



Adults and Safeguarding Committee

23 November 2020

Title	Business Planning 2020-25
Report of	Chairman of the Adults and Safeguarding Committee
Wards	All
Status	Public
Urgent	No
Key	Yes
Enclosures	Appendix A – Medium Term Financial Strategy (MTFS) and Savings Proposals for Committee Appendix B – Adults and Safeguarding Fees & Charges 2021/22
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Summary

A Business Planning report was agreed by Policy and Resources Committee on 24th September 2020 outlining the council's updated Medium-Term Financial Strategy (MTFS) to 2024/25 and the future financial challenges facing the council.

P&R Committee also agreed the process whereby Theme Committees would consider the response to this challenge in November, by considering savings proposals to balance the council's budget (the same process as used in previous years). The paper set out the estimated savings requirements across Theme Committees for the period 2020-25.

Since then and taking account of the emerging national and local situation with the Covid pandemic, work has continued on the MTFS as a whole and specifically the budget for 2021/22. The approved savings for 2020/21 have also been reviewed for deliverability and

any implications for future years. The position at the time of writing is that, across the council's revenue budget for 2021/22, there is currently a shortfall in savings of £5.618m.

This report asks the Adults and Safeguarding Committee to agree to the revenue savings proposals brought forward and service pressure identified, and also to approve changes to Fees and Charges, for the budgets within its remit. The outcomes of all theme committee discussions will go forward as recommendations to Policy and Resources Committee in December 2020.

Officers Recommendations

- 1. That the Adults and Safeguarding Committee consider the MTFs proposals that relate to the committee as set out in Appendix A after having considered the initial equalities impacts and refer these recommendations to Policy and Resources Committee for decision.**
- 2. That the Adults and Safeguarding Committee consider and approve the proposed new and changed Fees and Charges for 2021/22 as set out in Appendix B and refer these recommendations to Policy and Resources Committee for decision.**
- 3. That Committee note the risks associated with these savings proposals. These risks relate both to impact on services and residents and deliverability of savings.**

1. WHY THIS REPORT IS NEEDED

1.1 Executive Summary

1.1.1 This report is required as part of the council's annual business planning process, to discuss and approve savings priorities for the Adults and Safeguarding Committee for 2021/22 and also 2022/23 to 2024/25.

1.1.2 The Committee's approval is requested for:

- Savings proposals within its authority so they can then be recommended to Policy and Resources (P&R) Committee to set a balanced budget for 2021/22;
- Proposed changes to Fees and Charges within the Committee's authority for 2021/22 that require approval and subsequent recommendation to P&R Committee.

2. STRATEGIC CONTEXT

2.1 Background to 2021/22 Business Planning

2.1.1 The council has a statutory duty to set a balanced budget for the coming financial year and uses the Medium Term Financial Strategy (MTFS) to estimate the budget position for the following three years. Savings proposals for future years should be identified via an ongoing process and proposed to

Committee. Savings proposals for all years are proposed through Theme committees, then to P&R Committee, and finally to the Full Council in March for approval.

2.1.2 Between 2010/11 to 2020/21, the council successfully identified savings totalling c.£191m. In early March 2020, Full Council were presented and approved an estimated budget gap of £36.830 between 2021/22 to 2024/25. Accompanying this were savings proposals of £17.572m.

2.2 Approach to MTFS 2021-25

2.2.1 In June 2020, P&R Committee were presented with an update on the impacts of Covid and an introduction to the 2021/22 to 2024/25 MTFS process. A more detailed update on the MTFS was presented to September P&R committee with a revised budget gap and proposed savings identified to date. That report also included a recommendation for saving proposals to be presented to the relevant Theme committees in November for approval.

2.2.2 Due to the challenges facing the council's services arising from the pandemic, and the uncertainty in the future trajectory of key budget areas (e.g. adult social care demand, on and off street parking, and the local economic outlook) a modified approach for the MTFS for 2021/22 to 2024/25 was proposed in October 2020, as follows:

- a. Defer decisions on long-term funding for service pressures in 2021/22 until the likely future requirement is known with more certainty. Short term funding sources can be used (such as appropriate earmarked resources) until longer-term service needs are clearer;
- b. Prioritise finalising savings proposals to balance the revised 2021/22 budget gap;
- c. Continue, where possible, to identify and progress savings initiatives for 2022/23 to 2024/25.

2.2.3 In a situation of considerable uncertainty, this approach will prioritise balancing the 2021/22 budget with robust savings proposals without losing sight of the medium-term financial outlook to 2024/25.

2.3 MTFS November Summary

2.3.1 As at November 2020, the estimated budget gap between 2021/22 to 2024/25 is now £53.380m. Taking this revised budget gap with proposed savings to date, the shortfall to balancing 2021/22 and 2022/23 to 2024/25 is set out in the table below.

MTFS Summary	2021/22 £'m	2022/23 £'m	2023/24 £'m	2024/25 £'m	Total £'m
September Policy and Resources Budget Gap	27.272	18.017	9.961	6.035	61.285
Further revisions to the budget and service pressures since September	(12.192)	1.410	0.086	2.395	(8.301)

Revised Budget Gap at November	15.080	19.427	10.047	8.430	52.984
Savings Identified to date	(11.190)	(8.748)	(9.646)	(7.718)	(37.302)
Shortfall / (Surplus) to Balanced Budget	3.890	10.679	0.401	0.712	15.682

2.4 Committee Context

2.4.1 In November 2018, the Adults and Safeguarding Committee agreed its priorities and delivery plan for 2019-24. The priorities were:

- Integrating health and social care and providing support for those with mental health problems and complex needs
- Supporting those with disabilities, older, and vulnerable residents to remain independent and have a good quality of life
- Encouraging residents to lead active and healthy lifestyles and maintain their mental wellbeing
- Safeguarding adults at risk of abuse and neglect
- Efficient delivery of statutory duties

2.5 Financial Context and Value for Money

2.5.1 Funding for adult social care has been a national challenge for a number of years.

2.5.2 The Association of Directors of Adult Social Services (ADASS) 2019 Budget Survey reported that only 7% of directors were ‘fully confident’ of meeting savings targets in 2020/21. The Local Government Association (LGA) also expressed concern that the scope for further significant social care efficiency savings was limited. This was echoed by the Health Select Committee during its inquiry into the Impact of the Spending Review on health and social care.¹

2.5.3 The biggest concern in terms of financial pressure was cited as the “unit price for care packages to support people with increasing complexity of care needs”. This is driven by increasing staffing costs, reductions in capacity in the care market and demographic pressure, both in terms of increasing overall numbers of adults requiring care and more adults living longer with multiple conditions and complex care needs.

2.5.4 As cited by the Adult Social Care Funding Briefing Paper to the House of Commons, the number of adults aged 85 or over, the age group most likely to need care, is rising faster than the overall population. The overall UK adult population grew by 8% between 2007 and 2017, while the number aged 85 or over rose by 25% in the same period.² At the same time, services for working-age adults account for 64% of the current demographic pressures on adult social care budgets.³

¹ https://www.adass.org.uk/media/7275/adass-budget-survey-report-2019_sans-embargo.pdf

² <https://researchbriefings.files.parliament.uk/documents/CBP-7903/CBP-7903.pdf>

³ <https://www.adass.org.uk/media/7973/no-embargo-adass-budget-survey-report.pdf>

- 2.5.5 There is also concern that funding pressures are making the care provider market increasingly precarious. In the ADASS Budget Survey 2019, 81% of Directors of Adult Social Services reported that care providers in their area were facing financial difficulties. 75% of councils (up from 66% last year) reported that providers in their area had closed, ceased trading or handed back contracts in the six months to June 2019.
- 2.5.6 A 2019 report by London Councils has stated that “social care departments have done tremendous work in achieving high levels of efficiencies but savings from adult social care departments have peaked”. It also cites a likely £540 million funding gap in London for adult social care by 2025.
- 2.5.7 National and regional financial pressures are reflected in Barnet, where we see increased cost pressures due to an increase in the numbers of new individuals receiving care, reduced numbers of people leaving / stopping care (therefore longer overall care episodes), increasing complexity of care needs and cost pressures from inflation and market constraints.
- 2.5.8 The most recently published benchmarking report (based on 2018/19 figures)⁴ showed that Barnet was the 16th lowest spending authority on adult social care out of 152 England authorities (where 1=lowest and 152=highest), per head of the population. This makes it likely that finding further savings are even more difficult to identify and deliver.
- 2.5.9 As referenced in the Adults and Safeguarding Quarter 1(Q1) 2020/21 Recovery and Delivery Plan Performance Report, Barnet also achieves outcomes in adult social care better than or equal to comparator local authorities (LAs). This shows that overall value for money is high.

2.6 **Current Financial Position and Impact of Covid-19**

- 2.6.1 As set out in the Q2 Performance Report also presented to this Committee, the Revenue Forecast (after reserve movements) for the Adults and Safeguarding Committee’s service area is £111.157m. Of this, £11.516m is identified as Covid-related costs, leaving an underspend of £2.777m, or 2.7% of the budget, at Q2.
- 2.6.2 The underspend position is caused both by demand changes resulting from Covid-19 and significant temporary funding from NHSE/I for post-hospital care costs. However, it should be noted that the NHSE/I funding is for this financial year only and also that demand is anticipated to return to previous levels over time.
- 2.6.3 Officers have reviewed projections for overall growth in demographic demand and the necessary funding over the MTFs period, to reflect this. However, given the uncertainty about the future impact of Covid-19 on the adult social care budget, projections will be regularly reviewed.

⁴ LGA Adult Social Care Use of Resources Report (written by LG Inform) 18/19. Based on the National ASC Finance Return. 2019/20 benchmarking report delayed due to Covid.

2.6.4 In year savings delivery has been significantly impacted by Covid, with approximately £2m unable to be delivered. A large proportion of the savings strategy is based on delivering effective strengths-based working, which requires in depth face-to-face interactions between social care staff and people in need of care and support and their care providers. Covid-19 restrictions and other necessary safety measures have often prevented this. Savings or income based on increasing client contributions and reducing the costs of nursing care placements through acquiring block contracts have also been impacted by changes in demand or processes.

2.6.5 There has also been a significant disruption to leisure services as a result of Covid-19. The extent of the commercial impact and the recovery of the sector is largely uncertain. Projected increases in income from leisure services were based on increasing demand, which has been, and may continue to be, significantly impacted by closures, restrictions and changes in customer behaviour.

2.6.6 In year savings delivery which has been directly affected by Covid has been captured on the MHCLG return and should be covered by central government funding. However, given that this is one-off funding, these savings will now need to be delivered in 21/22 or they will create a pressure on the budget. As set out in more detail in Section 6.5 (Risk Management) of this report, this significantly increases the difficulty of achieving the overall level of savings proposed.

Ref	Description of Savings (20/21)	Rolled over to 21/22 (£000)	Notes
I3	VAT efficient leisure contracts	(61)	Supplier relief payments have been paid to date. The extent of the total loss of revenue for 2020/21 and the future financial impact on the is service subject to an ongoing full commercial assessment.
I4	SPA income	(1,096)	
E5	Nursing care costs	(75)	Savings to be achieved if /as block contract utilisation increases to expected rate, post Covid
I5	Charges and discretionary services	(88)	Full year impact of changes to client charges (implementation was delayed until August 2020)
R1	OPPD reviews	(210)	Completion of reviews that have been paused due to the impact of Covid
R2	Telecare savings	(125)	Based on increases in telecare use back to expected levels pre-Covid
R3	Support for working age adults (LD)	(275)	Completion of reviews and development work that have been paused due to the impact of Covid
R4	Mental health reviews	(100)	Completion of reviews that have been paused due to the impact of Covid

2.7 Adults and Safeguarding Committee Savings 21-25

2.7.1 To address the budget gap between 2021 and 2025, Theme Committees are required to set out savings proposals to contribute to the council's overall savings requirement. The MTFS has been refreshed through reviewing existing savings proposals to identify opportunities to increase their impact, and identifying new proposals based on commissioning, finance and service intelligence.

2.7.2 The detail of each saving proposal is contained in Appendix A – MTFS Proposed Savings for 21/22 to 24/25.

2.7.3 The table below sets out the savings identified by year. The total maximum savings amount identified is £4.025m over the whole period. For 2021/22 the total amount is £1.716m. As mentioned above, 'rolled over' savings from 2020/21 of c. £2m need to be achieved in addition.

Line Ref	Opportunity Area	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000	Total savings (All years)
A&S8	VAT efficient leisure contract	(124)	(159)	(184)		(467)
A&S9	A&S9: Leisure Management Contract – Annual Payment (subject to market conditions)	(747)	(373)	(258)		(1,378)
A&S13	Extra-Care Housing 2 (Stagg House)		(30)	(100)	(70)	(200)
A&S14	Extra-Care Housing 3 (Cheshir House)			(50)	(210)	(260)
A&S 21	Strengths-based reviews of older adults and people with physical disabilities	(160)				
A&S22	Promoting independence for people with a learning disability	(325)	(225)	(75)	(75)	(550)
A&S25	Change to adults social care related charges	(60)				(60)
A&S27	Increasing independence through reablement offer	(200)	(100)			(300)

A&S31	Use of preventative services	(100)		(200)	(200)	(500)
Overall Savings		(1,716)	(887)	(867)	(555)	(4,025)

2.7.4 The key changes and additions from the 20/21 MTFS are set out below:

- Re-profiling of the savings attributed to the new Extra Care schemes that are in development. The developments and associated savings have been slightly delayed but are still due to be delivered within this MTFS period (from 2022/23 onwards). [A&S13, A&S14]
- An increase of £160k to the savings identified for strengths-based reviews for older adults and people with physical disabilities. This is a continuation of the previous year's saving. [A&S33]
- An increase of £225k (21/22) and £75k (22/23 onwards) to the potential savings identified through implementation of the 'progression' model for people with a learning disability. This will be delivered through:
 - Also working with those due to transition from into Adults services from Family services;
 - The implementation of electronic call monitoring technology
 - The expansion of 'progression' focussed reviews with people in receipt of services. [A&S22]
- A new saving of £60k from an increase to the rate charged to people who contribute to the cost of their home care, from £17.00 to £18.39, per hour of homecare. This is also set out in the fees and charges section, below [A&S25]
- A new saving of £200k (21/22) and a further £100k (22/23) from increasing the impact and reach of enablement and rehabilitation services. [A&S27]
- A new saving of £100k (21/22) from investing in increased prevention and wellbeing staff to work with people who request social care support to reduce reliance on formal care services. And, linked to this, a potential saving of £400k in the latter part of the MTFS period, from building additional capacity in the community to prevent, reduce, or delay people's development of care needs. [A&S31]

2.7.5 Given the context set out in sections 2.5 and 2.6 of this paper, there are significant risks and challenges associated with delivering these savings, in particular those associated with leisure services and reducing demand for adult social care services. The risks are set out in more detail in section 6.5.3.

2.8 Fees & Charges

2.8.1 The core fees and charges for Adult Social Care Services are reviewed at the same time as changes to Department of Work and Pension benefits / allowances, which are normally published around January / February each year.

2.8.2 Further to recent Council decisions, all changes to fees and charges for clients who receive a chargeable service from April 2021 are to be approved by Theme

Committee and Council, regardless of the level of any change to the fee. All relevant fees and charges are included in Appendix B to this paper, and those where a change is proposed have been marked as such.

2.8.3 From April 2021, the following changes to fees and charges above the 2% inflation rate are proposed:

2.8.4 (1) An increase in the fairer contribution charge rate for community services by 8.18% (from £17.00 to £18.39). The reason for the change is to reflect the actual cost of homecare, which has increased in recent years due to inflationary pressures on providers. This change is in line with both the Council's Fairer Contributions Policy and within the Council's statutory duties under the Care Act (2014). The Fairer Contributions Policy has previously been subject to a committee report and officer delegated powers report but will be updated and consulted upon in January 2021. Fees and charges are assessed on ability to pay, considering assessable income, savings and outgoings.

2.8.5 (2) In consultation with Barnet Cophall Swimming Club, an increase in the Barnet Training Scheme) charges of 12-20% (depending on the membership and scheme type). This follows a review of the existing model (undertaken by GLL) leisure operator) which outlined the existing charges in comparison are significantly below that of other swimming clubs.

3. REASONS FOR RECOMMENDATIONS

3.1 Local Government continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges require longer term, robust financial and strategic planning and the recommendations in this report support this.

3.2 By law, the council is required to set a balanced budget. These proposals are the best way of doing that by meeting financial requirement and delivering outcomes and ambitions for Barnet.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

4.1 The alternative option is not to approve the MTFS. This, however, is not considered to be good practice and may expose the council to the risk of not achieving the savings targets or being able to set a balanced budget. There is a statutory requirement to set a balanced budget and submit budget returns to the Ministry of Housing, Communities and Local Government (MHCLG).

5. POST DECISION IMPLEMENTATION

5.1 If the Adults and Safeguarding Committee approves recommendation 1 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 8th December 2020 as part of the council's Medium-Term Financial Strategy (MTFS). Public consultation on the MTFS will commence in December.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

6.1.1 This report supports the council's corporate priorities as expressed through the Corporate Plan for 2019-24 which sets out our vision and strategy for the next 5 years. This includes the **outcomes** we want to achieve for the borough, the **priorities** we will focus limited resources on, and our **approach** for how we will deliver this.

6.1.2 Our three outcomes for the borough focus on place, people and communities:

- a pleasant, well maintained borough that we protect and invest in
- our residents live happy, healthy, independent lives with the most vulnerable protected
- safe and strong communities where people get along well

6.1.3 The current four priority policy themes are:

- Thriving
- Family Friendly
- Healthy
- Clean, safe a well-run

6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

6.2.1 The Adults and Safeguarding Committee savings programme will enable the council to meet its savings target as set out in the MTFs. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

6.3 Social Value

6.3.1 None applicable to this report, however the council must take into account the requirements of the Public Services (Social Value) Act 2012 to try to maximise the social and local economic value it derives from its procurement spend. The Barnet living wage is an example of where the council has considered its social value powers.

6.4 Legal and Constitutional References

6.4.1 Section 151 of the Local Government Act 1972 states that: "without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs". Section 111 of the Local Government Act 1972, relates to the subsidiary powers of local authorities.

- 6.4.2 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority's estimated revenue expenditure for the year in order to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund.
- 6.4.3 Local authorities owe a fiduciary duty to council tax payers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council tax payers and ratepayers and the community's interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.
- 6.4.4 These savings proposals are to be referred to Policy and Resources Committee. They will then be subject to consultation and a cumulative equality impact assessment before being referred on to Council so that Council may set the Council Tax, being mindful of any equality impacts and consultation responses.
- 6.4.5 The Council's Constitution (Article 7, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. The responsibilities of the Adults and Safeguarding Committee can be found here: <https://barnet.moderngov.co.uk/mgCommitteeDetails.aspx?ID=698>
Responsibilities include:
- (1) Responsibility for all matters relating to vulnerable adults, adult social care and leisure services.
 - (2) Work with partners on the Health and Well Being Board to ensure that social care interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Wellbeing Strategy and its associated sub strategies.
 - (3) To submit to the Policy and Resources Committee proposals relating to the Committee's budget for the following year in accordance with the budget timetable.
 - (4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
 - (5) To receive reports on relevant performance information and risk on the services under the remit of the Committee.
- 6.4.6 The council's Financial Regulations can be found at: <https://barnet.moderngov.co.uk/documents/s44198/Appendix%20N%20-%20Financial%20Regulations%20Tracked.pdf#:~:text=1%20The%20London>

[%20Borough%20of%20Barnet%20Council%20needs,These%20Financial%20Regulations%20apply%20to%20all%20members%2C%20officers%2C](#)

- 6.4.7 For the fees and charges within their remit, theme committees approve changes to fees and charges that are above CPI inflation by 2% or more, the introduction of new fees and charges, and changes to fees and charges outside the normal annual cycle. Changes to fees and charges approved by Theme Committees, must be reported to Policy and Resources Committee for noting.
- 6.4.8 Some of the proposals relate to savings resulting from operational decisions being made in a different way and are therefore estimated savings. The saving is therefore an indicative saving and its deliverability will be dependent on a number of factors. As part of the budget setting process, Policy and Resources Committee will consider the need for an appropriate contingency to cover any savings that are indicative and may not be met due to operational decisions. Some of the proposals in the MTFs relate to proposals that are at a very early stage. These proposals will be subject to further business planning and decision making to test whether they can be delivered and what the impact of such a proposal will be. These proposals will be considered in further detail during future business planning reports.
- 6.4.9 All proposals emerging from the business planning process will need to be considered in terms of the council’s legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).

6.5 Risk Management

- 6.5.1 The Council has taken steps to improve its risk management processes by integrating the management of financial and other risks facing the organisation. The allocation of an amount to contingency is a step to mitigate the pressures that had yet to be quantified during the budget setting process.
- 6.5.2 The allocation of budgets from contingency seeks to mitigate financial risks which have materialised.
- 6.5.3 The initial risk assessment on the proposals outlined in this document has identified the following as the most significant risks:

Project / savings line	Risk description(s)	Mitigation approach (if possible)
Various	<ul style="list-style-type: none"> If levels of Covid infections remain high or increase, and restrictions remain in place, this will continue to reduce the capacity of managers and front line teams to deliver savings, for example if additional social work resources are needed to support 	<ul style="list-style-type: none"> Continue to monitor and balance priorities amongst workforce, utilise technology and other workarounds to complete reviews where possible

	<p>rapid discharge from hospital, or strengths-based, face to face client visits and care reviews are not able to take place.</p>	
<p>Leisure Management Contract – Annual Payment (subject to market conditions)</p>	<ul style="list-style-type: none"> • Due to the impact of Covid and restrictions placed on the leisure industry, there is a risk to the sustainability of the leisure services provider given payments expected to be made to the council. • (The council has already granted supplier relief during the closure period of 21/3/20-24/7/20 of c. £887k.) 	<ul style="list-style-type: none"> • The extent of the total loss of revenue for 2020/21 and the future financial impact on the service is subject to a full commercial assessment. The Council has commenced this process with GLL which will be conducted in consultation with HB Public Law
<p>VAT efficient leisure contract</p>	<ul style="list-style-type: none"> • Achievement of this saving is dependent on complex legal and treasury arrangements and may therefore not materialise if legal and HMRC assurance is not received. 	<ul style="list-style-type: none"> • Completion of a thorough legal and HMRC review and continued monitoring of VAT levels by finance.
<p>All review based savings</p>	<ul style="list-style-type: none"> • Disruption in 20/21 from Covid has meant that many planned reviews of people in receipt of services have not been able to take place. This means that savings will be rolled over in 21/22, increasing the challenge of delivering the total level required. • Savings are inherently unpredictable given that they are linked to individual circumstances and needs • Barnet is a low-spending authority on social care and has already delivered significant efficiencies. Savings are therefore often reliant on meeting complex needs in different ways, which is challenging • Monitoring of savings is complex due to the challenges of 	<ul style="list-style-type: none"> • Service and finance colleagues will continue to work closely together to maximise savings achieved and evidence of this. • Investment in staffing resources to deliver savings initiatives

	predicting 'baseline' demand and avoided costs.	
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6.6 Equalities and Diversity

6.6.1 Equality and diversity issues are a mandatory consideration in the decision making of the council.

6.6.2 Decision makers should have due regard to the public sector equality duty in making their decisions. The Equality Act 2010 and the Public-Sector Equality Duty require elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place. The equalities duties are continuing duties they are not duties to secure a particular outcome. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

6.6.3 A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.6.4 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

6.6.5 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

6.6.6 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Tackle prejudice, and
- Promote understanding.

6.6.7 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief
- Sex
- Sexual orientation
- Marriage and Civil partnership

6.6.8 This is set out in the council's Equalities Policy together with our strategic Equalities Objective - as set out in the Corporate Plan - that citizens will be treated equally with understanding and respect; have equal opportunities and receive quality services provided to best value principles.

6.6.9 Progress against the performance measures we use is published on our website at:

<https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

6.6.10 Where there are changes to service delivery or changes to staff, these will impact on individuals in different ways. However, at each stage of the process, the council will conduct an equalities impact assessment (EqIA) where appropriate to ensure that where persons are impacted, proper measures are considered to mitigate the effect as far as possible. Those affected by any changes resulting from any of the proposals will be engaged, as set out in Appendix C under 'Consultation'. Where necessary, proposals will not be implemented or agreed until members have fully considered the equality impacts and responses to any consultation.

6.6.11 The revenue savings sheet shown at Appendix A indicates where equalities impact assessments (EIAs) have been carried out. Overall, eight EqIAs have been carried out or refreshed. Seven of these showed an overall positive impact, and one showed a minor negative impact. For all proposals the advised outcome is to 'Proceed with no changes', although equalities impacts will continue to be kept under review and mitigating actions implemented where identified.

Ref	Opportunity Area	EIA completed?	Positive Impact	Negative Impact		No impact
				Minor	Major	
A&S8	VAT efficient leisure contract	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S9	Leisure Management Contract – Annual Payment (subject to market conditions)	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S13	Extra-Care Housing 2 (Stagg House)	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S14	Extra-Care Housing 3 (Cheshir House)	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S21	Strengths-based reviews of older adults and people with physical disabilities	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S22	Promoting independence for people with a learning disability	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S25	Increase to adult social care related charges	✓	<input type="checkbox"/>	✓	<input type="checkbox"/>	<input type="checkbox"/>
A&S27	Increasing independence through reablement offer	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A&S31	Use of preventative services	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20/21 savings rolled over to 21/22 (if not included above)						
R2	Telecare savings	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E5	Nursing care costs	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
R9	Strengths-based reviews of people with mental health conditions	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Number:					

6.6.12 All human resources implications will be managed in accordance with the Council's Managing Organisational Change policy, which supports the Council's Human Resources Strategy and meets statutory equalities duties and current employment legislation.

6.7 Corporate Parenting

6.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council does. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business

planning, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.

6.7.2 The Council, in setting its budget, has considered the Corporate Parenting Principles both in terms of savings and investment proposals. The Council proposals have sought to protect front-line social work and services to children in care and care leavers and in some cases, has invested in them.

6.8 Consultation and Engagement

6.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- where there is a statutory requirement in the relevant legislative framework
- where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
- exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

6.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- comments are genuinely invited at the formative stage
- the consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- there is adequate time given to the consultees to consider the proposals
- there is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- the degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

6.8.3 The council will perform a budget consultation from December 2020 through to January 2021. This consultation will cover any proposals to increase council tax together with seeking views on the council's budget overall.

6.8.4 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Service specific

consultations will take place where necessary in line with timescales for any changes to be implemented.

6.8.5 If when council sets the budget envelope some service specific consultations have not been completed then Council will allow a contingency so that decision makers may make alternative decisions should there be undesirable equalities impacts.

6.8.6 A service-specific consultation will be undertaken for proposal [A&S25] 'Change to adults social care related charges' in December, with findings reported to Adults and Safeguarding Committee in March 2021.

6.9 Insight

6.9.1 None in the context of this report

7. BACKGROUND PAPERS

Committee	Item	Link
Adults and Safeguarding Committee 17 November 2020	Quarter 1(Q1) 2020/21 Recovery and Delivery Plan Performance Report	https://barnet.moderngov.co.uk/documents/s60103/Quarter%20Q1%202020-21%20Recovery%20and%20Delivery%20Plan%20Performance%20Report.pdf
Adults and Safeguarding Committee 17 February 2020	Item 8 Fees and Charges	https://barnet.moderngov.co.uk/documents/s58014/Fees%20and%20Charges%20-%20Changes%20to%20Fairer%20Contribution%20Policy.pdf
Adults and Safeguarding Committee 17 February 2018	Item 9 Business Planning 2019-24	https://barnet.moderngov.co.uk/documents/s49810/Business%20Planning%202019-2024.pdf
Policy and Resources Committee 24 September 2020	Item 8 Business Planning 2021 to 2025 and Budget Management 2020/21	https://barnet.moderngov.co.uk/documents/s60231/Business%20Planning%202021%20to%202025%20and%200Budget%20Management%20202021.pdf