 An **SRG Executive Group** will be established, with membership comprised of the Director of Children's Services ("**DCS**") or equivalent from each of the three authorities. This group will be supported by the SRG Executive group
- 5.4 The SRG Executive Group will:
 - a) Publish an annual plan outlining clear commissioning intentions and priorities; and
 - b) Develop shared aspirations for the SRG; and
 - c) Share expertise and knowledge; and
 - d) Articulate the interface with the wider children's services agenda and facilitate the delivery of the DCS's statutory responsibilities; and ¹
 - e) Provide support and challenge to the SR Strategic Group; and

¹ See 'Statutory Guidance: The Roles and Responsibilities of the Lead Member for Children's Services and the Director of Children's Service' para 3.29.(DCSF-00944-2008DOM-EN)

- f) Set the parameters of delegated authority within the operation of the SRG; and
 - g) Ensure the SRG is appropriately represented at the Regional Forum; and
 - h) Receive the annual self-review from the SR Strategic Group; and
 - i) Mediate disputes and conflicts subject to section 15 of this MoU.
- 5.5 The SRG Executive Group will meet up to four [4] times per year, timed to coincide with the planned commissioning cycle. The chair and hosting responsibilities will rotate to reflect the parity and equality of the membership.
- 5.6 An **SRG Strategic Board** will be established with a membership made up as follows :
- a) three [3] representatives from each of the three authorities. Whilst the details of appointments will be for each authority to confirm, it is intended that members will be of sufficient seniority to be able to make decisions of the magnitude required.
 - b) the LSC Area Director (during transition phase to March 2010) who will provide a degree of independent moderation and challenge to the work of the Board.
- 5.7 An **SRG Strategic advisory group** will be established through which key partners will be able to influence and challenge the work of the Strategic Board. Membership will include(but not be limited to):-
- Connexions
 - Employment and Skills Board
 - National Apprenticeship Service
 - Young People Learning Agency
 - Government Office North West
 - One representative from each 14-19 partnership
 - Other invited guests as agreed by the Strategic Board
- 5.8 The SRG Strategic Board will:
- a) Agree the strategic priorities which will inform the commissioning plan, reflecting the advice received from the Employment and Skills Board and the Young People's Learning Agency (YPLA); and
 - b) Lead on arrangements to ensure the effective transfer of responsibilities from the LSC; and
 - c) Ensure the discharge of the responsibilities listed in para 8 below; and
 - d) Develop and implement a common commissioning plan; and
 - e) Ensure allocations are made to support strategic priorities and ensure an appropriate range of provision for residents; and
 - f) Make proposals and recommendations to the SRG Executive Group; and
 - g) Contribute to the SRG input to the Regional Forum.

- 5.9 The SRG Strategic Board will meet regularly (approximately eight [8] times per year) at a frequency timed to coincide with the needs of the Business Cycle. A calendar of meetings will be agreed for each academic year no later than June of the preceding year. The chair and hosting responsibilities will rotate to reflect the parity and equality of the membership.
- 5.10 It has been agreed that each local authority will take a lead responsibility for key areas of activity as follows:
- Warrington – Human Resources, Learners with Learning Difficulties and Disabilities, Youth Offending.
 - Cheshire East – Commissioning, contracting, performance and funding
 - Cheshire West and Chester – Health and Safety and audit
- The lead roles will be reviewed and changed with agreement of the executive Group
- 5.11 It is acknowledged that SRG Task Groups will be established to address specific short-term objectives. These groups will be set up as required under the direction of the SRG Strategic Board.
- 5.12 Consultation and dialogue with other key groups will be agreed and shared between three authorities: for example Cheshire and Warrington College Consortium, Cheshire and Warrington Provider Network.
- 5.13 It is the intention of this MoU that it shall be a living document. Such documents as exist at the signing of the MoU shall be listed within the appendices of this MoU. Later, additional and successor documents are likely to be approved shall be included within appendices which shall be version controlled. All such documents shall be clearly marked; be copied to each of the respective authorities; and be kept readily available to them and their respective staff teams engaged in delivering the SRG remit.
- 5.14 The SRG will be required to agree service level agreements and memorandum of Understandings with various bodies, for example the National Apprenticeship Service. Authority to agree these is delegated to the Strategic Board, who will seek endorsement from the executive group as necessary.
- 5.15 In order to ensure the efficiency of the SRG Executive Group, secretariat support will be rotated and the responsibility of the authority chairing the meeting.

6 Decision Making

- 6.1 All parties to this agreement will seek to work collaboratively with their co-signatories in the spirit and intention outlined in Section 3 of this agreement.
- 6.2 Whenever possible, decisions will be arrived at by consensus.
- 6.3 Key decision made by the SRG Strategic Board relating will be ratified by the SRG Executive in the first instance.

- 6.4 Where agreement cannot be reached, an member of the SEG Executive may declare a 'dispute', which will then be resolved by the procedures contained in Section 14 of this agreement
- 6.5 Each local authority will take the recommendations of the SRG Executive Group to their respective Executives for approval (delegated as necessary).

7 Responsibilities: the SRG

- 7.1 The SRG will be responsible for:
- a) Providing a forum for local authorities to work and plan together to build a picture of demand, which will include analysing data to understand travel to learn patterns and cross border flows; and
 - b) Agreeing who will lead the commissioning dialogue with each provider in the sub region on behalf of the whole group, ensuring that providers have a single commissioning conversation, and to agree who represents the sub region at regional level; and
 - c) Reviewing individual local authority 16-19 commissioning plans to ensure they cohere, taking into consideration learner numbers, available budgets and other factors such as learners with learning difficulties and/or disabilities and specialist provision (as appropriate); and
 - d) Considering how to deploy commissioning resources in the most cost effective and efficient manner; and
 - e) Providing a co-ordinated response to the Young People's Learning Agency ("YPLA") and Government Office North West ("GONW"); and
 - f) Producing an annual plan outlining clear commissioning intentions and priorities.

8 Responsibilities: Local Authorities

- 8.1 The three authorities will each remain singularly responsible for:
- a) Ensuring that young people receive effective IAG and support to take the right learning and careers options for them and that the Connexions service engages effectively with schools, colleges and other learning providers and is delivered as a valued and effective part of their integrated and targeted youth support services (the Education and Skills Act 2008); and
 - b) Securing enough learning places for 16-18 years olds resident in their area and for learners with learning difficulties and/or disabilities up to the age of 25 as part of the single point of accountability for all 0-19 Children's Services (final legislation awaited); and
 - c) Delivering the Diploma entitlement for every young person in the area, working across boundaries as necessary (by 2013); and
 - d) Promoting the newly introduced 'duty to co-operate' obligations on 14-19 providers as part of the children's trust arrangements.

8.2 In order to discharge these responsibilities effectively, each contributing local authority will:

- a) Develop a statement of need and a commissioning plan; and
- b) Fund and commission FE, sixth form colleges and school sixth forms within their area; and
- c) Maintain a relationship with their schools and colleges in order to understand supply and demand prevailing locally; and
- d) Lead and develop the 14-19 local plan and partnership, linked to the local Children and Young People's Plan (CYPP) and children's trust arrangements; and
- e) Maintain a relationship with neighbouring authorities, agreeing appropriate provision to accommodate 'travel to learn' patterns; and
- f) Liaise with the National Apprenticeship Service regarding the procurement of work-based learning within their area; *and*
- g) Adhere to prevailing local protocols to ensure elected members can contribute to decision-making around the work of the SRG; and
- h) Submit the draft 16-19 Commissioning Plan for the SRG to their council's executive boards to seek support for the pertinent elements.

9 Key Milestones 2009/10 and 2010/11

9.1 The SRG's initial discussions have confirmed broad agreement on the way forward. From April 2009, the SRG will work closely with the Learning & Skills Council ("**LSC**") to ensure that learning and knowledge transfer during the Transition Year (2009-10), is maximised. The chart below identifies the lead agencies responsible for the timely completion of relevant task during 2009/10 and indicates where it is anticipated that these responsibilities will fall in the following year.

The Cheshire and Warrington SRG : Commissioning Cycle

| Commissioning Activity | During | 2009/10 | 2010/11 |
|---|----------|--|--|
| Performance Review and Strategic Analysis | May/June | LSC supporting shadow SRG Strategic Board | SRG Strategic Board with input from YPLA and 3 local authorities |
| Statement of Need and identify commissioning priorities for the coming year | Oct/Nov | DCSF/LSC advising the shadow SRG Strategic Board | DCSF (via YPLA) advising the SRG Strategic Board |
| Publish the Commissioning Plan for the Sub-regional grouping area | Nov/Dec | LSC supporting shadow SRG Strategic Board | SRG Strategic Board and the 3 local authorities |

| | | | |
|---|---------|--|---------------------|
| Provider dialogue and negotiations concerning allocations | Nov/Feb | LSC supporting shadow SRG Strategic Board | 3 local authorities |
| SRG Moderations | Nov/Feb | LSC supporting Shadow SRG Strategic Board | SRG Strategic Board |
| Provisional allocations | Dec/Jan | LSC | 3 local authorities |
| SRG Moderations | Dec Jan | LSC supporting Shadow SRG Strategic Board LSC | SRG Strategic Board |
| Final Allocations | March | LSC | 3 local authorities |

10 Engagement with Stakeholders and Strategic Contribution

- 10.1 The SRG will align its plans to the drivers prevailing within each of the contributing local authority areas as contained within the respective Children and Young People's Plan, and its associated 14-19 Plan. In so doing, we will draw upon the consultative processes which support the delivery of these key documents.
- 10.2 The specific plans and commissioning priorities confirmed by The SRG will be developed with the full and active engagement of all stakeholders.
- 10.3 Each local authority is committed to maintaining and developing its existing mechanisms for consulting with learners and parents/carers, and we will explore ways of facilitating their engagement with the strategic work of the SRG.
- 10.4 It is proposed that consultation with employers will be undertaken through the Employment and Skills Board. This will be supplemented with local consultation through local Chambers of Commerce and other appropriate employer representative bodies as appropriate.
- 10.5 It is acknowledged that it is vital to continue to work well with the LSC in order to secure a seamless transfer of responsibilities. It is likely that our first set of SR Task Groups described in para 6.9 above, will be devoted to work streams which emerge directly from the transfer from the LSC, such as staff TUPE arrangement, data provision, performance information and related functions.

11 Resources and Capacity

- 11.1 In order to ensure that stability and functionality is maintained during the transfer, some practical and operational arrangements need to be covered by this MoU in order to protect the quality of services on offer to learners.

- 11.2 The Shadow SRG Strategic Board will commence its work on 1 April 2009, taking over the reigns from the officer working group that has progressed this issue to date.
- 11.3 The Three authorities agree to work together in a spirit of collaboration and pool resources to achieve the best outcomes where this is appropriate, adds value and demonstrates efficiencies.
- 11.4 It is agreed that the sharing of resources will be evenly allocated between the three authorities with the burden at no time being placed on one authority. The effectiveness of this policy will be reviewed regularly at the Strategic Board. Any issues in relation to resources will be referred to the Executive Group as necessary.
- 11.5 Undertakings made in this submission assume that sufficient resource will transfer to local authorities to allow us to discharge our new obligations properly.
- 11.6 The SRG will have a clear understanding of its staffing and skills requirements by October 2009. This information will then be considered alongside the detail relating to LSC staff transfers as soon as it is available to use.
- 11.7 The SRG acknowledges that the practicalities of TUPE negotiations and the disaggregation of functions may not provide a neat solution in all cases. We understand that some staff transferring may not be fully familiar with the local area or that the mix of skills available to one authority may need to be supplemented by that available elsewhere in the SRG.
- 11.8 The SRG believes that it is important that the LSC staff that will support the transition work with the local authorities from October 2009, as far as possible, are those that will eventually transfer to the local authorities. This will both support smooth transition and ensure effective induction and capacity building of future teams and structures.
- 11.9 The SRG understands that they may not have a full complement of staff that transfer due to vacancies within the LSC. Again the SRG believes it is essential that they are aware of any vacant posts that will transfer and the level of funding that will transfer linked to these vacancies to enable the sub regional group to determine any staff recruitment priorities during the autumn of 2009, allowing sufficient time to have staff in post by April 2010 and/or when responsibility transfers.
- 11.10 The SRG is ready to be proactive in designing a staff structure across the three authorities which supports the collective aims of the SRG efficiently. This will be compromised however, if the transfer of responsibilities from the LSC is not adequately resourced.

12 Policy and Planning

- 12.1 Each local authority will be responsible for the leadership and development of the 14-19 Partnership and plans in its area. In turn, this will inform the strategic

priorities for 16-18. The local authorities will produce a 16-18 Commissioning Plan. This will be aggregated, challenged and moderated by the SRG to ensure it is deliverable within available resources.

- 12.2 The SRG will continue to rely on the Cheshire and Warrington area wide prospectus, developed by the Cheshire and Warrington 14-19 Strategic Group, and the common application process it is currently piloting. Further development will take place at an SRG level where this adds value and drives efficiencies.
- 12.3 Information on employment and skills priorities will be provided by the Employment and Skills Board.
- 12.4 Information on learner demand will be provided through Connexions.
- 12.5 Local authorities will work with the Young People's Learning Agency to ensure sufficient provision for young people with learning difficulties and disabilities (LDD) is available.

13 Liability and Indemnity

- 13.1 The Local Authorities agree that they will resolve all conflicts and differences between them which may arise out of the contents of this MoU or out of their collaborative relationship for the Programme by the Dispute Resolution Procedure set out in this Agreement.
- 13.2 The Local Authorities also agree that they will achieve their objects by co-operative action; the use of joint arrangements set out in this MoU as may from time to time be extended or altered by agreement; and dealings in good faith as between each party. Also and in particular both agree to make no claim against the other in respect of any liability on supposed liability which may arise or be claimed, for any breach of duty or responsibility negligent or otherwise, whether in contract or tort or by reason of breach of statutory duty or otherwise, other than in the case of crime or fraud, which may give rise to any loss or damage.
- 13.3 All property created under this MoU and all liabilities created shall be jointly owned and shared and the Local Authorities agree to indemnify each other on a joint and several basis in respect of all damages, actions, costs, proceedings, claims and demands which may arise be made against either of them by any third party arising out of this joint collaboration or under this MoU.
- 13.4 Each Local Authority will ensure that they are appropriately covered in respect of the risks set out in these Clauses by insurance or otherwise.

14 Dispute Resolution Procedure

- 14.1 This Dispute Resolution Procedure shall be applied to all aspects of this Agreement (save for any disputes over invoices) to the exclusion of all other methods of Dispute Resolution including actions to the Courts for breach of contract, tortious claim, damages, declarations, injunctions or any other form of remedy, except where statutorily compelled to do so.

- 14.2 A Dispute or a Conflict may only be declared by a member of the SRG Executive Board. In the first instance such dispute will be defined and described in writing and will set out a proposal for how the member would wish to have the dispute resolved. At this point, the other local authorities will be given a reasonable time (subject to a maximum of 21 working days) to resolve the Dispute / Conflict.
- 14.3 If such Dispute/Conflict cannot then be resolved within the notified timescale then the Dispute/Conflict shall be escalated as in Clause 14.4 (below).
- 14.4 The Dispute/Conflict or part thereof not so resolved as in Clause 14.2 (above) shall be referred to the Government Officer North West (GONW), acting as 'sponsors' of the SRG, for resolution. The procedure to be adopted by the GONW and the help which they may seek shall be entirely in the hands of the GONW determine and to put in place.
- 14.5 Any Dispute/Conflict or part thereof not so resolved as in Clause 14.4 (above) within 21 working days shall be referred to an independent expert to be agreed by the Local Authorities or in default of an agreement the independent expert shall be imposed by Centre for Dispute Resolution ("CEDR").
- 14.6 Such expert shall be briefed jointly by each Local Authority and otherwise the procedure to be adopted for the Dispute Resolution shall be entirely in the hands of the independent expert together also with the assistance which the independent expert may require to be given.
- 14.7 The Local Authorities agree that the decision of the independent expert or in earlier stages of the procedure as may be appropriate shall be absolute, final and binding on them and to have an immediate effect.
- 14.8 The exercise of these Dispute Resolution Processes shall be at the joint expense and the expense of the implementation of the decision following the outcome of the Dispute Resolution Procedure may be recoverable in the Courts as a contract debt.
- 14.9 It is agreed that if the declaration of the Dispute or Conflict shall be that it relates to a disputed proposed course of action by one or both Local Authorities, the proposed course of action shall be stayed pending completion of the Dispute Resolution Procedure.
- 14.10 The Local Authorities are empowered to supplement the Dispute Resolution Procedure as set out, by agreement, to be recorded in writing, in order to fill gaps and for reasons of practicality with the intention of creating an efficient and fair system

15 **General**

- 15.1 It is agreed for the purposes of the **Contract (Rights of Third Parties) Act 1999** that this MoU is not intended to and does not give to any person who is not a party to this MoU any rights to enforce any provision contained in this MoU.

16 **Costs**

- 16.1 It is agreed that each Local Authority will meet its own costs in the preparation and completion of this MoU.

17 Period

- 17.1 This agreement will remain in force until such time as the SRG arrangements are no longer required of local authorities to support the discharge of their obligations for post 16 education. It will be formally reviewed by March 2011. Any changes required before this time can be enacted by the agreement of the three local authorities as appropriate.

Signed:

Position:

Date:

On behalf of
Warrington Borough
Council

Signed:

Position:

Date:

On behalf of
Cheshire East Council

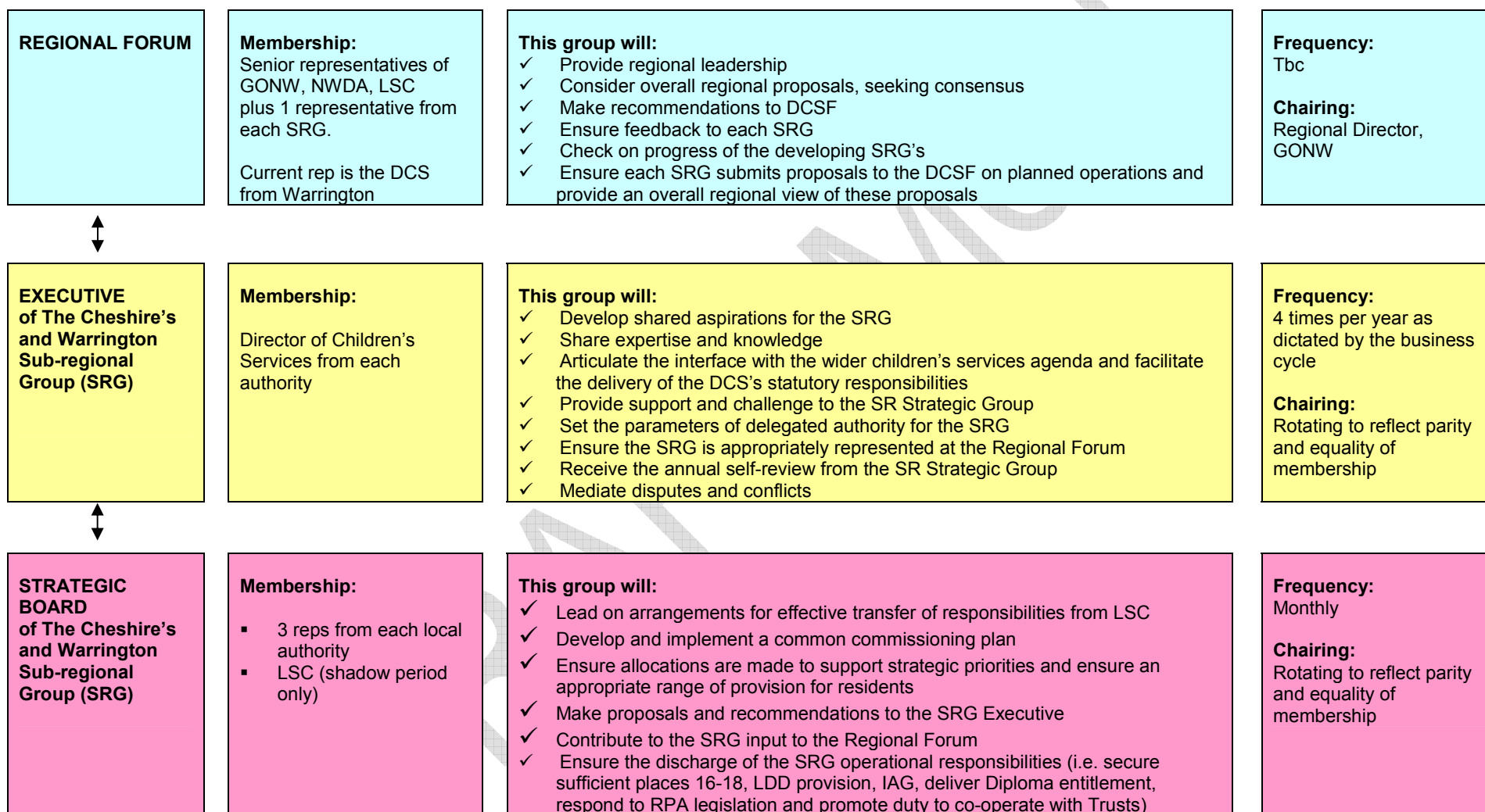
Signed:

Position:

Date:

On behalf of
Cheshire West and Chester
Council

Appendix 1



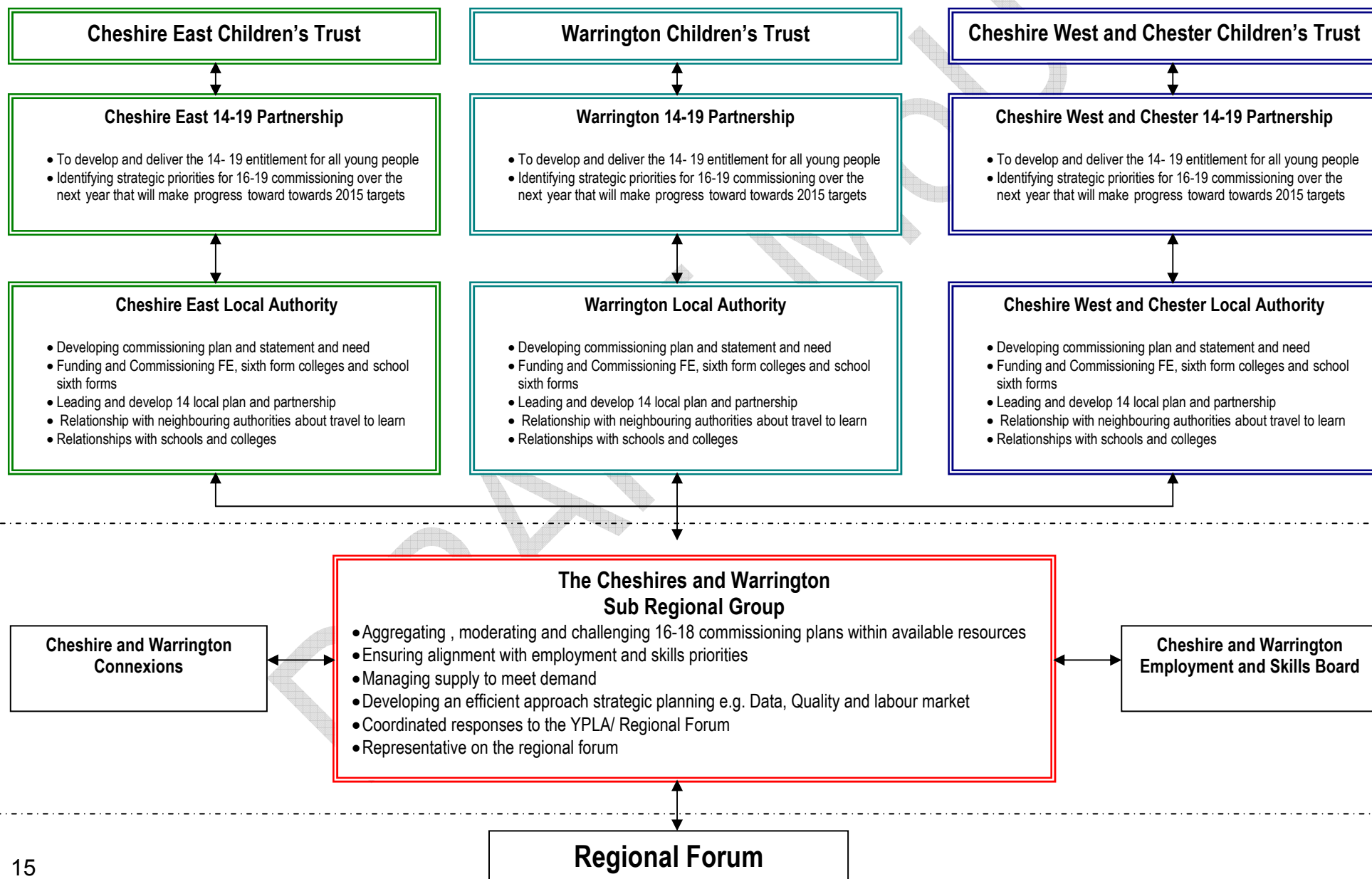
Appendix 2

Existing shared VALUES and PRINCIPLES

The overarching values and principles to which Cheshire and Warrington partners and providers are committed are:

- ✓ A collective responsibility to meet the needs of all young people in the local area putting the needs of young people above those of the institution.
- ✓ An inclusive and diverse provision that has a range of opportunities which are personalised for all young people including those with special needs or disability.
- ✓ Equality of opportunity for, and treatment of, all young people.
- ✓ The accommodation of a varied range of personalised learning styles, methods and locations which embrace e-learning.
- ✓ A commitment to involve young people in the planning and development of provision.
- ✓ The development of all young people to become independent and confident learners.
- ✓ Motivation and support for all young people to develop appropriately high aspirations.
- ✓ Equal value to be given to all learning pathways.
- ✓ A commitment to high quality, impartial information, advice and guidance to enable all young people to make informed choices.
- ✓ A healthy & safe learning environment.
- ✓ Efficient use of high quality resources that are effectively deployed in ways that provide value for money.
- ✓ High quality delivery and a commitment to continual improvement.
- ✓ Education and training provision that reflects the needs of the employment market and local communities.

Appendix 3: The Cheshire's and Warrington Sub Regional Grouping - Arrangements



Appendix 4

The new 14-19 responsibilities of the local authority

Over the next five years, local authorities will be taking on a number of new, significant and challenging responsibilities. Effective collaboration will be critical to their successful delivery.

Connexions: the Education and Skills Act 2008 gives local authorities responsibility for provision of Connexions services. Local authorities will need to ensure that young people receive effective IAG and support to take the right learning and careers options for them and that the Connexions service, whether in-house or commissioned, engages effectively with schools, colleges and other learning providers and is delivered as a valued and effective part of their integrated and targeted youth support services.

Transfer of 16-19 funding: from 2010 local authorities will, subject to legislation, have a duty to secure learning places for 16-18 year olds resident in their area and for learners with learning difficulties and/or disabilities up to the age of 251. Local authorities will become the single point of accountability for all 0-19 Children's Services.

The Diploma entitlement: by 2013 local authorities will have a statutory duty to secure the Diploma entitlement for every young person in the area, working across boundaries as necessary. 14-16 year olds will be entitled to access the first 14 Diploma lines and those aged 16-18 will be entitled to access all 17 lines.

Raising the Participation Age (RPA) : the Education and Skills Act 2008 legislates so all young people will remain in education or training until the end of the academic year in which they turn 17 by 2013 and until 18 by 2015 or until they achieve a level 3 qualification, whichever is the soonest. Local authorities will have a duty to promote effective participation of all young people in their area and will need to ensure there is the provision and support that caters for all of the possible ways to participate. This will require strong leadership from local authorities so that every young person can access the right curriculum offer for them. Young people will be able to participate in a range of ways, including through full-time education, work-based learning, or part-time training alongside full-time employment.

Duty to cooperate and Children's Trust legislation: The 2008 Act requires local authorities to put in place arrangements to promote cooperation between the local authority, its 'relevant partners' and 14-19 providers as part of the Children's Trust. We recommend 14-19 Partnerships, as a sub-set of the Children's Trust, as the model local authorities should use to meet this duty. The Act through regulations also makes it a requirement for a 14-19 representative to be included on the Schools Forum to represent the broader 14-19 work.

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting: 3 November 2009

Report of: Strategic Director Places

Subject/Title: Notice of Motion - Free Car Parking Trial in Macclesfield

Portfolio Holder: Councillor David Brickhill

1.0 Report Summary

- 1.1 At its meeting on 23rd July 2009, Council considered the following Notice of Motion submitted by Councillors A Arnold and J Narraway and resolved that the motion stand referred to Cabinet:

“That Cheshire East Council suspends car parking charges on Saturdays in Macclesfield Town Centre for a trial period of three months initially, subject to a review of its effect in increasing local trade, will, if proved successful, extend the duration of the scheme and implement the same measure to other town centres in Cheshire East requiring assistance in regenerating local businesses.

Given the urgency of the need for regeneration assistance within our town centres, the trial scheme in Macclesfield should be implemented as quickly as possible.”

2.0 Decision Requested

- 2.1 That Cabinet does not introduce a trial scheme for free parking but continues to invest in real *recession busting* activities through the work of its Task Group.

3.0 Reasons for Recommendations

- 3.1 This report asks Cabinet to consider this motion in light of the latest financial implications (8.0) and the advice from the Recession Task group (11.1 to 11.4).

4.0 Wards Affected

- 4.1 The trial scheme proposed would only affect Macclesfield Town but this would need to be extended to all towns and villages across the Borough.

5.0 Local Ward Members

- 5.1 Ward Members for Macclesfield Town.

6.0 Policy Implications including - Climate change

- Health

6.1 None specifically associated with the introduction of free parking.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 None

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 The cost of suspending car parking charges on Saturdays for a three month period in Macclesfield Town Centre is estimated to be £41,000.

8.2 If this were to be extended across the whole Borough, the full year effect on income budgets would be a reduction of approximately £420,000 per annum.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 Should Cabinet decide that car parking charges will be suspended, it will be necessary to publish a notice of variation of the charges in the local press at least 21 days before it is due to come into force. The placing of such notices in the local press usually cost in the region of £600-800. It will also be necessary to erect notices at the appropriate car parks advising its users of the variation in charges and the date upon which it will come into effect.

10.0 Risk Management

10.1 The financial risks are set out in 8.0 above.

11.0 Background and Options

11.1 Cheshire East Council is demonstrating its leadership and commitment towards addressing the real and immediate impacts of the current recession through the work of its Recession Task Group. We are working to provide a coordinated range of actions to support our town centres through the recession, including projects to:

- Introduce an intense town centre street cleansing scheme.
- Promoting town centre floral displays to maximise retail benefit from RHS visitors
- Work with landlords and agents of empty units to smarten up vacant shops to help attract new businesses and visitors through themed window displays
- Investigate the feasibility of a Cheshire East Loyalty Card Scheme
- Developing a shop frontage improvement grant scheme
- Provide a recession survival guide on the Council web site and running support events for local businesses.

- 11.2 The primary factor affecting a town's competitiveness is the town's offer and Cheshire East Council is promoting an active intervention to support local regeneration projects from any town in Cheshire East wishing to get involved.
- 11.3 An extensive review of project options has taken place to ensure the effectiveness of the Councils recession busting activities. As part of that process, the impact of car parking charges of town centres has received detailed consideration. Pilot schemes have taken place across the country and these have provided inconclusive evidence to indicate the effectiveness of this action.
- 11.4 The overall message from a recent market towns car parking research project was that the relationship between parking and economic performance is weak. The report noted that management of parking can have a positive impact on economic viability by enabling better use to be made of the public space within towns.
- 11.5 Effective Car Park management contributes positively to the economic performance and customer experience of our town centres and seeks to provide good quality, accessible and secure facilities for workers, shoppers and other visitors.
- 11.6 Evidence from other areas suggests initiatives of this type do not, in fact, increase usage of our facilities or retail 'footfall' and spend in our shopping centres. Schemes like this can simply shift existing demand to the free periods, resulting in a poor customer experience caused by a lack of available spaces at these times and increased traffic congestion.
- 11.7 To ensure fairness and consistency, any such concessions would need to be implemented across the Borough.

12.0 Overview of Year One and Term One Issues

12.1 N/A

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Tel No: 01270 529614
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CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting: 3 November 2009
Report of: Russ Glennon Head of Policy and Performance
Subject/Title: Interim Single Equality Scheme 2009 - 2010
Portfolio Holder: Councillor David Brown

1.0 Report Summary

- 1.1 This report introduces Cabinet to the Interim Single Equality Scheme and Action Plan 2009 – 2010.

2.0 Decision Requested

- 2.1 Cabinet are recommended to approve the Interim Single Equality Scheme and Action Plan 2009 – 2010.

3.0 Reasons for Recommendations

- 3.1 At the CMT meeting held on 7th July 2009 Management Team authorised the development of an Interim Single Equality Scheme to set out the Council's overall commitment to equality and diversity. The attached Scheme and Action Plan sets out the council's approach to equality and diversity in Cheshire East and how we will manage, plan and mainstream equality and diversity in our day to day work. It is the 'umbrella' document for our statutory and non-statutory action plans.
- 3.2 The information and intelligence used to produce the interim scheme builds on the work of previous authorities and includes the views and comments of a range of stakeholders. We have reviewed what we did in the past and thought we could do things better for the future. The Research and Intelligence Team prepared an equality profile of the Borough to inform the development of the Scheme and the ethos of understanding our communities and mapping issues relating to equal access and inclusion was the basis for our action plan. We are a new organisation and we want to have a greater understanding of the way people live in, work in and visit our Borough, we need to understand the issues of disadvantage and how these impact on people so we can do more to make things fairer.

3.3 Equality Framework for Local Government

The Equality Standard for Local Government (ESLG) has been revised to take account of feedback from local authorities, the challenges and opportunities introduced by the local government white paper, 'Strong and Prosperous Communities', and the new performance and assessment framework. It is replaced, from April 2009, by a new Equality Framework for Local Government (EFLG). This provides a simpler approach that reduces the amount of process and introduces a more outcome focused method. It is intended to be proportional and relevant to the needs and circumstances of each authority. It integrates the public duties on race, disability and gender and provides a common performance framework for compliance. Three levels of achievement replace the five in the Equality Standard: 'developing', 'achieving' and 'excellent'. Progress will be measured by self assessment supported by peer review.

The framework is built around five performance areas:

- Knowing your communities and equality mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- A modern and diverse workforce

Use of the framework will enable local authorities and their Local Strategic Partners to identify and analyse equality priorities for inclusion in their Local Area Agreements (LAAs). The framework also complements the new performance assessment framework – the CAA. It allows authorities to 'migrate' their achievements under the original Equality Standard.

3.4 Migrating achievements from the Equality Standard to the Equality Framework

Authorities that have reached levels 1 and 2 will be treated as 'developing'. Those at level 3 will be treated as 'achieving'. Those at level 4 will be classified as 'moving towards excellence' and those at level 5 as 'excellent'.

Performance by predecessor councils indicates that Cheshire East Council lies between 'developing' and 'achieving'. A goal to be an 'achieving' council, working towards 'excellence' has been incorporated in the interim Single Equality Scheme and will also be in the three-year Single Equality Scheme, 2010 -2013. This will support action planning over the period to move the council to its target level.

4.0 Wards Affected

4.1 All

5.0 Local Ward Members

5.1 All

**6.0 Policy Implications including - Climate change
- Health**

6.1 No implications for climate change

6.2 Policy implications for health are recognised within the Interim Single Equality Scheme. The Scheme will support the addressing of health inequalities

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 None

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 Cost of purchase of on line Equality and Diversity training.

9.0 Legal Implications (Authorised by the Borough Solicitor)

9.1 As detailed in the Report the Interim Single Equality Scheme will cover the Council's statutory duties and responsibilities under current equality legislation.

10.0 Risk Management

10.1 The Council will not meet its statutory duties and responsibilities contained in equality legislation if the Interim Single Equality Scheme is not approved

11.0 Background and Options

11.1 The Scheme covers our statutory equality duties in relation to race, disability and gender and our non-statutory duties in relation to age, sexual orientation and religion/belief. While there is no statutory requirement to meet general and specific duties in these areas, broadening our approach to all six recognised equality strands illustrates our commitment to inclusion for all, and puts us in a good and realistic position for expected changes in national equalities legislation. A Single Equality Scheme covering the six equality strands is likely to become a legislative requirement once the 2009 Equality Bill passes in legislation. The Interim Scheme covers the period 2009-2010

and will inform a Single Equality Scheme which is being prepared and will cover a three year period from 2010 to 2013.

12.0 Overview of Year One and Term One Issues

12.1

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Interim Head of Policy and Strategy

Tel No: 01625 504101

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Appendices

Appendix A Interim Single Equality Scheme

Appendix B Action Plan

Cheshire East Council
Interim Single Equality Scheme to March 2010

Introduction Chief Executive and Portfolioholder for Performance and Capacity

As a new Council, Cheshire East Borough Council is committed to providing high quality, customer focused services for all people living in, working in or visiting the Borough. We are determined to further develop our equal opportunities agenda both to meet our statutory responsibilities, provide quality customer services and as part of the achievement of our corporate aims and objectives. Our aim is inclusion for all. For this reason we are reviewing every aspect of our equalities programme, we are effectively beginning again with the benefit of having some experience of what works and what we can do better. This means we are redesigning our Equality Impact Assessment toolkit and guidance to help us get it right for the community of Cheshire East

This document and the programme of action it supports is designed to help the Council meet its statutory obligations covering both fair employment practices and access to all the Council's services.

It is comprehensive in scope, encompassing all the functions of the Council and all categories of equality and diversity.

As well as aiming to meet the standards required and set out in statutory legislation (and related codes of practice), the Council will seek to improve and develop its approach and work towards the achievement of best practice and standards required by regulatory bodies and defined in national standards such as the Equality Framework for Local Government.

The Council also recognises its community leadership role in the Borough and will work closely with the Local Strategic Partnership and with other major partners to promote equality and inclusion within the Borough

The Council will seek to prioritise its efforts to reflect the Borough's demographic and economic context, whilst also recognising the absolute requirement to fulfill its statutory obligations.

1 Introduction

Cheshire East Borough Council's Interim Single Equality Scheme serves two purposes:

1.1 To set out the Council's overall commitment to equality and diversity in one document.

The Council's Interim Single Equality Scheme contains:

- our approach to equality and diversity in Cheshire East
- how we will manage, plan and incorporate equality and diversity in our day to day work.

1.2 To be the 'umbrella' document for our statutory and non-statutory equality schemes.

The Council's Interim Single Equality Scheme contains:

- our statutory equality duties in relation to race, disability and gender and our non-statutory duties in relation to sexual orientation, religion/belief and age.

The Council's Interim Single Equality Scheme will help us ensure that we focus more on the outcomes that matter to the community and people who use our services; and that our services are more accessible and delivered effectively.

The Council's Interim Single Equality Scheme incorporates, for the first time, information, issues and potential areas for action in relation to age, religion/belief and sexual orientation. While there is no statutory requirement to meet general and specific duties in these areas, broadening our approach to all six recognised equality strands illustrates our commitment to equality and inclusion for all, and puts us in a good and realistic position for potential changes in national equalities legislation.

This Interim Single Equality Scheme sets out the Council's equality and diversity objectives for the first year of Cheshire East Borough Council (2009 – 2010). It will also suggest our future areas of focus for the Council to be included in the next 3 year Single Equality Scheme 2010-2013

2 Specific Duties

The Equality Bill, due to come into force in 2009, will replace current legislation with a new streamlined and strengthened Equality Duty, which will be extended to cover sexual orientation, gender reassignment, age and religion or belief.

Under the Equality Bill, public bodies will have to consider how services affect a wide range of different people. The purpose of the new Bill is to make Britain a fairer place, where people have the opportunity to succeed whatever their race, gender, disability, age, sexual orientation, religion or belief. The Bill extends the existing duties and places additional equality duties on the public sector. Public authorities already have a legal duty to consider how their spending decisions, employment practices and service delivery can affect people according to their race, disability or gender.

3 Who does the scheme apply to?

This scheme applies to:

- users of the Council's services and visitors to our buildings and facilities
- members of our community and visitors to our Borough
- councillors
- employees – including any person on secondment from other organisations or on fixed term contracts
- partners and service delivery agencies
- volunteers
- freelance and temporary staff representing the Council and
- contractors and sub-contractors

4 Our Commitment and Vision

The Council's Interim Single Equality Scheme will support and supplement the Council's corporate priorities, as set out in our Corporate Plan,

Our Vision is to.....

Work together to improve community life

We will

- enable all children and young people to fulfill their potential
- improve the wellbeing, health and care of people
- ensure that people in local communities have a greater say about how resources are targeted in their area
- work with others to make all our communities safer places to live, work play and visit
- enable people to have a good quality of life irrespective of where they live or their social or economic background
- shape and maintain strong and prosperous neighbourhoods in which our residents are skilled and economically active, where businesses want to invest and where people want to visit
- provide an attractive and sustainable environment which communities can be proud of

5 Our Values

The overall aim of the Council is to have a positive impact on all sections of the communities that we serve. We have developed a set of core values and key behaviours to underpin this aim. These are collected together as ASPIRE

Action

“take responsibility for making the right things happen”

We will

- Implement agreed changes as quickly as possible

- Balance urgency with quality and efficiency in delivery
- Take responsibility for solving problems where possible
- Be flexible about the way we work

Support

“work and learn together in order to succeed”

We will

- Communicate clearly and openly
- Share information and best practice with others
- Work together being prepared to compromise
- Encourage and support others to achieve their potential

People

“put customer and community needs at the heart of what we do”

We will

- Do our best to understand people’s needs and requirements
- Treat each person as an individual providing choice where possible
- Work hard to make our processes simple
- Agree realistic timescales and keep people informed

Integrity

“be open honest and fair expecting the same of others”

We will

- Treat everyone with dignity and respect
- Speak up when others are behaving inappropriately
- Face up to difficult or awkward questions and situations
- Separate personal feelings from professional requirements

Recognition

“value all views, efforts and achievements”

We will

- Involve all members of our team, valuing their differences
- Acknowledge everyone's efforts and contributions
- Give and receive feedback positively and constructively
- Celebrate success

Excellence

"strive to improve all that we do"

We will

- Take the initiative and make suggestions
- Keep up to date with new developments
- Try new ideas and approaches
- Reflect and learn from our own and others' experiences

6 How we will incorporate Equality

The Council's Interim Single Equality Scheme will incorporate equality by:

- integrating equality into all our functions, procedures and policies
- ensuring that the Council's priorities incorporate the principles and values of this scheme
- ensuring that arrangements are in place to monitor, evaluate and report on our progress against our interim single equality scheme action plan as well as our progress on mainstreaming equality issues
- ensuring that we engage effectively with stakeholders and local communities in delivering and monitoring the scheme;
- embedding equality into our service planning and practices and
- embedding equality into the management, monitoring and implementation of this scheme into the Council's performance framework

The Corporate Management Team (CMT) will be accountable for the implementation and enforcement of this Scheme. This will strengthen the Council's commitment to the Scheme, as it will be owned centrally and not by just one section of the Council. The ethos of the scheme will be thread through all corporate plans and policies and will be apparent in all Council activities.

7 How the scheme Was Developed

The information and intelligence used in producing this scheme has built on the work of previous authorities and included the views and comments of a range of stakeholders. This includes:

- Rationalising existing equality schemes and equality strategies of the county and district councils
- Analysis of findings from previous consultation events and information used to produce, and priorities the previous schemes and strategies. This was quite recent intelligence and, therefore, still relevant.
- Preparing an Equality Profile 2009

8 Council Priorities for Equality and Diversity and what we do next

Analysis of intelligence and data gathered through the development of this scheme has helped us to determine the following priorities

8.1 To have a modern and diverse workforce

The ability to deliver responsive, personalised services will depend in a large part on the composition, skills, understanding and commitment of our workforce. The implementation of this priority will need to ensure that:

- relevant equality objectives are built into workforce strategies
- there is an understanding of the local labour market
- there is an understanding of the barriers equality groups face
- all major employment policies are equality assessed
- plans are in place to improve representation at senior levels of women, Black, Asian & Minority Ethnic officers and officers with disabilities

- training and development programmes address equality issues
- there is effective action to address equal pay
- there is a workplace culture in which staff are treated with dignity and respect

8.2 To foster community engagement and satisfaction

We recognise the importance of community engagement and participation and we want to move far beyond simple consultation exercises, important as they can be, to find innovative ways of involving communities and neighbourhoods. However, communities of place are not always synonymous with communities of interest and it remains important to have the means to involve these communities of interest in decision making as well as service and workforce planning.

8.3 To have responsive services and excellent customer care

Service provision, whether provided directly or procured or commissioned, remains a central function. The implementation of this priority will require all Directorates to personalise services to meet the needs of people with different backgrounds and ensure fair access.

8.4 To understand and know our community

Our society is becoming more diverse. Understanding differences is no longer just an issue for urban areas with large black, asian and minority ethnic (BAME) groups. The prosperity and cohesion of all communities are affected by differing age, gender, disability, religious and sexual orientation profiles. It is also important to understand differences within communities. There are many forms of disability; gender too is a very wide category and there will be great differences, as well as similarities, in the experience of women. Many areas of the Borough are also ethnically diverse and the experience of all groups will be affected by socio-economic factors. Today it is impossible to assume we know the composition of our communities – we have to find that out.

We believe that work on ‘Knowing your communities and equality mapping’ will also provide the evidential basis for other work on community cohesion, customer care and will be the basis for work on the public duties and the Comprehensive Area Assessment (CAA).

The term ‘equality mapping’ has been added to the more familiar ‘knowing your communities’ to emphasise the importance of understanding difference in the context of other major issues such as health, education, community safety, access to work and identifying where the equality gaps are for different groups. Measuring the gaps should be the basis of identifying local priorities and key outcomes. It will be impossible to develop an outcome-focused approach without this core evidence.

8.5 To embed and promote equality within our partnerships, procurement and commissioning

Progressing the equality agenda in Cheshire East requires working in partnership with local primary care trusts, the police and fire and rescue services and the voluntary and community sector. Local strategic partnerships (LSPs) will often be the natural vehicle for such partnerships. Narrowing equality gaps and improving the life chances of different groups will require a pooling of evidence, resources and action planning.

Of particular importance will be a robust process for equality impact assessments (EIAs) and the implementation of action plans, equality proofing procurement and commissioning and monitoring access.

8.6 To have an effective performance framework and demonstrate continuous improvement

These equality priorities will inform and influence the development of service implementation action plans. This will shape our equality and diversity agenda for the next scheme due to be published in April 2010 and cover the 2010 to 2013 period.

The Council has set out its intention to be confirmed as an achieving Council under the Equality Framework for Local Government. The priorities in the Interim Single Equality Scheme and the next three year scheme will confirm the Council's achieving status and show areas of excellence assessed by the peer review

9 Equality strands and Council Commitments

This is an Interim Single Equality Scheme. It is important to look at the different aspects of diversity separately and in detail as outlined below. This will help us to recognise and respect the many varied and extensive needs of our community.

| | | |
|------------|---|---|
| AGE | <ul style="list-style-type: none">• Cheshire East has an age structure slightly older than that of England and Wales and has an aging population. 17% of the population were over 65 at the time of the 2001 Census. This had risen to 18% in 2007 and is forecast to reach 26% by 2026. (Cheshire East Population Forecasts).• The number of older people (aged 65+) has increased by 20% from around 54,200 in 1991 to 64,800 in 2007. The increase was greater in the Congleton area (29%) than in the Crewe & Nantwich (19%) and the Macclesfield area (15%).• A higher proportion of older people living in income-deprived households live in the Macclesfield area.• Rates of claimants of Disability Living Allowance were higher amongst 60 - 69 year olds than any other 10-year age group. (Department of Work and Pensions 2009) | <p>We are committed to promoting equality of opportunity for younger and older people. We recognize that society can have negative attitudes, stereotypes and myths about youth, ageing, younger and older people. These attitudes and beliefs can lead to both younger and older people being socially and economically disadvantaged, excluded and marginalized. We believe that younger and older people have the right to equality of opportunity and that they make a significant and valuable contribution to the community of Cheshire East</p> <p>Age equality means securing the equal participation in society of people of every age, securing a balance between equality of opportunity and respect for difference.</p> <p>We will</p> <ul style="list-style-type: none">• Promote positive images of younger and older people• Challenge patronising or discriminating attitudes• Provide support, assistance and care to older and younger people to enable them to lead independent lives• Support older and younger people according to their individual need |
|------------|---|---|

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| Disability | <ul style="list-style-type: none"> • In Cheshire East nearly one in four people suffer from a long term illness which limits their day to day activities; this figure is similar to that of England and Wales. • Just over fourteen percent of the working age population in Cheshire East are disabled. This figure is lower than both the North West (19.6%) and England & Wales (18.2%). • Four percent of the total population were claiming Disability Living Allowance. Five percent of the working age population were claiming Incapacity Benefit/Severe Disablement Allowance and of these people, four out of ten were claiming for mental health or behavioural related disorders. • Suicide rates across Cheshire East were lower than the North West and England. The rate is highest in the Crewe and Nantwich area. • Ten percent of the adult population in Cheshire East are un-paid carers, of these people nearly one in six provide more than fifty hours of care per week. | <p>We are committed to promoting equality of opportunity and eliminating discrimination for disabled people.</p> <p>We will</p> <ul style="list-style-type: none"> • Remove barriers to access, particularly to housing, employment and services, information and buildings • Encourage good practice in the private sector through our procurement and commissioning arrangements and enforcement powers • Support employees with caring and domestic responsibilities who may need to work part time or flexible hours or work from home • Uphold the Social Model of disability and our guiding principles in our role in procurement and in our partnership duties • Promote positive images of disabled people • Make the environment as safe as possible and challenging antisocial and bullying behaviour against disabled people • Provide support assistance and care to disabled people to enable them to lead independent lives and according to their individual need • Enable disabled people's active participation • Involve disabled people in the changes and improvements we make • Consult with disabled people on issues affecting them rather than with people acting on their behalf |
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| Gender | <ul style="list-style-type: none"> • 10% of the adult populations of Cheshire East are unpaid carers. Of these, nearly 1 in 6 provides more than 50 hours care per week (Census 2001). • The % of unemployed females who are long-term unemployed is higher than the male rate (Census 2001). • Lone parents in Cheshire East are 7.5 times more likely to be female than male (Census 2001). • Women are significantly more likely than men to work for less than 30 hours per week whereas men are significantly more likely than women to work for more than 49 hours per week. (Census 2001). • Women are more likely to claim Disability Living Allowance than men. (Department of Work and Pensions 2009) | <p>We are committed to combating sex discrimination and sexism promoting the equality of women, men and people who are transgender.</p> <p>We recognize that society has stereotypes for women, men and people who are transgender and they can lose opportunities because of these stereotypes</p> <p>We will</p> <ul style="list-style-type: none"> • Support employees with caring and domestic responsibilities who may require to work part time, flexible hours or work from home. • Work in partnership with other agencies to eliminate sexual harassment, sexual violence domestic abuse and other hate crimes |
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| Race | <ul style="list-style-type: none"> • Four out of five residents in 2008 felt that people from different backgrounds get on well together in their local area. • A very high proportion of residents say they are white British (96%) Estimates suggest that 93.4% of Cheshire East's population is White British. 2.9% are White Other, whereas 3.6% of Cheshire East's population is non-white. 1.4% of the population is Asian, 0.9% mixed, 0.8% Chinese or other and 0.6% Black • Over the last five years Cheshire East has experienced a high number (6,272) of workers registering on the Worker Registration Scheme, second only to Manchester within the North West. The majority of the workers were Polish (83%), with many working in or around Crewe. • Around one in ten visitors to the Customers Services desks within Crewe were from people who identified themselves as Foreign Nationals. Of these the largest group were Polish nationals (63%), followed by Slovaks (6%), Asians (6%) and Iraqi/Kurds (5%). • Within the area there is also a presence from the Gypsies and Traveller community. Research | <p>We recognise that black and minority ethnic people experience discrimination on the basis of colour, race, nationality, religion, and ethnic origin. This discrimination manifests itself in areas such as housing, employment, education and access to services. The Council will take all necessary measures to prevent and tackle racial harassment and assist black and minority ethnic people freedom from harassment</p> <p>We will</p> <ul style="list-style-type: none"> • Gain a better understanding of all ethnic and faith groups, their background and needs and how we respond to them • Encourage dialogue between different racial groups on our services • Promote activities that celebrate diversity generally and foster understanding and respect for the culture and faith of all our residents • Encourage all ethnic groups to exercise their rights as citizens and participate in the democratic process • Support the voluntary and community sector to promote good race relations • Counter myths and misinformation that may undermine good community relations • Promote the active participation of minority communities in shaping the future of Cheshire East • Ensure that our employees, contractors and |
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| | <p>suggests that over half felt that they had been treated unfairly because of their ethnic background, with around 15% considered themselves to have a disability</p> <ul style="list-style-type: none"> • Crewe and Nantwich (former district boundary) has the highest number of new National Insurance registrations. Annually since 2004/5 Crewe and Nantwich has seen more registrations than the two former districts of Macclesfield and Congleton combined. Nationally, Poles are the largest migrant group. | <p>partners fully understand the principles of good race relations</p> |
| Religion and Belief | <ul style="list-style-type: none"> • More than 80% of Cheshire East residents are Christian (Census 2001), higher than the national average. • 3,275 people are from the Buddhist, Hindu, Jewish, Muslim or Sikh faiths (Census 2001), but demographic changes since the last Census are expected to have increased this number. • Immigration from Eastern Europe, particularly Poland in the Crewe area, is expected to have also increased the numbers of Roman Catholics. | <p>We recognise that people can face discrimination because of attitudes in society towards the faith communities to which they belong. Faith-based hate crime is a new phenomenon developing a character that is distinct from race hate crime</p> <p>We also recognise that a persons religious beliefs may mean that they have different needs, demands and expectations, which require flexibility on the part of a service provider or employer.</p> <p>We are committed to eliminating discrimination on the basis of religion or belief</p> <p>We will</p> <ul style="list-style-type: none"> • Work with faith groups within our community to gain a better understanding of their needs • Work with faith groups to promote equality and |

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| | | <p>cohesion within our communities</p> <ul style="list-style-type: none"> • Challenge stereotypes and improve knowledge about faiths and beliefs • Promote harmony and understanding between different faith groups with the view of promoting community cohesion • Challenge discrimination on the grounds of religion and belief • Promote equality for employees and service users, regardless of their religion or belief • Provide responsive and appropriate services for all sections of the community • Create an environment free from harassment and victimisation for faith groups • Improve communication, participation and engagement with faith groups • Challenge behaviours, attitudes and practices which cause offense or isolate faith groups |
| Sexual Orientation | <ul style="list-style-type: none"> • Around six percent of the adult population are estimated to be lesbian, gay or bisexual. Across Cheshire East this equates to 17,700 adults. Between 2006 and 2008 there were 276 civil partnerships across Cheshire. • Survey results of lesbian, gay and bisexual people indicate that around half would expect to face barriers to selection as a local government candidate in the North West for either the Labour or Liberal Democrat Party. Selection to the Conservative party was felt to be even more difficult with | <p>Cheshire East Borough Council is committed to combating discrimination faced by lesbians, gay men and bisexual people. We want to ensure equality of opportunity for lesbians, gay men and bisexual people across services and employment.</p> <p>We will</p> <ul style="list-style-type: none"> • Eliminate and act against homophobic and discriminatory attitudes and behaviours in the workplace and services • Take advice from lesbians, gay men and bisexual people to ensure that policies, procedures and services are inclusive and |

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| | <p>nine out of ten respondents expecting to face barriers to selection in the North West.</p> <ul style="list-style-type: none"> • In addition, nine out of ten would expect to face barriers to becoming a school governor in the North West, the worst of all nine English regions. • Older lesbian, gay and bisexual people have differing living and family arrangements than heterosexual people; they are two and half times more likely to live alone and they are four and a half times less likely to have children to help when needed. This will inevitably place a higher reliance on formal services and care. However, fear of discrimination and fear of disclosure – or ‘outing’ – often prevents such groups from accessing such services. | <p>effective</p> <ul style="list-style-type: none"> • Respect the rights of individuals to be open about their sexual orientation • Tackle homophobia, challenge stereotyping and improve knowledge about lesbians, gay men and bisexual people • Make the environment as safe as possible and challenge antisocial or bullying behaviour against lesbian, gay men and bisexual people • Monitor and evaluate policies and procedures • Ensure that the recruitment, employment and promotion of our employees is inclusive and fair for lesbians, gay men and bisexual people • Work with groups to promote and raise awareness of the lesbians, gay men and bisexual community |
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10 Legal Issues

The list below provides a round-up of all the current equality and diversity legislation that the council must comply with.

Civil Partnerships Act 2004

This Act provides legal recognition and parity of treatment for same-sex couples and married couples, including employment benefits and pension rights.

Disability Discrimination Act 1995

This Act outlaws discrimination of disabled people in employment, the provision of goods, facilities and services or the administration or management of premises.

Disability Discrimination Amendment Act 2005

This Act introduces a positive duty on public bodies to promote equality for disabled people.

Employment Equality (Age) Regulation 2006

This protects against discrimination on the grounds of age in employment and vocational training. It prohibits direct and indirect discrimination, victimisation, harassment and instructions to discriminate.

Employment Equality (Religion & Belief) Regulation 2003

This directive protects against discrimination on the grounds of religion and belief in employment, vocational training, promotion and working conditions.

The Employment Equality (Sex Discrimination) Regulations 2005

This introduces new definitions of indirect and indirect discrimination, harassment, explicitly prohibits discrimination on the grounds of pregnancy or maternity leave, and sets out the extent to which it is discriminatory to pay a woman less than she would otherwise have been paid due to pregnancy or maternity issues.

Employment Equality (Sexual Orientation) Regulation 2003

This directive protects against discrimination on the grounds of sexual orientation in employment, vocational training, promotion, and working conditions.

Equal Pay Act 1970 (Amended)

This gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and the woman are doing like work, work related as equivalent under an analytical job evaluation study, or work that is proved to be of equal value.

Equality Act 2006

This establishes a single Commission for Equality & Human Rights which replaces the three existing commissions. It introduces a positive duty on public sector bodies to promote equality of opportunity between men and women and eliminate sex discrimination. It protects against discrimination on the grounds of religion and belief in terms of access to goods, facilities and services.

Gender Recognition Act 2004

The purpose of this Act is to provide transgender people with legal recognition in their acquired gender.

Race Relations Act 1976

This Act prohibits discrimination on racial grounds in the areas of employment, education and the provision of goods, facilities and services and premises.

Race Relations Amendment Act 2000

This places a statutory duty on all public bodies to promote equal opportunity, eliminate racial discrimination and promote good relations between different racial groups.

Race Relations Act (Amendment) Regulation 2003

This introduces new definitions of indirect discrimination and harassment, new burden of proof requirements, continuing protection after employment ceases, new exemption for a determinate job requirement and the removal of certain other exemptions.

Racial and Religious Hatred Act 2006

This Act seeks to stop people from intentionally using threatening words or behaviour to stir up hatred against somebody because of what they believe.

Sex Discrimination Act 1975

This Act makes it unlawful to discriminate on the grounds of sex. Sex discrimination is unlawful in employment, education, advertising or when providing housing, goods, services or facilities. It is unlawful to discriminate because someone is married, in employment or advertisements for jobs.

Framework Convention for the Protection of National Minorities

The Framework was to become active in 1998. The broad aims of the Convention are to ensure that the signatory states respect the rights of national minorities, undertaking to combat discrimination, promote equality, preserve and develop the culture and identity of national minorities, guarantee certain freedoms in relation to access to the media, minority languages and education and encourage the participation of national minorities in public life.

The Framework Convention for the Protection of National Minorities defines a national minority implicitly to include minorities possessing a territorial identity and a distinct cultural heritage.

Sex Discrimination (Gender Reassignment) Regulations 1999

This Act seeks to prevent sex discrimination relating to gender reassignment. It clarifies the law for transgender people in relation to equal pay and treatment in employment and training.

Equal Treatment Directive (EC Directive 76/207/EEC)

This provides that there will be no discrimination whatsoever on grounds of sex, either directly or indirectly, by reference in particular to marital or family status. Similar provisions exclude discrimination on grounds of sex in the conditions for access to all jobs or posts, whatever the sector or branch of activity and to training. The principle of equal treatment with regard to working conditions, including dismissal, has the effect of guaranteeing men and women 'the same conditions without discrimination on the grounds of sex'. The Directive can be directly relied upon by employees within the public sector regardless of whether or not its provisions have been incorporated into UK law.

Directive on Racial and Ethnic Discrimination

The Council of Ministers agreed this Directive on 6 June 2000 which will provide a minimum level of protection against racial discrimination common to all Member States. It prohibits racial discrimination not only in employment but also in education, social security, healthcare, access to goods and services and ensures that victims will have the right of redress in all Member States. Member States have three years from the entry into force of the Directive in which to take the necessary measures to implement it.

Anti Discrimination Directive

The Member States of the EU reached agreement on this Directive aimed at combating discrimination in the employment field, including age discrimination, in Autumn 2000. It requires Member States to prohibit direct and indirect discrimination in employment and extends to recruitment, promotion, vocational training and working conditions, including dismissal and pay. The Directive does provide a defense to direct discrimination on grounds of age: differences of treatment will not constitute direct age discrimination if they are “objectively and reasonably justified by a legitimate aim” and “the means to achieve it are appropriate and necessary”. Member States are required to implement legislation prohibiting discrimination on grounds of religion and sexual orientation by late 2003 and on grounds of age by late 2006.

Protection from Harassment Act 1997

This legislation was predominantly aimed at “stalking” but it has implications for employers and employee behaviour in the work place. The Act states that a person must not pursue a course of conduct which amounts to harassment and which he or she knows or ought to know amounts to harassment. Such harassment is defined as “alarming the person or causing the person distress”. A “course of conduct” must involve conduct on at least two occasions. The test is whether a reasonable person in possession of the same information would have thought that the behaviour constituted harassment.

The Act also makes it a criminal offence to pursue a “course of conduct” including speech, which causes someone else to fear that violence will be used against them. Again this conduct must take place at least twice. The criminal penalty for this harassment is six months imprisonment or a maximum fine of £5000 and/or being made subject to a restraining order.

Employees who are victims of harassment may sue for damages for stress and anxiety and for financial loss. The Act provides employees with both a criminal and a civil remedy for bullying at work which comes within the statutory definition of harassment.

Human Rights

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible. Article 14 of the European Convention on Human Rights gives people the right to enjoy their other human rights without discrimination on such grounds as sex, race, colour, language or religion.

11. Training and development

Equality and diversity training and development will be available for all employees and councillors and will be fully integrated into the councils learning and development program, with additional development available based on job requirements.

12. Complaints

If a member of the public feels that they have suffered harassment or been treated unfairly by the Council because of their sex, colour, race, nationality, ethnic group, regional or national origin, age, marital status, disability, political or religious belief, sexual orientation or class, they should report this without fail to the Council's complaints officer. We have a separate procedure dealing with complaints. Complaints by staff will be dealt with under the grievance or dignity at work policies, as appropriate.

We encourage our employees and others with serious concerns about any aspect of malpractice within the organisation, to come forward and voice those concerns through the Whistleblowing Policy. The main aim of the Whistleblowing Policy is to allow employees and others to speak without fear about actual or potential wrongdoing/malpractice.

We take all external and internal complaints seriously and will not tolerate any form of discriminatory behaviour. Complaints about councillors will be investigated using the Members' Code of Conduct and our Standards Committee. Monitoring complaints is also another way of gathering information to see how we are meeting our equality duties. We will report annually on complaints made and action taken as part of monitoring the Council's Interim Single Equality Scheme.

13. Partnerships and procurement

Partnerships

Where partnerships do not have a separate legal identity and are therefore not bound by the general duty in legislation, we will apply our own duties and ensure that the work of partnerships promotes equalities. All partnership working arrangements that the council participates in will be subject to EINA to ensure that there are no adverse impacts on a particular community as a result of the partnership activity or governance arrangements.

Procurement

We have published guidance to ensure that contractors and suppliers meet our legal requirements to promote equality and diversity. This will cover equality and the need to ensure that contractual arrangements are accessible to small and medium sized enterprises and the voluntary

sector. Potential contractors and suppliers are required to provide information on their approach to equality and evidence that they have relevant systems in place for legal compliance.

14. Publishing and monitoring results

Each directorate will develop equality implementation plans, which address the needs of communities, and the common issues which cut across them irrespective of age, race, disability, gender, religion and belief and sexual orientation. In this way, the equality and diversity agenda is being embedded systematically in our strategic and business planning processes. These plans will be monitored through the corporate performance framework.

Measuring our approach to equality

The Council is developing a new Equality Impact Assessment (EIA) methodology. The EIA's examine how a policy, procedure or service may have an unequal impact on different groups of people. It will enable service managers to improve proposed or existing provision. An EIA is a way of deciding whether a policy or service has a "positive, negative or neutral impact" on some sections of society. It is also to be used to test future policies or services. The impacts enable us to take into account the needs of women, men or transgender people, black and ethnic minority groups, disabled people, people's religion or belief, sexual orientation or age. In order to ensure a consistent approach to equality impact assessments we are producing a toolkit for people who are responsible for carrying out these assessments.

The Chief Executives Department will be developing monitoring systems within the corporate performance framework which will monitor and manage the completion and outcomes of EIA's and ensure that they are improving services and meeting the needs of our communities. Where gaps and adverse impact are found through the equality impact assessment process, action plans will be developed and included in the annual service plans and work programmes. Where there is insufficient data available about the impact of the service on groups, the first stage will be to establish monitoring and feedback mechanisms to obtain it on a regular basis through the Council's performance framework.

Equality performance

When mainstreaming equality and measuring outcomes, we must achieve real improvements. Each directorate is therefore required to develop directorate single equality scheme implementation plans which demonstrate the following:

- evidence of measurable improvements in access for all under-represented groups;

- implementation of the requirements of equality related legislation; and
- evidence of measurable improvements in respect of providing services that meet the needs of all groups in the communities the directorate serves.







ACTION PLAN

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|---|--|---|-------------------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| To have a modern and diverse workforce | To develop consistent employee monitoring for all equality strands | Six strand monitoring forms for recruitment and selection of new employees | HR Strategy HR Delivery | Nov 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | Develop a Council wide Learning and Development programme for equality and diversity | Equality and diversity training is embedded in the strategy for learning and development Increase in knowledge and competency of equality and diversity at all levels The Council delivers a range of learning and development interventions to support Councillors and officers to deliver equality outcomes | HR Organisational Development | March 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|--|--|---|----------------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| | Develop a workforce profile and identify targets for the inclusion of underrepresented groups within the Council | Workforce profile in place with plans to ensure equal pay outcomes and improved representation where appropriate | HR Strategy | March 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| To foster community engagement and satisfaction | Undertake a review of engagement with equality groups and partnerships | <p>Review undertaken and recommendations made about the effectiveness of our current arrangements</p> <p>Appropriate arrangements and support is in place for effective contribution and involvement with equality groups</p> | Senior Partnership Manager | Dec 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|---|--|---|----------------------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| To have responsive services and excellent customer care | To develop systems for monitoring of diversity incidents | Monitoring system where strand specific issues can be logged Evidence base which can be utilised in service planning and improvements, policy reviews and impact assessments and to identify/target training needs | Team Manager Policy and Research | March 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | To develop a framework for translation, interpreting and formatting information and literature | Improved access to services by providing information in differing formats and languages consistently and cost effectively | Team Manager Policy and Research | Nov 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | To produce and roll out a written style guide based on Plain English | We will have improved access to services by providing information in clear language | Communications | Nov 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|---|--|---|----------------------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| | Develop a policy for the planning and managing of external events, meetings and activities | We will have improved access to services by ensuring our events are accessible | Communications | Dec 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | Develop and maintain the equality and diversity website | Central point information, data, and support tools are shared across the Council, with partners and communities of interest in order to achieve equality outcomes | Team Manager Policy and Research | March 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| To understand and know our community | To develop a Borough profile for Cheshire East Mechanisms to Equality Map and identify social isolation and vulnerable groups | Evidence base in place to inform policy development and service planning in order that the Council can improve service delivery The ability to map communities of interest and need as well as having the ability to define communities by geography | Planning and Performance Manager | Jan 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|-----------------------------------|--|---|----------------------------------|----------|---|---|---|---|---|---|
| | Scope the need to undertake a Quality of Life Survey in 2010 | <p>A possible mechanism to identify social isolation and vulnerable groups and to look at the actual experience of people in their communities</p> <p>Outputs which meet the needs of the Equality Framework for local Government, CAA requirements and incoming equality legislation</p> | Planning and Performance Manager | Dec 2009 |  |  |  |  |  |  |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|---|---|--|------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| To embed and promote equality within our Partnerships. Procurement and Commissioning | Ensure that all new commissioning and procurement arrangements are equality proofed and monitored against the corporate procurement standards and equality legislation Develop and audit the contracts database. Ensure that suppliers have appropriate Equal Opportunities Policies Audit high level contracts and contracts that have E&D as core to the contract Ensure that quality objectives are delivered and monitored by contract management | Contracts database in place showing equality compliance of all new arrangements | Procurement Unit | Nov 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | | Partnership Register reviewed so that it can show whether the partnership arrangements have undertaken EIA's | Partnerships | March 2010 | | | | | | |
| | | The Council and partners will be demonstrating a commitment to promote equality through contracts, commissioning and partnership working arrangements | | Dec 2009 | | | | | | |
| | | The Council will be providing leadership and influencing partners and delivery agencies to promote equality and diversity through the provision of excellent services and delivery | | Feb 2010 | | | | | | |
| | | | | Feb 2010 | | | | | | |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|--|---|--|----------------------------------|------------|------|------------|--------|-----|--------------------|-------------------|
| To have an effective performance framework and demonstrate continuous improvement and leadership | Undertake a self assessment to determine levels of the Equality and Diversity activity and compliance against the Equality Framework for Local Government (EFLG) and equality legislation | Self assessment report of all Cheshire East Council service | Team Manager Policy and Research | Dec 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | To become an "Achieving Council" under the framework with areas of excellence within the next 3 years | Gap analysis of requirements against the EFLG in each service area. | | March 2011 | | | | | | |
| | Gap analysis of statutory compliance at all levels of the Authority | The Council will fully understand where it is in relation to equality and diversity and compliance with the EFLG, the CAA Framework and compliance with equality legislation. This information will enable the Council to identify areas of focus and improvement. This information will also enable the Council to benchmark and monitor/measure improvements effectively | | March 2010 | | | | | | |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|-----------------------------------|---|--|---|----------|------|------------|--------|-----|--------------------|-------------------|
| | Embed the EFLG into the Council's performance framework | <p>Council equality indicators agreed and embedded within the Council's performance framework</p> <p>Service plans developed which integrate equality and diversity objectives</p> | <p>Team Manager Performance and Business Intelligence</p> <p>All Services</p> | Jan 2010 | | | | | | |
| | | Systems are in place at corporate and service level to ensure the delivery, review and monitoring of the Council's priorities against the EFLG | Team Manager Policy and Research | Nov 2009 | | | | | | |

| Cross-cutting Equality Priorities | Council Actions | Outputs/Expected Outcomes | Lead | Time | RACE | DISABILITY | GENDER | AGE | SEXUAL ORIENTATION | RELIGION & BELIEF |
|-----------------------------------|---|---|--|------------|------|------------|--------|-----|--------------------|-------------------|
| | To ensure that equality and diversity issues are championed at senior levels of the Council | <p>Nominate a strategic equality and diversity champion from the Corporate Management Team</p> <p>Nominate a Councillor champion from the Council's Executive</p> <p>Work is being undertaken to promote and champion equality and diversity at a leadership level of the authority</p> | <p>Head of Policy and Performance</p> <p>Cllr D Brown Portfolioholder for Performance and Capacity</p> | Oct 2009 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | Develop a support programme for nominated Equality Champions | <p>Appropriate training and briefings identified and delivered to equality champions</p> <p>Equality Champions are confident, skilled and fully understand the complexities and issues that the role entails</p> | HR Organisational Development | March 2010 | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

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CHESHIRE EAST COUNCIL

Cabinet

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| Date of Meeting: | 3 November 2009 |
| Report of: | Strategic Director, People |
| Subject/Title: | A Corporate Approach to Health Improvement and Reducing Health Inequalities |
| Portfolio Holder | Councillor Andrew Knowles (Health and Wellbeing) |

1.0 Report Summary

- 1.1 The purpose of the report is to advise Members of emerging sub-regional and Cheshire East structures linked to Health and Wellbeing and to inform members of proposals to help the Council move towards improving health and reducing health inequalities across the communities of Cheshire East. This will also ensure that the Council is contributing to the LSP's priorities around the need to improve health and reduce health inequalities. The Head of Health and Wellbeing is tasked with ensuring that there is a corporate recognition of each service's contribution to improving the health of the people of Cheshire East and reducing the health inequalities that exist between different communities.
- 1.2 A collaborative approach is now needed to ensure a cohesive approach to improving the health and well being in our communities. A Health Improvement and Reducing Health Inequalities Strategy is to be drafted under the auspices of the Local Strategic Partnership's Health and Wellbeing Thematic Sub Group. A Cheshire East Council Working Group (engaging all appropriate Services) will be established to contribute to the drafting of the Strategy and to develop the Council's action plan in response to the Strategy.

2.0 Decision requested

- 2.1 That Members support the whole system approach to health improvement and reducing health inequalities and the development of a Health Improvement and Reducing Health Inequalities Strategy through the LSP's Health and Wellbeing Thematic Partnership.
- 2.2 That Members support the establishment of a Cheshire East Council Health Improvement and Reducing Health Inequalities Working Group to contribute to the Strategy Development and to develop and take ownership of the Council's action plan in response to the Strategy.

- 2.3 That the Director of Public Health is made an honorary joint appointment between Cheshire East and the PCT.

3.0 Reasons for Recommendations

- 3.1 To raise the awareness of Members of developments in relation to Health and Wellbeing in the sub-region and within Cheshire East.
- 3.2 To advise Members of the development of a Health Improvement and Reducing Health Inequalities Strategy and the need for a cross Council working group to be established to contribute to the drafting of, and response to that Strategy.
- 3.3 To further encourage and foster joint working between Cheshire East and the PCT

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 N/A

6.0 Policy Implications including - Climate change - Health

- 6.1 The Council has identified within the Corporate Plan a number of priorities that impact upon the health and wellbeing of local people. These include:

- Encouraging healthier lifestyles;
- Targeting drug and alcohol abuse;
- Improving road safety;
- Managing waste

All Services need to consider their impact upon these priorities, as a failure to do so weakens the potential outcomes that can be achieved.

- 6.2 As part of the Comprehensive Area Assessment there is an expectation that the Authority and the PCT are taking a strategic approach to health improvement and reducing health inequalities (contributing to achieving the objectives identified in the Sustainable Community Strategy). The main areas of focus for the Audit Commission are our understanding of and response to the health inequalities, with our partners. This will include the approach to the Joint Strategic Needs Assessment and our joint ownership of key health indicators through the Local Strategic Partnership's Health and Wellbeing Thematic Sub-Group. Failure to demonstrate a joined up approach across the two organisations and within the Authority may impact upon the outcome of the Assessment.

- 6.3 The initial CAA findings have highlighted our approach to health inequalities and our impacts in narrowing the gap as areas that will be monitored in the future.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 N/A

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

- 8.1 There are no direct short term financial consequences, but the work to develop a Health Improvement Strategy will provide an opportunity for Service's to consider how they resource activities that have outcomes impacting upon the reduction of health inequalities.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 Improving people's health and reducing health inequalities are national Government priorities, with a number of key white papers in recent years highlighting the role of local authorities in contributing to these objectives and requiring new approaches to improve outcomes (for example 'Choosing Health: making healthy choices easier' - Department of Health (DoH) 2004; 'Our Health, Our Care, Our say: a new direction for community services' - DoH 2006 and 'The Children's Plan' - Department for Children, Schools and Families 2007). In addition Section 116 of the Local Government and Public Involvement in Health Act (2007) places a duty on upper-tier local authorities and Primary Care Trusts to undertake Joint Strategic Needs Assessments. The duty commenced on 1st April 2008.
- 9.2 The statutory guidance emphasises that the JSNA should be taken into account by the local authority and its partners in preparing the Sustainable Community Strategy, as part of a strengthened commitment to local priorities. The issues identified by the JSNA will inform the priorities and targets set by the Local Area Agreement, the delivery agreement for the Sustainable Community Strategy.

10.0 Risk Management

- 10.1 Failure to effectively develop a corporate approach to health improvement and a joint strategic approach with the PCT may have a negative impact upon the Comprehensive Area Assessment. Additionally there is a risk that the resources of the two organisations are not used as effectively as they could be and that potential efficiencies are missed.

11.0 Background and Options

- 11.1 It is clear that improving health and reducing health inequalities can only be achieved through effective partnership working, particularly

between directors of public health, and across local authority departments (with for example children's services, housing, adult social services, planning, environment health, leisure, policy and performance and transport all having significant roles and responsibilities). At the sub regional level this has been recognised by the Cheshire and Warrington Sub Regional Leadership Board by the setting up of a Health and Wellbeing Commission (one of seven Commissions set up to ensure a joined-up approach to key agendas across Cheshire and Warrington (see Appendix 1). Cheshire East is leading this Commission with the Fire and Rescue Service.

- 11.2 Within Cheshire East the Local Strategic Partnership structure includes a Joint Strategic Needs Assessment Steering Group and a Health and Wellbeing Thematic Partnership, both including Council and PCT officers (see Appendix 2). This provides the framework for a whole system approach to health improvement and reducing health inequalities. The Joint Strategic Needs Assessment Steering Group will commission a whole system Health Improvement and Reducing Health Inequalities Strategy. This work will be undertaken through the LSP structure, with the JSNA Steering Group and the Health and Wellbeing Thematic Partnership leading the work, but with input from the other sub groups also required. It will be important to link the strategy development to the local needs identified at the Local Area Partnerships and ensure that there is an ownership of health related issues at the LAPS.
- 11.3 Within the People Directorate a Health and Wellbeing Service has been formed that embraces the culture, leisure, green spaces and health improvement teams inherited from the County Council and the three District Councils. However, an underlying principal of the creation of the new unitary authority is that through People and Places and a strong relationship with the PCT, health improvement sits at the heart of the agenda and is not placed within the Health and Wellbeing 'box'. Consequently it is proposed that the Council's contribution to the development Health Improvement and Reducing Health Inequalities Strategy, requires the setting up of a cross cutting Working Group, including colleagues from Health and Wellbeing, but also from other Services across the Council that impact upon people's health (examples as listed in 11.1 above). This work will be led by the Head of Health and Wellbeing and will involve co-ordinating the Council's contributions to the Strategy and ensuring that once adopted, the Council effectively directs service provision towards the priorities in the Strategy. The product of this will be a Council Action Plan that identifies Cheshire East's response to the Strategy
- 11.4 The opportunities for a whole Council approach to health improvement and reducing health inequalities cover a number of key areas.

Priorities already identified through the PCT and the corporate planning process include:

- Reducing health inequalities;
- Tackling obesity;
- Improving mental health and wellbeing;
- Promoting sexual health;
- Encouraging the sensible drinking of alcohol and
- Creating a smoke free environment.

Different service areas can contribute to each of these. Many of the ideas are simply common sense solutions (for example introducing healthy eating options into leisure and community centre catering facilities and vending machines and actively promoting cycling through introducing cycle routes and cycle storage facilities). However there is a need for a strategic approach at the highest level with for example, the strategic health authority, PCT, industry, private and voluntary sectors and local authorities combining resources to promote physical activity. There is also a need to consider the health of the workforce and their families.

- 11.5 The Council's Health Improvement and Reducing Health Inequalities Strategy Working Group will be made up of officers from across services. Its role will be to understand and communicate more widely the whole system contribution to health improvement and reducing health inequalities that the Council makes. It will need to analyse the evidence available in relation to the health needs of Cheshire East communities and develop an understanding of how the different services can and do contribute to improving people's health and reducing the health inequalities that exist between different communities. As the Strategy is developed, actions to respond to the Strategy's priorities will be identified, targeted at communities in most need (identified through the Joint Strategic Needs Assessment) with clear outcomes to ensure that there are measurable impacts that can be demonstrated during the Comprehensive Area Assessment, and more importantly, that genuinely improve the health and wellbeing of our residents.
- 11.6 As part of the work, consideration will be given to how to effectively communicate the impacts being made in response to the Strategy. This may be through an annual health conference to share information about projects underway and the difference they are making to People's health.
- 11.7 Within Health and Wellbeing and in conjunction with the PCT further work will be undertaken around developing a physical activity strategy (in response to the national strategy 'Be Active, Be Healthy' launched in March 2009). This will build upon the clear evidence that increased levels of active recreation improve health and help to prevent ill health, thus reducing the pressure on the National Health Service.

- 11.8 Finally, the Strategic Director People and the Chief Executive of the PCT have discussed making the Director of Public Health an honorary joint appointment, providing the post holder with the opportunity to attend Corporate Management Team meetings and fostering more effective joint working.

12.0 Overview of Year One and Term One Issues

- 12.1 There are no critical issues

13.0 *Access to Information*

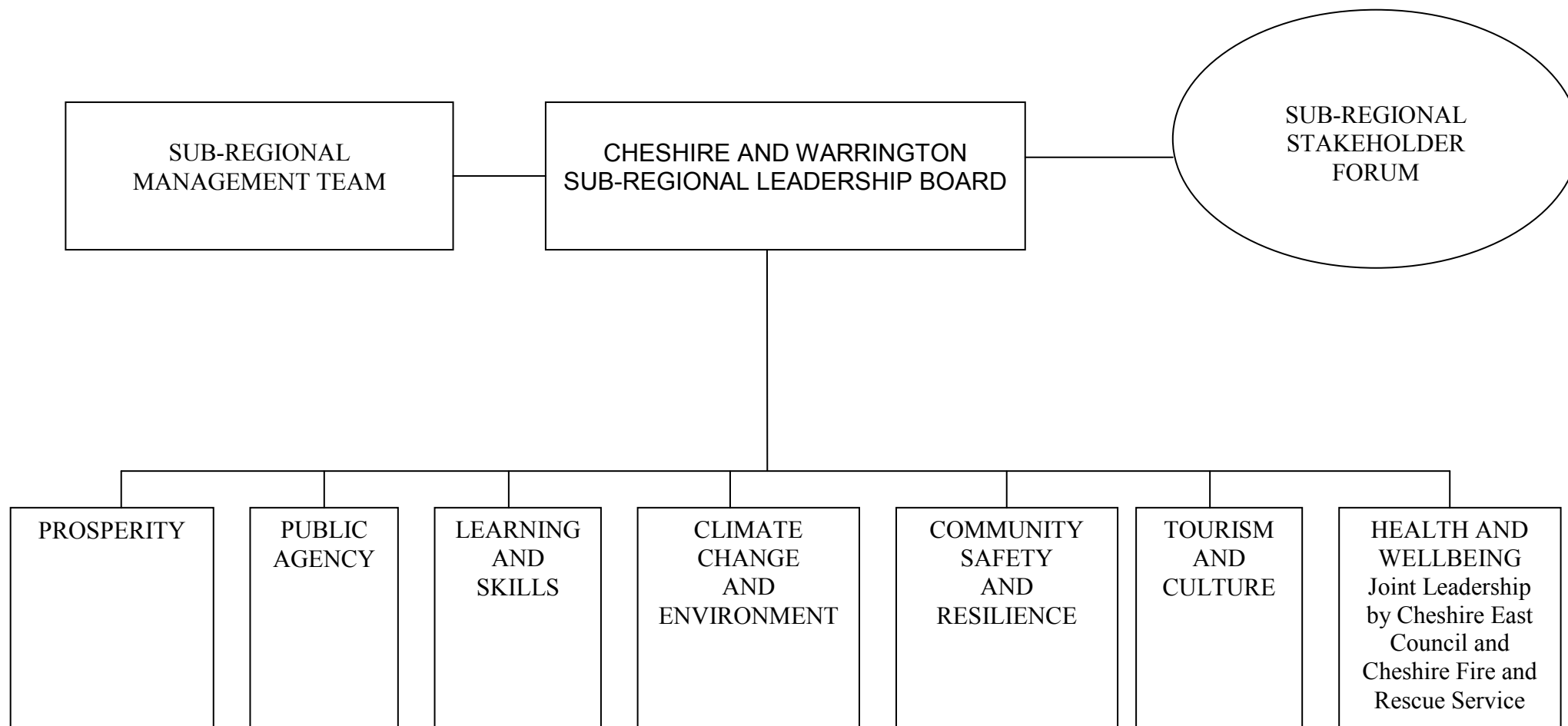
The background papers relating to this report can be inspected by contacting the report writer:

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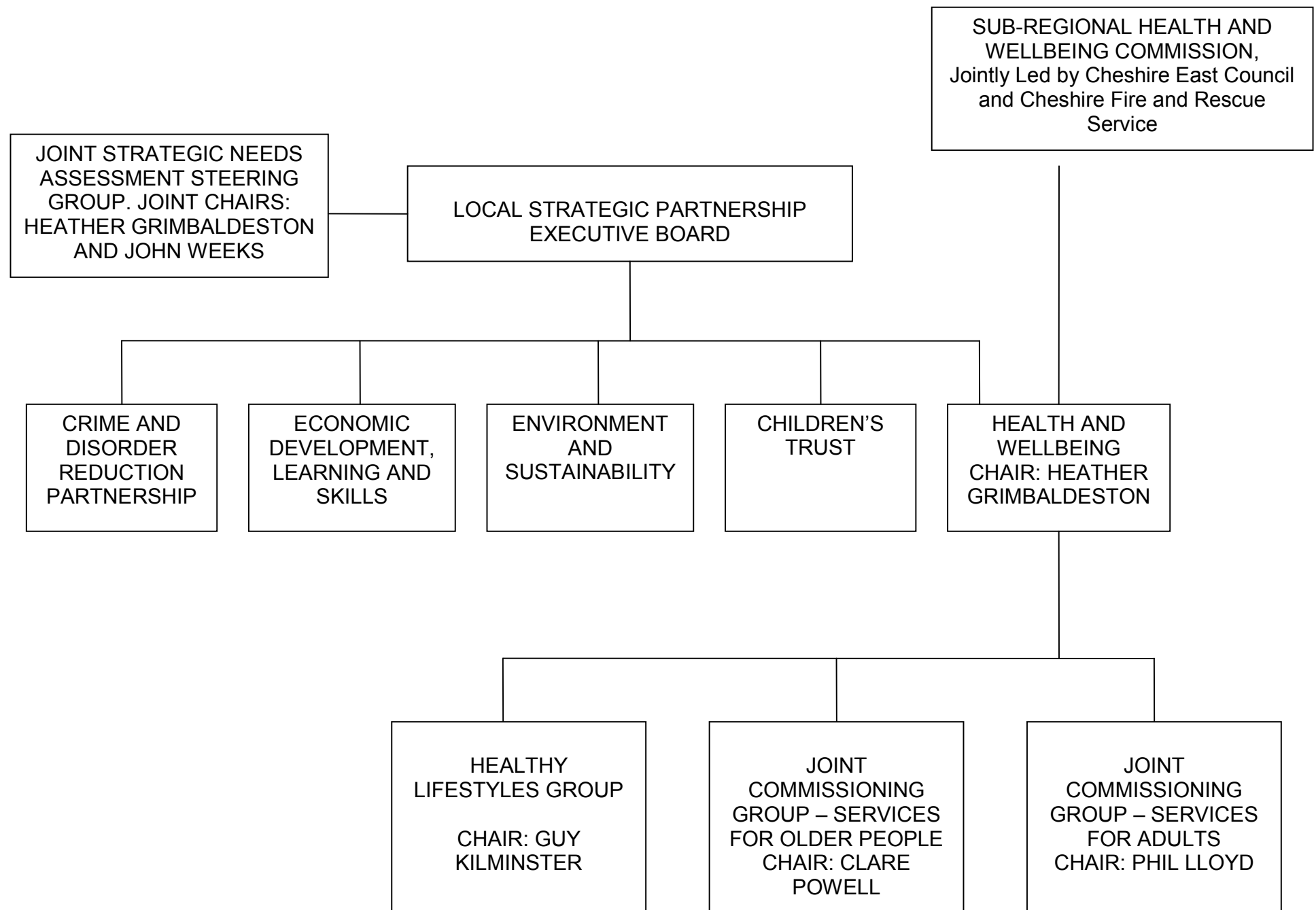
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