



**Oversight and Governance**

Chief Executive's Department

Plymouth City Council

Ballard House

Plymouth PL1 3BJ

T 01752 305155

[www.plymouth.gov.uk/democracy](http://www.plymouth.gov.uk/democracy)

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## Delegated Decisions

### Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Notice of call-in for non-urgent decisions must be given to the Democratic Support Unit by 4.30 pm on Wednesday 01 November 2023. Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decisions detailed below may be implemented on Thursday 02 November 2023 if they are not called-in.

## **Delegated Decisions**

### **1. Councillor Tudor Evans OBE, Leader of the Council:**

- I.a. L29 23/24 - Contract Award: Appointment of Contractor to undertake continued public realm works at Old Town Street and New George Street (Main Works Contract) **(Pages 1 - 26)**
- I.b. L28 23/24 - Support to Millfields Community Economic Development Trust - loan guarantee extension **(Pages 27 - 50)**

### **2. Councillor Jemima Laing, Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications:**

- 2.a. DL01 23/24 - Integration of Cornwall's adoption services into Adopt South West **(Pages 51 - 70)**

# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L29 23/24

Decision	
1	<b>Title of decision:</b> Contract Award: Appointment of Contractor to undertake continued public realm works at Old Town Street and New George Street (Main Works Contract)
2	<b>Decision maker:</b> Councillor Tudor Evans OBE (Leader of the Council)
3	<b>Report author and contact details:</b> Catherine Arthurs, Project Delivery Officer. Tel: 01752 305440 catherine.arthurs@plymouth.gov.uk
4	<b>Decision to be taken:</b> <ol style="list-style-type: none"> <li>To award a £6,077,134. contract to Morgan Sindall Construction and Infrastructure Ltd to complete public realm works in Old Town Street and New George Street as part of the Council's Better Places Programme of public realm improvements. It is intended to award the contract using a NEC Option A contract using the SCAPE Framework.</li> <li>To approve the allocation of £2,764,767, to the capital budget of the Old Town Street and New George Street public realm project, funded by Corporate Borrowing. Thereby, increasing the total project costs to £16,752,850.</li> </ol>
5	<b>Reasons for decision:</b> <ol style="list-style-type: none"> <li>The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.</li> <li>Undertaking the public realm works is necessary for the Council to maintain its commitment to expend central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.</li> <li>Old Town Street and New George Street are identified as priority projects which reinforce the Council's actions to regenerate key areas of Plymouth's city centre.</li> <li>Executive Decision L43 19/20 'Tranche 2: Transforming Cities Fund' (03 July 2020) delegated award of contract to Service Director, contract award incorporated within this executive decision as additional project approval required.</li> </ol>
6	<b>Alternative options considered and rejected:</b> <b>Option 1: Do Nothing</b> – This is not an option since the project is already committed to as a result of earlier enabling works and an order has been placed to purchase granite, the majority of which has been received and cannot be returned.


	<b>Option 2: Do a reduced scheme</b> – A reduced quality scheme delivered without the need for corporate borrowing has been considered but rejected as it would not fully deliver the intended scheme benefits.			
<b>7</b>	<p><b>Financial implications and risks:</b></p> <p>The contract award value is £6,077,134 and relates to all remaining construction works to complete the project.</p> <p>The works are funded from the existing project budget for Old Town Street and New George Street funded through multiple funding sources including external grant funding from Transforming Cities Fund, Local Economic Partnership, and Heritage Action Zone.</p> <p>In order to award this contract, an additional allocation of £2,764,767. funded through corporate borrowing needs to be added to the capital budget of the Old Town Street and New George Street public realm project, thereby, increasing the total project costs to £16,752,850. The other funders are Transforming Cities Fund, Historic England and the Local Economic Partnership. Revenue costs for this corporate borrowing will be contained within funding for existing programme.</p> <p>As with all construction contracts ‘compensation events’ are likely to occur due to project risk meaning the final sum due to the contractor may exceed this figure for the specified scope of works. A separate £500k project contingency is held within the project budget for any such events.</p>			
<b>8</b>	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice)</p>	<p><b>Yes</b></p> <p>x</p>	<p><b>No</b></p> <p>x</p>	<p><b>Per the Constitution, a key decision is one which:</b></p> <p>in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total</p> <p>in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b></p> <p>is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.</p>
	<p><b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b></p>	28/04/2023		
<b>9</b>	<p><b>Please specify how this decision is linked to the Council’s corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b></p>	<p><b>Green investment, jobs, skills and better education</b></p> <p>The outcomes of this project will help support a growing city by encouraging inward investment in the retail, leisure and cultural offer of Plymouth city centre and supporting the diversification of uses including residential and office.</p> <p>Providing aesthetically attractive and inviting city centre streets and spaces that function better through day and into evening will attract increased visitors to the city centre for prolonged periods of time resulting in higher spend, more viable businesses and a more competitive city centre</p>		

		<p>further establishing Plymouth's position as a premier retail and shopping destination for the South West.</p> <p>This project will directly support the growth of the city by encouraging visitors and enabling increased investment from the community and private sector.</p> <p><b>Cleaner, greener streets and transport</b></p> <p>A high quality, safe and pedestrian friendly environment for all with improved connections between the city's established destinations such as Plymouth's West End, Drake Circus, the Barcode, the Barbican and the Box.</p> <p>An avenue of new street trees underplanted with drought tolerant plants resilient to climate change will be provided along with an innovative Sustainable Urban Drainage System, which uses water wisely, directing rainfall towards new rain gardens, irrigating new plants and trees, helping to protect this locality from flooding.</p> <p><b>Improved access to health</b></p> <p>The project will support the creation of positive spaces for residents from across the city, supporting the achievement of health and wellbeing outcomes and promoting social inclusion.</p>
<b>10</b>	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	<p>The project aims to deliver significant environmental improvements to the city centre including a net increase in trees and tree canopy cover, biodiversity net gain through the introduction of new species including those that support pollinating insects. The scheme will deliver a new Sustainable Urban Drainage (SUDs) system that will form part of a wider strategic network in the city centre. The SUDs systems includes 'rain gardens' which integrate the drainage system with the cities green infrastructure to make the best use of surface water. Construction materials have been selected for long-term robustness and durability to reduce lifecycle carbon footprint.</p>

### Urgent decisions

<b>11</b>	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b>	<b>Yes</b>		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		<b>No</b>	x	<b>(If no, go to section 13a)</b>
<b>12a</b>	<b>Reason for urgency:</b>			
<b>12b</b>	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	
	<b>Scrutiny</b>			

	<b>Committee name:</b>	
	<b>Print Name:</b>	
<b>Consultation</b>		
13a	<b>Are any other Cabinet members' portfolios affected by the decision?</b>	<b>Yes</b> <input checked="" type="checkbox"/>
		<b>No</b> <input type="checkbox"/> <b>(If no go to section 14)</b>
13b	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Mark Lowry (Cabinet Member for Finance) Councillor Mark Coker (Cabinet member for Strategic Planning and Transport) Councillor Tom Briars-Delve (Cabinet Member for Environment and Climate Change)
13c	<b>Date Cabinet member consulted</b>	16 October 2023
14	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>	<b>Yes</b> <input type="checkbox"/> If yes, please discuss with the Monitoring Officer
		<b>No</b> <input checked="" type="checkbox"/>
15	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b> Anthony Payne
		<b>Job title</b> Strategic Director for Place
		<b>Date consulted</b> 23 October 2023
<b>Sign-off</b>		
16	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b> DS 63 23/24
		<b>Finance (mandatory)</b> CH 24.10.23 1517.
		<b>Legal (mandatory)</b> 2324/kt/241023
		<b>Human Resources (if applicable)</b> N/A
		<b>Corporate property (if applicable)</b> N/A
		<b>Procurement (if applicable)</b> SN/PS/705/ED/1023
<b>Appendices</b>		
17	<b>Ref.</b>	<b>Title of appendix</b>
	A	Equalities Impact Assessment
	B	Contract Award Part I

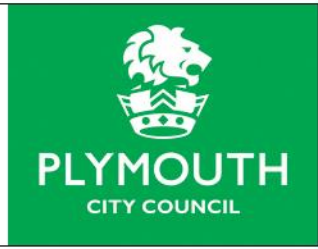
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			x				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	25/03/23				
Print Name	Councillor Tudor Evans OBE (Leader of the Council)							

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**PROCUREMENT GATEWAY 3 -  
CONTRACT AWARD REPORT - PART I**

23186a - Old Town Street and New George Street



**1. INTRODUCTION**

**2. BACKGROUND**

**3. PROCUREMENT PROCESS**

**4. TENDER EVALUATION CRITERIA**

**5. SUMMARY OF EVALUATION**

**6. FINANCIAL IMPLICATIONS**

**7. RECOMMENDATIONS**

**8. APPROVAL**

## I. INTRODUCTION

This contract award report is in relation to the procurement of public realm works in Old Town Street and New George Street (OTS/NGS).

The overall OTS/NGS project will deliver the public realm scheme objectives:

- Improved pedestrian and cycling connections between the city centre, Drake Circus and the Barcode
- Improved public realm that promotes pedestrian priority provides for cyclists
- High quality natural stone paving and green infrastructure
- New modern seating and street furniture

And will comprise:

- The removal of existing surfacing, street furniture & soft landscaping, replaced with new hard and soft landscaping, new street furniture, lighting and public interest items.
- The removal of contaminated material, underground obstructions, pre-war historical city features and old/existing services and utilities systems.
- Construction of new utilities and drainage systems incorporating attenuation and storage of storm water within the scheme.

The work included in this main contract follows on from four earlier phases of enabling works at OTS/NGS which were undertaken in order to understand the unforeseen risks contained within the ground and to progress the groundworks elements of the project while the main contract scope and price are negotiated.

The scope of this main contract is to complete the remaining project works including all of the hard and soft landscaping works.

**Contract Duration:** Until August 2024.

## 2. BACKGROUND

The Better Places Programme seeks to address years of under-investment in city centre streets and spaces; to transform the look and feel of the city centre; to support and lever in further inward investment in retail, leisure, employment and housing.

Old Town Street and New George Street are identified as a priority projects which along with the other project forming the Councils Better Places programme, reinforce the Council's actions to regenerate key areas of Plymouth's city centre.

The contractor is being procured via the SCAPE framework. This contract award report is to complete the remaining project works including all of the hard and soft landscaping works in Old Town Street and New George Street (OTS/NGS).

## 3. PROCUREMENT PROCESS

The SCAPE Construction Framework is being utilised to procure this requirement, which is specifically for public sector bodies' use. The chosen framework delivery partner is Morgan Sindall, via a direct award appointment. Morgan Sindall is a delivery partner on the construction framework for projects valued up to £75 million.

This framework route has been chosen, following a thorough review of the procurement options available for this project. This review concluded that the best option is to utilise the SCAPE Construction framework. This is necessary for the Council to maintain its commitments to expended central government grant money that is time restricted; and to progress the construction of its extensive programme of public realm improvements within Plymouth City Centre in a timely fashion, minimising disruption to the public and its retail partners.

SCAPE is a public-sector partnership. This framework enables construction works suited to the requirement of this project.

Under the SCAPE Framework, four Short Form Delivery Agreements have previously been awarded to the Contractor for enabling works in Old Town Street and New George Street.

The proposed conditions of contract are the NEC4 Engineering and Construction Option A contract. This is a priced lump sum contract linked to a contract programme with an Activity Schedule. Each activity on the schedule is then allocated a price. This provides a simplified payment process as activities are only paid on completion and as a lump sum contract, it gives greater cost certainty for clients.

There is a likelihood in construction contracts for there to be unforeseen changes to the scope and/or site information, or other circumstances, which could lead to a variation. Under the NEC, these variations are known as Compensation Events which are usually not the fault of the contractor and change the cost of the work, or the time needed to complete it. As a result, the prices or programme may be reassessed.

#### **4. TENDER EVALUATION CRITERIA**

This procurement path will ensure value for money as the SCAPE framework is an OJEU compliant procurement process, which was subject to EU wide competition when it was set up.

Framework delivery partners have already been suitability pre-qualified and are performance monitored on a regular basis.

Morgan Sindall is able to demonstrate value for money by competitively tendering the sub-contracted work packages through its extensive supply chain. This means that all of the project spend under this framework will have been subject to competition.

All Compensation Events will be assessed for value for money by the project Quantity Surveyor before instruction.

SCAPE have a project process map which outlines all the necessary steps and documentation that need to be completed throughout the procurement process, to ensure compliance.

#### **5. SUMMARY OF EVALUATION**

The outcome of this review is contained within the confidential Part II paper.

#### **6. FINANCIAL IMPLICATIONS**

The awarded contract value for the main contract works is £6,077,134. Further details of the contractual pricing are contained within the Part II paper.

The works are funded from the existing project budget for Old Town Street and New George Street funded through multiple funding sources including external grant funding from Transforming Cities Fund, Local Economic Partnership, and Heritage Action Zone.



As with all construction contracts 'compensation events' are likely to occur due to project risk meaning the final sum due to the contractor may exceed this figure for the specified scope of works. A separate £500k project contingency is held within the project budget for any such events.

## 7. RECOMMENDATIONS

It is recommended that the main construction contract for this project be awarded to Morgan Sindall Construction Ltd.

## 8. APPROVAL

### Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)			
<b>Name:</b>	Catherine Arthurs		
<b>Job Title:</b>	Project Delivery Officer		
<b>Additional Comments (Optional):</b>			
<b>Signature:</b>		<b>Date:</b>	10.10.23
Service Director [Signature provides authorisation to this award report and award of Contract]			
<b>Name:</b>	Paul Barnard		
<b>Job Title:</b>	Service Director SP&I		
<b>Additional Comments (Optional):</b>			
<b>Signature:</b>		<b>Date:</b>	25/10/2023

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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# EQUALITY IMPACT ASSESSMENT – AWARD OF CONSTRUCTION CONTRACT – OLD TOWN STREET/NEW GEORGE STREET

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Catherine Arthurs	<b>Department and service:</b>	Place SP&I	<b>Date of assessment:</b>	11.10.23
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Nick Carter	<b>Signature:</b>	N J Carter	<b>Approval date:</b>	11.10.23
<b>Overview:</b>	Continuation of public realm works in Old Town Street and New George Street.				
<b>Decision required:</b>	Contract Award - Appointment of Contractor to undertake main contract works in Old Town Street and New George Street.				

## SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	<b>Yes</b>		<b>No</b>	X
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	X

Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	<b>Yes</b>		<b>No</b>	X
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	Not required as project will not negatively impact on service users, communities or residents with protected characteristics nor on Plymouth City Council employees. Potential project impacts were assessed under the initial executive decision.			

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
<b>Age</b>	Plymouth <ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> South West <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> England			

	<ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>			
<p><b>Care experienced individuals</b> (Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
<p><b>Disability</b></p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p>			

	12.2 per cent of residents in Plymouth have their activities limited 'a little' because of a physical or mental health problem (2021 Census)			
<b>Gender reassignment</b>	0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).			
<b>Marriage and civil partnership</b>	40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.  0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).			
<b>Pregnancy and maternity</b>	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.			
<b>Race</b>	In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)  People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)			

	92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).			
<b>Religion or belief</b>	48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth’s population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).			
<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).			
<b>Sexual orientation</b>	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).			

**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
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**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>			
<b>Pay equality for women, and staff with disabilities in our workforce.</b>			
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>			
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>			
<b>Plymouth is a city where people from different backgrounds get along well.</b>			

# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L28 23/24


Decision	
1	<b>Title of decision:</b> Support to Millfields Community Economic Development Trust - loan guarantee extension
2	<b>Decision maker:</b> Councillor Tudor Evans OBE, The Leader of the Council
3	<b>Report author and contact details:</b> Anna Peachey, Economy, Partnerships and Regeneration Manager, <a href="mailto:anna.peachey@plymouth.gov.uk">anna.peachey@plymouth.gov.uk</a> : 01752 307840
4	<b>Decision to be taken:</b> Extend a loan Guarantee from 31 October 2023 to 31 March 2024 (inclusive) between Plymouth City Council, Heart of SW LEP and Millfields CED Trust to enable timely completion of this work.
5	<b>Reasons for the decision:</b> This is an update to Cabinet Decision ‘Urban Enterprise’: New Enterprise Units at Millfields Trust” Passed on 13 March 2013. It will extend Plymouth City Council’s agreement to act as a guarantor to a loan. The extension is from 1 November 2023 to 31 March 2024. As one of Plymouth City Council’s strategic Community Economic Development Trusts, Millfields Trust receives support from the Council to improve economic participation and benefit their community. The Council acted as guarantor for a £2.1m loan from the Heart of SW LEP for developing the Genesis Building in 2013. That loan was made on condition of refinancing after 10 years, and the balance was due to be repaid by 31 October 2023. Enabling mechanisms by the City Council and Heart of SW LEP for refinancing with a commercial loan has resulted in an extension to the repayment period being granted on condition that the City Council continues to act as Guarantor. Repayment is now due by 31 March 2024.
6	<b>Alternative options considered and rejected:</b> The alternative to extending the loan Guarantee is not to extend it. There are no benefits to the Council, the Trust, or the Heart of SW LEP for not extending the loan.
7	<b>Financial implications and risks:</b> As a loan Guarantor, there is an increased risk that the Council would be required to finance the payment of the loan balance to the Heart of SW LEP. The Trust has partly repaid the loan over 10 years, so the value of the financial liability to the City Council is less than the original £2.1m that was agreed by Cabinet in 2013.

8	<b>Is the decision a Key Decision?</b> <b>(Please contact <a href="#">Democratic Support</a> for further advice)</b> Please type an X into the relevant boxes	Yes	No	<b>Per the Constitution, a key decision is one which:</b>
			X	in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save more than <b>£3million</b> in total
			X	in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b>
			X	is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.
<b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b>				
9	<b>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</b>	Unlocking the city's potential - has a vibrant economy offering quality jobs and skills; Delivering on our commitments by: - Enabling our people to deliver - Engaging with and listening to our residents, businesses, and communities		
10	<b>Please specify any direct environmental implications of the decision (carbon impact)</b>	Not applicable		
<b>Urgent decisions</b>				
11	<b>Is the decision urgent and to be implemented immediately in the interests of the Council or the public?</b> Please type an X into the relevant box	Yes		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	X	<b>(If no, go to section 13a)</b>
12a	<b>Reason for urgency:</b>			
12b	<b>Scrutiny Chair Signature:</b>		<b>Date</b>	



<b>Scrutiny Committee name:</b>			
<b>Print Name:</b>			
<b>Consultation</b>			
<b>I3a</b>	<b>Are any other Cabinet members' portfolios affected by the decision?</b>  Please type an X into the relevant box	<b>Yes</b>	X
		<b>No</b>	(If no go to section 14)
<b>I3b</b>	<b>Which other Cabinet member's portfolio is affected by the decision?</b>	Councillor Chris Penberthy, Cabinet Member for Housing, Cooperative Development and Communities.	
<b>I3c</b>	<b>Date Cabinet member consulted</b>	8 September 2023	
<b>I4</b>	<b>Has any Cabinet member declared a conflict of interest in relation to the decision?</b>  Please type an X into the relevant box	<b>Yes</b>	X
		<b>No</b>	This was discussed with the Monitoring Officer.  Councillor Penberthy is aware of the work but has declared a conflict of Interest as a Trust Board member and was not briefed further.
<b>I5</b>	<b>Which Corporate Management Team member has been consulted?</b>	<b>Name</b>	Anthony Payne
		<b>Job title</b>	Strategic Director for Place
		<b>Date consulted</b>	1 September 2023
<b>Sign-off</b>			
<b>I6</b>	<b>Sign off codes from the relevant departments consulted:</b>	<b>Democratic Support (mandatory)</b>	DS60 23/24
		<b>Finance (mandatory)</b>	DJN.23.24.125
		<b>Legal (mandatory)</b>	LS/2168/SW/18/10/23
		<b>Human Resources (if applicable)</b>	
		<b>Corporate property (if applicable)</b>	
		<b>Procurement (if applicable)</b>	
<b>Appendices</b>			
<b>I7</b>	<b>Ref.</b>	<b>Title of appendix</b>	
	A	Part I Briefing report for publication ( <i>mandatory</i> )	

	B	Equalities Impact Assessment ( <i>where required</i> )						
	C	Part 2 Briefing Report						
<b>Confidential/exempt information</b>								
<b>18a</b>	<b>Do you need to include any confidential/exempt information?</b>  Please type an X into the relevant box	<b>Yes</b>	<input checked="" type="checkbox"/>	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
		<b>No</b>	<input type="checkbox"/>					
		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>18b</b>	<b>Confidential/exempt briefing report title:</b>  Part 2 Briefing Report			X				
<b>Background Papers</b>								
<b>19</b>	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
<b>Title of background paper(s)</b>		<b>Exemption Paragraph Number</b>						
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Cabinet Member Signature</b>								
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.							

<b>Signature</b>		<b>Date of decision</b>	25 October 2023
<b>Print Name</b>	Councillor Tudor Evans OBE, The Leader of the Council		

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# MILLFIELDS COMMUNITY ECONOMIC DEVELOPMENT TRUST LOAN GUARANTEE (PART I REPORT)



## 1. Decision to be taken:

To extend a loan Guarantee from 31 October 2023 to 31 March 2024 (inclusive) between Plymouth City Council, Heart of SW LEP and Millfields CED Trust to enable timely completion of this work.

## 2. Organisation being supported.

### Name

Millfields Community Economic Development Trust

### Registered Address

HQ 237 Union Street, Stonehouse, Plymouth, PL1 3HQ.

### Registration number

03513202

## 3. Background

Profile of Millfields Trust:

- 3.1. The Millfields Trust, a trading social enterprise, was founded in 1999 with the goal of revitalising Plymouth's Stonehouse community. Its goal is to revitalize Union Street as a civic spine and provide residents in the heart of Stonehouse with chances for employment that will change their lives, re-establishing the city's once-important connection to Devonport.
- 3.2. The Trust is a democratic organisation with membership open to anyone over the age of 17. Members elect Directors to the Board of management on an annual basis.
- 3.3. This is accomplished through delivering high-quality, reasonably priced office space for renting on flexible terms, as well as a platform for SMEs to grow and thrive. Its facilities are built to accommodate beginning, small, and medium-sized businesses in many industries. New, growing, and existing firms from various industries, including the creative and third sectors and social enterprises, are housed in the business spaces.
- 3.4. The Trust has been using its trading surplus in part to develop work with young people in Stonehouse and to support other community initiatives. This is undertaken in part via our sister Charity, Millfields Inspired, which runs a programme with the goal of raising the aspirations of year 5 children. For the last 14 years, this work has supported approximately 200 children a year.
- 3.5. The Trust recorded an operating profit of £203,056 before tax during the year 2021/22 compared to £226,255 in the preceding year. Income was almost exclusively generated via the letting of business units and conference rooms.
- 3.6. Throughout the year, Millfields ran a series of events to support local businesses and to forge links with the community. This included celebrating 20 years at HQ with tenants.
- 3.7. Following funding of £194,000 from Homes England, secured in 2019 for the development of Block D at the HQ site, a planning application was submitted in December 2021.

#### Profile of the Stonehouse area:

- 3.8. Stonehouse is an inner-city neighbourhood of Plymouth and forms part of the St Peter and the Waterfront Ward. Stonehouse has a population of approximately 9000 people. In 2019 the overall Index of Multiple Deprivation score for St Peter Ward was 47.1 This ranks the ward as 1 in the City. In 2019, 11.5% of the population were claiming universal credit, compared to 5.6% across the City as a whole.
- 3.9. The neighbourhood is also characterized by high levels of social housing and poor-quality private sector housing.
- 3.10. Stonehouse also has a lower life expectancy than the Plymouth average and is the worst neighbourhood in terms of anti-social behaviour. The Ward has the highest rates of child protection cases and children going into care.
- 3.11. Stonehouse is a densely populated neighbourhood, with flats and houses in proximity. With the decline of the pubs and the loss of two community centres and the local health centre, the area lacks places where people can congregate, socialize, meet their neighbours and friends, plan and conduct normal community activities.

#### **4. Loan Background**

- 4.1. Through HotSW LEP, Millfields secured funds from the Growing Places Fund in November 2013 for the building of Genesis (Unit C), HQ building, 237 Union Street, Plymouth, of £2,100,00. This was in the form of a loan.
- 4.2. Terms and conditions of the loan requested that the balance of the loan be repaid within 10 years (by 31 October 2023). PCC acted as a guarantor to this agreement and a charge was placed on the property (second to the Charge by Devon County Council acting for the Heart of SW LEP).
- 4.3. The loan agreement has since been novated to Somerset County Council and the novation of Plymouth City Council's Guarantor Agreement is in progress.
- 4.4. More details of the outstanding balance of the loan are in Part 2 of the report to this Executive Decision.

#### **5. Decision**

- 5.1. Currently, the loan agreement and Guarantee expire at the end of October 2023. An extension of the Loan Repayment Period was agreed by the LEP from 31 October 23 to 31 March 2024 on condition that Plymouth City Council continues to act as loan Guarantor. It is recommended that the City Council agrees to the extension of the Guarantee to enable timely completion of these matters.

# EQUALITY IMPACT ASSESSMENT – MILLFIELDS COMMUNITY ECONOMIC DEVELOPMENT TRUST LOAN AGREEMENT

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Ellie Tighe Senior Economic Development Officer	<b>Department and service:</b>	Economic Development, Economy, Employment, Enterprise	<b>Date of assessment:</b>	17 October 2023
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Amanda Ratsey Head of Economy, Employment and Enterprise	<b>Signature:</b>	Amanda Ratsey	<b>Approval date:</b>	17 October 2023
<b>Overview:</b>	<p>This is an update to Cabinet Decision ‘Urban Enterprise’: New Enterprise Units at Millfields Trust” Passed on 13 March 2013. It will extend Plymouth City Council’s agreement to act as a guarantor to a loan. The extension is from 1 November 2023 to 31 March 2024.</p> <p>The Millfields Trust, a trading social enterprise, was founded in 1999 with the goal of revitalising Plymouth's Stonehouse community. Its goal is to revitalize Union Street as a civic spine and provide residents in the heart of Stonehouse with chances for employment that will change their lives, re-establishing the city's once-important connection to Devonport.</p> <p>As one of Plymouth City Council’s strategic Community Economic Development Trusts, Millfields Trust receives support from the Council to improve economic participation and benefit their community.</p> <p>The Council acted as guarantor for a £2.1m loan from the Heart of SW LEP for developing the Genesis Building in 2013. That loan was made on condition of refinancing after 10 years, and the balance was due to be repaid by 31 October 2023. Enabling mechanisms by the City Council and Heart of SW LEP for refinancing with a commercial loan has resulted in an extension to the repayment period being granted on condition that the City Council continues to act as Guarantor. Repayment is now due by 31 March 2024.</p>				
<b>Decision required:</b>	<p>To extend a loan Guarantee from 31 October 2023 to 31 March 2024 (inclusive) between Plymouth City Council, Heart of SW LEP and Millfields CED Trust to enable timely completion of this work.</p>				

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities, or residents with protected characteristics?	<b>Yes</b>	x	<b>No</b>	
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	x
Is a full Equality Impact Assessment required? (If you have answered yes to either of the questions above then a full impact assessment is required, and you must complete section three)	<b>Yes</b>	x	<b>No</b>	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

<b>Protected characteristics (Equality Act, 2010)</b>	<b>Evidence and information (e.g., data and consultation feedback)</b>	<b>Adverse impact</b>	<b>Mitigation activities</b>	<b>Timescale and responsible department</b>
<b>Age</b>	Plymouth <ul style="list-style-type: none"> <li>16.4 per cent of people in Plymouth are children aged under 15.</li> <li>65.1 per cent are adults aged 15 to 64.</li> <li>18.5 per cent are adults aged 65 and over.</li> </ul>	If the service delivery is mindful of the potential economic challenges for people of different ages, there is a possibility that they will be economically vulnerable and 'left behind'.	Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for different age groups provides a	10-year programme Economic Development Economy, Employment and Enterprise



	<ul style="list-style-type: none"> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>	<p>Age groups with common economic challenges are children, 16–25-year-olds and over 50s.</p> <p>Age also provides considerable intersectionality for example with people caring for children and older people.</p> <p>The deprived nature of the communities where the Trust works means that environments of low educational achievement, low wage jobs and health challenges can also add to the challenges of age groups.</p>	<p>foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity and will be targeted where appropriate on age groups that require specialist interventions.</p>	
<p><b>Care experienced individuals.</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience as though it is a protected characteristic).</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19–21-year-old care leavers are not in education, employment, or training (NEET) compared to 12 per cent of all other young people in the same age group.</p> <p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all</p>	<p>If the service delivery is not mindful of the potential economic challenges for care experienced individuals there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>There is some intersectionality with other protected characteristics.</p> <p>The deprived nature of the communities where the Trust works means that environments of low</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for care experienced individuals.</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>

	<p>those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>	<p>educational achievement, low wage jobs and health challenges can also impact care experienced individuals differently.</p>		
<p><b>Disability</b></p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>	<p>If the service delivery is not mindful of the potential economic challenges for people with different health challenges, there is a possibility that they will be economically vulnerable and ‘left behind’.</p> <p>Physical and mental health problems can add to the challenges of finding and retaining jobs and running a business.</p> <p>Neurodiversity is also classified as a disability and would be of interest in planning these services.</p> <p>Many types of health challenge are more prevalent in areas of deprivation such as those covered by the Trust.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people with different disabilities provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity and will be targeted where appropriate on types of disability that require specialist interventions.</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>
<p><b>Gender reassignment</b></p>	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as</p>	<p>If the service delivery is not mindful of the potential economic challenges for</p>	<p>Meetings between the Economic Development lead officer and Trust</p>	<p>10-year programme Economic Development</p>

	<p>non-binary and, 0.1 per cent identify as a trans woman (2021 Census).</p>	<p>people with a gender identity that is different from their sex registered at birth, there is a possibility that they will be economically vulnerable and 'left behind'.</p>	<p>representative will ensure that understanding of the challenges for people with gender reassignment provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity. It is likely that services supporting people with gender reassignment would be integrated with those delivered across the city and this agreement would seek to enable signposting and support.</p>	<p>Economy, Employment and Enterprise</p>
<p><b>Marriage and civil partnership</b></p>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnership of the same sex. 0.06 per cent of residents are in a civil partnership with the opposite sex (2021 Census).</p>	<p>If the service delivery is not mindful of the potential economic challenges for people with different partnership and marriage status, there is a possibility that people affected will be economically vulnerable and 'left behind'.</p> <p>There is also considerable intersectionality with the other protected characteristics.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people with different partnership and marriage status provides a foundation for planning of services.</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>

<p><b>Pregnancy and maternity</b></p>	<p>The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.</p>	<p>If the service delivery is not mindful of the potential economic challenges for pregnant people, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is also considerable intersectionality with the other protected characteristics.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for pregnant people provides a foundation for planning of services.</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>
<p><b>Race</b></p>	<p>In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census)</p> <p>People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census)</p> <p>92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).</p>	<p>If the service delivery is not mindful of the potential economic challenges for people from different races and ethnicities, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is some intersectionality with other protected characteristics such as religion and sex that affect the challenges that people of different ethnicities can face at work.</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people of different ethnicities provides a foundation for planning of services.</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>
<p><b>Religion or belief</b></p>	<p>48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census).</p> <p>Those who identified as Muslim account for 1.3 per cent of Plymouth's population while</p>	<p>If the service delivery is not mindful of the potential economic challenges of people with different religions and beliefs, there is a possibility that they will be</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for people of</p>	<p>10-year programme Economic Development Economy, Employment and Enterprise</p>

	Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).	<p>economically vulnerable and 'left behind'.</p> <p>There is some intersectionality with other protected characteristics for example sex, where religious practices can be more visible in men or women.</p>	different religions or beliefs, provides a foundation for planning of services.	
<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).	<p>If the service delivery is not mindful of the potential economic challenges for men and women, there is a possibility that they will be economically vulnerable and 'left behind'.</p> <p>Sex also provides considerable intersectionality for example with people caring for children and older people.</p> <p>The deprived nature of the communities where the Trust works means that environments of low educational achievement, low wage jobs and health challenges can also impact men and women differently.</p>	Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the challenges for men and women, provides a foundation for planning of services.	10-year programme Economic Development Economy, Employment and Enterprise
<b>Sexual orientation</b>	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual	If the service delivery is not mindful of the potential economic challenges for people with different sexual orientation, there is a	Meetings between the Economic Development lead officer and Trust representative will ensure that	10-year programme Economic Development Economy, Employment and Enterprise

	<p>orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).</p>	<p>possibility that they will be economically vulnerable and 'left behind'.</p> <p>There is some intersectionality with age and sex that impact on the discrimination that people with different sexual orientations experience in the workplace. This is also an issue in different types of work.</p>	<p>understanding of the challenges for people of different sexual orientation, provides a foundation for planning of services.</p> <p>Services will therefore take a proactive approach to equality and inclusivity. It is likely that services supporting people with any challenges associated with their sexual orientation would be integrated with those delivered across the city and this agreement would seek to enable signposting and support.</p>	
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**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	<p>With a focus on economic development, the services to be delivered under this grant agreement need to be mindful of the Human rights act and the rights of the communities covered by the Trust.</p> <p>The HRA conveys the right to:</p>	<p>Meetings between the Economic Development lead officer and Trust representative will ensure that understanding of the HRA provides a foundation for planning of services.</p> <p>While the purpose of this document is to ensure compliance</p>	<p>10-year programme</p> <p>Economic Development</p> <p>Economy, Employment and Enterprise</p>

	<ul style="list-style-type: none"> <li>▪ life</li> <li>▪ freedom from torture and degrading treatment</li> <li>▪ freedom from slavery and forced labour.</li> <li>▪ liberty</li> <li>▪ a fair trial</li> <li>▪ respect for private and family life</li> <li>▪ thought, conscience and religion, and freedom to express your beliefs.</li> <li>▪ freedom of expression</li> <li>▪ freedom of assembly and association</li> <li>▪ marry and to start a family.</li> <li>▪ peaceful enjoyment of your property</li> <li>▪ an education</li> <li>▪ participate in free elections.</li> </ul> <p>and the right not to be.</p> <ul style="list-style-type: none"> <li>▪ subjected to the death penalty.</li> <li>▪ punished for something that wasn't a crime when you did it.</li> <li>▪ discriminated against in respect of these rights and freedoms.</li> </ul>	<p>with the HRA, it is noted that breaches of the HRA are sometimes associated with work and can provide challenges for those people in the workplace. Hence, awareness of the HRA is important for delivery of these services.</p>	
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**SECTION FIVE: OUR EQUALITY OBJECTIVES**

<b>Equality objectives</b>	<b>Implications</b>	<b>Mitigation Actions</b>	<b>Timescale and responsible department</b>
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	No one is employed directly under the Agreement that is the subject of this EIA.		
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	No one is employed directly under the Agreement that is the subject of this EIA.		
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	NA		
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	While this isn't the purpose of the services under this Agreement, this will be important to optimal delivery and support, signposting and referral mechanisms may be required.	Ensure that the Trust workforce is aware of support, signposting, and referral mechanisms for victims of hate crime.	From year 1 and throughout the 10-year programme Economic Development Economy, Employment and Enterprise
<b>Plymouth is a city where people from different backgrounds get along well.</b>	This is at the heart of the services to be delivered under this Agreement with particular focus on the workplace	Meetings between the Economic Development lead officer and Trust representative will ensure that social cohesion is a guiding principle for planning of services.	From year 1 and throughout the 10-year programme Economic Development Economy, Employment and Enterprise



The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

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# EXECUTIVE DECISION

made by a Cabinet Member



## REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

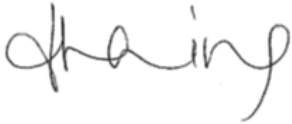
Executive Decision Reference Number – DL01 23/24

Decision	
1	<b>Title of decision:</b> Integration of Cornwall's adoption services into Adopt South West
2	<b>Decision maker:</b> Councillor Jemima Laing, Deputy Leader and Cabinet Member for Children's Social Care, Culture, Events and Communications
3	<b>Report author and contact details:</b> Nigel Denning , Service Director Children, Young People and Families nigel.denning@plymouth.gov.uk
4	<p><b>Decision to be taken:</b></p> <ol style="list-style-type: none"> <li>1. To agree the proposal to integrate Cornwall into Adopt South West as a full member as outlined in the Briefing report.</li> <li>2. To agree the implementation of a revised funding formula that will be introduced over 2 years 2024/26</li> </ol>
5	<p><b>Reasons for decision:</b></p> <p>Cornwall joining Adopt South West will provide several key benefits to existing Local Authorities:</p> <ol style="list-style-type: none"> <li>1. Cornwall has an outstanding adoption service and expertise across children's social care, evidenced in its outstanding Ofsted inspection report outcome (2019). This would indicate that Cornwall can contribute positively to the good quality of social work practice in Adopt South West. Although Adopt South West has not yet been inspected by Ofsted a peer review by Essex County Council in 2021, identified a good quality of practice.</li> <li>2. Cornwall joining will offer a wider range of potential adopters for children across the Adopt South West area. A single pool of adopters would improve the capacity for a reduction in the number of 'change of plans' across the region, leading to potential for more children achieving permanence through adoption. It would improve adopter recruitment levels and all potential prospective adopters will have the same consistent preparation within the Adopt South West region.</li> <li>3. There is the potential for member authorities to see improved outcomes for children due to swifter matching for children within a larger pool of prospective adopters to achieve the most suitable match.</li> <li>4. An increase in the number of partners to share overhead costs will see each of the existing partners benefit by over £203k in the first year of their membership. All of the local authorities involved could potentially achieve better value for money when commissioning and procuring contracts for services and pooling resources.</li> </ol>

<p><b>6</b></p>	<p><b>Alternative options considered and rejected:</b></p> <p>1. The no change option was not a viable option as the push for Cornwall to join a Regional Adoption Agency (RAA) came for the Department for Education and given their location, Adopt South West was the only RAA that made logistical sense.</p> <p>2. The other proposal considered was for Cornwall’s adoption services to be integrated into Adopt South West, with the exception of the adoption support services. However, this option was not considered viable by the existing Partners as it would have meant that Partners in Adopt South West would no longer have been equal, which would have made the calculation of financial contributions and governance arrangements extremely difficult.</p>			
<p><b>7</b></p>	<p><b>Financial implications and risks:</b></p> <p>1. Work has taken place over recent months to ensure that Adopt South West will have sufficient additional budget to take on the functions for which it will now be responsible. In total additional budget of £916k will be required.</p> <p>At their meeting in August 2023 the Adopt South West Strategic Board were asked to consider a new funding formula for use for the period 2024/25 to 2026/27. This new methodology fundamentally changes the basis on which partners are recharged for the costs of Adopt South West and uses volumetric activity data to determine charges to each partner. Partners have informally indicated that they are happy with the new methodology and have recently informally agreed to implement this over a 2-year period, subject to the normal democratic decision-making processes required by each partner. Options based on implementing the formula over different timescales from one to three years were explored but consensus on the implementation over 2 years has been reached. All other options were rejected by one or more of the partners.</p> <p>Cornwall have worked closely with the Adopt South West finance team to enable their contribution levels under both the existing and proposed funding formula to be calculated by providing operational volume data and historic spend information.</p> <p>If the funding formula is fully implemented the Plymouth contribution to Adopt South West will reduce to <b>£996,107</b> in 2025/26 from <b>£1,098,126</b> in 2024/25 and <b>£1,219,614</b> in 2023/24</p> <p>The implementation of the new funding formula and its phasing are subject to the democratic decision-making processes of each partner. In the event that any partner fails to ratify this proposal then the existing funding formula would apply.</p>			
<p><b>8</b></p>	<p><b>Is the decision a Key Decision?</b> (please contact <a href="#">Democratic Support</a> for further advice) Please type an X into the relevant boxes</p>	<p><b>Yes</b></p>	<p><b>No</b></p>	<p><b>Per the Constitution, a key decision is one which:</b></p> <p>X in the case of <b>capital</b> projects and contract awards, results in a new commitment to spend and/or save in excess of <b>£3million</b> in total</p> <p>X in the case of <b>revenue</b> projects when the decision involves entering into new commitments and/or making new savings in excess of <b>£1 million</b></p> <p>X is <b>significant</b> in terms of its effect on communities living or working in an area comprising <b>two or more</b> wards in the area of the local authority.</p>
<p><b>If yes, date of publication of the notice in the <a href="#">Forward Plan of Key Decisions</a></b></p>				

9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	Keeping children safe is a key priority for the council. This proposal strengthens existing arrangements for adoption whilst spending money wisely and providing quality public services.		
10	Please specify any direct environmental implications of the decision (carbon impact)	None.		
<b>Urgent decisions</b>				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support ( <a href="mailto:democraticsupport@plymouth.gov.uk">democraticsupport@plymouth.gov.uk</a> ) for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
<b>Consultation</b>				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	X	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			
13c	Date Cabinet member consulted			
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
15	Which Corporate Management Team member has been consulted?	Name	David Haley	
		Job title	Director of Children's Services	
		Date consulted	03 October 2023	

Sign-off									
16	Sign off codes from the relevant departments consulted:		Democratic Support (mandatory)			DS62 23/24			
			Finance (mandatory)			DJN.23.24.119			
			Legal (mandatory)			LS/00001312/1/AC/18/10/23.			
			Human Resources (if applicable)						
			Corporate property (if applicable)						
			Procurement (if applicable)						
Appendices									
17	Ref.	Title of appendix							
	A	Briefing report for publication ( <i>mandatory</i> )							
	B	Equalities Impact Assessment ( <i>where required</i> )							
Confidential/exempt information									
18a	Do you need to include any confidential/exempt information?		Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in <b>18b</b> below.  (Keep as much information as possible in the briefing report that will be in the public domain)				
			No	X					
			Exemption Paragraph Number						
			1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:								
Background Papers									
19	Please list all unpublished, background papers relevant to the decision in the table below.  Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
Title of background paper(s)			Exemption Paragraph Number						
			1	2	3	4	5	6	7

<b>Cabinet Member Signature</b>							
<b>20</b>	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act (2010) and those who do not. For further details please see the EIA attached.						
<b>Signature</b>				<b>Date of decision</b>	25/10/23		
<b>Print Name</b>	Cllr Jemima Laing						

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# INTEGRATION OF CORNWALL INTO ADOPT SOUTH WEST

## 1. EXECUTIVE SUMMARY

- 1.1 Cornwall Council are requesting permission by Adopt South West members and host Devon County Council to join Adopt South West. Merging Cornwall and the Isles of Scilly Council Adoption Service, both pre and post order adoption services, and therefore as a full member with Adopt South West.
- 1.2 The benefits far exceed the disruption that moving a service will cause, giving Adopt South West delegated duties for all Adoption core functions, which will also allow a larger area of media coverage leading to more potential adopters, a streamlined service over a large proportion of the South West area, continuity of service not only for staff working within adoption but also for our children and adopters.
- 1.3 Cornwall and the Isles of Scilly Adoption Service propose to TUPE staff to Devon County Council and provide finances to support Adopt South West to enable the continuation of outstanding adoption practices across the region.

## 2. BACKGROUND

- 2.1 In June 2015, the Department of Education (DfE) required all adoption agencies in England to consider how they could work more closely together on a regional basis.
- 2.2 The Education and Adoption Act 2016 gave the Secretary of State a new power to direct one or more named Local Authorities to make arrangements for any, or all, of their adoption functions to be carried out on their behalf by one of the Local Authorities named, or by another agency.
- 2.3 On 11 April 2018, Devon Cabinet agreed that a Regional Adoption Agency named Adopt South West be established, incorporating the adoption services of Somerset County Council, Torbay Council and Plymouth City Council, to be hosted by Devon County Council.
- 2.4 Cornwall and the Isles of Scilly adoption service did not join a Regional Adoption Agency at this time due to uncertainty about the model being proposed, and concerns at the time about consistent practice standards. However, seven years have since passed since the Education and Adoption Act 2016 came into force and Regional Adoption Agencies across England have developed significantly.
- 2.5 Cornwall is now one of only two Local Authorities nationally who are not yet part of a Regional Adoption Agency and the DfE has given a clear message that Cornwall should join a Regional Adoption Agency as soon as possible.
- 2.6 In partnership with Adopt South West, Cornwall undertook a review of options for Cornwall's future relationship with Adopt South West.

## 3. PROPOSED CHANGES AND REASONS

- 3.1. The proposal is for Cornwall and the Isles of Scilly Adoption Service to join Adopt South West as a full member. Becoming a full member would lead to Cornwall joining the existing partners and sharing equal influence and accountability to further develop and improve the service. All core functions, pre and post adoption order, of Cornwall and the Isles of Scilly adoption agency would be delegated to the Adopt South West.
- 3.2. Decision making related to children would continue to be held by the Local Authority.

3.3. The Isles of Scilly would be included in the agreement on the current arrangement terms and a new Service Level Agreement will be agreed between Devon County Council and the Isles of Scilly.

3.4. It is felt by Cornwall Council that Adopt South West was the best regional adoption agency for Cornwall to join, not just because of its locality but because it is a high performing agency that has developed excellent practice in the four years since it was set up. Essex Children and Families Partner in Practice (PIP) have undertaken two Peer Reviews of Adopt South West, the first in December 2020 and the second in February 2022. They found Adopt South West to be a 'very good, well-functioning organisation producing a large volume of high-quality work' and that they had achieved an enormous amount of progress in a very short timescale.

3.5. Fourteen posts from Cornwall's Adoption teams, including business support, will transfer to Devon County Council, as host of Adopt South West. Staff in those posts at the point of transfer will be subject to the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations unless they inform their current employer, Cornwall Council, in writing, that they do not wish to transfer. In addition, Cornwall will transfer funding for 60% (3 days) of a Service Manager post to cover the increased workload and staff management responsibilities and 100% (5 days) for team management of Cornwall's adoption work.

3.6. Cornwall's geographical area is unique, and the TUPE transfer of Cornwall Council employees will ensure that all of Cornwall can be easily accessed by staff who know Cornwall. All Adopt South West workers will also be able to access and work from any main Cornwall Council building, which would include meeting rooms to printing facilities. This will assist at times with areas of demand across the whole of the South West region.

3.7. Negotiations will take place about the inter-agency budget and contributions that will be made for placing children with adopters approved by adoption agencies other than Adopt South West. Joining Adopt South West will enable access to a single pool of adopters across five Local Authorities, which have a financial benefit.

3.8. Cornwall's Adoption Panels will move to Adopt South West. All Cornwall Adoption Panel members will be encouraged to join Adopt South West Central List. The Cornwall Health Authority Medical Advisor as well as Education colleagues would continue to provide their service to all children across the Adopt South West region. Virtual Adoption Panels have been successful within Adopt South West, providing consistent scrutiny of documents, with one Agency Decision Maker, Head of Adopt South West, for prospective adopters.

3.9. Cornwall Council, as with all local authorities, will retain decision-making for children, in respect of Cornwall's children.

#### 3.10 Risks and Mitigations:

3.10.1 As with any large change, there is the potential that some Cornwall employees may feel anxious about TUPE to another local authority, in this case Devon County Council. They may be concerned about the loss of their identity and worried their feelings will not be addressed. However, it is recognised that the processes within the TUPE consultation will be designed to support these employees and address any concerns they have. Having the opportunity to informally meet Adopt South West employees before the 'go live' date has also helped with relationship building and give incoming staff some confidence about working more closely together. Staff are already participating in task and finish groups to align practice and build relationships. Plans are in place for the staff groups to continue to come together on a regular basis throughout 2023 and 2024.

3.10.2 Adopt South West's funding formula is at this time under final consultation by their members and proposals have now been made, and informal agreement on the implementation timetable has been reached subject to the normal democratic decision-making processes. The financial implications section of this business case outlines this option.

3.10.3 There is the potential for inter-agency fees across the region to be reduced as no fee would be paid for adoptive placements within the Adopt South West region. However, there is also a risk the inter-agency fees could be greater. Although it is expected that children from across the region could also be matched to prospective adopters resident in Cornwall as well as the rest of the region, there may be occasions when other regional adoption services or voluntary adoption agencies will be used. These costs form part of the Adopt South West funding formula, that Cornwall would contribute to.

### **3.11 Benefits:**

3.11.1 Cornwall Adoption Agency have, for a number of years, been an outstanding Ofsted rated adoption agency but recognise that within the fast-changing pace of social work and current adoption climate, joining and pooling resources, knowledge and expertise with four other Local Authorities, (Devon, Plymouth, Somerset and Torbay) would be extremely beneficial for children whose permanence plan is one of adoption. With the integration of Cornwall, practice would be standardised across all five Local Authorities adoption services, which will provide consistency to the child and the adopter experience.

3.11.2 There is the potential for member authorities to see improved outcomes for children due to swifter matching for children within a larger pool of prospective adopters to achieve the most suitable match.

3.11.3 A single pool of adopters would improve the capacity for a reduction in the number of 'change of plans' across the region, leading to potential for more children achieving permanence through adoption.

3.11.4 It would improve adopter recruitment levels and all potential prospective adopters will have the same consistent preparation within the Adopt South West region.

3.11.5 All of the local authorities involved could potentially achieve better value for money when commissioning and procuring contracts for services and pooling resources.

3.11.6 Core Functions, such as Stage 1 and 2 of the Prospective Adopters Report, Letter Box Direct Contact, Step Parent Adoption Information and Assessments, Birth Parent Counselling/Relative and Birth Record Enquiries would be arranged and overseen by Adopt South West. This would ensure consistency across the Adopt South West regions giving children and families equality in the services provided.

3.11.7 It will allow shared best practice across the Adopt South West region and encourage further innovation across the region.

3.11.8 Staff will receive shared training and skills transfer, which will support improved standards, increased consistency, and best practice.

3.11.9 A whole South West (five local authorities) approach would be achieved, giving transparent, consistent and efficient Adoption Panels. There would be one Agency Decision Maker for prospective adopters, which will provide consistency in decision making.

3.11.10 Commissioning marketing and recruitment with clear requirement strategies in respect of volume and quality of adopters for the whole of the South West, which would make the best use of marketing and provide a single front door for all potential prospective adopter enquiries.

3.11.11 Partner Agencies having one contact, i.e., Adopt South West when working with children who are being adopted or are within their adopted families no matter where they live within the Adopt South West region.

3.11.12 By working together with employees and supporting them through change, Adopt South West would gain experienced staff who are knowledgeable about requirements across Cornwall and the Isles of Scilly.

3.11.13 Cornwall Adoption Business Support staff or equivalent resource would also TUPE to Devon County Council, bringing with them knowledge and experience to assist with the work for Cornwall within Adopt South West.

3.11.14 There would be improved data collection for performance measurement and management effectiveness across the whole of the Adopt South West region. It can be used to look at trends within areas and identify areas of development.

### **3.12. Key Outcomes**

3.12.1 Increase the number of prospective adopters available for 'children with harder to place/priority needs' across the region through the cumulative impact of four strategies:

3.12.1.1 See a higher conversion rate from enquiry to approval of prospective adopters by using a single front door, Adopt South West's Marketing and Recruitment contract, focused on quality of adopters and the quality of early assessment to create a larger pool of quality adopters. Adopt South West approved 92 adult group prospective adopters in the last financial year, while Cornwall approved 18. This would have given a pool of 110 prospective adopter families (data 31st March 2022).

3.12.1.2 Earlier identification of children with potential adoption plans through Adopt South West Family Finding team/Gateway/tracking meetings to match with the larger pool of adopters. Adopt South West have a target for a child to be linked with a prospective adopter within one month of a Placement Order being granted. Adopt South West performance on A2 (Court authority to match) for the last financial year was 162. Cornwall's A2 figure being 289 for the same period would therefore improve swiftness for Cornwall's children is an area of development.

3.12.2 Increased targeted recruitment of adopters for the children that are harder to place due to age, additional needs or sibling groups through the addition of Cornwall residents applying to adopt through Adopt South West, as part of one Marketing and Recruitment contract.

3.12.3 Increase the number of Early Permanence (Foster to Adopt) – Adopt South West Family Finding Team, every child will be considered for a Foster to Adopt placement through a larger single pool of adopters.

3.12.4 Reduce the number of children with a Placement Order revoked by improved quality of adopters identified through the Adopt South West marketing and recruitment contract.

3.12.5 Reduce the financial costs of inter-agency placements by having a larger pool of prospective adopters throughout the Adopt South West region.

3.12.6 Improved stability of placements and retention of recruited prospective adopters by creating:

More timely matching of children to prospective adopters approved by Adopt South West, through shared processes and interfaces with five Local Authorities.

Continuity for all adopted children and their families, providing quality support no matter where a child or family live within Cornwall, Devon, Plymouth, Somerset, or Torbay. Early prevention to avert a breakdown and a child returning to care is a necessity both to the child and family but also financially for a local authority.

## **4. ALTERNATIVE OPTIONS**

4.1. The no change option was not a viable option as the push for Cornwall to join a Regional Adoption Agency (RAA) came for the Department for Education and given their location, Adopt South West was the only RAA that made logistical sense.

- 4.2 The other proposal considered was for Cornwall's adoption services to be integrated into Adopt South West, with the exception of the adoption support services. However, this option was not considered viable by the existing Partners as it would have meant that Partners in Adopt South West would no longer have been equal, which would have made the calculation of financial contributions and governance arrangements extremely difficult.

## 5. FINANCIAL IMPLICATIONS AND RISK

- 5.1 Work has taken place over recent months to ensure that Adopt South West will have sufficient additional budget to take on the functions for which it will now be responsible. In total additional budget of £916k will be required. This comprises:

<b>Budget Heading</b>	<b>Amount (Based on 23/24 prices) £</b>	<b>Comments</b>
Direct Staffing costs	592,137	Based on 12.2 full time equivalent staff
Indirect staffing costs	20,630	Training, travel and other overheads
Step Parent Assessments	23,000	Contract with independent Social Worker
Subscriptions	20,150	Includes subscriptions that will transfer from Cornwall plus expected additional costs incurred by ASW due to increase in size of the RAA
Internal Support Services	33,538	ICT, HR, Insurance etc
Panel Costs	20,100	
Post Adoption Support functions	42,000	
Advertising	10,000	
Other operational budget items	4,000	Equipment, ICT hardware etc
<b>Total Operational Budget Costs</b>	<b>765,555</b>	
Inter-agency fees	150,000	Based on estimated annual spend
<b>Total</b>	<b>915,555</b>	

As mentioned the figures above are based on 23/24 prices and will be refreshed as part of the 24/25 budget setting exercise, when details such as pay award assumptions are known.

At their meeting in August 2023 the Adopt South West Strategic Board were asked to consider a new funding formula for use for the period 2024/25 to 2026/27. This new

methodology fundamentally changes the basis on which partners are recharged for the costs of Adopt South West and uses volumetric activity data to determine charges to each partner. Partners have informally indicated that they are happy with the new methodology and have recently informally agreed to implement this over a 2-year period, subject to the normal democratic decision-making processes required by each partner. Options based on implementing the formula over different timescales from one to three years were explored but consensus on the implementation over 2 years has been reached. All other options were rejected by one or more of the partners. These are in principle decisions made with full consensus by the Strategic Board pending final approval through each Council's Member decision making route.

Cornwall have worked closely with the Adopt South West finance team to enable their contribution levels under both the existing and proposed funding formula to be calculated by providing operational volume data and historic spend information.

Under the existing funding formula, which is recommended to be discontinued for use prior to Cornwall joining the RAA they would be responsible for 19.48% of the total costs of Adopt South West. This equates to a total charge of circa £1.236m (based on 23/24 prices).

However, under the informally agreed option to phase in the change over 2 years the charge to Cornwall would reduce and be representative of the amount of work done for Cornwall Council. The charge would be as follows:

	2024/25	2025/26	2026/27
Overall percentage of total ASW costs	17.63%	15.78%	15.78%
Charge	£1,118,948	£1,001,166	£1,001,166

Cornwall's charges under this formula is in excess of the expected additional budget required (as shown in the first table above) and recognises the requirement for them to contribute to the overall cost of Adopt South West including the RAA's management and overhead costs. Cornwall's membership is ultimately of benefit to the existing Adopt South West partners and amounts to over £203k in the first year of their membership.

There are other financial benefits to Cornwall joining Adopt South West – for example inter-agency fees which are currently charged for children placed between the two organisations would no longer apply.

The financial administration of the Adoption Support Fund for Cornwall would be taken over by the existing Devon County Council Finance team who administer this function on behalf of the whole partnership. A proportion of the staff transferring from Cornwall is likely to be required to supplement this team to deal with the increased workload. This is included in the 12.2 full time equivalents included in the tables above.

The in principle decision of the Strategic Board to implement the new funding formula and its phasing over two years as are subject to the Council Member decision-making processes of each authority. In the event that any partner fails to ratify this proposal then the existing funding formula would apply.

If the funding formula is fully implemented the Plymouth contribution to Adopt South West will reduce to **£996,107 in 2025/26** from **£1,098,126 in 2024/25**.

5.2 There are no specific risks for Plymouth City Council. However, the risks of the integration are:

5.2.1 As with any large change, there is the potential that some Cornwall employees may feel anxious about TUPE to another local authority, in this case Devon County Council. They may be concerned about the loss of their identity and worried their feelings will not be addressed. However, it is recognised that the processes within the TUPE consultation will be designed to support these employees and address any concerns they have. Having the opportunity to informally meet Adopt South West employees before the 'go live' date has also helped with relationship building and give incoming staff some confidence about working more closely together. Staff are already participating in task and finish groups to align practice and build relationships. Plans are in place for the staff groups to continue to come together on a regular basis throughout 2023 and 2024.

5.2.2 Adopt South West's funding formula is at this time under final consultation by their members and proposals have now been made, and informal agreement on the implementation timetable has been reached subject to the normal democratic decision-making processes. The financial implications section of this business case outlines this option.

5.2.3 There is the potential for inter-agency fees across the region to be reduced as no fee would be paid for adoptive placements within the Adopt South West region. However, there is also a risk the inter-agency fees could be greater. Although it is expected that children from across the region could also be matched to prospective adopters resident in Cornwall as well as the rest of the region, there may be occasions when other regional adoption services or voluntary adoption agencies will be used. These costs form part of the Adopt South West funding formula, that Cornwall would contribute to.

## 6. TIMESCALES

6.1 Subject to approval by all existing the Adopt South West Local Authority Partners, the planned transition date for Cornwall's integration into Adopt South West is 1 April 2024.


6.2 The final approval is expected to be the full Devon Council meeting approval on 7 December 2023, which then allow us to move forward and finalise the work required to ensure a smooth transition of Cornwall's adoption services on the transition date above.

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# EQUALITY IMPACT ASSESSMENT – INTEGRATION OF CORNWALL’S ADOPTION SERVICES INTO ADOPT SOUTH WEST

## SECTION ONE: INFORMATION ABOUT THE PROPOSAL

<b>Author(s):</b> This is the person completing the EIA template.	Melanie Coleman	<b>Department and service:</b>	On behalf of Adopt South West	<b>Date of assessment:</b>	25/9/2023
<b>Lead Officer:</b> Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Nigel Denning (Interim Service Director for Children, Young People and Families)	<b>Signature:</b>		<b>Approval date:</b>	25/10/2023
<b>Overview:</b>	<p>Cornwall’s Adoption services wish to join Adopt South West Regional Adoption Agency as a full member. Regional adoption agencies were a response to the Education and Adoption Act 2016 which required authorities and voluntary adoption agencies to join together to form Regional Adoption Agencies (RAA). However, at that time Cornwall Council did not become members. Devon County Council took the lead and is the host council to Adopt South West. The regional grouping at this time for Adopt South West also includes Plymouth, Somerset and Torbay Councils.</p> <p>Cornwall’s Adoption services have been rated as an outstanding adoption agency for many years by Ofsted but recognise that within the fast-changing pace of social work and current adoption climate, joining and pooling resources, knowledge and expertise with four other Local Authorities, (Devon, Plymouth, Somerset and Torbay) would be beneficial for children whose permanence plan is one of adoption. Practice would also be standardised across five Local Authorities, which will provide consistency to the adopter experience.</p> <p>The clear benefit identified is to achieve the integration of Cornwall’s Adoption services with Adopt South West, a Regional Adoption Agency that will deliver one best practice model to the South West peninsula. It will provide a larger pool of prospective adopters, swift matches for children who have a plan of adoption, better value for money in sharing costs between five Local Authorities and a service which delivers consistently good and innovative adoption practice that ensures improved life changes for children.</p>				

	It is our considered opinion that there will be no negative impact across Plymouth in terms of equality for any of the protected characteristics listed below as a result of the integration of Cornwall into Adopt South West.
<b>Decision required:</b>	<ol style="list-style-type: none"> <li>1. To agree the proposal to integrate Cornwall into Adopt South West as a full member as outlined in the Briefing report</li> <li>2. To agree the implementation of a revised funding formula that will be introduced over 2 years 2024/26</li> </ol>

**SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL**

<b>Potential external impacts:</b> Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Potential internal impacts:</b> Does the proposal have the potential to negatively impact Plymouth City Council employees?	<b>Yes</b>		<b>No</b>	<b>X</b>
Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section three)	<b>Yes</b>	<b>X</b>	<b>No</b>	
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.				

**SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT**

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
<b>Age</b>	Plymouth	None		

	<ul style="list-style-type: none"> <li>• 16.4 per cent of people in Plymouth are children aged under 15.</li> <li>• 65.1 per cent are adults aged 15 to 64.</li> <li>• 18.5 percent are adults aged 65 and over.</li> <li>• 2.4 percent of the resident population are 85 and over.</li> </ul> <p>South West</p> <ul style="list-style-type: none"> <li>• 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64.</li> <li>• 22.3 per cent are aged 65 and over.</li> </ul> <p>England</p> <ul style="list-style-type: none"> <li>• 17.4 per cent of people are aged 0 to 14.</li> <li>• 64.2 per cent of people are aged 15 to 64.</li> <li>• 18.4 per cent of people are aged 65 and over.</li> </ul> <p>(2021 Census)</p>			
<p><b>Care experienced individuals</b></p> <p>(Note that as per the Independent Review of Children’s Social Care recommendations, Plymouth City Council is treating care experience</p>	<p>It is estimated that 26 per cent of the homeless population in the UK have care experience. In Plymouth there are currently 7 per cent of care leavers open to the service (6 per cent aged 18-20 and 12 per cent of those aged 21+) who are in unsuitable accommodation.</p> <p>The Care Review reported that 41 per cent of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12 per cent of all other young people in the same age group.</p>	<p>None</p>		

<p>as though it is a protected characteristic).</p>	<p>In Plymouth there are currently 50 per cent of care leavers aged 18-21 Not in Education Training or Employment (54 per cent of all those care leavers aged 18-24 who are open to the service).</p> <p>There are currently 195 care leavers aged 18 to 20 (statutory service) and 58 aged 21 to 24 (extended offer). There are more care leavers aged 21 to 24 who could return for support from services if they wished to.</p>			
<p><b>Disability</b></p>	<p>9.4 per cent of residents in Plymouth have their activities limited ‘a lot’ because of a physical or mental health problem.</p> <p>12.2 per cent of residents in Plymouth have their activities limited ‘a little’ because of a physical or mental health problem (2021 Census)</p>	<p>None</p>		
<p><b>Gender reassignment</b></p>	<p>0.5 per cent of residents in Plymouth have a gender identity that is different from their sex registered at birth. 0.1 per cent of residents identify as a trans man, 0.1 per cent identify as non-binary and, 0.1 per cent identify as a trans women (2021 Census).</p>	<p>None</p>		
<p><b>Marriage and civil partnership</b></p>	<p>40.1 per cent of residents have never married and never registered a civil partnership. 10 per cent are divorced, 6 percent are widowed, with 2.5 per cent are separated but still married.</p> <p>0.49 per cent of residents are, or were, married or in a civil partnerships of the same sex. 0.06 per cent of residents are in a civil partnerships with the opposite sex (2021 Census).</p>	<p>None</p>		

<b>Pregnancy and maternity</b>	The total fertility rate (TFR) for England was 1.62 children per woman in 2021. The total fertility rate (TFR) for Plymouth in 2021 was 1.5.	None		
<b>Race</b>	In 2021, 94.9 per cent of Plymouth's population identified their ethnicity as White, 2.3 per cent as Asian and 1.1 per cent as Black (2021 Census) People with a mixed ethnic background comprised 1.8 per cent of the population. 1 per cent of the population use a different term to describe their ethnicity (2021 Census) 92.7 per cent of residents speak English as their main language. 2021 Census data shows that after English, Polish, Romanian, Chinese, Portuguese, and Arabic are the most spoken languages in Plymouth (2021 Census).	None		
<b>Religion or belief</b>	48.9 per cent of the Plymouth population stated they had no religion. 42.5 per cent of the population identified as Christian (2021 Census). Those who identified as Muslim account for 1.3 per cent of Plymouth's population while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2021 Census).	None		
<b>Sex</b>	51 per cent of our population are women and 49 per cent are men (2021 Census).	None		
<b>Sexual orientation</b>	88.95 per cent of residents aged 16 years and over in Plymouth describe their sexual orientation as straight or heterosexual. 2.06 per cent describe their sexuality as bisexual, 1.97 per cent of people describe their sexual	None		

	orientation as gay or lesbian. 0.42 per cent of residents describe their sexual orientation using a different term (2021 Census).			
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**SECTION FOUR: HUMAN RIGHTS IMPLICATIONS**

Human Rights	Implications	Mitigation Actions	Timescale and responsible department
	None		

**SECTION FIVE: OUR EQUALITY OBJECTIVES**

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
<b>Celebrate diversity and ensure that Plymouth is a welcoming city.</b>	None		
<b>Pay equality for women, and staff with disabilities in our workforce.</b>	None		
<b>Supporting our workforce through the implementation of Our People Strategy 2020 – 2024</b>	None		
<b>Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.</b>	None		
<b>Plymouth is a city where people from different backgrounds get along well.</b>	None		