

Public Document Pack

Executive Board

Thursday, 12 September 2019

Time: 6.00 pm

Venue: Meeting Room A

Address: Blackburn Town Hall

AGENDA

Information may be provided by each Executive Member relating to their area of responsibility

1. **Welcome and Apologies**
2. **Minutes of the Previous Meeting**
Minutes - August 2019 **3 - 13**
3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM **14**
4. **Equality Implications**
The Chair will ask Members to confirm that they have considered and understood any Equality Impact Assessments associated with reports on this agenda ahead of making any decisions.
5. **Public Forum**
To receive written questions or statements submitted by members of the public no later than 4pm on the day prior to the meeting.
6. **Questions by Non-Executive Members**
To receive written questions submitted by Non-Executive Members no later than 4pm on the day prior to the meeting.
7. **Youth MPs Update**
To receive an update from the Youth MPs along with any issues they would like to raise.
8. **Executive Member Reports**
Verbal updates may be given by each Executive Member.

Leader

Adult Services and Prevention

Children, Young People and Education

- | | | |
|-----|---|----------------|
| 8.1 | Blackburn with Darwen's Joint Local Areas SEND
Inspection Outcomes
SEND Inspection
Appendix A Outcome letter | 15 - 30 |
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Environmental Services

- | | | |
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| 8.2 | Replacement Refuse Collection Vehicles
Replacement Refuse Collection Vehicles P1 | 31 - 33 |
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Public Health and Wellbeing

Digital and Customer Services

- | | | |
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| 8.3 | Replacement of the Council's Customer Contact Portal
Replacement of the Customer Contact Portal | 34 - 37 |
| 8.4 | Progress Update on Coronial Service
Coroner's Update | 38 - 44 |

Growth and Development

Finance and Governance

- | | | |
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| 8.5 | Council Accommodation Strategy Update
Council Office Accommodation Strategy Update | 45 - 49 |
| 9. | Corporate Issues | |
| 10. | Matters referred to the Executive Board | |

PART 2 – THE PRESS AND PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS

- | | | |
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| 11.1 | Replacement of Refuse Vehicles
Replacement Refuse Collection Vehicles P2 | 50 - 52 |
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EXECUTIVE BOARD Thursday, 8th August, 2019

PRESENT

COUNCILLOR:

Councillor Maureen Bateson MBE
Councillor Mustafa Desai
Councillor Andy Kay
Councillor Mohammed Khan OBE
Councillor Quesir Mahmood
Councillor Phil Riley
Councillor Jim Smith
Councillor Damian Talbot

PORTFOLIO:

Children, Young People and Education
Adult Services and Prevention
Finance and Governance
Leader of the Council
Digital and Customer Services
Growth and Development
Environmental Services
Public Health and Wellbeing

EXECUTIVE MEMBER:

Councillor John Slater

NON-PORTFOLIO:

Leader of the Conservative Group

ALSO IN ATTENDANCE:

A'Aishah Patel, Deputy Youth MP

	Item	Action
1	<u>Welcome and Apologies</u> The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. Apologies had been received from the Youth MP, Uday Akram and the Deputy Youth MP, Corey McPartland.	
2	<u>Minutes of the Previous Meeting</u> The Minutes of the Meeting held on 13 th June 2019 were agreed as a correct record.	
3	<u>Declarations of Interest</u> No Declarations of Interest were received.	
4	<u>Equality Implications</u> The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.	Confirmed
5	<u>Public Forum</u> No questions had been received from members of the public.	
6	<u>Questions by Non-Executive Members</u> No questions had been received from Non-Executive Members.	
7	<u>Youth MPs Update</u> The Deputy Youth MP, A'Aishah Patel, updated the Executive Board on recent activities and events including:	Noted

	Item	Action
	<ul style="list-style-type: none"> The BwD Youth Integration Forum successfully planned and delivered the “Eat, Rave, Repeat” event as part of The Great Get Together at Restricted Rocks in Witton Park at the end of June. It was a fantastic day with a big turnout and the Youth MPs had enjoyed meeting new people and hearing about their views on integration in our town. A video had been shown at the commencement of meeting showing highlights of the event. Young people from the BwD Youth Forum had also been supported by YPS to apply for the Political Minds residential delivered by the University of Lancaster. The BwD Youth Forum were continuing with their Youth Work curriculum on knife crime and were planning a residential in September to Kenmere and were hoping to link this to the Takeover Challenge in November. Uday attended the annual Youth MP conference at Leeds University. The Youth MP’s voted on 44 motions. The top 9 would form this year’s Make Your Mark Ballot. There would be a 10th option for young people this year which would be a community/local issue, and the next Executive Board would receive feedback on the 10 issues chosen. 	

9.1

Update on Sport England's Local Delivery Pilot, Together an Active Future

Members were advised that through Sport England’s 2016-2021 Strategy ‘Towards an Active Nation’, Sport England had committed to working in partnership with 12 Local Delivery Pilot (LDP) areas to tackle inactivity and learn through small scale pilots how to develop a blue print for delivering population level behaviour change and to increase activity levels through system change. They wanted to encourage wider, collaborative partnerships which looked at how all parts of a community could better work together to help the most inactive. The Local Delivery Pilot process was a different way of working and Blackburn with Darwen had been working with the Imagination Lab at Lancaster University to utilise creative engagement techniques to have different conversations and fundamentally change how engagement was carried out with people and partners.

Sport England had shared their guidance for a phased approach to the planning and delivery of LDPs with investment resource identified and aligned to each stage:

- Pathfinder (small scale test & learn) -funding of £3m for Pennine Lancashire
- Accelerator (scaling up) - in principle up to £7m for Pennine

	Item	Action
	<ul style="list-style-type: none"> Lancashire based on proof of concept and robust business cases of need. <p>75% of the Pathfinder £3m (£2.25M) had been allocated across the 6 Local Authority areas of Pennine Lancashire for delivery at a community level through local networks, neighbourhoods and locality partnerships e.g. Primary Care Networks (PCNs). Blackburn with Darwen's apportionment being £600,000.</p> <p>Guidance from Sport England confirms that the awarding and commitment of funding (Pathfinder and Accelerator) would run up to March 31st 2021. However, they recognised that spending of the committed budget will go beyond this date, but could not exceed March 31st 2025.</p> <p>Blackburn with Darwen's Pathfinder plan, to be submitted as part of Pennine Lancashire's overall bid would seek to secure approval for £600,000 of investment into Blackburn with Darwen. Delivery would commence in the Autumn following Sport England's internal approval process.</p> <p>RESOLVED - That the Executive Board:</p> <ul style="list-style-type: none"> Notes the update on Sport England's Local Delivery Pilot process. Notes the progress to date with regard to Pennine Lancashire's Local Delivery Pilot. Notes the progress to date with regard to Blackburn with Darwen's Pathfinder Planning. 	Noted

CHILDREN, YOUNG PEOPLE AND EDUCATION

Councillor Maureen Bateson verbally updated the Executive Board as **Noted** follows:

- The third year of the free lunchbox scheme had once again been a great success and thanks were passed to all the volunteers involved.
- The results of the recent SEND Inspection had now been published and Councillor Bateson outlined the key findings. The report highlighted a lot of strengths, with some areas for improvement, and an action plan would be submitted to the Executive Board at its next meeting.

ENVIRONMENTAL SERVICES

9.2

Kerbside Recycling Contract

The Executive Board was advised that the Kerbside Recycling contract had recently been tendered. Unfortunately, no bids were

	Item	Action
	3. To note that taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020 is likely to have TUPE implications; and	Noted
	4. To approve the procurement of a contract for the reception, haulage and processing of the recyclates collected, as part of the doorstep recycling service through an Open Tender Procurement exercise, the outcome of which and the proposed award of contract will be reported to the Executive Board in the coming months for approval.	Approved

GROWTH AND DEVELOPMENT

9.3 Local Growth Fund 3 - Blackburn South East Side Roads Order

A report was submitted which sought the approval of the Executive Board for the making of the Side Roads Orders (SROs) under sections 14, 124, 125, 126 and 129 of the Highways Act 1980 (as amended) in order to deliver highways infrastructure associated with the Local Growth Fund 3 Blackburn South East major transport project in the Haslingden Road and Blackamoor Road / Roman Road areas of Blackburn with Darwen.

RESOLVED - Subject to the classification application to the Department for Transport for the new lengths of road, and upon being satisfied that:

- a) It is necessary in relation to the classified roads to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the classified roads or will be affected by the construction or improvement of the classified roads, or to construct a new road or means of access;
- b) In relation to any road that is stopped up that another reasonable convenient route is available or will be provided before any highway is stopped up;
- c) Existing rights of access need to be extinguished and new rights over land need to be created, but that in relation to the stopping up of any private means of access that either no other means of access is reasonably required or that another reasonable current means of access is available or will be provided before the means of access is stopped up;
- d) The proposed SROs will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area;
- e) There are sufficient funds available to implement the SROs and to stop up, divert, improve, raise, lower or otherwise alter the highways or to construct new highways or new means of accesses;

	Item	Action
	<p>f) The SROs comply with the Council's Local Plan and Local Transport Plan 3 policies;</p> <p>g) There is a compelling case in the public interest as the interference with Human Rights involved is proportionate in the interests of bringing about the improvements that would follow from the carrying out of the highway works;</p> <p>h) Land affected by the SROs is reasonably required for the purposes of the SRO schemes underpinning the Orders and to carry out the highways works;</p> <p>i) That no impediments exist to the implementation of the schemes (subject to the making of the orders) and there is a reasonable prospect of its implementation should the orders be made.</p>	
	It is recommended that:	
	<p>1) The support of the Council for the construction of new highways infrastructure in Haslingden Road and Blackamoor Road / Roman Road areas of Blackburn with Darwen as indicated on General Arrangement Drawings (see appendix 1, 2, 3) CS094960 (3 of 3) and (see appendix 4) CS097547 (1 of 1) is reaffirmed</p>	Approved
	<p>2) The Director of HR, Legal and Governance be authorised to prepare two Side Roads Orders as indicated in drawing numbers (see appendix 5, 6, 7, 8 and 9) CS094960 (3 of 3) and CS097547 (2 of 2) for the purposes of:</p> <ul style="list-style-type: none"> a) constructing new highways infrastructure and the improvement of existing highways b) the provision of new forms of access to premises c) the stopping up of highways and existing means of access d) the use by the Council of new rights in relation to the construction, improvement and maintenance of the improved highways; 	Approved
	<p>3) The Director of HR, Legal and Governance be authorised to take all steps necessary for the confirmation of the SROs, including the publication and service of all statutory notices and the presentation of the Council's case at any public inquiry or other hearing, and</p>	Approved
	<p>4) The Director of HR, Legal and Governance be authorised (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Orders) to confirm the Orders, if he is satisfied that it is appropriate to do so</p>	Approved
	<p>5) The Director of HR, Legal and Governance be authorised in consultation with the Director of Growth and Development to make deletions from, and/or minor amendments, and modifications to the proposed SROs and Order Plans</p>	Approved

	Item	Action
	including where appropriate amendments and modifications to achieve the withdrawal of any objections to the Orders	
	6) The Director of HR, Legal and Governance be authorised in consultation with the Director of Growth and Development to make applications to amend the planning applications/permissions where necessary to accord with any amendments and modifications to the Orders and Plans.	Approved

DIGITAL AND CUSTOMER SERVICES

Councillor Quesir Mahmood verbally reported on the recent successful implementation of the Council's new website, which had led to increased hits. IT staff were now looking at Google Analytics to improve business processes by digitising services.

Noted

FINANCE AND GOVERNANCE

9.4 Disposal Policy Review

The Executive Board received a report advising that the Council's Disposal Policy had been reviewed to ensure that the policy adopted by the Council for the disposal of its land and property assets followed RICS (Royal Institution of Chartered Surveyors) Registered Valuer compliance, ensured best value, that corporate objectives were achieved and complied with current Legislation and Case Law.

RESOLVED - That the Executive Board: Approves the revised Disposal Policy.

Approved

10.1 Loan Sharks Charter

Members received a report which provided background information on the features and impacts of illegal money lending and sought agreement for Blackburn with Darwen Council to work with local partners to adopt the Stop Loan Sharks Charter in order to;

- Send a clear message that loan sharks will not be tolerated in the Borough and make Blackburn with Darwen a challenging place for loan sharks to prosper.
- Increase awareness within partner organisations and local communities of illegal money lending activity and the support available.
- Increase confidence of residents to safely report illegal money lending activity.
- Encourage the financial capability of residents so that they could make informed choices about affordable lending and saving.

	Item	Action
	<p>RESOLVED - That the Executive Board:</p> <ul style="list-style-type: none"> • Agree to work with local partner agencies to adopt a Stop Loan Sharks Charter for Blackburn with Darwen • Support a programme of joint work with the England Illegal Money Lending Team (IMLT) to tackle illegal money lending in Blackburn with Darwen 	<p>Approved</p> <p>Approved</p>
10.2	<p><u>Update on Air Quality</u></p> <p>The Executive Board received a report providing information for Members about the following:</p> <ul style="list-style-type: none"> • The UK Clean Air Strategy published in January 2019. • DEFRA's response to the Blackburn with Darwen Annual Status Report on Air Quality for 2018. • Ongoing work to improve air quality in Lancashire and Cumbria. <p>RESOLVED - That the Executive Board: Note the report.</p>	<p>Noted</p>
10.3	<p><u>Review of the Council's Residential Parking Bay Policy</u></p> <p>Members were advised that the current policy regarding disabled parking bays in residential areas across Blackburn and Darwen was introduced in 2000. Since the introduction of the policy, the number of applications for a residential disabled parking bay had increased significantly.</p> <p>The provision of Residential disabled parking bays was a "discretionary service" therefore the Council had a choice whether or not to provide the service at all.</p> <p>There were considerable, and increasing costs and resources spent on the provision of residential disabled parking bays and these costs were becoming unaffordable within the Department's cash limited budget.</p> <p>The increase in residential disabled parking bays could have an adverse impact on residents who lived on the same street where multiple bays were present, as these bays could take up the majority of the available parking space on the street. This also caused traffic congestion in some areas of the Borough where there were multiple bays within a short span of the public highway.</p> <p>A robust public consultation on the Council's current policy for residential disabled parking bays had been undertaken throughout January 2019 and May 2019 to inform the options available regarding the future provision of residential disabled parking bays. The results of the two consultation processes were appended to the report along with recommendations for amendments to the current policy for consideration by the Executive Board.</p>	

	Item	Action
	<p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Notes the results and findings of the public consultation processes undertaken in January and May 2019. 2. Approves changes to the current policy for residential disabled parking bays (RDPB) to enable a restriction to be placed on the number of RDPBs in a street, i.e. residential disabled parking bays should be 40m away from each other (around 8 terraced houses apart). This restriction would apply to new applications for a RDPB, not for existing RDPB or for applications for the renewal of existing RDPBs. 3. Approves the introduction of a £120.00 charge as a contribution towards the overall cost of installing new residential disabled parking bays. 4. Approves the introduction of a £60 charge as a contribution towards the process of renewing a residential disabled parking bay. The renewal process takes place every three years and as part of this process, the Council will re-paint the lines on the RDPB to ensure the lines remain visible and that the Council can enforce against cars parked in the bay without a blue badge. 5. Approves the removal of Residential Disabled Parking Bays when they are no-longer in use. 6. Approves amendments to the RDPB Policy to reflect the introduction of a contributory charge towards the cost of the RDPB, the contributory charge for the renewal of a bay and a 40m restriction on the location of residential disabled parking bays in a street. 	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
10.4	<p><u>Corporate Revenue Budget Monitoring Report Quarter 1-2019/20</u></p> <p>Members received the latest report on the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the first quarter of the financial year.</p> <p>RESOLVED - The Executive Board is asked to approve:</p> <ul style="list-style-type: none"> • the portfolio cash limit adjustments outlined in Appendix 1. • the Earmarked reserves position shown in Appendix 2 • the variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £7.022 million in the unallocated General Fund revenue reserve. 	<p>Approved</p>
10.5	<p><u>Corporate Capital and Balance Sheet Monitoring Report</u></p>	

	Item	Action
	<p><u>2019/20 - Quarter 1 (3 months to 30th June 2019)</u></p> <p>A report was submitted on the overall financial position of the Council in respect of the capital programme as at 30th June 2019, highlighting key issues and explaining variations in the first 3 months of the financial year.</p> <p>RESOLVED – The Executive Board is asked;</p> <ul style="list-style-type: none"> • to approve the revised capital programme as per Appendix 1, • to approve the variations to the programme shown in Appendix 2. 	<p>Approved</p> <p>Approved</p>
11.1	<p><u>Petition: Red Rake Garage Site</u></p> <p>The Executive Board was advised that a petition was received by the Council containing 13 names with 12 signatories from 9 individual residencies from properties fronting Red Rake Garage site, Revidge Road, Blackburn requesting the Council withdraw the sale of freehold interest of land known as Red Rake garage site Blackburn. The petition was received after the auction date of February 19th 2019 with legal completion taking place on 2nd April 2019.</p> <p>Garage tenants and Councillors were informed of the proposed disposal of Red Rake in advance of the auction and notified that existing rolling monthly tenancies would transfer to the new freeholder upon completion of the sale. Further advice and guidance was given to tenants highlighting that other sites had created ‘tenants groups’ with appointed persons attending auction and successfully purchasing the site on behalf of the current tenants.</p> <p>RESOLVED - That the Executive Board: Acknowledge the local residents petition and respond to the lead petitioner. Note the sale was a legally binding agreement entered into upon fall of the gavel at auction on 19th February 2019.</p> <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING</p>	<p>Approved</p>
12	<p><u>Kerbside Recycling Contract</u></p> <p>Further to the report submitted at Agenda Item 9.2, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - Given the fact that no bids were submitted in the tender exercise and that the Council must discharge its statutory responsibilities as a Waste Collection Authority and a Waste Disposal Authority, the Executive Board is recommended;</p>	<p>Noted</p>

	Item	Action
	<ol style="list-style-type: none"> 1. To note the recommendation of the Council's Waste and Recycling Programme Board and the 'default position', to accept taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020. 2. To note the Leaders decision to approve capital funding for the purchase of six refuse collection vehicles at a capital cost of approximately £1,050,000 to be procured through an appropriate Procurement Framework Agreement in order to ensure a seamless transition to the new, in-house service for the collection of the recyclates from 1 April 2020 3. To note that taking the kerbside collection of recycling in-house at the end of the current contract with Biffa, on 31st March 2020 is likely to have TUPE implications. 4. To approve the procurement of a contract for the reception, haulage and processing of the recyclates collected, as part of the doorstep recycling service through an Open Tender Procurement exercise, the outcome of which and the proposed award of contract will be reported to the Executive Board in the coming months for approval. <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on Thursday, 12 September 2019</p> <p style="text-align: center;">(being the ensuing meeting on the Board)</p> <p style="text-align: center;">Chair of the meeting at which the Minutes were confirmed</p>	<p>Noted</p> <p>Noted</p> <p>Approved</p>

DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: **EXECUTIVE BOARD**

DATE: **12TH SEPTEMBER 2019**

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children's Young People and Education

LEAD OFFICERS: Director of Children's Services and Education

DATE: 12 September 2019

PORTFOLIO/S AFFECTED: Children's Young People and Education and Prevention Adult Services

WARD/S AFFECTED: All

KEY DECISION: YES ☐ NO ☒

SUBJECT:
Blackburn with Darwen's Joint Local Areas SEND Inspection Outcomes

1. EXECUTIVE SUMMARY

The purpose of this report is to inform the Board of the key lines of enquiry undertaken by the inspectorates, the subsequent areas of strength and those identified as areas for improvement and recommendations for next steps.

The golden thread running through the inspection was to 'start with the end in mind'. Inspection lines of enquiry were based on demonstrating impact against the local area SEND strategy's overarching objective, which is to secure the best outcomes for children and young people with SEND to support them to achieve well in their early years, at school and at college, and lead happy and fulfilled lives.

Main inspection themes included:

- What demonstrable difference/improvements have the reforms made since their introduction in September?
- Focus on outcomes – children and young people's aspirations, educational attainment, further education, employment, independent living and community participation
- Strong focus on co-production, the views of parents/carers, children and young people
- Strength of strategic leadership, joint working and understanding of the local area
- Strength of joint commissioning
- Sufficiency of support from health provision – particularly 'hidden needs'
- Effectiveness of transition from children's to adult services
- Range and sufficiency of provision, employment and housing for young people – post 16 and post 19

- Emphasis on attendance, exclusions, off-rolling/pupil movement

2. RECOMMENDATIONS

That the Executive Board:

Note the information contained within this report and comment on recommendations made.

3. BACKGROUND

Between 17 June 2019 and 21 June 2019, Ofsted and the Care Quality Commission (CQC), conducted a joint inspection of the local area of Blackburn with Darwen to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.

The inspection was led by Pippa Jackson Maitland, Her Majesty's Lead Inspector from Ofsted, with a team of inspectors including Phil Harrison, Ofsted Inspector, and Louise Holland, a Children's Services Inspector from the Care Quality Commission (CQC).

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, local authority and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they are implementing the SEND reforms. Inspectors looked at a range of information about the performance of the local area, including the local area's self-evaluation. Inspectors met with leaders from the local area for health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.

The published inspection letter (appendix A) outlines the inspectors' findings which includes areas of strength and areas for further improvement. The areas identified for further improvement did not result in a Written Statement of Action. (A written statement is required when findings present a significant concern).

The Director for Children's Services must provide annual progress updates to Ofsted against areas identified for improvement.

4. KEY ISSUES & RISKS

Findings of the inspection

Key areas of strength

Inspectors reported that provision for SEND is a key priority for all partners and that there is a real enthusiasm, and can do attitude, to work closely together to make sure children and young people get the best possible support.

The inspection outcome letter recognised that since 2014 the local area has made considerable progress in implementing the SEND reforms and that recent changes to leadership and governance of SEND has accelerated this.

Inspectors reported that families in Blackburn with Darwen are listened to and the majority feel that their children receive the help and support they need.

The findings from the independent SEND review commissioned in 2018 provided the catalyst for further change and leaders have ensured that recent actions build on these foundations, with the local area demonstrating a clear capacity for improvement.

It was recognised that leaders have an in-depth knowledge of the local area and that this has been reflected in the coproduced SEND Strategy. As a consequence, leaders have made considerable progress in addressing issues.

Inspectors reported that provision for SEND is a key priority for all partners and that there is a real enthusiasm, and a can-do attitude, to work closely together to make sure children and young people get the best possible support.

Key areas for improvement

Leaders' and managers' accurate knowledge of the local area is not fully reflected in improvement plans. Too much emphasis is placed on parents' and children and young people's experience of the processes rather than the positive differences the provision makes to their lives.

Better use of data, in relation to patterns and trends of need, is required to inform and evaluate commissioning of services and strategic planning.

The local area's provision for young people when they leave school is not sufficiently well developed, consequently young people do not benefit as well as they should from the good start they've made. While the quality and range of educational provision post-16 and post-19 is improving, the opportunities for employment and independent living are limited. Parents have concerns about their child's transition into adulthood and feel anxious about their future.

Parents tell us they are not listened to when their children's needs are less obviously visible. Parents describe having to 'fight' for professionals to recognise their child's needs. This means that for this group of children and young people there can be delays in accurately identifying their needs.

Current demand for psychological services for children and young people with lower-level mental health needs is exceeding capacity. This means that children and young people experience lengthy waits in having their needs met. This situation exacerbates the risk that children and young people's needs escalate in the meantime.

Lack of clear targets in EHC plans reduces the ability of professionals, parents and children to measure, monitor and evaluate improved outcomes for children and young people with SEND.

The full inspection letter provides significant detail, which includes information on the strengths and areas for improvement at service level. The full letter is included as a background document to this briefing paper and is available to view on the council website and Blackburn with Darwen's Local Offer site.

Recommendations

1. Areas that have been identified for further improvement will form the basis of the revised SEND Strategy action plan for the local area. This plan will be coproduced with stakeholders and co-owned between Blackburn with Darwen Borough Council and Blackburn with Darwen Clinical Commissioning Group (CCG).

The SEND Partnership Board (led by the Director for Children's Services and represented by senior leaders from across education, health, children's and adult's services) manages progress against the action plan. The SEND Partnership Board is accountable to the Health & Well-being Board.

2. That the plan will be developed using an outcomes based accountability process. This will ensure that senior leaders can evidence the positive difference and best value that our

services/support have made to the life chances and achievements of our children and young people.

3. Expand the local area's workforce development programme to better identify and address need through the development of professionals and families across the local area.
4. Joint commissioning is strengthened between the Council and CCG to secure best value and improve accessibility to services locally.
5. Deliver the local area's ambitious plans for adult services to improve pathways to adulthood.
6. Improve engagement with families to better inform strategic decision making.

The detail

The full inspection letter provides significant detail, which includes information on the strengths and areas for improvement at service level. The full letter is included as a background document to this briefing paper and is available to view on the [council website and Blackburn with Darwen's Local Offer site](#).

5. POLICY IMPLICATIONS

There are no new policy implications as a result of this report.

6. FINANCIAL IMPLICATIONS

There are no financial implications at this stage, however the department will be revising the SEND Strategy action plan, and depending on the outcome of that process, there may be financial implications at a later date. Where this is the case these would be reported on as and when they arise.

7. LEGAL IMPLICATIONS

Under the Children and Families Act 2014 (and relevant statutory guidance) Local Authorities and CCGs have duties regarding the provision of support for children and young people with SEND, including implementing the disability and SEN reforms set out in the Children and Families Act 2014. Guidance on these duties can be found in the [SEND Code of Practice 0 to 25 years](#). Under s.20 of the Children Act 2004, OFSTED and the Care Quality Commission (CQC) have the duty of inspecting and reporting on the effectiveness of local areas in fulfilling those duties. The joint local area review covers other bodies in the area besides the Local Authority (i.e. CCGs, public health and education providers). The final inspection report (published in the form of an inspection letter) is sent to the Local Authority, the CCG and the Secretary of State. Under the Children Act 2004 (Joint Area Reviews) Regulations 2015, the Local Authority must publish this report on its website, circulate it to the local media and supply a paper copy of the report to any member of the public who requests it.

8. RESOURCE IMPLICATIONS

Effectively addressing areas identified for improvement will require a review of service delivery and responsibilities across children's services.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Revised SEND Strategy Action Plan and proposed developments will be informed in consultation with key stakeholders, including families.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Sue Hayward, SEND Service Lead
DATE:	20/08/2019
BACKGROUND PAPER:	Appendix A – Ofsted Outcome letter

1 August 2019

Ms J Ivory
Director of Children's Services, Blackburn with Darwen LA
10 Duke Street
Blackburn
BB2 1DH

Julie Higgins, Accountable Officer, East Lancashire/Blackburn with Darwen Clinical
Commissioning Group
Susan Hayward, Local Area Nominated Officer, Blackburn with Darwen Borough
Council

Dear Ms Ivory and Ms Higgins,

Joint local area SEND inspection in Blackburn with Darwen

Between 17 June 2019 and 21 June 2019, Ofsted and the Care Quality Commission (CQC), conducted a joint inspection of the local area of Blackburn with Darwen to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.

The inspection was led by one of Her Majesty's Inspectors from Ofsted, with a team of inspectors including an Ofsted Inspector and a Children's Services Inspector from the Care Quality Commission (CQC).

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, local authority and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they are implementing the SEND reforms. Inspectors looked at a range of information about the performance of the local area, including the local area's self-evaluation. Inspectors met with leaders from the local area for health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.

This letter outlines our findings from the inspection, including some areas of strength and areas for further improvement.

Main findings

- Since 2014, the local area has made considerable progress in implementing the SEND reforms. Recent changes made to the leadership and governance of SEND

have accelerated the local area's response to the reforms. The provision for children and young people with SEND is now a high priority for all key partners. An independent external review commissioned by the local area in 2018 shone a light on the effectiveness of provision across the local area. The findings from this review provided the catalyst for further change. Leaders have ensured that recent actions build on the foundations put in place following the introduction of the reforms.

- Leaders have an accurate view of the effectiveness of the local area in its implementation of the SEND reforms. They have paid heed to the intelligence provided by the comprehensive external review and a recent 'stocktake' as well as their own in-depth knowledge of the local area. This depth of knowledge is reflected in the SEND strategy. Consequently, leaders have made considerable progress in addressing the area's most pressing issues. Parents, carers, children and young people and professionals recognise the improvements made to SEND provision since 2014.
- The recently-appointed director of children's services has provided the impetus which has accelerated the local area's pace of improvement. She has strengthened the leadership and governance of SEND. Leaders of SEND clearly understand their roles and responsibilities. They have built on existing strengths while challenging weak practice to secure a more equitable offer for children and young people. Across the local area, leaders, managers and staff share the aspirations and ambitions of their senior leaders.
- Leaders' and managers' deep and accurate knowledge of their local area is not fully reflected in improvement plans. For example, leaders have aspirations for children and young people with SEND 'to live happy, healthy and fulfilled lives' but plans do not make clear how leaders will know if this has been achieved. Too much emphasis is placed on parents' and children and young people's experience of the processes rather than the positive differences the provision makes to their lives.
- The strength of the local area is in the close working relationships between professionals across education, care and health. The moral purpose, enthusiasm and commitment of this group is palpable. Professionals' 'can do' attitude means that most emerging issues are swiftly resolved. Professionals have rightly-placed confidence in each other's experience and expertise. Furthermore, they do not shy away from challenging each other to ensure that children and young people get the best possible provision regardless of their needs.
- The local area has demonstrated a clear capacity for improvement. For example, the local area's response to rising demand for social, emotional and mental health support has made a positive difference to children and young people. Training and support for education staff has meant that early intervention and prevention work for school-age children is available in their schools. School-age children value the wealth of easily-accessible advice and support available to them now. As a result, they report that they are more willing to seek help and support as they know and trust the adults involved.

- The majority of families who expressed their views, feel that their children get the help and support they need. Moreover, these families value the advice and guidance provided by professionals. These levels of satisfaction are reflected in the low incidence of tribunals and complaints.
- The local area has put in place opportunities for parents, children and young people to share their ideas and to give their feedback. The 'friends of the local offer' group has helped to make considerable improvements to the local offer website. This website now has a wealth of information about the range of provision available including nurseries, leisure activities and support groups. The website is organised well so that parents can access information which is relevant to their particular needs.
- Local area leaders gather comprehensive advice and guidance to inform education health and care (EHC) plans. The views of parents, children and young people are incorporated into these plans. Both parents and professionals find the planning and review meetings helpful. However, the EHC plans do not capture some of the 'small things' that would make a big difference to the lived experience of children and young people with SEND. For example, the provision of a library card or leisure centre pass to enable children and young people to pursue their interests or access to transport so that they could attend a sports club out of town. Furthermore, health services do not routinely receive final copies of EHC plans, so staff are sometimes working from an incomplete record. This hampers the effectiveness of these plans in improving the coordination of services to meet children and young people's needs.
- The high-quality service provided by the SEND advisory team is valued by parents, children, young people and professionals. These experienced and expert advisory teachers provide effective support, training and advice. This ensures that provision effectively meets children and young people's needs across the schools and settings in the local area.
- For pre-school and school-age children there is careful planning for transitions at each stage of their lives. Professionals work well together as well as with children and young people and their families so that they are well prepared for their next steps. Consequently, schools, colleges and settings report that there are very few children and young people who join with unidentified needs, and most make a successful start to their next stage of education. Where children and young people do present with unidentified needs, such as international new arrivals, the local area is quick to put in suitable support while assessments take place. Parents of very young children speak highly of the support available through groups such as 'Little Treasures'. These groups are a lifeline for parents. For example, they help parents to meet other families facing similar challenges. Moreover, the co-location of services in local neighbourhood children's centres makes it easier for parents to access appointments and clinics.
- The majority of children and young people in the local area attend good or better schools. Across most of these schools, outcomes are improving for

children and young people with SEND. Local area senior leaders have put in challenge and support to those providers where overall effectiveness is less than good. The local area makes good use of the wealth of experience and expertise from across the different types of provision. The willingness of school leaders to provide high-quality support to schools in challenging circumstances makes a positive difference. In addition, peer-to-peer SEND reviews are helping schools to accurately evaluate their strengths and weaknesses and so prioritise their actions.

- Strategic leaders have started to improve their use of a wide range of data to inform their decision-making. They have improved the reliability of data they collect. However, leaders do not make sufficient use of information about patterns and trends, for example where numbers of children and young people identified with a particular need are increasing, to inform and evaluate their commissioning of services.
- The new appointments made by the local area, including the head of education, designated clinical officer (DCO) and strategic director of transformation, have re-energised the local area's implementation of the SEND reforms. These new leaders share the director of children's services' ambitious vision for the local area. Importantly, these leaders are already making a positive contribution to the realisation of the long-term vision for children and young people with SEND.
- Senior leaders from health, education and social care work closely together. Increasingly, they are commissioning services jointly for groups of children and young people as well as individuals. However, there are gaps in commissioning in some health services. This is linked to the lower levels of satisfaction reported by parents and carers. The neurodevelopmental assessment pathway is not fully compliant with the National Institute for Health and Care Excellence (NICE) guidelines for all age groups. Furthermore, the transition to adult health services is difficult for too many young people.
- Children's needs are generally identified well before they start school. This leads to the timely assessment of needs and the provision of appropriate and effective support. However, children and young people are waiting too long for access to some therapies and mental health services.

The effectiveness of the local area in identifying children and young people's special educational needs and/or disabilities

Strengths

- The healthy child programme is being delivered effectively. Over 95% of pre-school developmental assessments are conducted on time. All children and young people who move into the area receive a health assessment from a health visitor or school nurse. This helps to identify any unmet health needs at the earliest opportunity.

- The children's services 0 to 19 team is alert to the early identification of SEND. For example, they recognise that SEND is more prevalent in certain ethnic minority groups. In order to ensure better identification and support, the service has employed members of staff who speak the languages of the most significant black and minority ethnic groups in the local area. This means that professionals can speak directly to parents and their children. This helps professionals to identify any speech and language difficulties more accurately.
- There are emerging strengths in joint commissioning in Blackburn with Darwen. The local area has a joint commissioning strategy. Services such as the youth offending team, occupational therapy and the child and adolescent mental health service (CAMHS) are commissioned jointly by health and children's services. Local leaders are clear about the benefits of joint commissioning. There are well-developed plans to jointly commission new emotional well-being and mental health services in the area.
- The common assessment framework (CAF) process is used effectively across the local area to identify unmet needs. In the sample of records reviewed by inspectors, we saw that this process is used consistently well by professionals. Parents and professionals told us that this coordinated approach leads to all professionals gaining a clearer understanding of the child or young person's needs. Consequently, identification of children and young people's additional needs is timely, and needs are met holistically.

Areas for development

- The area recognises that the performance information which they use currently does not inform their strategic planning sufficiently well. The data used by leaders does not provide them with the specific information they need to identify and anticipate patterns and trends. There is a clear commitment to collect more useful data to improve commissioners' understanding of needs better and to inform their decisions about service provision.
- The two-year-old health and development review is not integrated in the local area. Health visitors send a copy of the findings to the child's nursery but do not routinely receive any information in return. Health visitors report good joined-up working with nurseries based in children's centres but state that this can be variable with other settings. Each nursery has a link professional from the 0 to 19 team. However, not every nursery makes good use of this service. This means that opportunities for early identification through joined-up assessments are lost.
- Parents tell us they are not listened to when their children's needs are less obviously visible. Parents describe having to 'fight' for professionals to recognise their child's needs. Parents' frustrations are compounded by long waits for neurodevelopmental assessments and some mental health services. This means that for this group of children and young people there can be delays in accurately identifying their needs.

The effectiveness of the local area in meeting the needs of children and young people with special educational needs and/or disabilities

Strengths

- Stakeholders from across the local area, including children, young people and parents and carers, are well represented and their voices are listened to. Their views are taken into account at an operational level and, to a lesser extent, at a strategic level. Parents and carers have been involved in the 'refresh' of the local offer and the design of the local area SEND strategic plan. The parents of children and young people who have an EHC plan value the annual review meetings and feel able to contribute fully to the process. The majority of parents who responded to our surveys, are happy with the support their child receives once their needs have been identified.
- Parents' views are taken into account at strategic level via the parent carer forum, known as Blackburn with Darwen Parents in Partnership (BwD – PIP). This group has recently increased its membership to make sure that it is more representative of local parents and carers. As a result, this partnership fulfils its aim to be 'the strong voice of parents and carers at the heart of Blackburn with Darwen's delivery of services for children and young people 0 to 25 years with disabilities and additional needs and their families'.
- Local area leaders, including school leaders, are continually seeking to improve services. Strong partnership working has led to effective provision for pupils with SEND within the vast majority of schools. The SEND coordinators' networks are highly valued. These networks enable professionals to develop their skills and share strong practice. This makes a positive difference to the effectiveness of provision for children and young people with SEND in schools. For example, in many schools, staff have worked with children and young people to involve them in setting their targets and developing their aspirations for the future. In the best examples, children and young people can make a direct link between the support they have received and the progress they have made.
- The local area SEND panel was established in response to the reforms in 2014. This panel decides whether children and young people should be assessed for an EHC plan. There are education, health and care professionals represented on the panel. This results in a holistic approach to making decisions about whether an EHC needs assessment is required. The panel also provides feedback to schools on the quality of their submissions. Schools have used this feedback to help them further improve their support to children and young people with SEND.
- Children and young people from across the local area benefit from the high-quality SEND support service. This service provides effective assessment, advice and training to schools and settings as part of its core work and is free at the point of delivery. School leaders, parents, children and young people were extremely complimentary about the positive impact of this service.

- Local area leaders have created a culture where professionals feel able to gather informal advice and support from one another. Inspectors found numerous examples of professionals describing how they simply 'picked up the phone' to expert colleagues who were only too willing to help them. This spirit of partnership working has had a positive impact on meeting the needs of children and young people with SEND. For example, professionals are quick to respond when a child or young person's needs change suddenly. They work together to make appropriate interim support. This approach is successful in meeting children and young people's needs in a timely fashion.
- The co-location of therapists in children's centres has led to improved collaborative working. Children's centre and nursery staff benefit from being able to gain advice from therapists on an ad-hoc basis. This leads to staff being able to provide effective support at the earliest opportunity.
- Effective early years support is in place for children with additional needs. Parents hold the range of early years services in high regard. They value the timely and prompt triage process used by the portage service to identify and assess children's needs. Home visits, specialist support groups and parenting programmes provide constructive help and support to families when they most need it. Moreover, the early years support service provides good-quality advice and guidance to settings. Furthermore, early years specialist support assistants make a significant contribution to helping young children with SEND to overcome barriers to learning and get 'school ready'.
- The common assessment framework (CAF) process is used highly effectively by health, social care and education professionals across the local area to identify unmet needs. Parents and professionals told us that this coordinated approach leads to all professionals having a better understanding of the child or young person's needs and ensures there are no gaps in their care.
- School staff have received additional training on the identification of social, emotional and mental health issues and feel better able to identify needs. CAMHS professionals report an increase in appropriate referrals and the service now accepts 70% of referrals which demonstrates that other professionals understand their service offer. There is a mental health champion and a mental health first aider in the majority of schools in the local area. This strategy has been highly effective in meeting low-level mental health needs in school-age children.
- School nurses support children and young people with additional needs at transition into primary school, secondary school and college. Each young person is offered a full health assessment at each transition point, which includes a review of their physical, emotional and mental health needs. If additional support is required, this is delivered by the 0 to 19 team or appropriate referrals are made. This means that emerging physical or emotional health needs are identified at key transition points and aids the smooth transition between different settings.
- The DCO has a clear remit for change. She has already overhauled the EHC assessment health advice submission process. As a result of her audit, there has

been a noticeable improvement in the quality of health advice in EHC plans. Health professionals across the area describe the DCO as a valuable source of support and information.

Areas for development

- Sometimes the lack of clear targets in EHC plans reduces the ability of professionals, parents and children to measure, monitor and evaluate improved outcomes for children and young people with SEND.
- EHC plans are not fully reflective of children and young peoples' needs. Health services have not routinely received final copies of EHC plans and have relied on schools to share plans with them. There is also no process in place to monitor receipt of EHC plans. In health records reviewed by inspectors, plans were not always readily available. This means that staff are working from an incomplete record. Further to this, health staff do not have an opportunity to review the content of the plan to check the accuracy of the health advice.
- The local area is aware young people can be offered multiple health assessments if they are known to several services. Currently the youth justice and children in our care (CIOC) teams talk to each to see who is best placed to deliver the health assessment. Information is shared between services. However, the EHC assessment and the CIOC health assessments are not aligned. This means that young people experience multiple appointments and no single service has a complete record of the child or young person's needs. This may lead to delays in implementing support.
- Parents have concerns about their child's transition into adulthood. Despite information being available on the local offer website and the work of the 'New Directions' team (the local authority's careers information, advice and guidance service), many parents still feel anxious about their child's future. Parents' perception is that the range of post-16 and post-19 options open to young people with SEND is limited.
- The mental health needs of some young people aged 16 to 19 are not met as well as they could be. Currently, CAMHS is not available to young people between 16 and 19 years old. Some of these young people do not meet the higher thresholds set for the equivalent adult services. Funding has recently been secured to extend the CAMHS offer to this group from the end of the year.
- Current demand for psychological services for children and young people with lower-level mental health needs is exceeding capacity. This means that children and young people experience lengthy waits in having their needs met. This situation exacerbates the risk that children and young people's needs escalate in the meantime. In addition, there is inequity in the offer of emotional wellbeing services across the local area. Some schools buy in additional services, but some schools do not, meaning that levels of support are variable depending on where children attend school.

- School staff who deliver interventions to improve children's emotional well-being and mental health can contact mental health practitioners for advice and support. However, there is no systematic oversight by qualified health professionals to provide the local area with reassurance about its quality and suitability.
- Children and young people wait too long to access speech and language therapy (SaLT) and occupational therapy. Waiting times for intervention are up to 35 weeks in these services. Schools report they do not feel well supported by SaLT services. There is a recovery plan in place which is aiming to reduce waiting times, but it is too early to evaluate its impact.
- Children and young people wait too long to receive an autistic spectrum disorder (ASD) diagnosis. There are gaps in the commissioning of the neurodevelopmental pathway. For example, there is no commissioned pathway for 11- to 16-year-olds. Currently, paediatricians complete these assessments in isolation rather than as part of multidisciplinary arrangements. This is not compliant with NICE guidelines. The local area is in the early stages of redesigning this pathway.
- There are significant variations in access to health services for older young people. A smooth transition to adulthood is difficult to achieve within some paediatric services as there is no equivalent adult health team. Parents describe feeling terrified when their child is discharged from the paediatrician when they reach adulthood. Some health practitioners keep young people on their caseload beyond their commissioned age range and some do not. This gap in the commissioning process leads to ad-hoc arrangements and inequity in service provision.

The effectiveness of the local area in improving outcomes for children and young people with special educational needs and/or disabilities

Strengths

- The 0 to 19 team uses an outcome measurement tool which allows data collection at a service level. This means that the service can measure its effectiveness and adapt care pathways as required.
- The local area ensures that there is effective early intervention to support young children and their families. Practitioners have ensured that the CAF is central to ensuring that children and their families have well-coordinated and appropriate support. The number of young children who are being supported through the CAF has increased significantly in the past 12 months. As a result of this timely intervention, more of these children are 'school ready' when they join their Reception class.
- Parents who spoke with inspectors were overwhelmingly positive about the quality of their child's educational provision. Most were generous in their praise of the positive difference that schools have made to the lives of their children and families.

- Increased early years identification and support are helping pupils with SEND to improve their attainment in primary schools. The proportion of Year 1 children with SEND meeting the expected standard in the phonics screening check has improved since 2014. These children's improving success in reading continues as they move through to the end of key stage 2.
- At the end of key stage 2, the proportion of children with SEND reaching the expected standard in reading, writing and mathematics has increased over the past three years and is well above the national average.
- Outcomes are improving for young people with SEND at key stage 4. These young people make better progress than similar young people nationally. At the end of key stage 4, more young people are achieving GCSE grade 4+ in English and mathematics. This is an improving trend and is well above the national average.
- Many young people benefit from a curriculum that meets their needs in post-16 settings. This helps to improve their attainment. For example, the proportions of students attaining level 2 and level 3 qualifications are above the national averages for similar students. The attendance and retention rates of this group of students are also improving.
- Leaders have supported schools to be more inclusive. The number of fixed-term exclusions for children and young people with SEND has reduced considerably over the past 12 months.
- The successful work of the youth justice service has been recognised. The team has received a national award. As a result of effective support, the rate of reoffending for this group has reduced significantly over the past 12 months.

Areas for improvement

- Therapists use outcome measurement tools to track the progress of individual children. However, while they are able to evaluate the impact of their interventions on individual children and young people, they do not collate this data at a service level. This hampers the service's ability to evaluate its effectiveness.
- Too many children and young people with EHC plans are persistently absent from school. Although some of these children and young people have complex medical needs, this frequent disruption to their education limits the effectiveness of the provision put in place and so hampers their progress.
- The local area's provision for young people when they leave school is not sufficiently well developed. While the quality and range of educational provision post-16 and post-19 is improving, the opportunities for employment and independent living are limited. Consequently, young people do not benefit as well as they should from the good start they have made. The local area's ambitious plans for adult services will benefit this group in the long term. However, for many young people with SEND, reliance on their families' support limits their

opportunity to live the 'ordinary lives in their local area' that the local area expects for them.

Yours sincerely

Pippa Jackson Maitland
Her Majesty's Inspector

Ofsted	Care Quality Commission
Andrew Cook Regional Director, North West	Ursula Gallagher Deputy Chief Inspector, Primary Medical Services, Children Health and Justice
Pippa Jackson Maitland HMI Lead Inspector	Louise Holland CQC Inspector
Phil Harrison Ofsted Inspector	

cc: DfE Department for Education
Clinical commissioning group(s)
Director Public Health for the local area
Department of Health
NHS England

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Environmental Services

LEAD OFFICERS: Director of Environment and Operations

DATE: 12 September 2019

PORTFOLIO/S AFFECTED: Environmental Services

WARD/S AFFECTED: All

KEY DECISION: YES ☒ NO ☐

SUBJECT: Replacement Refuse Collection Vehicles

1. EXECUTIVE SUMMARY

The Council's vehicle replacement programme has identified that two of the refuse collection vehicles are now almost eight years old and are ready for replacing with new vehicles.

2. RECOMMENDATIONS

It is recommended that Executive Board authorise the replacement of the two oldest refuse collection vehicles as part of the Council's vehicle replacement programme.

3. BACKGROUND

The Council has a fleet of 7 frontline refuse collection vehicles which are currently utilised for collecting household waste and trade waste throughout the Borough, with a pool provision of 3 spare vehicles. In addition, the council is maximising the use of the Refuse Collection fleet with 4 vehicles from the fleet being used each week on a Friday and Saturday to collect the garden waste generated within the borough. The vehicles are of varying ages. The oldest two vehicles are now eight years old and becoming increasingly unreliable with increased maintenance costs and by virtue, increased costs for overtime for service completion, to ensure that the work is completed and income generated from trade waste is not lost. By the time the new vehicles arrive, the two vehicles to be replaced would be 9 years old.

In April 2020 the Council's recycling contract comes back in house and will see the addition of 6 refuse collection vehicles added to the fleet. This means in effect that the 3 spares will have to cover 13 rounds. It is important that refuse collection and recycling vehicles are reliable because to hire a vehicle it costs over £1,000 per week, which is the minimum hire period, and currently availability is an issue, as hire companies do not carry a large number on their hire fleets, as they used to.

The two new vehicles would be utilised as front line vehicles with the pool provision being two at 7 years old and one at 6 years old, to service the 13 round fleet. Should the service need to reduce in the amount of refuse collection vehicles on the fleet at a later date, any of the pool vehicles could be returned to the relevant leasing company, as the primary lease period has elapsed and the vehicles are being used on secondary leases, and can be terminated at a much reduced rate.

4. KEY ISSUES & RISKS

The main cause for concern in not replacing these two vehicles would be reliability which could result in a shortage of vehicles to complete the refuse, recycling and trade waste rounds, thus affecting service delivery to customers and jeopardising the £1,000,000 per year trade waste income that the Council generates. The availability of hire vehicles around the country is limited and as such we are fully dependent on the availability of our own refuse collection vehicles.

The current lead time for these new vehicles is a minimum of 6 months. Progression of a tender as soon as possible, would help ensure that they are available for the 1st April 2020.

5. POLICY IMPLICATIONS

Priority 6 for the council identifies that the council will 'make your money go further', which this report aims to provide.

6. FINANCIAL IMPLICATIONS

The Council would seek to finance the purchase of the 2 new vehicles through a "sale and lease back" deal. Assuming this was the best option, the Council would lease the vehicles over a five year period, to be borne by the refuse collection revenue budget.

If leasing was not the most economic or a viable option, the Council would finance the vehicles through prudential borrowing. The refuse collection budget would then be adjusted to finance this cost.

7. LEGAL IMPLICATIONS

The Council as a Waste Collection Authority (WCA) and a Waste Disposal Authority (WDA) has a legal duty under the Environmental Protection Act 1990 to provide waste collection and disposal services in the borough. A procurement exercise will be undertaken in accordance with the Council's Contract Procurement Procedure Rules and Contracts shall be in a form approved by legal officers in the Contracts and Procurement Team.

8. RESOURCE IMPLICATIONS

The procurement of the two new vehicles can be accommodated within existing resources.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Consultation with the Head of Environment has taken place to identify the best option going forward to deliver the service.

Consultation with the hire companies in the industry has identified the lack of availability of hire vehicles around the country.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	3
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CONTACT OFFICER:	Martin Eden, Director of Environment and Operations Neil Bolton, Fleet Transport Manager
DATE:	08/08/19
BACKGROUND PAPER:	Procurement guidelines for the Council.

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Digital and Customer Services

LEAD OFFICERS: Director of Digital and Business Change

DATE: 12 September 2019

PORTFOLIO/S AFFECTED: Digital and Customer Services

WARD/S AFFECTED: All

KEY DECISION: YES ☐ NO ☒

SUBJECT: Replacement of the Councils Customer Contact Portal.

1. EXECUTIVE SUMMARY

This report is to provide an overview of the pre tender due diligence work currently being undertaken by the Digital and Business Change department in relation to the Councils Digital Customer Portal. The portal enables residents of the borough to access certain Council services via the website.

2. RECOMMENDATIONS

That the Executive Board:

Notes the initial progress being made for the replacement of the current Customer Contact Portal (CCP) in identifying the potential to make a strategic investment that ultimately will allow for a new Digital Customer Portal to be more than a replacement for the incumbent product and allow customers to interact with a variety of Council services with ease.

3. BACKGROUND

The current CCP solution acts as a customer portal to enable customers to access Council services through a series of online forms. These forms allow the customers to request services in the Council via electronic means including in some instances the ability to pay for these for waste management, street cleansing and registrars.

Currently the majority of these forms are dealt with manually which results in staff having to re-key these into line of business applications. The only forms which are integrated are associated with the Councils round management system which allows residents to see information in relation to bin collections at their property and allowing them to report the likes of missed bins and request bulky collections.

Customers in the borough currently access different Council services using multiple online accounts. Various services also only allow customers to pay for services via the telephone.

There are approximately 100 e-forms in use which are completed by residents and then either posted, emailed or handed in to the Council for manual processing.

The Councils website is the digital front door for customers engaging with the Council, they are then

re-directed through to the current CCP solution to access and transact with some services.

The department has recently replaced its current website in order to make life easier for customers as follows;

- Cleaner simpler modern layout – easier and quicker to search and navigate
- Easier to contact the council including improved on-line chat facilities
- Language translation facility
- Improved service information - 800 pages
- Enhanced on-line transactional facilities - improved signposting
- Improved system and content management
- Increased analytics to help improve service provision
- Improved customer feedback facility
- Optimised for Mobile devices

The current CCP solution used by the Council is going 'end of life' in October 2020 leaving the department with no option but to look to replace this due to security and support vulnerabilities. Rather than simply replacing the current solution like for like, a digital review was undertaken to investigate options and opportunities. The review highlighted opportunities to improve both customer experience and internal service effectiveness.

In order to investigate what solutions are available to us, the department has initiated soft market testing with suppliers. This will inform the decision making process in terms of the procurement and preferred type of solution being sourced. A total of 31 companies responded to the market testing with 9 companies being shortlisted to present to the Council regarding the solution that they are offering. To date 6 of these presentations have occurred with a further 3 planned over coming weeks.

Following the market testing exercise the department will begin a procurement exercise based on the findings discovered. Following this a further report will be made to the Executive Board to approve the addition of the project to the capital programme, award any resulting contract and also provide a full financial and benefits appraisal. As cost models by each supplier vary, as well as the breadth of their solutions, there is currently no financial information provided within the report.

The critical success factors for the project are currently defined as;

- Making it easy for the customer to engage with and transact with the Council.
- Improving the customer Journey, keeping processes simple.
- Allowing residents to have access via a single portal to enable them to report issues, track requests and pay for services.
- Enabling more Council services to be delivered digitally.
- Increasing the use of data to inform decisions in a timely manner.
- To reduce the number of line of business applications in use within the Council prioritising environments and highways.
- Reducing manual processes and interventions allowing resources to be freed up.
- Empowering service departments to make changes to their processes and forms by providing a software solution that allows them undertake changes with ease whilst within a defined set of standards.

4. KEY ISSUES & RISKS

- The current CCP solution goes end of life in October 2020 leaving the Council no option but to replace.
- Customers currently have multiple accounts to access the large array of Council services.
- Not all services are available to customers digitally.

- The current system requires manual processing by Council officers at various stages.
- Customer data is disjointed being held in multiple systems.

5. POLICY IMPLICATIONS

The project will enable the Council to harness the opportunities that digital offers to drive improvement across services and customer experience. It will unlock further potential within our workforce by giving them the right tools, systems and skills to drive change. Decisions will be increasingly driven by high quality data.

6. FINANCIAL IMPLICATIONS

There are no financial implications associated with this paper as the paper has been produced to provide an update to Executive Board on the pre tender due diligence work currently being undertaken on the CCP.

It should however be noted that due to the potential scope of this project, the capital budget required for the implementation of a new CCP system is likely to be significant. Once the procurement exercise has been undertaken a paper will be brought to the Executive Board for consideration and a request for approval to add the scheme to the capital programme with an indicative budget requirement.

7. LEGAL IMPLICATIONS

Any resulting procurement process shall be in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procurement Procedure Rules.

8. RESOURCE IMPLICATIONS

This will have an effect on the resources within the department and also other departments within the Council. Further information will be provided in future reports once the system has been procured.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Requirement gathering has been undertaken with key stakeholders in the Council. Further consultations will commence shortly once the full scope of the programme is known.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
CONTACT OFFICER:	Peter Hughes
DATE:	27/08/2019
BACKGROUND PAPER:	None

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Digital and Customer Services

LEAD OFFICERS: Director of HR, Legal & Governance

DATE: Thursday, 12 September 2019

PORTFOLIO(S) AFFECTED: Digital and Customer Services

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Progress update on Coronial Service.

1. EXECUTIVE SUMMARY

This report provides an update on our coronial service for the period 1.4.2018 – 31.3.2019.

2. RECOMMENDATIONS

That the Executive Board:

Notes the contents of the report, the service developments, improvements and budgetary savings achieved in the last financial year.

3. BACKGROUND

On the 14th June 2018 a report was submitted to the Executive Board on the successful transition to a merged Coronial Service. The report noted the success of the merger of the former Coronial Districts of Blackburn with Darwen, Hyndburn and Ribble Valley Coronial service with the Preston & West Lancashire and East Lancashire Coronial Service. Lancashire County Council is now the relevant authority for the Blackburn with Darwen [BwD] jurisdiction. This role has reversed from the previous position whereby Blackburn With Darwen Council [BwDC] were the relevant authority.

At the time of the merger being approved by the Lord Chancellor significant savings to both Lancashire County Council [LCC] and BwDC were envisaged over time, operating under a new and revised administrative arrangement. The new Senior Coroner [Dr Adeley] also overseeing changes to referral arrangements and other policy changes which would improve services and deliver operational efficiencies. This included the impact of amended reporting criteria.

The Coroners Service has moved administratively to Preston, from the former base at the Blackburn Enterprise Centre and the inquests have moved into the Blackburn Town Hall unless there are reasons otherwise. Long inquests in East Lancashire were regularly held at Burnley Magistrates Court and long Blackburn inquests have been re-located to the Preston Coroner's

Court at no additional cost to the Authority. The Preston court has the facility to offer video conferencing to experts giving evidence at inquests which also reduces claims for travel costs.

Update reports have been prepared on a quarterly basis for internal review and monitoring but this report will provide a summary across the entire year.

4. KEY ISSUES & RISKS

In terms of the plans and targets that we set at the beginning of the year, they have all been met and in certain areas they have been exceeded.

The changes that have been made in this financial year have had a very positive impact for the bereaved and have ensured that they remain at the centre of everything we do.

1. STAFFING

1. Coroners

Our jurisdiction has three full-time Coroners thus reducing the need for using Assistant Coroners, although we have engaged the services of Mr Nicholas Rheinberg to deal with some of the more complex inquests due to his knowledge and expertise in the areas involved. This has allowed our Senior Coroner to concentrate on the management of the jurisdiction following the merger, introduce CT scanning and continue with the training for GPs, Doctors and Consultants.

The Chief Coroner is introducing an appraisal system for Assistant Coroners with effect from April 2019. The Appraisal system for both Senior and Area Coroners will be introduced on a date yet to be determined.

The Joint Negotiating Committee for Coroners and the Local Government Association has issued further guidance in December 2018 in relation to Coroner's pay and a benchmarking exercise has been completed. The guidance and recommendations of the committee have now been implemented.

The overall impact for BwDC will not be significant (£1,610 per year in relation to the Area Coroner). LCC do not generally re-charge for Assistant Coroners as they do not tend to deal with the BWD cases so the impact on any increased fees will not generally be passed on to BwDC.

2. Coroner's Admin Team

At the start of the year LCC indicated they intended to re-structure the admin team once the new working procedures had been implemented. The new structure came into force on 1st March 2019 and whilst the full impact of the savings will not be realised until April 2020 due to salary protection arrangements, it will see an eventual reduction in staffing costs in this area in the region of £12,883 for BWD.

3. Coroner's Officers

The Coroners continue to be supported by 12 Coroner's Officers and are funded jointly by Lancashire County Council, BwDC and the Lancashire Constabulary.

It has long been considered that there should be a Senior Coroner's Officer in post who would be able to deal with requests for leave, sickness and the more general issues encountered within the team. This is being considered by the Constabulary and if implemented would mean that our contributions would increase slightly to take account of the higher salary. The total increase in cost to the local authorities is not envisaged to be more than £10,000 and consideration would then need to be given as to how this was apportioned. A further update will be included in the next

report to the Board.

4. Out of Hour's Service

The out of hour's service continues to run smoothly. The Coroner Services Manager recently attended a 'Ladies only' event at the Masjid E Sajedeen in Little Harwood with one of our Coroner's Officers and spoke about the out of hours service and the CT Scanner

2. MANAGEMENT INFORMATION

Below is the management information for the period April 2018 to March 2019.

	April	May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
No. Deaths	77	72	87	65	71	48	68	83	60	87	66	57	841
No. Scans	11	36	40	33	28	24	28	30	26	35	27	28	346
CT Scans with Cause of Death	11	35	37	28	26	24	26	28	26	32	24	23	321
CT scans with no COD	0	1	3	5	2	0	2	2	0	3	3	5	25
No. Post Mortems	21	1	5	15	3	3	4	5	4	6	7	8	82
Inquests Opened	73	64	85	5	5	5	13	19	23	20	26	59	351
Inquests Closed	58	52	35	22	12	12	21	13	13	14	15	50	288
Investigations Opened	69	67	53	5	10	9	26	27	22	19	25	62	350

The number of deaths referred to the Coroner in the last financial year has significantly reduced from previous years. Although these figures refer to the financial year and the statistics prepared for the MoJ are based on a calendar year, in 2016, which was the last year of independent reporting for the BwD, Hyndburn and Ribble Valley jurisdiction, it dealt with 1,772 deaths, authorised 772 post mortems and opened 316 inquests.

The statistical return for 2018 was submitted to the MoJ in February 2019. Whilst the figures are for the jurisdiction as a whole they showed, once again, an overall decrease in the number of deaths reported to the Coroner. In 2017 we reported 3,950 deaths, which was a reduction of just over 1000 from the previous year. In 2018 there were 3,586 deaths, a further reduction of 364. Dr Adeley continues to lecture Consultants, Doctors and GPs as to their role in this process and to stress when they can deal with the matter themselves rather than referring to the Coroner.

3. REVISED OPERATIONAL PROCEDURES

Information Technology

Last year we reported that there had been significant investment by both Councils to improve the IT systems relating to the work of the Coroner. Money was accrued towards the cost of the implementation of the e-portal system so that all referrals from the police, GPs and registrars are handled through the portal system, thereby reducing the need to copy and paste or even re-write referrals directly into the Coroner's database. The introduction of the portal system has allowed LCC to restructure the admin team, reducing the team by one post and re-distributing work elsewhere within the Authority.

The portal has taken a little longer to embed in some of our GP practices, however, we have both a dedicated portal telephone number and email box and have been able to deal with any queries raised quickly and effectively.

Body Storage

The revised Service Level Agreement with the East Lancashire Health Trust has seen a reduction in the cost of body storage and an agreement that all charges cease once the Coroner releases the body. Our working relationship with the Trust continues to strengthen and grow.

Protocol-Funeral Directors

The revised protocol for Funeral Directors has now been in operation for nearly 12 months. It has meant that where a funeral director is asked to conduct the funeral, they no longer charge us for the collection conducted on behalf of the Coroner. There are sufficient numbers of funeral directors to cover the BwD, Hyndburn and Ribble Valley areas.

Although we introduced an increase in the fees paid to the funeral directors for this work, the change in how and when we now pay them, together with the reduction in deaths referred to the Coroner has seen a reduction in costs of 34% from the previous financial year.

A second meeting was held with all the funeral directors on our rota in November 2018 which was an opportunity for them to discuss any concerns they might have and to update them on how CT scanning etc. was progressing. It was also an opportunity to introduce them to the Police Communications Team Managers. A visit to the Police Communications Room was arranged earlier in the year and funeral directors found it helpful to be able to see and understand how the Communication teams worked and to tell them exactly what kind of information they needed when being asked to conduct a removal for the Coroner. This resulted in a set of basic questions being developed for the Communication teams to ask the police officers at the scene and to relay to the funeral directors. The communications between the police and the funeral directors has significantly improved and we have not had any funeral directors asking to come off the rota this year.

Toxicology contract

The move to the new toxicology contract following the merger has seen results generally come through within 3-4 weeks as opposed to 6-8 weeks with the previous contractor and a reduction in the charges for the tests conducted. This has meant costs have reduced by 29% on the previous year's total expenditure in this area.

Local Government Chronicle Awards 2019

In light of all the changes that have been made LCC submitted an entry to the Local Government Chronicle Awards 2019 in the Business Transformation Category and were successfully shortlisted. We attended the event with all our Partners and although we did not win our category, having made the final from a total of 500 submissions is an achievement that we are all very proud of.

CT Scanning

This financial year saw the jurisdiction introduce the first NHS based post mortem CT Scanning service in the country. Overall we have conducted 1387 CT scans during the period April 2018 – March 2019 with have an average 93% success rate for the CT scan to give a cause of death. Of this total, 346 CT scans were for Blackburn With Darwen and the success rate was also 93%. It has been entirely cost neutral and has greatly improved the responsiveness provided to our families, with a full report on the cause of death being generally available within 72 hours.

During this period the jurisdiction also conducted 701 post mortems, 82 of which were for Blackburn with Darwen. This is significantly less than the previous year's figure of 1,914, (it is not possible to give the breakdown for BWD for last year) and will reduce further in 2019. The CT scanner only became operational in late April 2018 and we were therefore solely reliant on the

traditional post mortem in the early part of 2018.

Our relationship with iGene, Lancashire Teaching Hospital Trust (LTHTr) who carry out the scans and ELHT who perform the external body examinations and initial interventions continues to strengthen and whilst there have inevitably been teething problems with such a massive change in process, everyone has worked hard to ensure the success of this new venture.

Muslim communities in both the East and West of the community have also provided significant financial support to the project, enabling LTHTr to purchase additional body storage which will help ensure the scanner is used most effectively.

5. POLICY IMPLICATIONS

The merger saw LCC assuming the role of becoming the relevant local authority responsible under the Coroners and Justice Act 2009 Act.

The funding for the new jurisdiction is now met by Lancashire County Council with Blackburn with Darwen Council contributing an agreed percentage in relation to the operating costs for the existing Blackburn with Darwen area and also contributing a percentage towards the cost of the Senior Coroner and one Area Coroner are responsible for dealing with the workload in the Blackburn with Darwen area. This replaced the former arrangements whereby the County Council reimbursed Blackburn with Darwen Borough Council for 50% of the costs of the Blackburn with Darwen, Hyndburn and Ribble Valley coronial services.

Both Councils have entered into a revised legally binding agreement that sets out the provision of the service, accountability, responsibilities, monitoring arrangements and financial arrangements.

6. FINANCIAL IMPLICATIONS

In the business case submitted to the Ministry of Justice in 2016 it was estimated that the merger of the three jurisdictions would save in the region of £300,000 within a two year period. In 2017/18 we took the decision to improve the IT infrastructure and had a number of other one-off costs that meant that the savings were not a true picture of the normal day to day running costs of the new jurisdiction. It was also recognised that the merger only became informally operational in July 2017 before final approval was granted in December 2017.

The changes outlined above have produced some significant savings across the whole jurisdiction. As already mentioned we have seen a reduction in undertaker costs of 29%, despite an increase in fees and toxicology costs have reduced by 34%.

It was extremely difficult to predict spend across all the budget areas this year given the change to CT scanning and the way in which this would be paid. Pathologists had previously invoiced on an individual basis for work they carried out in relation to post mortems and our mortuary also invoiced for work conducted in relation to post mortems in addition to body storage costs. The radiologists that produce the CT report into the cause of death are not paid on an individual basis, the Council pays the fee directly to the Trust and the fee previously paid to the Trust for the mortuary work is now paid to iGene. These are both paid from different cost centres and it was very difficult to determine how the budget should be split for this financial year. It therefore appears that the budget for the Pathologist fees to Trusts has overspent when in reality it was probably more to do with an inability to accurately predict the spend in this financial year.

The budget in relation to pathologist's fees to individuals was under-estimated and work is ongoing to address this. We are also reviewing previous mortuary storage arrangements.

The accrual made for the computer equipment was used to pay for the portal and although there has been some other minor expenditure in this area the overall budget was underspent. It is not

anticipated that there will be any significant IT expenditure in the new financial year.

The Lancashire Constabulary have now agreed to meet the additional cost that was previously picked up by the local authorities in relation to Home Office Post Mortems. We will continue to pay the additional fees requested by the mortuary for this work but will then arrange to invoice the police at the end of each financial year. For this financial year it has produced a saving of £4,525.84.

Overall, from a budget of £269,982 for the provision of supplies and services for the BWD, Hyndburn and Ribble Valley areas, the overall spend was £242,117.79. These costs are split on a 50/50 basis between Blackburn with Darwen and Lancashire County Council. With the addition of the agreed staffing costs of £125,509.99 for the Senior Coroner, one Area Coroner, Coroner Services Manager and the admin team at 23%, the cost to Blackburn with Darwen Council of running the jurisdiction for the 2018/19 financial year is £246,568.89. This is a saving of £159,431.11 based on the cost of running the service in 2016/17. This amount does not include the additional costs of £35,346.72 that Lancashire County Council does not re-charge to Blackburn with Darwen. The overall saving would therefore amount to £194,777.83 which exceeds the savings originally anticipated.

It is estimated, based on the predicted expenditure for 2019/20 and taking into account the annual price increases, the cost to Blackburn with Darwen of running the service in the next financial year will be in the region of £261,575.

7. LEGAL IMPLICATIONS

The role of Her Majesty's Coroner is a statutory role. Under section 22 and Schedule 2 of the Coroners and Justice Act 2009, the decision on and responsibility for making an order to create a new coroner's area rested with the Lord Chancellor. The Lord Chancellor consulted as required with Local Authorities before ordering the merger.

Lancashire County Council are now the relevant authority for the delivery of coronial services for the Borough and they fulfil this role in accordance with a formal legal agreement between Lancashire County Council and Blackburn with Darwen Borough Council as set out in the body of the report.

8. RESOURCE IMPLICATIONS

Resources for the delivery of the Coronial Service are provided under legal agreement by

Lancashire County Council. The Head of Legal Services and a finance officer monitor service and costs in accordance with the agreed protocols between the Councils.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.

10. CONSULTATIONS

Consultations were conducted in advance of the merger in 2017.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

CONTACT OFFICER:	Sian Roxborough, sian.roxborough@blackburn.gov.uk
DATE:	2 nd August 2019
BACKGROUND PAPER:	Coronial Service Executive Board Report-14 th June 2018

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Finance and Governance

LEAD OFFICERS: Director of Growth & Development

DATE: Thursday, 12 September 2019

PORTFOLIO(S) AFFECTED: Growth and Development

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT:

Council Office Accommodation Strategy Update

1. EXECUTIVE SUMMARY

Further to previous reports to Executive Board on 8th February 2018 and 10th January 2019, this report updates on the implementation plans for the next stage of the Council's office accommodation strategy.

Since the funding reductions started in 2010, the Council has been making budget cuts each year and downsizing its workforce, and as a consequence of this, has been routinely reviewing its core office accommodation sites to rationalise property and reduce costs. The next phase is outlined below.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the overall refurbishment plan & estimated costs of the Town Hall refurbishment works, which will be undertaken on a phased basis.
2. Approves the necessary additional capital programme funding.
3. Note that a further report will be brought on future options for the Tower Block.

3. BACKGROUND

The Council's core staff office accommodation sites comprise of Blackburn and Darwen Town Halls, the Tower Block and 10 Duke Street. As reported previously, as the Council's workforce has decreased so has the occupancy of these core office buildings.

There remains therefore further scope for building rationalisation to reduce costs and improve services and it has previously been agreed that all four buildings are no longer required, and that these sites could be rationalised from four buildings to three.

This position also takes into account the availability of flexible open plan office accommodation at the Bungalow at the Davyfield Road depot. The Bungalow refurbishment is complete and provides out-of-town accommodation for up to 120 staff from appropriate teams. There is also touch down space available for staff that need to access work space in a Council building without having to travel back into the town centre during the working day. The Bungalow is now fit for purpose to provide for more agile working practices. The Bungalow's location on the edge of town, accessible from both Blackburn and Darwen, also ensures that the building can provide emergency/civil

contingency resilience in the event of a town centre building failure.

Duke Street is occupied by Children's Services & Education, Public Health and Adults Services Departments. The Tower Block is currently occupied mainly by Finance, HR & Legal, Digital & Business Support and Prevention Services Departments, Facilities Services and Trade Unions.

The earlier Executive Board report in February 2018 requested subsequent approval at Finance Council of capital programme costs estimated at £6.5M for the significant refurbishment of Blackburn and Darwen Town Halls. The Executive Board report in January 2019 proposed to scale back the levels of refurbishment, in line with the Council's ongoing budget constraints.

Further detailed investigations have since taken place in respect of Blackburn Town Hall, which have resulted in more detailed estimated costs for the proposed scaled back refurbishment works. These costs are more than the current capital programme scheme costs for the overall building refurbishment.

The building condition survey that has been undertaken on Darwen Town Hall has identified that the roof requires renewal including rainwater goods and leadwork.

4. KEY ISSUES & RISKS

There is currently an over-supply of staff office accommodation. The risk of not taking action at this juncture is to continue to carry considerable additional costs of empty staff accommodation. Equally there are significant backlog and future maintenance cost liabilities particularly in respect of the Tower Block.

Modernisation of Blackburn Town Hall, would increase capacity, improve service provision and reduce operational and backlog maintenance costs. The remodelling of internal cellular spaces into flexible office accommodation, where possible, will encourage and promote future agile and digital working practices.

Darwen Town Hall's roof renewal and associated work is essential to ensure the building remains water tight.

The work to date reviewing the overall available office space within the Town Hall has identified that it would be possible to undertake a scaled back internal refurbishment that would still deliver the desired accommodation strategy outcome, of the Council being able to reduce the number of staff accommodation buildings by vacating the Tower Block.

Since the Executive Board report in January 2019 further detailed investigations have been undertaken, with specific Conservation Officer advice, which have identified additional works required primarily relating to the outdated fire alarm system, fire risk assessment, electrical distribution, plastering works, fire doors and some heating system modifications.

The proposed works include the removal of a number of non-load bearing stud partition walls, electrical rewiring works, fire risk upgrade works, the creation of staff welfare facilities on each floor, essential IT infrastructure works, upgraded audio visual systems for the Council Chamber requiring associated electrical works, plastering, decoration, floor coverings and flexible office furniture.

Consideration is also being given to future public access and meeting space provision in the Town Hall. All works will be in accordance with the Equality Act 2010.

The level of works described mean it will be possible to undertake the work on a phased basis, so although temporary moves will be necessary, it is anticipated that most moves will be able to be accommodated within the building. Where necessary the Tower Block will be used as a decant facility.

The existing Customer Services & Registrars services on the ground floor of Blackburn Town Hall will continue as now, without major disruption, although the impact of noise will be assessed as works progress.

The works will be costed on a floor by floor basis, and it is proposed that the first phase will be the 3rd and 4th floors which have recently been vacated and cleared of furniture. The drawings and specifications will be provided by the Council's Building Consultancy Team, and the building work will be undertaken by the Council's Corporate Building Team as an in house project, where, in addition, the team's apprentices will gain valuable experience of a multi-disciplinary refurbishment project. Some sub-contractor works will be required and these will be procured through the Chest procurement system.

It is estimated that the first phase works to the 3rd and 4th floors will take approximately eight to nine months to complete. Once the 3rd and 4th floors are completed, it is proposed to undertake the 2nd and 1st floors as phase two. It is estimated that the phase 2 works will take approximately six months to complete.

Once the refurbishment works to Blackburn Town Hall are complete, staff will be relocated from the Tower Block into Blackburn Town Hall or other core accommodation buildings. Ahead of this relocation, full reviews of storage will take place with each service to ensure as much rationalisation as possible takes place compliant with the Council's document retention and disposal policy.

Once the Tower Block has been vacated it will be surplus to the Council's requirements with two options for consideration. The first option would be to mothball the facility which will still require heating and ventilation plant to be kept operational and empty business rate charges would apply. The second option would be for the Council to no longer have any responsibility for the building. As reported previously this second option requires detailed discussions and negotiations with the Mall, who are the Council's landlord, although the Council is the ultimate freeholder of the Tower Block building.

A separate Executive Board report will be presented at a future date to fully consider the options available to the Council in relation to the Tower Block.

5. POLICY IMPLICATIONS

The Council's established Property & Procurement Policies and Digital Strategy will be followed.

6. FINANCIAL IMPLICATIONS

The capital accommodation strategy fund has an allocation of £2,451,000. The current estimated total costs for the phased refurbishment works for Blackburn Town Hall are £2,700,000 excluding furniture, IT infrastructure upgrades and Council Chamber audio visual system; an increase of £250,000.

Estimated furniture replacement costs are c.£250,000. It is considered possible that some furniture

from the Town Hall and Tower Block which is in very good condition and is fit for purpose could be re-used as part of the new design and to reduce costs). These costs were not included in the Executive Board report of January 2019.

Essential IT infrastructure upgrade costs are estimated to be £220,000 and it is requested that this be funded from the Council's Corporate ICT earmarked scheme in the approved Capital Programme.

It is estimated, based on advice from specialist providers, that the full replacement of the system in the Council Chamber with a modern audio visual system, including associated electrical works, would cost in the region of £100,000. It is expected that a separate report for the Council Chamber on options and associated costs, including electronic voting, display screens, cameras for potential web-casting of meetings etc, all of which would enable better use of the Chamber in addition to full Council meetings and Coroners inquests, will be brought in the Autumn for Members to consider.

Darwen Town Hall roof renewal and associated essential weather-proofing works are estimated at £300,000.

It is therefore requested that an additional £1M is made available for the capital accommodation strategy fund in respect of the Blackburn Town Hall refurbishment costs and furniture and the Darwen Town Hall works.

The expected savings from the Tower Block once mothballed, include part utility savings of approximately £30,000, facilities management savings of approximately £50,000 and part repair, maintenance and statutory compliance savings of £40,000. Total £120,000 p.a.

The future savings expected from the Tower Block if the Council no longer had responsibility for the building include facilities management costs, business rates and utility costs, repair, maintenance and statutory compliance savings total £290,000 p.a.

7. LEGAL IMPLICATIONS

The Council owns the Freehold titles for both Blackburn and Darwen Town Halls.

In relation to the Tower Block, a lease is in place in favour of the Mall, from which there is a 150 year under-lease back to the Council. The under-lease is dated 7th December 1993 expiring 3rd December 2143 with a peppercorn rent.

A future Executive Board report will be brought regarding the Tower Block once further options have been considered and pending discussions with the Mall which will incorporate advice on the legal options the Council has available under the lease.

8. RESOURCE IMPLICATIONS

The project will be managed by the Property & Projects Team, within the Growth & Development Department. An accommodation board is in place chaired by the Chief Executive with representatives from the relevant Departments within the Council.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

Option 1 ☒ Equality Impact Assessment (EIA) required – the EIA checklist has been

completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.

10. CONSULTATIONS

Ongoing staff consultation has been taking place regarding equipment, furniture and agile working practices with staff representatives from all Departments and there is a dedicated intranet page.

Future detailed discussions will be necessary with the Mall in relation to future options for the Tower Block.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

CONTACT OFFICER:	Lee Kinder, , lee.kinder@blackburn.gov.uk
DATE:	26/08/2019
BACKGROUND PAPER:	

By virtue of paragraph(s) 6a, 6b of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted