



CABINET DECISION NOTICE

Publication Date: 22nd August 2024

At a meeting of the Cabinet held on the 21st August 2024 the following matters were discussed. The decisions of Cabinet are set out below each item along with reasons for the decision and other options considered.

Present: Councillor Jackson (in the Chair)

Councillors Dawkins, Harness, Hudson, Shepherd and S. Swinburn

DN.18 APOLOGIES FOR ABSENCE

Apologies for absence were received for this meeting from Councillors Cracknell and Shreeve.

DN.19 DECLARATIONS OF INTEREST

There were no declarations of interests made from Members with regards to items on the agenda for this meeting.

DN.20 MINUTES

The minutes of the Cabinet meeting on the 17th July 2024 were agreed as a correct record subject to the inclusion of Councillor Swinburn's attendance being included.

DN.21 2024/25 QUARTER ONE COUNCIL PLAN RESOURCES AND FINANCE PERFORMANCE REPORT

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets providing key information and analysis of the Council's finance and resources position at the end of quarter one.

RESOLVED –

- 1. That the content of the report be noted and be referred to all Scrutiny Panels for further consideration and oversight appropriate to the scope of the panels.**
- 2. That the revised Capital Programme for 2024/27 included in Appendix 1 (Pages 74-79) of the report now submitted be approved.**

REASON FOR DECISION – The report is important in informing Cabinet of the performance and financial position of the Council and highlighting risks and opportunities.

OTHER OPTIONS CONSIDERED – Not applicable to monitoring report.

DN.22 TREASURY OUTTURN REPORT 2023-24

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets to note the treasury management activity during 2023/24.

RESOLVED – That the treasury management activity during 2023/24 be noted.

REASON FOR DECISION –

The Council's treasury management activity is guided by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also recommends that members are informed of treasury management activities at least twice a year with interim updates on performance against Prudential Indicators reported quarterly. We therefore report in full after Quarter 2 and year end with Prudential Indicators being reported additionally after Quarters 1 and 3 in the Commissioning and Resource Report.

OTHER OPTIONS CONSIDERED

These were set out on Page 29 of the Treasury Management Strategy Statement.

DN.23 CHILDREN'S SOCIAL CARE STATUTORY COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2023/24

Cabinet considered a report from the Portfolio Holder for Children and Education seeking approval to accept the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24.

RESOLVED –

- 1. That the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24 be approved.**
- 2. That the Children's Social Care Statutory Complaints and Compliments Annual Report for 2023/24 be referred to the Children and Lifelong Learning Scrutiny Panel for their consideration.**
- 3. That Subsequent to recommendation 2 above, the responsibility be delegated to the Director of Children's Services in consultation with the Portfolio Holder for Children and Education to publish the annual report.**

REASONS FOR DECISION –

It is a requirement of The Children Act 1989 Representation Procedure (England) Regulations 2006 to produce an annual report regarding the representations made about social care statutory services. The purpose of the attached report is to inform the general public, elected members, and Council officers about the effectiveness of the statutory complaint's procedure.

OTHER OPTIONS CONSIDERED – It is a statutory requirement that an annual report is completed for these complaints and the activities undertaken in responding to the complaints follows current guidance.

DN.24 NORTH EAST LINCOLNSHIRE ANNUAL YOUTH JUSTICE PLAN 2024-25

Cabinet considered a report from the Portfolio Holder for Safer and Stronger Communities seeking endorsement of the North East Lincolnshire Youth Justice Plan 2024/25.

RESOLVED –

- 1. That the North East Lincolnshire Youth Justice Plan 2024/25 which sets out the shared ambition and priorities of the North East Lincolnshire Youth Justice Service be endorsed.**
- 2. That the plan is referred to Full Council for approval.**

REASONS FOR DECISION –

Endorsement of the Youth Justice Plan 2024/25 to support the Youth Partnership Board to provide system-wide leadership and advocate the Child First principle and diversion away from the criminal justice system. This is in keeping with North East Lincolnshire's vision 'Our Children, Our Future' which aims to support children and young people to grow up happy and healthy, safe in their homes and communities, with people that love them.

OTHER OPTIONS CONSIDERED - Not to support the Youth Justice Plan 2024/25.

DN.25 OUR OFFER TO FOSTER CARERS

Cabinet considered a report from Portfolio Holder of Children and Education seeking approval of the principles of enhancement of the offer to foster carers.

RESOLVED –

- 1. That the principles of enhancement of the offer to foster carers as illustrated by the report now submitted be approved.**
- 2. That the Director for Children's Services in consultation with the Portfolio Holder for Children and Education be delegated authority to develop and implement a range of enhancements, subject to adherence to usual governance arrangements in respect of any council tax discount.**

REASON FOR DECISION –

A desktop exercise undertaken in 2023/2024 found the current approach to foster carers and what we offer to them was inconsistent and required improvement. In addition to this, it was identified 44% of children who go into foster care within NELC are currently placed with Independent Fostering Agencies (IFA's). As well as being a more costly

option to the authority, we recognise that where children are placed in-house (NELC Appointed), our Fostering Team have a good knowledge of their carers' abilities and know that the children and young people will be provided with stability and good care resulting in good outcomes. These factors prompted discovery work into how we as a council can ensure to appoint more foster carers and retain the ones we already have. Following desktop research, workshops, engagement with carers and the team the following recommendations are being made as a way to enhance of fostering offer in North East Lincolnshire.

OTHER OPTIONS CONSIDERED –

1. Do nothing - Due to the increasing need for foster carers to be recruited and retained, the do-nothing option is not viable. The opportunity needs to be taken as a preventative and developmental measure rather than a reactive solution. The fostering service and increasing the fostering capacity is also outlined as a priority within the Children's Services improvement journey.
2. Improve only elements of the current offer: This option is already forming within the fostering service as practice improvements are being made both from foster carer feedback and self-assessments. In addition to this the fostering service are currently receiving additional capacity from the Transformation team, communications and learning and development to embed and deliver on any improvements made. Whilst this will enable the effective delivery of the improved offer detailed above should it be agreed, without this, it is anticipated that there will continue to be an increasing number of children who will be placed with fostering agencies and not kept within their local community where it could be otherwise avoided if there was sufficient fostering capacity to offer them a home. Therefore, it is felt that the local authority should use the insights from our foster carers to fully improve the offer where possible.

DN.26 RECOMMISSIONING OF NORTH EAST LINCOLNSHIRE COUNCIL SPEECH AND LANGUAGE PROVISION

Cabinet considered a report from the Portfolio Holder of Children and Education seeking approval to undertake a procurement exercise for speech and language provision.

RESOLVED –

1. **That the undertaking of a procurement exercise for speech and language provision as set out in the report now submitted be approved.**
2. **That the Director of Children's Services, in consultation with**

the Portfolio Holder for Children and Education be authorised to commence the above procurement exercise.

- 3. That the Director of Children's Services, in consultation with the Portfolio Holder for Children and Education be delegated authority to award, and take all ancillary actions reasonably arising, including implementation and mobilisation.**
- 4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all requisite legal documentation arising from the above recommendations.**

REASONS FOR DECISION –

The council and Integrated Care Board (ICB) have a shared statutory duty to provide a speech and language provision across the borough. The council assumes responsibility for universal speech and language therapy (SALT) services for 0-16 and commissions support for 0-5 above the level of need addressed by the Public Health Nursing Team. For those aged 5-16 the council commissions services to support young people in addition to the statutory responsibility on schools and at a sub-clinical level. This contract for the commissioned support is due to expire in March 2025.

OTHER OPTIONS CONSIDERED –

Due to the current contract already being extended twice, a further extension is not an option. The remaining option would be to Do nothing, it is felt this option is not feasible as the council would be failing to meet its statutory duty to provide this service for the children of North East Lincolnshire.

DN.27 WATER, WASTEWATER AND ANCILLARY SERVICES

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking approval to access the YPO Water, Wastewater and Ancillary Services Framework - 1181 via direct award for a period of four years commencing 26 October 2024.

RESOLVED –

- 1. That the Director for Economy, Environment, and Infrastructure, in consultation with the Portfolio Holder for Finance, Resources and Assets be delegated authority to direct award from the YPO Water, Wastewater and Ancillary Services Framework – 1181, together with authority to complete any ancillary action reasonably arising from the above.**

2. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete all legal documentation in relation to the matters outlined above.

REASON FOR DECISION – The Council is required to demonstrate value for money by accessing a nationally recognised framework contract has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part.

OTHER OPTIONS CONSIDERED –

Option 1: Do nothing

Benefit

- There are no benefits for this option.

Challenges

- There would not be a valid supply contract in place.
- The basket would move on to deemed rates. This would see an increase estimated of £26,000 per annum across the portfolio.
- The Council would not be able to demonstrate Value for Money and there would be additional costs of supply at deemed rates.

Option 2: Carry out an independent procurement exercise

Benefit

- Independent test of the market.

Challenges

- The cost and time of a procurement exercise could see the Council slip on the deemed rates.
- Other retailers charge for value added services like those provided by Active Water Management.
- Due to margins set by Ofwat, the Council could see an increase in cost as opposed to a saving.
- The billing systems offered by other suppliers may not be compatible the Council's financial or utility management systems. Additional administrative costs would be incurred if the Council had to switch to paper billing as a result.

Option 3: YPO Water, Wastewater and Ancillary Services Framework – 1181

Benefits

- A framework compliant with UK legislation is available through the YPO.

- Active Water Management service is included at no additional cost.
- WAVE have knowledge of the account as they are the retailer of Anglian Water.
- WAVE is committed to work with the Council with the aim of reducing the Council's water consumption by 10% as part of the framework agreement.
- WAVE have CSR initiatives that will support local schools and young people. NELC will benefit from volunteer activities that support local communities and improve local environments. These activities are reported through the framework KPIs.
- WAVE provide billing technology compatible with existing Council systems.

Challenges

- Due to the margins set by Ofwat, increases in consumption at sites would mean that the Council could see additional increase in cost despite the introduction of the variable margin offered by WAVE.

Recommendation

Option 3: To access the YPO Water, Wastewater and Ancillary Services by direct award to WAVE for a period of four years starting on 26 October 2024.

DN.28 RE-COMMISSIONING OF LOCAL HEALTHWATCH AND INDEPENDENT COMPLAINTS ADVOCACY SERVICES FOR NORTH EAST LINCOLNSHIRE

Cabinet considered a report from the Portfolio Holder for Health Wellbeing and Adult Social Care seeking approval to undertake a commissioning and procurement exercise for the delivery of Local Healthwatch and Independent Complaints Advocacy Service in North East Lincolnshire.

RESOLVED –

- 1. That the Director of Public Health in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care be authorised to undertake a commissioning and procurement exercise for the delivery of Local Healthwatch and Independent Complaints Advocacy Service in North East Lincolnshire.**
- 2. That the Director of Public Health in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care be delegated authority to award the anticipated contract and to deal with all matters reasonably arising from such award in terms of implementation and mobilisation.**

3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all legal documentation in connection with the award.

REASON FOR DECISION –

In April 2022, new health and care legislation came into force, changing the way the NHS and other organisations plan and fund the delivery of care.

The Health and Social Care Act 2012 established a new consumer champion for users of health and social care services, called Healthwatch. Local authorities with responsibility for social care were required to commission an independent organisation in order to deliver the vision.

The Council as accountable and responsible commissioner is required to establish a local Healthwatch and Independent Complaints Advocacy Service.

The recommendations of this report will allow the procurement process to commence and for an award decision to be made. This will allow time to complete the procurement and implement the replacement contract(s) for the 1st April 2025

OTHER OPTIONS CONSIDERED –

Due to statutory duty and the requirement to procure a new contract the local authority must now recommission both services before the current contract expires. However, there may be opportunities to consider different options within the recommissioning process i.e. combining contracts, these will be fully explored as part of the recommissioning process.