

# Cabinet Agenda

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**Date:** Tuesday, 12th January, 2021  
**Time:** 1.00 pm  
**Venue:** Virtual Meeting

For anybody wishing to view the meeting please click on the link below:

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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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

## **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 disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session - Virtual Meetings**

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the Cabinet. Individual members of the public may speak for up to two minutes. The Chairman or person presiding will have discretion to vary this

requirement where he/she considers it appropriate.

Members of the public wishing to ask a question or make a statement at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Questions to Cabinet Members - Virtual Meetings**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. A maximum period of two minutes will be allowed for each member wishing to ask a question. The Leader will have discretion to vary this requirement where he considers it appropriate. Members wishing to ask a question at the meeting should register to do so in writing by not later than 4.00 pm on the Friday in the week preceding the meeting. Members should include the general topic their question will relate to and indicate if it relates to an item on the agenda. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

Where a question relates to a matter which appears on the agenda, the Leader may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 3 - 8)

To approve the minutes of the meeting held on 1<sup>st</sup> December 2020.

6. **Corporate Parenting Committee Annual Report 2019-20** (Pages 9 - 40)

To consider the Corporate Parenting Committee Annual Report 2019-20 and proposed revisions to the Committee's terms of reference.

7. **Vision for Children and Young People in Cheshire East** (Pages 41 - 48)

To consider a report on a vision for children and young people in Cheshire East.

8. **Procurement of Facilities Management Services** (Pages 49 - 66)

To consider a report which reviews the options for the procurement of facilities management services.

**THERE ARE NO PART 2 ITEMS**

**Membership:** Councillors C Browne (Vice-Chairman), S Corcoran (Chairman), L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott and M Warren

**CHESHIRE EAST COUNCIL**

Minutes of a virtual meeting of the **Cabinet**  
held on Tuesday, 1st December, 2020

**PRESENT**

Councillor S Corcoran (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott  
and M Warren

**Councillors in attendance**

Councillors S Akers Smith, R Bailey, M Benson, C Bulman, J Clowes, T Dean,  
J P Findlow, R Fletcher, S Gardiner, M Houston, A Moran, D Murphy,  
J Nicholas, J Parry, J Saunders, M Simon, L Smetham, D Stockton,  
L Wardlaw and J Weatherill

**Officers in attendance**

Lorraine O'Donnell, Chief Executive  
Frank Jordan, Executive Director Place  
Mark Palethorpe, Executive Director People  
Jane Burns, Executive Director Corporate Services  
Alex Thompson, Director of Finance and Customer Services  
David Brown, Director of Governance and Compliance  
Brian Reed, Head of Democratic Services and Governance  
Paul Mountford, Executive Democratic Services Officer

**57 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**58 PUBLIC SPEAKING TIME/OPEN SESSION - VIRTUAL MEETINGS**

Robert Douglas referred to the Council's proposals in respect of future recycling sites and asked if the Council would ensure that a budgeted new purpose-built recycling site at Congleton was included in those proposals.

The Portfolio Holder for Highways and Waste responded that the household waste recycling centre consultation was being undertaken to hear public opinion in preparation for the procurement of a new operational contract in 2023 and included the option of a replacement site for Congleton. The consultation was open until 4<sup>th</sup> January 2021, following which a report would be submitted to Cabinet in March.

**59 QUESTIONS TO CABINET MEMBERS - VIRTUAL MEETINGS**

Councillor J Clowes referred to a Notice of Motion to be submitted to the 16<sup>th</sup> December Council meeting, proposing that the Council support the cessation of car park charges on all Cheshire East Council-owned car parks that directly served the Borough's towns from 3<sup>rd</sup> December to 17<sup>th</sup> January, to support local businesses and encourage residents to shop locally. She asked if Cabinet would support the motion.

The Portfolio Holder for Finance, IT and Communication responded that she would need to consider the detailed financial implications before supporting any such proposal. The Deputy Leader shared a graphic which he said showed that the Borough's towns were performing better than the national average in terms of footfall over the 12 month period to September 2020, and that footfall was recovering month on month, and that this seemed to indicate that parking charges were not the main determinant of whether people returned to town centres and that the loss of revenue was perhaps not the most effective way to stimulate economic recovery. The Portfolio Holder for Public Health and Corporate Services added that from a public health perspective, the Council would not want to encourage people to dwell in town centres for long periods during the pandemic. The Portfolio Holder for Highways and Waste referred to parking initiatives already in place in some town centres and said that the proposal to suspend charges was an option for the future but was not appropriate for now, given the public health considerations.

Councillor M Simon referred to a question she had asked at a recent Cabinet meeting about idling car engines outside schools and the effect this had on air quality. She asked what the Council had since done to discourage this practice which she had also witnessed at her local GP's surgery car park. She also asked what plans there were to address this issue in the Council's Environmental Strategy.

The Leader indicated that a written response would be provided.

Councillor L Smetham referred to the second tranche of Active Travel funding, which she said had been promised for rural areas, and asked when schemes would be coming forward to make rural roads safer.

The Portfolio Holder for Highways and Waste clarified that the second tranche of funding, which amounted to £588,000, was not specifically for rural roads. The Council was working with ward members and town and parish councils, and would be consulting residents and local stakeholders, with a view to bringing forward detailed proposals in the Spring.

Councillor L Wardlaw asked for a meeting of the Staffing Committee to be held to consider the issue of staff leaving the Council.

The Portfolio Holder for Public Health and Corporate Services responded that the Council had to respect the rights of officers to choose where to live

and work. She added that the reasons for individual officers deciding to leave the Council were not a matter for a public meeting. The Leader declined to allow the question to be considered further as it related to an employment issue.

Councillor S Akers Smith referred to a Notice of Motion to be submitted to the 16<sup>th</sup> December Council meeting, urging councillors to support a reduction in speed limits from 30mph to 20mph in central, urban and residential areas of the Borough. She asked Cabinet to support the motion.

The Portfolio Holder for Environment and Regeneration referred to a road safety campaign taking place in Congleton on 3<sup>rd</sup> December, involving the Council, Cheshire Police and Cheshire Fire and Rescue Service, which aimed to educate drivers to help keep people safe on the roads. The Portfolio Holder for Highways and Waste added that she fully supported 20 mph zones where these were appropriate.

## **60 MINUTES OF PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 10<sup>th</sup> November 2020 be approved as a correct record.

## **61 COVID-19 - UPDATE ON RESPONSE AND RECOVERY**

Cabinet considered an update report on the Council's response to the Covid-19 pandemic.

### **RESOLVED**

That Cabinet

1. notes the issues outlined in the report;
2. approves a Supplementary Revenue Estimate for £880,472, fully funded from the Covid Winter Grant;
3. delegates responsibility to the Executive Director of People to distribute the Covid Winter Grant, to provide assistance to vulnerable households over the winter period, in line with the eligibility criteria outlined within the report;
4. approves a Supplementary Revenue Estimate for £500,000, fully funded from Covid-19 Emergency Grant, to provide an increase in the 2020/21 management fee payment to Everybody Sport and Recreation Trust to support the continuation of Leisure Services in the Borough; and

5. notes that a Supplementary Revenue Estimate of £15,262,935 was approved by the Chief Executive for the 2020/21 Financial Year, to be funded from the Local Restrictions Support Grant, in order to support businesses affected by measures introduced in the response to Covid-19, in accordance with government guidelines, and in accordance with the Discretionary policies also approved under urgency powers.

## **62 DOMESTIC TAXBASE 2021/22**

Cabinet considered a report on the Council Tax Base calculation for 2021/22 for recommendation to Council.

It was noted that paragraph 5.7 of the report mistakenly referred to 'properties over 10 years old' when it should have referred to properties that had been empty for 10 years or longer.

### **RESOLVED**

That Cabinet recommends to Council that

1. in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount to be calculated by Cheshire East Council as its Council Tax Base for the year 2021/22 as 153,796.10 for the whole area;
2. the premium charged for property that has been empty for 10 years or longer be increased from 200% to 300%; and
3. the Council Tax Support Scheme for 2021/22 is unchanged other than increasing the income bands in line with CPI.

## **63 PRE-BUDGET CONSULTATION 2021/22 - 2024/25**

Cabinet considered a report on the arrangements for the pre-budget consultation.

Councillor J Clowes reported the comments of the Corporate Overview and Scrutiny Committee as the Chairman of that Committee.

### **RESOLVED**

That Cabinet approves the Pre-Budget Consultation survey provided at Appendix A to the report, which will be launched online on 2<sup>nd</sup> December.

## **64 DEVELOPMENT OF A GYPSY AND TRAVELLER TRANSIT SITE**

Cabinet considered a report on the provision of a gypsy and traveller transit site.

Councillor J P Findlow reported the comments of the Environment and Regeneration Overview and Scrutiny Committee as the Chairman of that Committee.

**RESOLVED**

That Cabinet delegates authority to the Executive Director of Place to take all necessary steps to deliver the Cledford Hall Gypsy and Traveller Transit Site Project subject to obtaining planning approval. Within that overall authority, the Executive Director be required to:

- (a) approve the submission of the planning application;
- (b) approve the final costs of the project; and
- (c) award a construction contract to a preferred bidder in consultation with the Director of Governance and Compliance and the Portfolio Holder for Environment and Regeneration.

**65 ADULT SOCIAL CARE: OUR COVID-19 WINTER PLAN 2020/21**

Cabinet considered a report on the Council's response to the Government's policy paper 'Adult social care: our COVID-19 winter plan 2020 to 2021'.

**RESOLVED**

That Cabinet notes the content of the report and is satisfied that measures have taken place to meet the government's winter planning requirements.

**66 BETTER CARE FUND SECTION 75 AGREEMENT**

Cabinet considered a report which proposed a new section 75 agreement with the Council's local health partner, NHS Cheshire Clinical Commissioning Group.

**RESOLVED**

That Cabinet

1. authorises the Council to enter into a single S75 Agreement to establish a pooled budget with NHS Cheshire CCG for an initial period of one year (2020-21) for the Council's minimum required budget as set out in paragraph 6.2.1 of the report;
2. authorises the Better Care Fund Governance Group to continue oversight and responsibility for reviewing the delivery of the S75 agreement; and
3. delegates authority to the Executive Director of People to:

- (a) extend the S75 agreement for a further period of one year (2021-22) to establish a pooled budget for 2021-22 for the Council's revised minimum required budget for 2021-22 and subject to there being a continuing national requirement to operate the Better Care Fund and Improved Better Care Fund as a Section 75 pooled budget agreement for that period; and
- (b) make decisions and enter into agreements on behalf of the Council in relation to the commissioning of schemes funded by the Better Care Fund.

**67 SCHEDULE OF URGENT DECISIONS TAKEN ON BEHALF OF CABINET AND COUNCIL**

Cabinet received a schedule of urgent decisions taken on behalf of the Cabinet and Council which was reported for information in accordance with Appendix 4 of the Council procedure rules.

**RESOLVED**

That the schedule of urgent decisions be noted.

At the conclusion of the business of the meeting, the Chairman thanked everyone for attending and wished them a Happy Christmas.

The meeting commenced at 1.00 pm and concluded at 2.44 pm

Councillor S Corcoran (Chairman)





*Working for a brighter future together*

Key Decision: N

Date First

Published: N/A

## **Cabinet**

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**Date of Meeting:** 12 January 2021

**Report Title:** Corporate Parenting Committee Annual Report 2019-20

**Portfolio Holder:** Cllr Kathryn Flavell – Portfolio Holder for Children and Families

**Senior Officer:** Mark Palethorpe – Executive Director (People)

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### **1. Report Summary**

- 1.1 The Corporate Parenting Committee Annual Report details the progress and achievements over 2019-20 against the five pledges the Council has made to cared for children and care leavers in the Corporate Parenting Strategy 2018-20. It also sets out the priorities and terms of reference for the Committee for 2020-21.

### **2. Recommendations**

2.1 Cabinet is asked to

- Endorse the Corporate Parenting Committee Annual Report 2019-20 as set out at Appendix 1; and
- Endorse the Committee's revised terms of reference at Appendix 1 within the Annual Report.

### **3. Reason for Recommendations**

- 3.1. The Constitution sets out a requirement for the Corporate Parenting Committee to report to the Council's Cabinet on at least an annual basis.

#### **4. Other Options Considered**

- 4.1 It could be decided that the Corporate Parenting Committee no longer needs to produce an annual report or presents this to another Committee, but this would require a change in the Constitution. The Annual Report provides an opportunity for Cabinet to review the effectiveness of this advisory committee.

#### **5. Background Information**

- 5.1 The Corporate Parenting Committee, established in May 2016, is a cross-party advisory committee appointed by the Cabinet. It is currently comprised of 11 members who are appointed on a politically proportionate basis and nominated by the political groups. There is currently one vacancy.
- 5.2 The purpose of the Corporate Parenting Committee as an advisory committee to the Cabinet is to ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers from 0-25 years of age and holds partners to account for the discharge of their responsibilities.
- 5.3 The Corporate Parenting Committee Annual Report 2019-20 at Appendix 1 sets out the work of the Committee and progress against the Corporate Parenting Strategy over the past year.
- 5.4 The report references the progress in year in commissioning arrangements to open four residential childrens homes in Cheshire East. The first home opened in January followed shortly by the second and the subsequent two homes in mid 2020. Success has been achieved in providing excellent quality care to children and being able to support them to live in their communities and there have also been some challenges in sustaining adequate staffing levels.

#### **6. Implications of the Recommendations**

##### **6.1 Legal Implications**

- 6.1.1 There is a range of legislation and statutory guidance that sets out the role of the local authority in respect of cared for children and care leavers. There are statutory obligations and guidance in relation to the Local Authority's role as Corporate Parent in the Children Acts 1989 and 2004; the Children and Young People Act 2008; the Children and Families Act 2014; and the Children and Social Work Act 2017.
- 6.1.2 In particular, the Children and Social Work Act 2017 defines, for the first time in law, the role of corporate parents, in addition to expanding and extending support for care leavers.

## **6.2 Finance Implications**

- 6.2.1 Bringing children into the care of the local authority represents a significant cost for the Council and growth in the base budget has been approved in recent years based on the increasing levels of demand and complexity of need as well as the priority of achieving appropriate outcomes.

## **6.3 Policy Implications**

- 6.3.1 As a corporate parent, all Council policies should consider the impact on cared for children and care leavers.

## **6.4 Equality Implications**

- 6.4.1 All children and young people have a right to be treated equally and have their disability, gender, ethnic, cultural, religious, and linguistic needs met. As corporate parents for children and young people in care and care leavers, it is essential that the Council is able to demonstrate that it considers equality implications in all decisions made in relation to cared for children and care leavers. Cared for children and care leavers can be a vulnerable group because of their experiences so we need to ensure they are supported to achieve the same outcomes as their peers as they can experience disadvantages and are at risk of poorer outcomes.

## **6.5 Human Resources Implications**

- 6.5.1 The number of children in care and care leavers has implications for staffing, both within Children's Social Care and enabling services.

## **6.6 Risk Management Implications**

- 6.6.1 Cared for children and care leavers are a vulnerable group for whom there are a number of risks, including poor outcomes in education and training, health, safeguarding and transition into adulthood. The Corporate Parenting Strategy outlines plans to mitigate these risks.

## **6.7 Rural Communities Implications**

- 6.7.1 There are no direct implications for rural communities.

## **6.8 Implications for Children & Young People/Cared for Children**

6.8.1 The Corporate Parenting Annual Report, aligned to the Corporate Parenting Strategy, sets out implications for cared for children and young people and priorities for 2019-20.

## **6.9 Public Health Implications**

6.9.1 Cared for children and care leavers are more at risk of poor health outcomes. Health services need to be targeted to ensure that they meet the needs of this group of children and young people.

## **6.10 Climate Change Implications**

6.10.1 There are no climate change implications.

## **7 Ward Members Affected**

7.1 Although the number of Cheshire East cared for children and young people is relatively small, they are a vulnerable cohort, who live across Cheshire East and in other local authority areas.

## **8 Consultation & Engagement**

8.1 Key stakeholders, including cared for children and young people and care leavers, are regularly consulted on the work of the Corporate Parenting Committee and Council and partner services. The five pledges within the Corporate Parenting Strategy are based on what young people told us matters most to them.

## **9 Access to Information**

9.1 The Corporate Parenting Strategy 2018-20 and pledges can be found on the following link:

<https://www.cheshireeast.gov.uk/livewell/care-and-support-for-children/services-from-childrens-social-care/cared-for-children/cared-for-children.aspx>

## 10 Contact Information

10.1 Any questions relating to this report should be directed to the following officer:

Name: Kerry Birtles

Job Title: Director of Children's Social Care

Email: [kerry.birtles@cheshireeast.gov.uk](mailto:kerry.birtles@cheshireeast.gov.uk)

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# Corporate Parenting Committee Annual Report 2019/2020

## Foreword

As Corporate Parents we made pledges as a council in December 2018 to be truly ambitious in supporting and guiding our cared for children and young people and our care experienced adults to strive to reach their full potential. We committed to ensuring that our children and young people had permanent homes that met their individual needs locally so that they could stay connected to their families and communities. We pledged that they would have the very best educational experiences, be healthy, be safe and prepared for their onward journey to adulthood.

The Corporate Parenting Committee have continued to support, challenge and scrutinise the outcomes for our children and young people in line with the pledges that we made. This year we have focused specifically on achieving our vision to create more homes for children locally and I am able to say with confidence that we have been able to achieve this in the mobilisation of new residential children's homes where children have been able to return to the borough and connect once again with their communities.

Children and young people have continued to be at the heart of everything we do, and our Shadow Committee, My Voice, has met throughout the year to raise awareness of pertinent issues that we as a Council have within our gift to influence. As ever my thanks are given to our children and young people in their

efforts in bringing this perspective and challenge to the forefront.

We have been able to celebrate, with our children and young people, all their key achievements, at our annual Star Celebration Event which took place in November 2019. The event was a tremendous success which truly highlighted the wonderful things achieved by our children and young people.

Along with the support and challenge from the Committee, the service also received an ILACS Ofsted Inspection in November 2019. The inspection took place over three weeks and highlighted several areas of strengths as well as areas requiring further improvement. The findings from the inspection have informed our onward journey in improving outcomes for children and young people in Cheshire East.

I am pleased to present the Corporate Parenting Annual Report 2019-20. This report highlights the successes achieved in delivering positive outcomes for children and young people and more crucially, the next steps in our journey to success.

*Cllr Kathryn Flavell - Portfolio Holder for Children and Young People*





## The Corporate Parenting Committee

We know that having the right values, beliefs and culture around prioritising and championing the needs of cared for children and young care experienced adults is essential to achieving excellent outcomes for children and young people. Our Corporate Parenting responsibility is a shared one that requires a high level of commitment from the leadership of the Council, as well as the support and ambition of all council employees and partners.

The Corporate Parenting Committee is comprised of eleven cross-party members with Council Officers in attendance to support agenda items, as required. The Committee is administered by Officers from Democratic Services.

The Committee has met on four occasions in 2019-20:

- 18<sup>th</sup> June 2019
- 17<sup>th</sup> September 2019
- 12<sup>th</sup> November 2019
- 21<sup>st</sup> January 2020

A meeting was planned for 17<sup>th</sup> March 2020 and papers were published but the meeting was cancelled due to the Covid-19 lockdown.

In preparation for the discussion and challenge at Committee, our Shadow Committee of young people meets in advance with the Chair of the Committee and the Head of Service for Cared for Children and Care Leavers to comment on the matters that are to be presented to Committee. They share their lived

experience of how services are designed and delivered and ultimately what it feels like to be a cared for child or care experienced adult in Cheshire East.

Officers and partners present information to the Committee. This can be themed in relation to key areas for children and young people, is responsive to changing times, or provides feedback from external scrutiny, so that members can scrutinise and challenge the service that is being delivered to ensure we are effectively meeting children and young people's needs.

The function of the Committee is to oversee the effective delivery of our Corporate Parenting responsibilities and the pledges that we made in December 2018. The Committee ensures that the statutory duties placed upon Cheshire East Council are met.

Officers support members in ensuring that they have the most up to date information available to them about local and national legislative changes and offer training annually to support this. Two training sessions were delivered in June and July 2019 by senior officers from Children's Social Care and Education.

The Corporate Parenting Committee has reviewed its Terms of Reference for 2019-20 which is attached at Appendix 1.



## Corporate Parenting Strategy and Pledges

The Corporate Parenting Strategy 2018-20 sets out a number of pledges we are making to our cared for children and young people and those who are care experienced. These are based on what these children and young people have told us will make the most difference to their lives:

### Pledge One

**We will be a good corporate parent**

### Pledge Two

**We will improve education, training and employment outcomes**

### Pledge Three

**We will work to achieve permanence and keep children safe**

### Pledge Four

**We will improve health and wellbeing outcomes**

### Pledge Five

**We will prepare young people for adulthood**

Each Committee meeting is focused on one of the Corporate Parenting Pledges from the Strategy 2018-20. Performance reporting and impact is scrutinised by the Committee, along with issues and risks.

**Five Workstream Groups**, aligned to the five pledge areas, are in place to ensure that this strategy is delivered effectively, and in January 2020 workstream one and three merged to strengthen the shared focus.



## Corporate Parenting Strategy Progress

### Pledge One

#### We will be a good corporate parent

Staff and elected members will understand their roles and responsibilities and be **ambitious corporate parents, who advocate and champion** the needs of cared for children and care leavers in everything they do.

We will **know ourselves and the needs of our children and young people well** and design and deliver services that meet these needs.

**Decisions** about children and young people's lives, and the services that support them, **will be made with them and for them**. We will always value their views.

### What the data tells us

- At the end of March 2020 there were 533 children and young people being cared for by Cheshire East. This is an increase of 49 children and young people from March 2019.
- This equates to 70 cared for children per 10,000 of the child population within Cheshire East, which is slightly higher than last year.

### What have we done? (Committee and Officers)

- We have continued to monitor and scrutinise the progress and impact of the Corporate Parenting Strategy.
- We have received quarterly updates on our cared for children and care leavers through the Corporate Parenting Scorecard.
- We have had regular updates from the Participation Team. The Chair of the Committee and the Head of Service for Cared for Children and Care Leavers have attended 'My Voice' to develop a direct relationship with some of our cared for children and young people.
- The majority of elected members have undertaken corporate parenting training and completed 'Pen-Pictures'.
- On Sunday 24th November 2019 Cheshire East held the annual Star celebration event at Tatton Park. The theme of the event was princesses and pirates and many of our children, young people, family members and carers dressed up for the occasion. Officers and members supported with the day which was a huge success and celebrated the many achievements of our children and young people.
- We celebrated the Cared for Children and Care Leavers' Service achieving the Investing in Children Award.

## TOGETHER: Co-production in Cheshire East

[TOGETHER](#) is our shared definition of co-production in Cheshire East, because TOGETHER is inclusive to all. Our co-production guide sets out how we will work together as equal partners to improve, develop and deliver services towards a common goal for all our children, young people, families and adults. Our guide has been co-produced together with children, young people, families and adults living in Cheshire East.

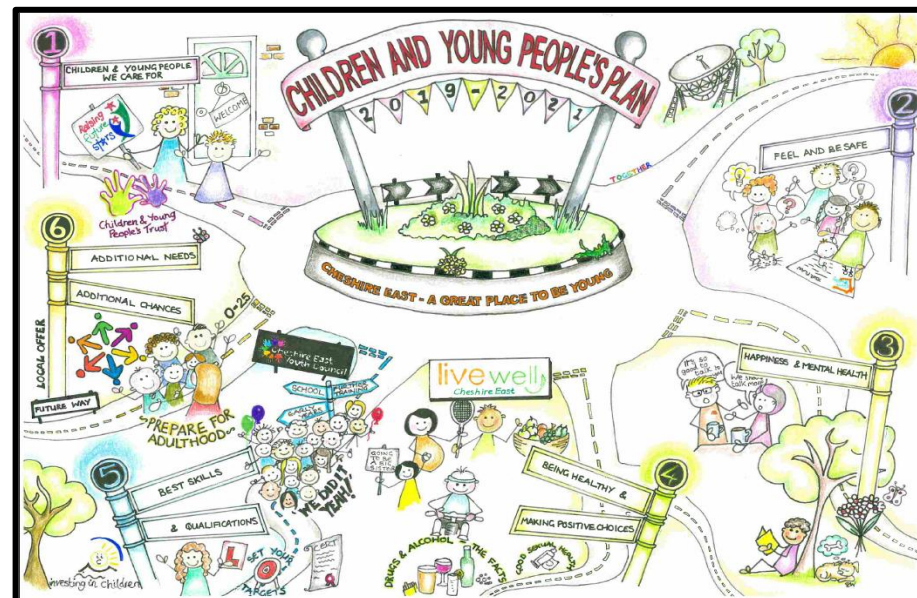
## TACT: Language that Cares

A glossary of words and terms that aims to change the language of the care system has been published. [Language That Cares](#) is a collaborative effort led by adoption and fostering charity TACT (The Adolescent and Children's Trust) and the charity's children and care experienced young people, with contributions from 15 local authorities and organisations. Cheshire East signed up to this national initiative and the final document includes input from cared for children in Cheshire East and we continue to work on embedding this language in all areas of our work.

## Children and Young People's Plan 2019-21

The Children and Young People's Plan, the overarching plan for children's services, was co-produced with children and

young people. Outcome 1 in the new plan is linked to the outcomes of the Corporate Parenting Strategy.



## November Children's Rights Month

November Children's Rights Month offered cared for children and care leavers the opportunity to take over various roles such as an Engagement Officer in Cheshire Police and a Team Manager for Cared for Children. One of our care leavers completed a piece of work around the Care Leavers local offer and was supported to write a policy to support young people and professionals around transgender.



## Engagement with Corporate Parenting

Officers provided members with a menu of activities to support in the delivery of the Corporate Parenting Strategy. Elected members were asked to return their preferences of activities by the 6<sup>th</sup> January 2020 to be able to support functions such as attendance at Corporate Parenting sub-groups and participating in fostering panel. This was impacted by the Covid-19 pandemic and is a key part of 2020-21 action planning.

The latest version of the options for engagement for Members is included in Appendix 2.

**Merging of Workstream Groups 1 and 3** - The new workstream will focus on the following areas:

- Training, support and direct work tools to be developed around **caring for teenagers** and balancing safe risk taking and independence skills.
- Embedding understanding of warning signs of **placement instability** to aid professionals in recognising signs of risk of placement instability, to prevent instability and for children and young people to be better prepared for changes in their home.
- Continuation of the use of trajectories with an aim of all **children placed at home** having a Signs of Safety trajectory and safety plan in place to aid discharge of the care order.

- **Mobility mapping** for all care leavers to ensure that they have clear support networks outside of the social worker and personal assistant that can remain with them into adulthood.
- Strengthening **Strengths and Difficulties Questionnaire** resources to triangulate views and to develop a holistic picture of emotional health.
- Development of **life story work** and use of **words and pictures** to help children and young people understand their journey through care and aims for success.
- **Corporate Parenting Induction Training** will be established with a rolling pattern of focussed thematic training through the remainder of the year.
- **Corporate Parenting Update Training** will be established for all other elected members.

## What impact has it made?

Our Ofsted inspection found that “the voice of the child is a strength” in Cheshire East, and that the Corporate Parenting Committee provided “appropriate challenge to operational services where deficiencies are highlighted. This means that senior leaders are held accountable for the performances of services and the experiences of children.”

The appointment of a specific social worker to support placement stability has led to an increase in stability meetings. These meetings aim to either preserve the existing placement or effectively support transition to a new home. As a result, children and young people have received stronger support to transition to their next home. The next outcome we want to achieve is greater placement stability for children, with more children being able to remain within their current homes, as a result of these meetings.

Our children living at home have much clearer trajectories for their exit from care with the prospect of these children being discharged from care in 2020-21.

### Next steps

- We will embed the TOGETHER principles, and our commitment to being active and ambitious corporate parents throughout all our work through the development and launch of a vision for all children and young people in Cheshire East. The Committee will provide scrutiny and challenge to ensure all our work is carried out TOGETHER with children and young people.
- Members of the Committee will be linked to the Corporate Parenting workstreams and will be engaged with service areas that support cared for and care experienced children and young people so they can hear children and young people's views and understand the current key issues for

our children, staff, and services, to enable effective support and scrutiny.

- We will find a different way to celebrate the achievements of our cared for and care experienced children and young people in 2020 due to the Covid-19 pandemic restricting our ability to hold gatherings.
- The Committee will challenge and scrutinise the experience of children at risk of placement instability by examining the impact of the updated Strengths and Difficulties Questionnaire and additional tools and training for professionals and foster carers in line with refresher Corporate Parenting Training.



## Pledge Two

### We will improve education, employment and training outcomes

We will have **high aspirations** for every child and young person and will **help them to achieve their ambitions**, using opportunities in the 'family business' and our contacts so that they can be **happy and successful** in their education, training and employment.

Every child and young person will have an **education plan that is targeted to enable them to reach their full potential**.

We will strive to that ensure that every child and young person will have **access to consistent, high quality, well matched, full time opportunities**.

### What the data tells us

- From September 2019 to February half term 2020, attendance had increased compared to last year with the average Primary attendance increasing from 90% to 93% and the average Secondary attendance increasing from 90% to 94%.
- 72% of cared for children are in 'Good' or 'Outstanding' schools.
- Data from Q4 2019/20 shows that 9% of our care leavers are attending University.

- On average 86% of cared for children have had their Personal Education Plan completed each term.
- 100% of cared for children were accessing 2–4-year-old early education funding.
- In July 2019, the percentage of cared for pupils who gained Level 5 and above in Maths and English was 19%, which is the same as last year and slightly above the national average. 54% of the cohort gained 5+ GCSE qualifications between grades 9 and 1.

### What have we done? (Committee and Officers)

- A number of year 10 and year 11 students attended an award event on 6<sup>th</sup> June 2019 to receive certificates commending them for the work that they had completed whilst on employment placements.
- We are proud of the A level results for our cared for young people last summer. These successes have been possible due to the hard work of the young people and the close working relationships between the Children's Social Care teams and the Virtual School.
- The **Post 16 Education Subgroup** is focusing on achieving apprenticeships for cared for children and care leavers in and out of the council. This is a measurable target within our Corporate Parenting Strategy and local offer. Alongside this there is a drive to strengthen work experience opportunities within the council.

- The **School Age Children Subgroup** is also focusing on raising attainment for our cared for children and improving their outcomes. Cared for children can experience unplanned changes to their education when they come into care or during their time in care and therefore there is a greater challenge to ensure that they are supported above and beyond so that they achieve their potential.
- As Corporate Parents we continue to be ambitious around achieving the very best outcomes for children and young people in relation to their education, training and employment. At the end of 2019 the Care Leavers Service and the Virtual School ran a 12-week NEET (Not in Education, Employment or Training) programme whereby Care Leavers supported a homelessness project with a personal goal of re-engaging in education. From a total of 12 young people, nine successfully completed the course and have remained engaged in education.
- The Care Leavers Service will be strengthened further within the next 12 months by the resources allocated from the Journey First project. This will see additional keyworker capacity to work with our most vulnerable care leavers in being creative in re-engaging them in education, training and employment. The funding will be available over a three-year period which will offer consistency in relationships, a key driver for Care Leavers.
- A new Deputy Head has been appointed to support Virtual Head Laura Rogerson in the delivery of statutory functions to our cared for children and previously cared for children,

as Laura's role has developed and is now responsible for the SEND service.

### What impact has it made?

- Cared for children are making educational progress and are supported well in schools. Most cared for children/care leavers have an effective PEP in place to ensure that they have clear SMART targets to support continued progress.
- In our inspection in November 2019, Ofsted found that "The virtual school provides strong leadership, which is leading to improving outcomes for most children. The virtual school's focus on the attendance of children in care has led to improvements in both primary and secondary. The virtual school has an accurate understanding of the work needed to ensure that children's outcomes at Key Stages 2 and 4 are improved."





## Next steps

- The Ofsted inspection found that the quality of PEPs are variable, so we will continue to work alongside schools/ settings and social care to further improve the quality and consistency of PEPs for all children and young people.
- Support children and young people to return to education, employment and training from September 2020 following the Covid-19 pandemic, ensuring any gaps in learning have been identified and effective interventions and support is in place.
- Continue to develop our support for post-16 to ensure that all have a clear post-16 pathway to reduce the number of care experienced young people who don't go on to education, employment or training.
- Implement the Journey First project, which will provide additional keyworker capacity to work with our most vulnerable Care Leavers in being creative in re-engaging them in education, training and employ

## Pledge Three

### We will work to achieve permanence and keep children safe

We will strive to ensure that every child and young person will have the **opportunity to live in a good, safe home locally**, either with their family or in another permanent home. All decisions will be made and reviewed with them without delay.

We will **respect those people who are important to our children and young people** and make sure that these safe relationships are sustained.

We will **keep children and young people safe**.



## What the data tells us

- 88% for cared for children reviews took place within statutory timescales, with 98% of children participating in their reviews.
- 273 cared for children live with foster families, 39 live with family and friend carers, 58 live with their parents, 15 children are placed for adoption and 40 live within residential care.
- 107 children are living in permanently matched homes with their foster carers and a further 20 have remained in 'staying put' arrangements with their foster carers after they became 18.
- Of the children who ceased to be cared for during the past year, 15 became subject to Special Guardianship Orders, 17 children were adopted, 10 Child Arrangement Orders were made, 6 Supervision Orders and 5 Care Orders were discharged.

## What have we done? (Committee and Officers)

- We considered the Annual Independent Review Officers Report and how the outcomes for our cared for children and care leavers are quality assured.
- We considered the Cheshire East Safeguarding Children's Partnership Annual Report and about the changes that have been introduced now the LSCB has moved to become the Children's Safeguarding Partnership.

## Adoption

Cheshire East Council's adoption performance was praised by the Department for Education. In a letter marking the publication of 2015-18 adoption scorecards, the department recognised the strong performance on adoption 'timeliness' in Cheshire East. The adoption scorecard for Cheshire East shows that the Department for Education's threshold for both time taken to place children with their adoptive families, and for the average time to match an adoptive family for children, was met in 2015-18. A copy of the letter is attached at Appendix 3.

## Fostering

Cheshire East Council commissioned an independent review of the fostering service which made recommendations about how an alternative delivery structure may assist with recruitment and retention of foster carers, a key objective within the post Ofsted Action Plan. A decision was reached to depart from our collaborative relationship with Foster4 and to engage on our own recruitment and assessment processes to recruit new foster carers to Cheshire East. The planning and trajectory for implementation began towards the end of the year with our exit from Foster4 planned for mid-2020.

Cheshire East submitted a bid to the Department for Education to secure funding for the development of a '**Mockingbird**' fostering initiative to work as part of 'Bespoke' homes for children project. Cheshire East Council were successful in this

bid and the implementation of the project was initiated in October 2019 with a trajectory for the first Mockingbird constellation planned to mobilize mid-2020.

### **Bespoke Children's Homes**

We developed 'Bespoke' and mobilised our new Children's Homes. Bespoke is a hub-based model similar to the North Yorkshire 'No Wrong Door' model which has received national recognition. This will provide wrap around support to children and young people who are in care or on the edge of care.

Following a successful commissioning exercise, the mobilisation of four new residential children's homes are planned to be operational by May 2020 (subject to Ofsted registration) and these will house 12 places for Cheshire East children to reside in their home communities and receive the very best care to achieve their personal goals.

### **Placement Stability and Quality Assurance**

The Cared for Children Team and the Safeguarding Unit facilitate monthly joint performance challenge sessions where this is retrospective analysis of unplanned placement changes. The information gathered from these sessions forms part of the feedback that shapes projects such as the recommission of the 16+ accommodation offer. Placement stability is one of the focus areas within the service, this focus was validated during the last Ofsted inspection as a positive area.

### **Family Time**

The statutory requirement to support and facilitate family time between cared for children and those who are important to them was a priority this year and in planning for the sufficiency needs we ended our commissioned relationship with Core Assets and developed a full in house Family Time service within the Cared for Children's Resource Team.



## What impact has it made?

Cheshire East Council have been able to support children back into their communities by having a very strong commissioned offer of residential homes in the borough. The review of the fostering service and successful bid to the DfE for innovation funding relating to Mockingbird will see greater opportunity for more Cheshire East children to remain living within their communities. We have also equipped our service to be able to deliver the statutory function of family time by resourcing a service appropriately.

## Next Steps

- Continue to work with children and young people to review their changing needs throughout the Covid-19 pandemic, so services can respond and support appropriately.
- Complete the mobilisation of Bespoke and Mockingbird to full capacity.
- Establish our own in-house fostering recruitment service, launch a new recruitment campaign and drive performance in relation to recruitment and retention of Cheshire East Foster Carers.
- Continue to work with Foster Carers to develop our services and support to carers.
- Ensure family time is delivered safely in line with the restrictions due to the Covid-19 pandemic, while working to

support children and young people to maintain the relationships that are important to them.

## Pledge Four

### We will improve health and wellbeing outcomes

We are committed to **understanding the health needs** of our children and young people **as early as possible** and to ensure they are **given the highest priority** in every service.

We will **equip** our children and young people to have **high aspirations for their own health**.

## What the data tells us

- 86% of cared for children had an up to date health assessment
- 97% of immunisations were completed
- For children 5 and under 98% of developmental checks were completed
- 75% of dental checks were completed in timescales
- 58% of care leavers received a summary of their health at the time of their 18<sup>th</sup> birthday. Performance in this area was consistently high during the first 3 quarters of the year however during quarter 4 this work was suspended due to competing priorities relating to Covid-19. A commitment to

ensure all outstanding health summaries are completed by the end of the second quarter of 2020-21 has been made

### What have we done? (Committee and Officers)

- We have considered the Annual Health Report for Cared for Children and Care Leavers.
- Following the **'Help me to be healthy' group**, the Cared for Children Specialist Nurses are now regularly attending service meetings to provide an update for social workers around the health processes for cared for children. This will include discussion around the requirements for making a request for an initial health assessment, the role of the nurse specialists, and how the health needs of cared for children are identified and met, with the intention of impacting on timeliness for requests for health assessments.
- The quality of information provided relating to each individual child when a request for an initial health assessment is made by the child/young person's social worker has significantly improved during this year. This enables the medical practitioner to conduct a more thorough assessment of health need with a greater understanding of the child's history and background.
- Accessing annual dental checks is a statutory requirement for all our children and young people and there have been occasions where it has been difficult to obtain appointments with dentists, in particular during Quarter 4 of

this year. The Dental Adviser for NHS England/Improvement has now been added to the escalation protocol, which has recently been reviewed by the group, in order to address any issues with access.

- Cared for children and care leavers have been added to the priority workstream for children living with mental health issues, which is a task and finish group within the Cheshire East Safeguarding Children Partnership.



### Emotional wellness

The subgroup also focuses on how we understand the emotional well-being of our cared for children and care leavers. Pure Insights attended the meeting in November 2019 and highlighted the benefits observed from the support offered by their emotional well-being worker, ultimately avoiding escalation into services such as CAMHS.



## What impact has it made?

In the context of rising numbers of cared for children, the overall performance in relation to the health outcomes for our cared for children and care leavers remains stable, however our ambition and focus remains for this to improve.

## Next steps

Partnership working between health and children's social care needs to continue to be a priority in order to see improvements in the timeliness of requests for Initial Health Assessments and Review Health Assessments.

Our focus on health passports for care experienced adults has begun to impact of the way our young adults understand their health care journey, an area that we aspire to see greater improvements.



## Pledge Five

### We will prepare young people for adulthood

We will **support young people early with the skills needed** to prepare for their future through access to a range of good quality services.

We will be a **consistent guide** for our young people. We will **celebrate their successes** and **support them when things don't go well**.

We will **respect our care leavers as young adults** and adapt our relationships to their needs.

## What the data tells us

- There were 274 care leavers eligible for services.
- 95% of Pathways Plans were completed within timescales.
- Pathway Plans are reviewed by an Independent Reviewing Officer, and by implementing a phased approach to reviews there has been success in a significant increase in participation of young people in their reviews, from 5% to 66% this year.
- 25% of 16 to 18-year-old care leavers are not in education, employment or training (NEET). Whilst there have been improvements in the number of NEET care leavers over the past 12 months due to the direct work being undertaken by the Personal Assistants, we know that this is an area that requires additional focus.

## **What have we done? (Committee and Officers)**

### **Supporting our care experienced adults and celebrating success**

We have had a care leaver give birth to her second child, she is a great mother to both children and is not receiving any intervention. She has been able to provide them with positive parenting experiences following clear support and intervention for her, and we are very proud to be corporate grandparents!

One young person is completing her final year in her Social Work Degree at university and will be completing her final placement with Cheshire East Child in Need/Child Protection Team. She will be a fantastic contributor to developing our family business. She continues to be a fantastic mother to her daughter balancing full time care and study.

A care leaver within the service has completed a work experience for a week in Italy working in a summer camp with children. She also volunteers every Saturday at a charity shop and is working really hard.

### **Recommissioning of 16+ accommodation**

Cheshire East will begin to retender for the 16+ supported accommodation offer in Spring 2020. The commissioning and children's teams have already begun to write the specification with children and young people in order to ensure that their experiences inform the types, locations and support made

available from any future procured providers. The recommissioning has embraced the feedback from the Ofsted inspection in the need to tailor of deliver model when young adults are accessing emergency accommodation.

There has been a recent focus on care leavers experience of loneliness and how we can as corporate parents support our care leavers to be in touch with members of the community. Pure Insights, a commissioned provider, support many of our care leavers to be included in families and wider community events.

### **Committee have considered the Care Leavers Annual Report**

Committee have considered that annual performance of our care leavers service in preparing care experienced young people for their transition to adulthood.

### **Review of the Local Offer for Care Leavers**

The Care Leavers Service scheduled a review of the Local Offer for Care Leavers, in consultation with Care Leavers. The initial plans were to consult with the Ambassador for Care Leavers, Mark Riddell, however these plans were postponed because the gradual impact of Covid-19 in March 2020. This work is now scheduled for January 2021.

## What impact has it made?

Care experienced adults in Cheshire East have been able to reconnect with the service when they were in need which is a clear demonstration of our corporate parenting approach. Their Pathway Plan review performance further demonstrates a commitment to ensuring that their needs are very clearly articulated, and action plans put in place to deliver co-produced plans for care leavers.

## Next steps

- Recommission of the 16+ supported accommodation offer.
- Review the local offer to care leavers.
- Agree a whole Council approach to prioritise and support care experienced adults into employment, education and training. Implement the Journey First project, which will provide additional keyworker capacity to work with our most vulnerable Care Leavers in being creative in re-engaging them in education, training and employment.

## Priorities for 2020-21

- **Update the Corporate Parenting Strategy.**
- **Coproduce a review of the local offer for care leavers.**
- **Fully mobilise Bespoke residential homes for children, and Mockingbird, to offer more local homes for Cheshire East cared for children and young people.**
- **Ensure that children are cared for with the right package of support and timely discharges from care, and that adoption and permanency planning is prioritised and achieved within children's timescales.**





## **TERMS OF REFERENCE**

### **Cheshire East Corporate Parenting Committee**

#### **Functions**

This is a cross party advisory committee appointed by the Cabinet.

It has 12 Members who are appointed on a politically proportionate basis and nominated by the political groups.

The Committee is informed by representative young people from the Children in Care Council to advise the Committee.

#### **Purpose**

The purpose of the Corporate Parenting Committee in its role as an advisory committee to the Cabinet is to ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers from 0- 25 years of age and holds partners to account for the discharge of their responsibilities.

#### **Terms of Reference**

1. Act as advocates for cared for children and care leavers, ensuring that their needs are addressed through key plans, policies and strategies throughout the Council and its commissioned services.
2. Ensure key strategic plans and reports relating to children in care and care leavers including the Corporate Parenting Strategy, Sufficiency Statement and Children and Young People's Plan.
3. Oversee the implementation of Cheshire East's Corporate Parenting Strategy and action plan and monitor the quality and effectiveness of services to ensure they fulfil the council's responsibilities.
4. Monitor the quality of care delivered by Cheshire East's residential children's homes via the provision of reports including summary reports of Ofsted inspections.
5. Review the performance of the Council in relation to outcomes for children and young people in care via the scrutiny of both quarterly performance reports and annual reports, including the Health of Cared for Children and Care Leavers, the Virtual School, Fostering and the Independent Reviewing Service.

6. Establish an environment whereby Elected Members and young people work together to address the needs and aspirations of Cheshire East's children and young people in care and empower children and young people to participate in decision making with adults.
7. Oversee, with the Children and Families Overview and Scrutiny Committee, the implementation of best practice principles in all aspects of service delivery, with the aim of producing positive outcomes for children and young people in care.
8. Support the work of foster carers and adopters in making a difference to the care and support they provide to children and young people in care and those adopted.
9. Make sure that staff and partners commit to follow the pledges to cared for children and young people and care leavers set out in the Corporate Parenting Strategy.

## **Governance**

The Committee will:

- meet bi-monthly;
- report to the Council's Cabinet on at least an annual basis;
- report to the Council's Scrutiny Committee annually; and
- be informed by young people representatives from My Voice (Cheshire East's Children in Care Council); and
- review its terms of reference annually.

## **Administration**

The Committee will be serviced by Democratic Services in line with other Council Committees.

Minutes and agendas will be distributed and published no later than 5 clear working days prior to the meeting.

The meetings will take place out of school hours to enable cared for children and young people to participate.

## Engagement options for members of the Corporate Parenting Committee

Member Name: 

Activity Area	Frequency	Detail	Preference (please rate 1-3 where 1 is your preference)
Workstreams 1 and 3 - Being a Good Corporate Parent and Permanency	Bi-monthly	<p>This workstream covers both Pledge 1 – Being A Good Corporate Parent and Pledge 3 - Achieving Permanence and Staying Safe:</p> <ul style="list-style-type: none"> <li>• participation with children and young people, elected member and workforce development, developing the corporate parenting role, quality assurance and evaluation of the impact of the corporate parenting strategy</li> <li>• developing direct tools, resources and practice guidance around permanence, stability and managing risk, embedding and challenging understandings of impact on placements and how to minimise disruption.</li> </ul>	
Workstream 2 - Education and employment outcomes	Bi-monthly	The purpose of the RAIC/SPEED group is to plan, implement and monitor co-ordinated actions to support the engagement, achievement and progression of cared for children and young people from age 5 -age 16+ and care leavers.	

Workstream 4 - Improve health and wellbeing outcomes	Bi-monthly	This workstream aims to ensure that all cared for children and care leavers have equitable access to health services to enable them to achieve their optimum health potential and have the same opportunities as children who are not cared for. The group monitors progress of the actions identified to meet the health needs of cared for children and care leavers and identifies new opportunities to improve services available. Opportunities for members of the Corporate Parenting Committee to gain a deeper understanding of the health needs of cared for children and care leavers, and the processes involved in meeting those needs could be achieved by virtually visiting the Specialist Cared for Children Nursing Team.	
Workstream 5 - Prepare young people for adulthood	Bi-monthly	This is a bi-monthly group where the actions of the Corporate Parenting Strategy are discussed, and we also look at how we can improve the preparation for adulthood for our Cared for Children and Care Leavers. The group consists of the Care Leavers Service, Fostering, The Children's Society, the Participation team and occasionally local accommodation providers. We look at new initiatives, how we can move the service forward and then feed back into the corporate parenting operational group.	
Frontline Visits to the Cared for Children and Care Leavers Service	Quarterly	<p>This includes opportunities to engage with the service, team meetings and (with consent of the young people) the Shadow Committee, attend group activities such as the autumn programme supporting care leavers around young people who are NEET and confidence and self-esteem training, and monthly Care Leavers' activities.</p> <p>The NEET programme is starting on 3<sup>rd</sup> November for 12 weeks, with the first sessions taking place on Tuesday 3<sup>rd</sup> and Thursday 5<sup>th</sup> November. Further details will be available in due course.</p>	
Visits to Cheshire East Residential Homes	Every 2 months	Opportunity to engage with young people in the places they live, support quality assurance role and also challenge and feedback to committee on challenges for young people in residential settings, local and community issues.	
Ignition Panel	Monthly	A monthly panel that meets to educate young people on their accommodation options. The panel empowers young people by giving them a choice to make their own decisions with the support of their Social Worker. The panels are usually held at the YMCA in Crewe, and lasts two hours, they are currently happening virtually on the second Wednesday of each month.	

Fostering Panel	Usually every 3 weeks	<p>The Fostering Panel makes recommendations for approval, changes to approval and deregistration of foster carers. It also makes recommendations relating to placement and long-term matching of cared for children and young people. It is expected that members have prepared well by reading the papers that are provided one week prior to Panel. This may take several hours as there are usually large numbers of papers to read. It is easier to take notes while reading so that main issues can be identified at panel quickly. Panel members are expected to contribute to the discussion both prior and post attendance of applicants / foster carers presenting at Panel. These discussions include identification of strength and vulnerabilities of carers drawn from the paperwork, gaps in assessment and compliance with checklist, for example medicals and DBS checks. Panel members are expected to agree questions to ask Carers and who is asking which question. This provides a structure for the carers' attendance. Panel members are expected to contribute to the discussion on recommendations to be made to the Agency Decision Maker. All Panel members are appraised annually by the Chair and the service adviser. In addition, it is expected that Panel members attend the annual development session held with the Fostering Service.</p> <p>Panels start at 9am and usually last approx. 3 hours, they are currently being held virtually via Microsoft Teams. Dates of future panels are:</p> <ul style="list-style-type: none"> <li>• Monday 28th September</li> <li>• Friday 2nd October</li> <li>• Monday 19th October</li> <li>• Friday 23rd October</li> <li>• Monday 09th November</li> <li>• Friday 13th November</li> <li>• Monday 30th November</li> <li>• Friday 04th December</li> <li>• Monday 21st December</li> </ul>	
My Voice (Shadow Committee link	Bi-monthly	Cheshire East's Children in Care Council meet with the chair of Corporate Parenting Committee and Head of Service to discuss the theme of the following Corporate	

– C&F Portfolio Holder to attend)		Parenting Committee. All themes include the five main pledges of the Corporate Parenting Strategy.	
Governing Body for Virtual School	Once per term (3 per year)	The aim of the Governing Board of the Virtual School is to promote high aspirations for the educational progress, attainment, achievement and attendance of Cheshire East Cared for Children; working with key partners to close the attainment gap between Cared for Children and their peers and to ensure that their voice is heard and their full potential is reached. The Governing Body is currently being set up and the first meeting is hoped to take place in September.	
Tuition support	Ad hoc	To offer revision support and guidance to children through online/verbal feedback.	
Independent Visitor group meetings	Every 2 months	<p>Opportunity to visit our Independent Visitor group meetings, meet volunteers and find out from them how they are supporting children and young people, and also to offer any support in the recruitment of Independent Visitors.</p> <p>The next Volunteer meeting is on Thursday 17th September 6pm – 7:30 pm via Microsoft Teams and the next one is in November (date TBC).</p>	
Adoption Panel	Every 3 weeks	Opportunity to influence adoption decisions for children and understand frontline Social Work practice being an Adoption Panel member, these panels run every 3 weeks. There is a commitment with preparation for reading materials prior to panel and attendance at 3-weekly virtual panels.	

Please complete this form and return to [corporateparenting@cheshireeast.gov.uk](mailto:corporateparenting@cheshireeast.gov.uk)

## Appendix 3



**Nadhim Zahawi MP**

Parliamentary Under-Secretary of State for Children and Families

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT  
tel: 0370 030 2288 [www.education.gov.uk/help/contactus](http://www.education.gov.uk/help/contactus)

Councillor Rachel Bailey  
Cheshire East Council  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

25 March 2019

Dear Rachel,

As you may be aware, the 2015-18 Adoption Scorecards were published today and I would like to congratulate Cheshire East for your strong performance on adoption timelines.

Cheshire East has met the government's threshold for both the time taken to place children with their adoptive families, and for the average time between a local authority receiving a court authority to place a child and deciding on a match to an adoptive family for children adopted in 2015-18. Your performance has reduced unnecessary delays and has improved the outcomes for children in Cheshire East.

I am delighted with the work Cheshire East has done to ensure that children are found a permanent home without delay and I hope that you can continue to perform strongly in this area. Although the national average is steadily improving, there is still more that can be done and I hope that through your work with Adoption Counts RAA you are able to have an impact on other local authorities by sharing best practice and driving improvements throughout adoption.

I am copying this letter to: Councillor Jos Saunders, Children and Families Portfolio Holder; Kath O'Dwyer, Acting Chief Executive; Mark Palethorpe, Acting Executive Director of People, and Sue Westwood, Head of Service Adoption Counts.

Yours sincerely,

**Nadhim Zahawi MP**

Parliamentary Under-Secretary of State for Children and Families

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*Working for a brighter future together*

Key Decision: Y

Date First Published:  
26/11/2020

## Cabinet

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**Date of Meeting:** 12 January 2021

**Report Title:** Vision for Children and Young People in Cheshire East

**Portfolio Holder:** Cllr Kathryn Flavell – Portfolio Holder for Children and Families

**Senior Officer:** Mark Palethorpe – Executive Director (People)

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### 1. Report Summary

- 1.1 We have developed an overarching vision for what we want to achieve for children and young people in Cheshire East. This will be used to ensure all practitioners working with children and young people have a shared aim and are clear on the expectation that all work should be done **together** with children, young people and families. This will help us improve outcomes for children and young people by ensuring support is based on what works for them as individuals, there is a one team approach across the partnership centred on the needs of the child or young people, and by recognising and building on strengths within families creating increased resilience for the future.

### 2. Recommendations

2.1 Cabinet is asked to

- Endorse and adopt the vision for children and young people in Cheshire East
- Promote the vision widely
- Ensure these outcomes for children are achieved and decisions are made in children and young people's best interests.

### 3. Reasons for Recommendations

- 3.1. Cabinet has a key role in ensuring that, as a Council, we achieve strong outcomes for all our children, young people and families, particularly those that are more vulnerable to poorer outcomes and need additional help and support.
- 3.2. We believe establishing a shared vision will help to support us to achieve strong outcomes for children across the partnership by ensuring support is based on what works for them as individuals, there is a one team approach across the partnership centred on the needs of the child or young people, and by recognising and building on strengths within families creating increased resilience for the future.

### 4. Other Options Considered

- 4.1 Not applicable.

### 5. Background Information

- 5.1 When Ofsted carried out their inspection in November 2019, inspectors felt that although the voice of the child was embedded within services and was a strength, and partnerships were mature and responsive, that practitioners would benefit from a clear overarching vision which set out what we wanted to achieve for children and young people.
- 5.2 A considerable amount of work has already taken place with our children, young people, families, communities and partnerships to establish our existing effective partnership plans and strategies, such as the Corporate Parenting Strategy, Children and Young People's Plan, Early Help Together Strategy, Special Educational Needs and Disabilities Strategy, and Safeguarding Children's Partnership Business Plan. This work has informed the development of the vision, which pulls together the different elements of all of these plans into one place.
- 5.3 The vision is based on what children, young people, parents, carers and practitioners have told us is important to them. This will be used to ensure all practitioners working with children and young people have a shared aim and are clear on the expectation that all work should be done **together** with children, young people and families. This will help us to make Cheshire East a great place to be young, where all children and young people enjoy great outcomes:
  1. Children and young people we care for are happy and given every opportunity to achieve their full potential.

2. Children and young people feel and are safe.
  3. Children and young people are happy and experience good mental health and wellbeing.
  4. Children and young people are healthy and make positive choices.
  5. Children and young people leave school with the best skills and qualifications they can achieve and the life skills they need to thrive into adulthood.
  6. Children, young people, and young adults with additional needs have better chances in life.
- 5.4 Our three beliefs will help us to ensure we effectively support children and young people as a partnership:
- **Children are best supported within their families and their communities** – this reflects that we want children and young people to remain with their families where possible and safe to do so, so we will take a early intervention and prevention approach that is solution and child focused. Where children cannot remain with their immediate family members, we will look for ways for them to be cared for by or remain connected with their wider family and communities so they can maintain the relationships that are important to them.
  - **All children should enjoy the best education which prepares them to thrive in adulthood** – we know some groups are at risk from achieving poorer educational and employment outcomes and this reflects our ambition for all our children to achieve and enjoy their education and go on to a fulfilling and successful career, and our focus on ensuring young people are prepared for adulthood.
  - **Families and communities are strong and resilient, with the right help, by the right people, at the right time** – this reflects that we want to ensure families get support early and as soon as they need it to prevent issues from forming or becoming more difficult, and that we aim for families to be supported by someone they know and have a relationship with already where this possible and appropriate. We will always work to empower families to be strong and resilient.
- 5.5 Our vision and the work we will undertake to achieve this is detailed within the new Corporate Plan, so there is a golden thread from our strategic plan for the Council, through our children's partnership plans and strategies, down to frontline delivery with families.

- 5.6 The content of the vision is included within the Appendix. The content has been developed with children, young people, parents, carers and staff across the partnership, and their feedback has been incorporated into the final version.

## **6. Implications of the Recommendations**

### **6.1 Legal Implications**

- 6.1.1 There are no legal implications of this report.

### **6.2 Finance Implications**

- 6.2.1 There are no financial implications of this report.

### **6.3 Policy Implications**

- 6.3.1 There are no policy implications.

### **6.4 Equality Implications**

- 6.4.1 Part of our vision is achieving respectful and inclusive communities.

### **6.5 Human Resources Implications**

- 6.5.1 There are no additional human resource implications.

### **6.6 Risk Management Implications**

- 6.6.1 Establishing a shared vision and the expectation that all work is carried out together with children, young people and families will help us to achieve better outcomes for children and young people.

### **6.7 Rural Communities Implications**

- 6.7.1 There are no specific implications for rural communities.

### **6.8 Implications for Children & Young People/Cared for Children**

- 6.8.1 Establishing a shared vision and the expectation that all work is carried out together with children, young people and families will help us to achieve better outcomes for children and young people.

## **6.9 Public Health Implications**

6.9.1 The vision includes promoting healthy lifestyles and positive choices for children and young people.

## **6.10 Climate Change Implications**

6.10.1 There are no climate change implications.

## **7 Ward Members Affected**

7.1 All ward members.

## **8 Consultation & Engagement**

8.1 Children and young people have been consulted and their views have informed the development of the vision.

## **9 Access to Information**

9.1 Further background information relating to this report can be obtained by contacting the officer below.

## **10 Contact Information**

10.1 Any questions relating to this report should be directed to the following officer:

Name: Lauren Conway

Job Title: Interim Head of Service, Children's Development and Partnerships

Email: [lauren.conway@cheshireeast.gov.uk](mailto:lauren.conway@cheshireeast.gov.uk)

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Cheshire East

# TOGETHER for Children and Young People

Together we will make  
Cheshire East a great  
place to be young

## What we want to achieve

### Our Vision

Through working **together** we will make Cheshire East a great place to be young.

We will make our families and communities strong, welcoming and supportive, where differences are respected and celebrated



All our children and young people deserve to be happy, healthy and safe, and to enjoy a life which is filled with fun and opportunities to learn and develop.

We will be hugely ambitious for all our children and young people, supporting them to succeed and grow as individuals. Their interests will be at the heart of everything we do.

We will support children and young people to build on their strengths, develop resilience, and achieve to their full potential. We will celebrate their successes!

We will fully prepare our children for their transition into adulthood, so they have the skills to thrive now and in the future.

### We believe that...

- Children are best supported within their families and their communities.
- All children should enjoy the best education which prepares them to thrive in adulthood.
- Families and communities are strong and resilient, with the right help, by the right people, at the right time.



### Outcomes for children and young people

We will do all we can to ensure that:

1. Children and young people we care for are happy and given every opportunity to achieve their full potential.
2. Children and young people **feel and are safe**.
3. Children and young people are **happy** and experience **good mental health and wellbeing**.
4. Children and young people are **healthy and make positive choices**.
5. Children and young people leave school with the **best skills and qualifications** they can achieve and the life skills they need to thrive into adulthood.
6. Children, young people and young adults with **additional needs have better chances in life**.



## How we'll do this

### Working TOGETHER

We will work together with children, young people, parents, carers, services and communities, as equal partners towards a common goal:

- T**eamwork when designing, delivering and evaluating individual support and services
- O**pen minded ideas and discussions
- G**enuine communication for all parties involved
- E**qual partners help to shape and improve support for all
- T**rust each other to make the right decisions
- H**onest
- E**ngage and empower children, young people, adults and families
- R**espect for everyone's views and opinions



### Our focus

We will work to deliver

- Fairer and more resilient communities
- The best start in life for all children
- Enjoyable education that supports children achieve to their full potential
- The right support at the right time from the right people
- A stronger offer to improve social, emotional and mental health and wellbeing
- Excellence in social work and support
- Our ambition to be the best corporate parents
- Effective support for children and young people with special educational needs and/or disabilities



## How we'll know if we've made a difference

- Children, young people and families will tell us we have made a difference.
- Children, young people and families will be supported at the earliest opportunity.
- We will get it right first time and we will help families to be resilient.
- Children and young people will live safely in their families and communities.
- Children will be cared for if they need to be and will have a permanent home as soon as possible.
- We will improve outcomes for pupils at risk of poor educational outcomes
- All young people, including our most vulnerable, will have choices in their education, employment and training.



### Our behaviours

- ☒ We will work with children, young people and their families to understand what life is like for them, recognising their strengths and aspirations.
- ☒ We will work together as one team, building strength within our relationships – we will make decisions jointly.
- ☒ We will celebrate the achievements of the whole network and learn from the actions that we all take.





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*Working for a brighter future together*

Key Decision: Y

Date First  
Published: 25/08/20

## Cabinet

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**Date of Meeting:** 12 January 2021

**Report Title:** Procurement of Facilities Management Services

**Portfolio Holder:** Cllr Nick Mannion, Environment and Regeneration

**Senior Officer:** Frank Jordan - Executive Director Place

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### 1. Report Summary

1.1 The Council currently holds the following facilities management contracts which are due to expire on 31 March 2022:-

- Building Maintenance
- Statutory Compliance

1.2 In considering the options for the replacement of these contracts, two key elements have been taken into consideration:-

- The Council's Environment Strategy and Carbon Action plan, acknowledging that works need to be undertaken to enable our buildings to be carbon efficient
- The estates transformation programme which is currently underway

1.3 Given this strategic direction, the arrangements being proposed would ensure that these contracts are flexible to enable the Council to deliver any future changes it would wish to make.

1.4 This report reviews the available options for procurement of maintenance services in order to ensure our buildings are safe and fit for purpose.

1.5 In addition, the Council currently has a contract to provide the procurement of the Council's energy (gas and electricity) and the direct provision of associated billing and management services. The contract for this managed service has a value of £50,000 per annum. As part of that service the provider

competitively procure the Council's energy, which amounts to approximately £7.3m per annum. The existing contract is due for renewal on 1 April 2022.

- 1.6 The Council preferred option is to procure a fully managed service whereby the provider purchases energy for and on behalf of the Council via a compliant framework. This provides a flexible procurement method of purchasing energy and provides an end-to-end billing and management service. This negates the need for the Council to deal directly with the energy providers with the provision of energy bills being administered electronically.
- 1.7 This paper seeks delegated authority to the Executive Director of Place in consultation with the Portfolio Holder for Environment and Regeneration to award contracts for these services.

## **2. Recommendations**

### **2.1 That Cabinet**

- 2.2.1 Approve the procurement of a Building Services contract (to be procured through the Facilities Management Marketplace Framework (RM3830).
- 2.2.2 Approve the procurement of the Council's energy supply via a flexible procurement approach and to award a contract for a maximum period of 5 years.
- 2.2.3 Note that the Council will enter into individual Memoranda of Understanding with such Schools and Academies that indicate they wish to participate in the energy supply contract (subject to the Council's contract with the successful provider allowing such participation).
- 2.2.4 Delegate authority to the Executive Director Place in consultation with the Portfolio Holder for Environment and Regeneration and the Director of Governance and Compliance to award contracts to providers meeting the specified requirements.

## **3. Reasons for Recommendations**

- 3.1 Building Services – it is essential that the Council has the necessary mechanisms in place to ensure its buildings are kept safe, secure and fit for purpose and that they meet statutory compliance regulations.
- 3.2 Energy Supply – the existing contract is due for renewal on 1 April 2022. However, selecting a preferred supplier in advance of that date will maximise the supplier's ability to include the Council's future energy requirements within their decision process when purchasing volumes on the futures market. Delaying our decision limits the window of opportunity for our future energy usage to be included and results in higher energy costs.
- 3.3 Legal Services and Procurement will be engaged to provide advice on the procurement process and to review contract documentation.

#### 4. Other Options Considered

- 4.1 An options appraisal has been undertaken, which can be seen in detail in Appendix A (attached) and is summarised in section 5.3.

#### 5. Background

##### ***Building Services***

- 5.1 The current contracts for these services will end on 31 March 2022, making it necessary that a procurement process is commenced in January 2021.
- 5.2 With any contract of this nature, it takes some time for relationships to mature and for the contract to move into a steady state. Whilst the current maintenance and compliance contracts are for 5 years with the option to extend for two years, it is proposed that any new contract is put in place for a period of 7 years, with the option to extend this on +1+1+1 basis.
- 5.3 The following options for procurement were considered and can be seen in more detail in Appendix A:-

##### 5.3.1 **Option 1 – Contract for Maintenance and Compliance**

- 5.3.1.1 Procuring the maintenance and statutory compliance contracts through a framework minimises the procurement time and cost for delivery of a compliant contract. There is the ability to tailor further competitions to ensure delivery considerations such as SMEs and our own social value priorities to deliver measurable benefits and an efficient and sustainable public estate.
- 5.3.1.2 As the Council reviews its estate, it is essential to ensure that there is a degree of flexibility within the Contract. This option enables the removal and addition of properties as the estate is reviewed. It also limits the impacts that would be created through the use of the alternative options identified as there would be no TUPE transfer of Council staff although there may be a TUPE transfer of staff between the current any new provider of the services.
- 5.3.1.3 There will be robust Key Performance Indicators put in place to ensure that the contract is managed appropriately, and the Council's interests are protected.
- 5.3.1.4 From both a strategic and financial point of view, this is considered to be the most beneficial option at this time.

**5.3.2 Option 2 – Total Facilities Management**

5.3.2.1 A total facilities management contract means outsourcing all facilities management requirements to one supplier, which would lead to a TUPE implication for both council employees and those of current providers. Furthermore, a contract management team would need to be retained to ensure the contract continues to meet all the Council's requirements and statutory obligations.

5.3.2.2 Given that the Council is reviewing its estate this may not be a viable option for any TFM provider. Any new provider would wish to build in a liability clause which makes the Council responsible for future redundancy cost, whether they be ex-Council or provider staff.

5.3.2.3 As there would be the requirement for a transfer of Council staff under TUPE regulation, which would have costly implications, this is not considered to be a viable option from a strategic or financial viewpoint.

**5.3.3 Option 3 – CWAC/Engie Joint Venture (Qwest)**

5.3.3.1 Cheshire West and Chester Council entered into a joint venture with Engie in 2015 to provide all their business functions, which included Facilities Management. This contract was open to other local authorities to join. No other LA joins as a 'partner', but can use all or elements of the JV, with CWAC receiving a 2% rebate on all sums payable. The JV is owned 51% Engie and 49% Cheshire West and Chester Council.

5.3.3.2 As with the TFM solution, this would result in a large TUPE implication for both CEC staff and, potentially, existing providers.

5.3.3.3 As there would be the requirement for a transfer of Council staff under TUPE regulation, which would have costly implications, this is not considered to be a viable option from a strategic or financial viewpoint.

**5.3.4 Option 4 – CEC to create a Direct Labour Organisation for the delivery of maintenance and compliance works**

5.3.4.1 The Council could choose to appoint its own workforce to deliver its maintenance and statutory compliance services. However, it would be impossible to cover all disciplines and specialist requirements. Therefore, there would be a requirement for a large number of individual specialist contracts

to be procured, which would be both costly and time consuming.

5.3.4.2 In addition, a large recruitment drive would be required in order to ensure the Council had the necessary staffing resource to deliver works to its diverse range of buildings. This would be both from a direct labour and professional point of view. There would also be TUPE implications as many of the existing contractor staff would have the right to transfer into the Council.

5.3.4.3 This is not considered to be a viable option from a strategic or financial viewpoint.

5.4 Given the current Estates Review Option 1 was deemed to be the most suitable approach to adopt at this time.

### ***Energy Supply***

5.5 Cheshire East Council has opted for a flexible purchasing model since April 2019. This has proven to be successful as the current contract has delivered gas and electricity prices 4.9% lower than the market average during the period of the contract.

5.6 The current contract for electricity and gas supply agreements, which have a combined annual value of approximately £7.3m per annum, are due to expire on 31<sup>st</sup> March 2022.

5.7 The Council currently utilises a managed service through a third party who, in turn, uses a compliant framework for the supply of gas and electricity to the Council. This is the preferred option for future energy procurement.

5.8 The benefits of a managed service are that:-

5.8.1 There is the flexibility to reduce and increase buildings as the need arises, which would be essential when taking the review of the Council's estate into consideration.

5.8.2 The 'type' of energy procured is also flexible, for example, the decision was taken in 2019 to switch the Council's electricity supply to green energy from April 2020 across its operational estate. This was extended to the schools estate with effect from October 2020. This would be a pre-requisite of any replacement contract.

5.8.3 All costs are broken down to include energy prices, pass through costs and management fees. Trading gains made from capturing falls in the energy market are also shown transparently. The management fee is fixed for the duration of the contract.

5.8.4 Each month every site is contacted via email to remind them to read their utility meters which include a link to a central website.

- 5.8.5 Each month every site is contacted via email to notify them that their bills have been produced and can be viewed on a central website.
- 5.8.6 Bills are issued by the managed service provider rather than directly from the utility company. A major advantage of this arrangement is that the monthly charges can be split into separate bills, based on a percentage ratio, so that multiple occupants can be billed directly (such as where there is joint use of a site, e.g. a school and a leisure facility). This arrangement eliminates the need for the host site to recharge the tenant.
- 5.8.7 Technical support is provided regarding industry and legislative changes.
- 5.8.8 Regular reviews of the whole portfolio's billing queries are undertaken.
- 5.8.9 An annual consultation regarding the setting of capped prices including a mid term review and the validation of revisions as a result of any adjustments is provided.
- 5.8.10 The service provides budget advice for individual sites and for the portfolio as a whole.
- 5.8.11 The service includes a dedicated site works coordinator to liaise with builders, contractors and electricians for new connections, meter installations, the upgrade of existing supplies, meter relocations and disconnections.
- 5.9 A managed service also provides the option to collect a customer service delivery oncost element within the annual unit rates of all bills on behalf of the Council.
- 5.10 In summary a Managed Service provides a compliant way of securing the Council's energy requirements using a flexible procurement strategy.

## **6. Implications of the Recommendations**

### **6.1 Legal Implications**

#### *Building Services*

- 6.1.1 Procuring the maintenance and statutory compliance contracts through the CCS framework complies with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules (CPRs). As noted above, use of a framework is likely to minimise the procurement time and cost for delivery of a compliant contract. Legal will be engaged in advising on the framework terms and preparing the contract utilising the materials provided on the CCS framework.



### *Energy Supply*

- 6.1.2 The Council may buy works, goods and services from or through a Central Purchasing Organisation (CPO) and in doing so will be deemed to have complied with the Public Contracts Regulations 2015 (the Regulations) to the extent that CPO has itself complied with Regulations. CPOs supply gas and electricity via separate framework agreements which have been entered into as a result of a competitive process.
- 6.1.3 Whilst the purchase of the energy itself would be compliant (purchasing gas and electricity via a CPO complies with EU regulations and the Council's own internal rules), the purchase of the managed service itself needs to be separately considered. Depending on the contract value for the managed service element it may be possible to make a direct award under the Council's CPRs; alternatively consideration may need to be given to accessing these services via a compliant framework or via a competitive tender process.

## **6.2 Financial Implications**

### *Building Services*

- 6.2.1 The combined value for the Building Services contract (to include maintenance and statutory compliance), for a 10-year period is estimated to be £97 million. The majority of the budget for this contract sits with Facilities Management.
- 6.2.2 It should be noted at this stage that the prices for a revised contract may be higher than the current contract rates. However, a revised contract will be managed within existing budget levels by managing the overall scope of the programme in any given year. Furthermore, the as outlined in this report the council will be seeking to reduce overall maintenance costs through its estate transformation programme.

### *Energy Supply*

- 6.2.3 Annual expenditure on gas and electricity procured via the contract is approximately £7.3m covering Corporate Buildings, Street Lighting, Schools and Academies. This is funded both from the Council's revenue budget and those of Schools and Academies.
- 6.2.4 The benefits of utilising this flexible purchasing model have been demonstrated since its adoption by the Council - this has been proven to be successful as the contract has delivered gas and electricity prices 4.9% lower than the market average during the period of the contract since April 2019; a two year performance review has indicated that prices have been £303k below the market average.

### **6.3 Policy Implications**

- 6.3.1 The recommendations in this report support the delivery of the council's priorities by ensuring that its buildings meet all statutory compliance regulation, are safe and fit for purpose.

### **6.4 Equality Implications**

- 6.4.1 There are no equality implications for this report.

### **6.5 Human Resources Implications**

- 6.5.1 If the chosen procurement route is agreed, there will be no TUPE implication for Cheshire East staff. However, there will be TUPE implications for existing providers.

### **6.6 Risk Management Implications**

- 6.6.1 The procurement is supported by a Project Team comprising specialist support staff from a range of council services.
- 6.6.2 A robust project risk register will be maintained where risks are identified and managed. Risks that cannot be managed or mitigated will be escalated to the project sponsor as appropriate.

#### ***Building Services***

- 6.6.3 Bringing statutory compliance, response, planned and cyclical maintenance together will ensure that the Council's buildings are compliant and fit for purpose, ensuring there is no duplication of works.
- 6.6.4 The selected partner will ensure that the Council's asset data base remains robust and up to date at all times.
- 6.6.5 The Council's objectives to be carbon neutral by 2025 will be supported through this joined up approach, and the scope will be widened to enable further energy projects to be included within the contract.

#### ***Energy Management***

- 6.6.6 Flexible purchasing allows the Council to take advantage of price changes in the energy market. By choosing this purchasing strategy, it spreads its price risk over a number of purchasing decisions throughout the year.
- 6.6.7 The commodity, gas or electricity, is purchased over multiple occasions direct from the wholesale market. Our future energy

requirements are split into base load and peak volume blocks for electricity, or into tranches for gas, that can be bought in monthly, quarterly or seasonal periods. Any residual load covering additional volume requirements can be traded separately.

- 6.6.8 In utilizing a fully flexible procurement approach the Councils risk of exposure to market variations can be controlled and monitored as volumes will be aggregated with the ability to take advantage of fluctuating market prices.
- 6.6.9 There is budget certainty for each financial year with the benefit of a capped price that could be reduced within the period. Energy prices/budgets can be determined as the Council will agree on capped 12 month prices so if costs increase, the Council/users will be protected from the increases and will be able to budget sufficiently.
- 6.6.10 If energy costs fall, prices will be monitored and the provider will be able to unlock/unset tranches of energy thus enabling the participating authorities to benefit from the lower market rates. Any such saving facilitates a reduction in the capped price within the specific 12 month period.
- 6.6.11 Because of the nature of flexible purchasing a Capital At Risk fund is established (in the current contract this is equivalent to 5% of the contract value. This fund is held in reserve and will be returned at the end of the agreed contract period).
- 6.6.12 Potential trading gains when prescribed conditions occur which are used to offset unit costs.
- 6.6.13 This trading provides added value over and above the ability to secure competitive market prices.

## **6.7 Rural Communities Implications**

- 6.7.1 There are no direct implications for rural communities.

## **6.8 Implications for Children & Young People/Cared for Children**

- 6.8.1 There are no direct implications for children and young people.

## **6.9 Public Health Implications**

- 6.9.1 There are no direct implications for public health.

## **6.10 Climate Change Implications**

6.10.1 In line with the Council's intention to be carbon neutral by 2025, these contracts will include the requirement to support these objectives where practically possible.

6.10.2 The Council already purchases green electricity; the implementation of the energy supply contract will enable this to be purchased on the futures market.

## **7. Ward Members Affected**

7.1 No ward Members are directly affected by these procurement exercises.

## **8. Consultation & Engagement**

8.1 None

## **9. Access to Information**

9.1 Appendices attached.

## **10. Contact Information**

**10.1** Any questions relating to this report should be directed to the following :

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Position : Facilities Manager  
E-mail : [denise.griffiths@cheshireeast.gov.uk](mailto:denise.griffiths@cheshireeast.gov.uk)  
Telephone : 07747 693066

## **Appendix A – Options Appraisal**

### **CHESHIRE EAST COUNCIL**

#### **Options Paper – August 2020**

#### **Re-procurement of Facilities Management Contracts**

### **1 Report Summary**

- 1.1 Cheshire East Council has a net operational property budget of £10,959,618 (excluding salaries and capital works).
- 1.2 In 2014, having considered a number of options, the Council entered into an OJEU procurement exercise to tender for FM services under five lots, as follows:-
  - Lot 1 - Statutory Compliance
  - Lot 2 - Maintenance
  - Lot 3 - Security
  - Lot 4 - Waste
  - Lot 5 - Total Facilities Management
- 1.3 The tender specification gave the option for other elements to be included within the contract at a later date, should the TFM solution have been successful.
- 1.4 After a very in depth and complicated procurement processes, both from a cost and quality perspective, the decision was taken to opt for lots 1 – 4; with the TFM solution by far the most expensive.
- 1.5 Contracts were put in place for both Lot 1 and Lot 2, for five years with the option to extend for a further 2 years, with effect from 1 April 2015. The option to extend has been executed and the contracts will end on 31 March 2022, making it necessary that a further procurement process commence by January 2021 at the latest. Neither the waste or security contracts were successful in this process and were retendered.
- 1.6 It should be noted at this stage, that the current maintenance contactor was successful primarily on cost – they currently have to spend more for works than the Council reimburse them. Therefore, it is more than likely that the cost of all works will increase significantly through the procurement of replacement services.
- 1.7 With any contract of this nature, it takes some time for relationships to be built and for the contract to move into a steady state. Whilst the current maintenance and compliance contracts are for 5 years with the additional two years, it is proposed that any new contract be put in place for a longer period, for example, 7 years, with the option to extend for a further 2 + 1 years.

## 2 Options available

### 2.1 **Option 1 – Procure as is, separate contracts**

- 2.1.1 *Compliance* – legionella monitoring, asbestos management, Display Energy Certification, fire risk assessments, Asbestos Consultancy and Surveying, Energy Performance Certification, environmental and air quality testing, health and safety inspections, etc.

Current overall contract value : £4,550,000 (over 7 years)

- 2.1.2 *Maintenance* – planned preventative maintenance (statutory and required); response maintenance, minor works and capital projects up to a value of £250,000. If this route would to be taken it is proposed that this value increase to £350,000.

Current overall contract value : £63,000,000 (over 7 years)

- 2.1.3 *Security* – this contract has been procured several times since the initial contract. The contract is relatively low value, but there have been issues with each contractor – most works, with the exception of key holding, are on an ad hoc basis.

Current overall contract value : £560,000 (over 4 years)

- 2.1.4 *Waste* – this covers several areas, which are all dealt with differently.

Residual and Recyclate waste – this is collected by ANSA Environmental Services. This was not procured under competitive tender, ANSA assumed responsibility for this work under the Teckal agreement as they moved to a wholly owned company. Facilities Management do not hold budget for all residual and recylate waste, with some buildings/services procuring directly, not all through ANSA.

Facilities Management annual cost : £150,117

Confidential Waste – this has been tendered a number of times and falls under a corporate contract covering all services. Procurement are about to award a corporate contract using the ESPO Framework. Facilities Management do not hold budget for all confidential waste, with many buildings/services procuring directly through the Corporate Contract.

Facilities Management annual cost : £10,391

- 2.1.5 Washroom Services – this has been tendered a number of times, whilst a small contract was put in place with Citron Hygiene, the Procurement Team have now extended this into a corporate procurement. Facilities Management do not hold budget for all washroom services, with many buildings/services procuring directly through the Corporate Contract.

Facilities Management annual cost : £8,397

- 2.1.6 Whilst this option retains the status quo with a limited number of contracts to manage, this would be the FM preferred option. As the Council moves towards reviewing its estate, which would be written into each contract, this limits the impacts that would be created on any of the other options, ie no TUPE transfer of Council staff.

#### Advantages

- ✓ A single source supplier for each commodity, rather than all FM services ensure the Council against the loss of all service should a provider cease trading
- ✓ Whilst there would be a significant impact should any contract fail, buildings should still be able to operate
- ✓ Having maintenance and compliance contracts combined, gives a degree of security as one will complement the other and ensure the estate remains compliant
- ✓ Contractors should be incentivised on identifying synergies and savings from bundled services
- ✓ Partnership working between the maintenance and compliance contractors enables joined up working where needed, but maintains a separation when a policing role is necessary
- ✓ Sizeable, but manageable, contracts
- ✓ Contractors gain a good working knowledge of Council buildings and staff
- ✓ No TUPE transfer of Council staff, which could present a risk as the Council reviews the size of its estate.

#### Disadvantages

- ✓ Risk of a provider ceasing trading, leaving the Council vulnerable and requiring alternative provision at short notice
- ✓ Should be incumbent contractor not be successful in securing the new contract, their staff would have the right of TUPE to the incoming provider and may be at risk through should the Council adjust size of its estate.

## 2.2 **Option 2 – Total Facilities Management**

- 2.2.1 The delivery of both hard and soft facilities management has historically been provided through both internal and external resources. Such services include, but are not limited to:-

Facilities Management	In House	External
• Hard & Soft FM planning & contract/framework management	✓	
• Property Helpdesk	✓	✓
• Property/Partner Liaison	✓	



• Property Compliance – asbestos and legionella monitoring, fire risk assessments etc	✓ (FRA)	✓
• Energy Management	✓	
• Carbon Management/strategy	✓	
• Planned cyclical and responsive maintenance works		✓
• Cleaning Services	✓	
• Security Services		✓
• Mailroom Solutions (including Print)	✓	
• Waste Management		✓
• Washroom Services		✓
• Window Cleaning		✓
• Janitorial Services	✓	
• Room booking/building management	✓	
• Office accommodation strategy	✓	
• Space/utilisation planning	✓	
• Move management delivery		✓

2.2.2 A total facilities management contract means outsourcing all facilities management requirements to one supplier, which would lead to a TUPE implication for both the Council and current providers. However, by choosing a TFM contract the Council would be handing over the responsibility and the risks associated with service provision to one company.

2.2.3 Given that the Council is reviewing its estate but at this time does not know what it will look like in the future, this may not be a viable option for any TFM provider. As previously stated, both Council and current provider staff would have the right of TUPE to any new provider with no guarantee of continued employment. Any new provider would wish to build in a liability clause which makes the Council responsible for future redundancy cost, whether they be ex-Council or provider staff.

2.2.4 The entire FM operation is outsourced to a single Facilities Management service provider, to which there are both advantages and disadvantages:

#### Advantages

- ✓ Using a TFM company means only one contract and one point of contact
- ✓ Existing partner provider staff would have the right of TUPE, which could provide some continuity
- ✓ Only one contract to manage, although this is complex requiring a number of disciplines, which would require suitable in-house staff to manage
- ✓ There may be a fixed price and so budget planning should be relatively straight forward
- ✓ Contractor should be incentivised on identifying synergies and savings from bundled services
- ✓ Large scope contract will increase strategic importance from the successful contractor, optimising the service received

- ✓ The contract is likely to be secured by a large FM organisation who could bring best practise from across the FM/property industry
- ✓ Achieving “Zero Carbon” of the council’s property portfolio could be outsourced and measured through KPI’s & SLA’s
- ✓ Implementation of a quarterly Strategic Partnership Board could ensure the Council has the ability to collaborate with its partner and ensure maximum value is received from the successful organisation.

#### Disadvantages

- ✓ Totally dependent on one company for all support services which would be a significant risk should anything happen to this company
- ✓ Should the partner organisation cease to operate, it is likely that Council buildings could not open until a new provider was sourced
- ✓ Whilst only one contract to manage, this will be extremely complex with many different specialisms
- ✓ Both Council staff and current provider staff would be required to TUPE to the new provider
- ✓ There is no guarantee that the partner company would actually provide all of the services directly and would subcontract many of the services to third party companies with whom the Council would have no direct involvement or influence
- ✓ There are likely to be many cost margins due to the use of multiple subcontractors
- ✓ The Council may not be able to monitor aspects that it feels important – the sustainability policies of the third party companies, for example
- ✓ Potential liability for future redundancy costs.

2.2.5 A contract management team, covering the main disciplines, would need to be retained to ensure the contract met all the Council’s requirements and obligations.

2.2.6 The Council would still need to retain a strategic presence to influence the future of its estate.

### **2.3 Option 3 – CWAC/Engie Joint Venture (Qwest)**

2.3.1 Cheshire West and Chester Council entered into a joint venture with Engie in 2015 to provide all their business functions, which included Facilities Management. This contract was open to other local authorities to join. No other LA joins as a ‘partner’, but can use all or elements of the JV, with CWAC receiving a 2% rebate on all sums payable.

2.3.2 As with the TFM solution, this would result in a large TUPE implication for both CEC staff and, potentially, contractors.

2.3.3 The JV is wide ranging and could incorporate other business and estates functions, from an FM perspective though it could include the following:-

- ✓ Hard FM (including statutory compliance and potentially Helpdesk) – QWEST currently carry out the client role for CWAC, with Engie delivering the maintenance programme
- ✓ Soft FM (including building security/janitorial; post; print; reception services, room booking, pool car management – however, CEC currently produce all payslips and consolidated billing for CWAC as their print unit closed)
- ✓ Cleaning
- ✓ Energy Management

2.3.4 Given that the Council is reviewing its estate but at this time does not know what it will look like in the future, this may not be a viable option. As previously Qwest with no guarantee of continued employment. Qwest would, undoubtedly, wish to build in a liability clause which makes the Council responsible for future redundancy cost, whether they be ex-Council or provider staff.

2.3.5 Again, the FM operation would be outsourced to a single service provider, Qwest, with only a strategic management/contract management team retained. However, this would need to be of adequate size to deal with the many issues that may arise.

2.3.6 There are both advantages and disadvantages:

Advantages

- ✓ Working with Qwest means only one contract and one point of contact
- ✓ Management of the contract should be much easier
- ✓ There may be a fixed price and so budget planning should be relatively straight forward
- ✓ Existing partner provider staff would have the right of TUPE, which could provide some continuity
- ✓ Totally dependent on one company for all support services which would be a significant risk should anything happen to this company

Disadvantages

- ✓ Totally dependent on one company for all support services which would be a significant risk should anything happen to this company or Government legislation change the way Local Authorities should work
- ✓ Should Qwest cease to operate, it is likely that Council buildings could not open until a new provider was sourced
- ✓ There is no guarantee that Qwest will actually provide all of the services. In fact, they do subcontract the hard FM to Engie, who then use subcontractors to undertake works
- ✓ There are multiple margins on costs, including a 2% return for CWAC
- ✓ The Council may not be able to monitor aspects that it feels important – the sustainability policies of the third party companies, for example.
- ✓ Cheshire East would not enter into a Joint Venture, this option would be buying contracted services from Qwest only

- ✓ Cheshire East would not receive the equivalent ability to influence the JV company as CWAC as it would have no voting rights
- ✓ Political views of purchasing services from a CWAC owned company may render this option unfavourable
- ✓ CEC will not have the ability to influence the strategic direction of Qwest as board members comprise of 2 x CWAC officers and 3 x ENGIE employees
- ✓ Potential liability for future redundancy costs.

2.3.7 A small contract management team, covering the main disciplines, would need to be retained to ensure the contract met all the Council's requirements and obligations. However, this would need to be of adequate size to deal with the many issues that may arise.

2.3.8 The Council would still need to retain a strategic presence to influence the future of its estate.

2.4 ***Option 4 – CEC to create a Direct Labour Organisation for the delivery of maintenance and compliance works***

2.4.1 The Council could choose to appoint its own workforce to deliver its hard FM and statutory compliance services. However, it would be impossible to cover all disciplines and specialist requirements.

2.4.2 In order to deliver all specialist works, there would be a requirement for a large number of individual specialist contracts to be procured, which would be both costly and time consuming.

2.4.3 Whilst the majority of soft FM services are already undertaken in house, ie post, print, janitorial services, cleaning – these are not specialist services. There would still be a requirement to procure other services, such those identified above.

2.4.4 A large recruitment drive would be required in order to ensure the Council had the necessary resources to deliver works to its diverse range of buildings. This would be both from a direct labour and professional point of view. In addition, there would be TUPE implications as many of the existing contractor staff would have the right to transfer to the Council.

2.4.5 As with all options, there are advantages and disadvantages to this approach:

Advantages

- ✓ The Council would have total control over its work force and how it was utilised
- ✓ Existing partner workforce would have the right of TUPE into the Council, providing some continuity

Disadvantages

- ✓ The Council is not an expert organisation for direct management of these services
- ✓ Bringing direct delivery in house would result in the loss of the systems and best practice from private sector organisations. This would result in a cost increase as labour utilisation and productivity could decrease
- ✓ The Council would be paying staff whether there is sufficient daily work or not, rather than for work delivered
- ✓ Transfer of total risk of compliance and safety management onto the Council
- ✓ A greater reliance on consultants, increasing costs
- ✓ Increased management overhead and liabilities of manage direct employees
- ✓ Large recruitment process, both management and labour force, to ensure appropriate trades and knowledge are employed
- ✓ Large procurement exercise for individual contractors to deliver specialist services
- ✓ Large procurement exercise for plant and equipment, some specialist requiring specialist knowledge
- ✓ Management of multiple contracts
- ✓ Existing partner organisation staff would have right of TUPE into the Council, bringing forward legacy employment issues
- ✓ This would take a number of years to stabilise, putting the Council's estate at risk
- ✓ Short term contracts would be required at the end of the existing to ensure robust systems were in place for the future
- ✓ Accommodation would be required to ensure the services could be delivered from fit for purpose base
- ✓ High insurance and indemnity costs
- ✓ Increased demand on HR and other internal services
- ✓ Requirement for hands on Health and Safety advisors, CDM requirements

### 3.0 Recommendation

Given the Estates Review, it is recommended that Option 1 be taken forward. It is further suggested that a 7 year contract, with the option to extend for 2 years be put in place for both the Maintenance and Compliance contracts.