

FALKIRK COUNCIL

MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 3 DECEMBER 2015 at 9.30 AM.

COUNCILLORS:

Stephen Bird
Allyson Black
Steven Carleschi
Colin Chalmers
Cecil Meiklejohn (convener)
Baillie Joan Patterson
Provost Pat Reid

OFFICERS:

Fiona Campbell, Head of Policy & ICT Improvement
Jack Frawley, Committee Services Officer
Frank Kennedy, Service Manager, Children's Services
Kathy McCarroll, Head of Social Work
Colin Moodie, Depute Chief Governance Officer

S28. APOLOGIES

No apologies were received.

S29. DECLARATIONS OF INTEREST

No declarations of interest were made.

S30. MINUTES

Decision

- (1) The minute of the meeting of the Scrutiny Committee held on 15 October 2015 was approved and it was noted that there were outstanding reports in relation to:
 - i) Social Work Children & Families budget position update;
 - ii) Social Work Adult Services overspend update;
 - iii) Rowans budget process, and
 - iv) contract management;
- (2) The minute of the meeting of the Performance Panel held on 1 October 2015 was noted, and
- (3) The minute of the meeting of the Performance Panel held on 19 November 2015 was noted.

S31. SCRUTINY PANEL UPDATE – OUTCOMES FOR LOOKED AFTER CHILDREN

The committee considered a report by the Director of Children's Services providing an update on the work of the panel to date. Appended to the report were the panel's scoping document and four notes of meeting. Kathy McCarroll provided an overview of the report and highlighted that the next meeting of the panel would hear evidence from young people and their representatives.

Members agreed that it was important to hear the views of young people and asked why that meeting was to be held in early 2016 when it had initially been scheduled for late 2015. Kathy McCarroll advised that a meeting to specifically consider corporate parenting had been added to the schedule and therefore the original schedule had been revised.

The committee asked if, in its evidence gathering, the panel had identified addiction issues in families as a significant issue. Councillor Meiklejohn, the convener of the scrutiny panel, stated that addiction was emerging as a key issue and she noted that the Community Planning Partnership were working on the area as a priority. Members discussed the role of the Falkirk Alcohol and Drug Partnership and Fiona Campbell advised that the partnership was reviewing the balance of care to consider more community support. Further, the Community Planning Partnership's strategic plan was under review and would have more focus on substance misuse.

Members asked for further information on a Champions Board, which had been discussed at the corporate parenting meeting of the scrutiny panel. Fiona Campbell stated that the panel had considered what the best approach to corporate parenting for looked after children would be. They had been provided with examples of practice from across the United Kingdom, a number of authorities had already created Champions Boards. The examples showed that a variety of roles and remits were in place in different authorities for their Champions Boards. In some cases the Board was there only to promote a child's interests, while in other cases there would be direct contact with looked after children. The Council had submitted a funding bid in order to engage young people for their views on what they wanted from a Champions Board, it was felt to be important that the aspirations of the Council matched those of young people. Kathy McCarroll advised that the Service had received notification that the Council's funding bid had been successful.

The committee asked how other Champions Boards had measured success. Fiona Campbell stated that as Champions Boards were a relatively new approach most evidence was anecdotal on the different models and what their impact had been. Where authorities felt their model was not working well they had revised the approach taken.

Decision

The committee noted the progress made by the scrutiny panel – outcomes for looked after children to date and its programme of meetings for 2016.

S32. SCRUTINY PLAN UPDATE

The committee considered a report by the Director of Corporate and Housing Services providing an update on progress made against the Scrutiny Plan for 2015 and inviting the committee to consider the establishment of its next Scrutiny Panel. Colin Moodie provided an overview of the report.

Members discussed areas which potentially merited further scrutiny. Housing repairs and the maintenance programme was raised along with the approach taken to engaging tenants and owner/occupiers in the Scottish Housing Quality Standards programme. Members noted that a report on contract management, which had been requested previously, was scheduled to be presented to the next meeting of the committee. The committee also highlighted the devolved school management budget as an area for future consideration, focussing on how it is determined and what it is used for. Further, the committee highlighted the area of fees and charges requesting that a report focussed on non-statutory charges and a concessionary policy was submitted to a future meeting. Members commented that these reports should include information on what other councils do.

The committee also discussed how to increase the engagement of communities in service delivery and design. After consideration the committee noted that the convener would write to the Leader of the Council suggesting that a policy development panel be established on the topic.

Members discussed the establishment of a scrutiny panel on the operation of the Council's complaints system. They agreed that the panel would comprise five members with three drawn from the Opposition and two from the Administration and nominations provided to the Chief Governance Officer.

Decision

The committee agreed to:-

- (1) establish a Scrutiny Panel on the operation of the complaint system within the Council, in particular, the extent to which complaint outcomes are considered lessons learned for the future. The scope of the Scrutiny Panel will include customer feedback as well as formal complaints;**
- (2) request further information on the following areas in order to determine the topic to be included as the third item on the 2015/16 Scrutiny Plan:**
 - i) the devolved school management budget;**
 - ii) fees and charges, and**
 - iii) in relation to the outstanding contract management report that this include the engagement of tenants and owners in the housing repairs and maintenance programme.**

S33. AUDIT SCOTLAND: AUDITING BEST VALUE - A NEW APPROACH

The committee considered a report by the Director of Corporate and Housing Services providing an update on the thinking of the Accounts Commission and Audit Scotland on the future of Best Value and Best Value Audits. A letter from Douglas Sinclair, Chair of the Accounts Commission, was appended to the report. Fiona Campbell provided an overview of the report.

Decision

The committee noted the report.

FALKIRK COUNCIL

Subject: ROWANS SHORT BREAK SERVICE
Meeting: SCRUTINY COMMITTEE
Date: 4 FEBRUARY 2016
Author: HEAD OF SOCIAL WORK ADULT SERVICES

1. INTRODUCTION

- 1.1 The Rowans Short Break Service is open 52 weeks of the year and provides a residential short break to adults with learning disabilities. The bungalow situated in Larbert is a registered service with the Care Inspectorate and offers respite to those between the ages of 18yrs – 65yrs. The service is fully funded by the Council.
- 1.2 An internal review was carried out in in 2014 relating to the provision of respite/short breaks for adults with learning disabilities. Although it was recognised that the service was one of excellent standard and regarded highly by service users and carers, it compared unfavourably in financial spend terms when compared with similar external provision. This led to a proposal being made as part of the 2015 budget process to close the Rowans and provide the service through external providers. This was agreed by the Council as part of the provisional budget for 2016/17 with a projected saving of £100k.
- 1.3 A comprehensive Equality and Poverty Impact Assessment was undertaken at the time which acknowledged that a change in provision would be unsettling and anxiety provoking for service users and carers.
- 1.4 On the 15th of October 2015, the Scrutiny Committee considered a report on the service. The Interim Head of Adult Services advised that the service would remain open at least until 31st March 2106 and that a review of the planned closure of the service would be undertaken. This was taken against a background of concerns expressed by the families of service users over the level of consultation and the lack of alternative provision within the council area. A review has been undertaken, which has been led by the relevant Service Manager.

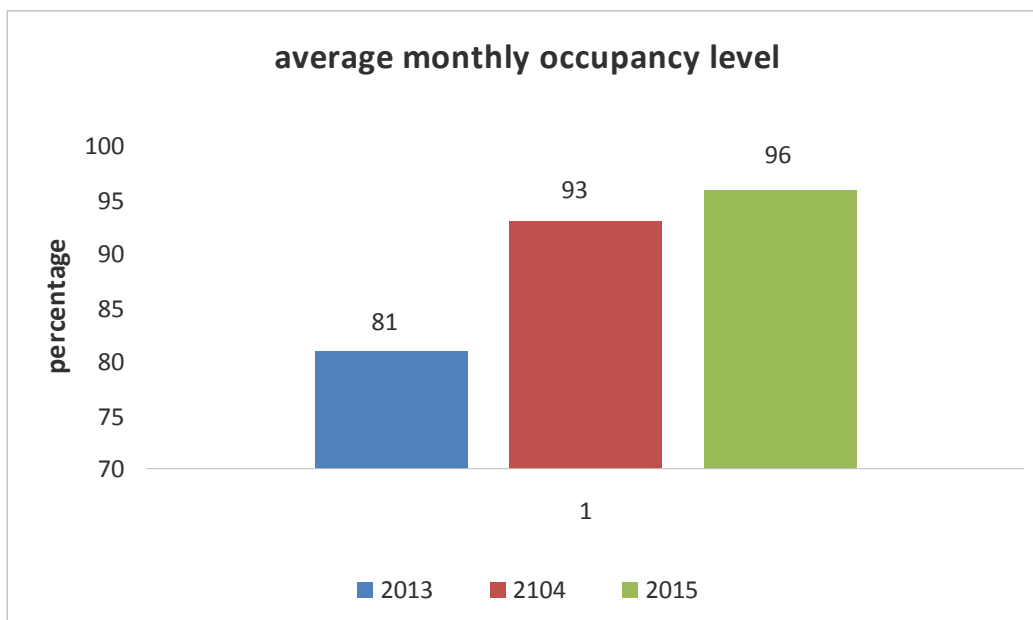
2. CONSULTATION AND ENGAGEMENT WORK

- 2.1 The Service Manager held an initial meeting with families that would be affected by the closure of the service. The meeting was held at the Sensory Centre on 28 October 2015. Colin Moodie, Depute Chief Governance Officer was in attendance. Over 30 families attended these meetings and during lengthy discussions, parents conveyed the following points of concern and worry. These are as follows:
 - Occupancy Levels – There was concern that under occupancy had been taken into account in reaching the view that the running cost of the establishment was too high when the service was now fully occupied.

- Alternative Short Break Provision - Contact with Community Care Workers had been limited, therefore the option to explore alternative respite provision with families for their family member had not been satisfactory. Parents and Carers had a need to have information to support them to make informed choices in relation to alternative provision.
 - Occupancy levels at the Meadows and cost of the 2 contracted beds.
 - Eligibility Criteria and respite entitlement – There were queries raised by some families as it had been indicated that there were occasions in the past where they had been informed that they could not access the Rowans Service. Families requested clarification on what is the breakdown of those service users accessing the Rowans under the eligibility criteria.
 - The flat rate contribution - A question arose about and why there is a difference between the Meadows and Rowans Short Break Service in relation to charging?
 - Hidden costs associated with transport – Families and carers noted that this was an additional burden when accessing alternative short break provision outwith the Falkirk Council area.
 - Integration Joint Board and the Draft Falkirk Integrated Strategic Plan 2016-2019 – Families and Carers raised concerns about how this will impact on Falkirk Council Short Break Respite provision. The concern was also raised that the closure did not reflect well on the stated aims in the Integration Scheme and the draft Strategic Plan about supporting carers.
 - More broadly, there was concern that the closure would impact on a group of carers who needed the respite provision to support the care they provided which in turn prevented the Council from having to bear the cost of providing care. In the view of those attending the meeting the alternatives did not make like for like provision as the need was for provision close to home to minimise travel and ensure that families were close to hand should the need arise.
- 2.2 It was agreed that a second follow up meeting would be held with the parents and carers 4-6 weeks after, to allow research and findings into the areas of concerns documented to be undertaken and feedback to be provided to families and carers.
- 2.3 A further meeting took place on the 7th of December 2015 at Dundas Resource Centre. Deirdre Cilliers, Interim Head of Service was present and Suzanne Thomson, Programme Manager Health & Social Care Integration (Falkirk) was invited along to speak with the parents/carers surrounding the role of Integration Joint Board. Around 30-35 families attended the meeting.

2.4 A presentation was given in response to the points which had been previously raised at the October meeting. These were as follows:

- Occupancy Levels - in 2013 to 2015 there has been a significant increase in the number of beds occupied due to a management restructure and environment upgrade. This had risen from 81% to 96%.



- Current eligibility criteria is described as:

Eligibility	
Critical	42 nights
Substantial	28 nights
Moderate	14 nights

The majority of service users that access the Rowans are assessed as being critical (37%) or substantial (35%).

- In relation to the Meadows, the occupancy level was 72%. At present the cost to access the Meadows is means tested and costs £100 per week compared with that of £64.40 per week for the Rowans. The difference in approach has been highlighted in the review. The difference is not considered to be justifiable and were the service to remain open, a recommendation would be made to Council that the charging approach be aligned. This would have the impact of making a modest increase in the income from charging to offset the cost of the service.
- All the proposed alternative services (with the exception of the Meadows) are outwith Falkirk Council area and there would be additional costs if the Council had to assist with transport. The cost does vary substantially depending on whether it is a voluntary driver or a taxi.

3. VIEWS OF SERVICE USERS AND FAMILIES

- 3.1 Families have expressed the view that they have been put under stress and worry surrounding the basic care needs which they feel their family members are entitled to access within their own local community. Parents feel that the Council should enable them to exercise as much choice as possible over the providers that they wish to use for those whom they care for at home.
- 3.2 Carers stated that Rowans is a valued service which is person centred in its approach and they can trust to look after their family member whilst they have a break to recuperate and have time to engage with other day to day activities outwith their caring responsibilities.
- 3.3 Parents and carers have concerns over the amount of emotional distress caused to those they care for due to the transition of unnecessary change and the possibility of an individual's health deteriorating whilst on a short break especially if this is an hour or more away by car. This causes further burden and worry to carers.
- 3.4 Parents and carers have felt that their views have not been taken into account throughout the initial process of the proposed closure of the Rowans and that the consultation was inadequate.

4. CONCLUSION

- 4.1 It is acknowledged that there are no other similar short break services (other than the Meadows) within the Falkirk Council area which parents and carers can access. On the 1st of December an event was hosted in the Sensory Centre by the Short Breaks Bureau, inviting along external providers from other local authority areas to meet with parents and carers. This was to give families the opportunity to learn more about the alternative provisions which are available to those service users with learning disability. However, at the meeting held on the 7th of December, parents and carers advised that they continued to feel that services should be closer to home and not outwith their own community.
- 4.2 Recently a moratorium was temporarily placed on the Meadows from the 1st December 2015 to the 18th December 2015 subject to an investigation. This unfortunate situation emphasised the Meadows as the only other local provider for respite for those with a learning disability. More recently, PSS the service provider of the Meadows has advised that they are taking a close look at the financial sustainability of their services in Scotland and undertaking statutory consultation with staff on the future of the services.
- 4.3 Although at close to full occupancy, the unit cost of providing respite in the Rowans remains significantly higher than alternative providers. The fundamental premise on which the proposal was based remains sound. It is likely that there would be some transport costs which would diminish the savings anticipated from closure but not to the extent of making a significant difference. Consideration has been given to reducing costs in the Rowans and there is scope for running the service with one fewer member of staff through non replacement of a post. Combined with additional charging, this would reduce the overall cost by c.£25k.

- 4.4 The more fundamental point posed by the families, however, is whether it is right to proceed to close the service where this would leave only the Meadows as local provision. This concern would gain added weight if PSS were to close the Meadows. It is recognised that respite services are central to achieving care in the community and containing the cost of long term care. Current policy initiatives are focused on improving support for carers these continue to emphasise to importance of respite care and appropriate short breaks.
- 4.5 If the service were to remain open, further work will be required to determine if costs can be reduced to a more sustainable level.

5. LESSONS LEARNED

- 5.1 It is suggested that the lessons from the process surrounding the decision to close the Rowans are twofold. First, where a proposal is likely to have a very significant impact on a defined group of services users, early engagement with service users (which in this situation would include families) is important. Second, there is need for clarity around decision making processes in the budget.
- 5.2 On the first point, early engagement would have identified the strength of feeling in support of the provision of a local service and the anticipated practical difficulties for families in providing respite outside the council area. That is not to say that it would of necessity have made the recommendation to the Council a different one but this view would have been available prior to the decision being made at the budget meeting.
- 5.3 On the second point, the decision taken in February 2015 was part of the provisional budget for 2016/17. But of necessity, to deliver savings in that financial year action was required during 2015/16. This was reflected in the Council's decision to instruct Chief Officers to give effect to the service delivery proposals contained within the budget report (including those for 16/17). In addition, the decision was one which was subject to consideration in light of completing the EPIA process, including consultation. It is clear that there were competing understandings of the status of the decision taken in February 2015.

6. RECOMMENDATION

The Committee is asked to note the report.

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HEAD OF SOCIAL WORK ADULT SERVICES

Date: 27 January 2016

Contact Name: Nikki Harvey

BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

Subject: SOCIAL WORK ADULT SERVICES OVERSPEND 2014/15

Meeting: SCRUTINY COMMITTEE

Date: 4 FEBRUARY 2016

Author: HEAD OF SOCIAL WORK ADULT SERVICES

1. INTRODUCTION

- 1.1 This report provides an update on the report to the Scrutiny Committee on 15th October 2015 on the same subject. That report is attached for ease of reference as Appendix 1.

2. CURRENT POSITION

- 2.1 The pressures on the budget continue to be challenging. As reported in October, the projected outturn was an overspend of around £1.4m representing a variance of 2% against the budget. In the most recent report to the Executive on the financial position for 2015/16, the projection remains an overspend of £1.419m again representing a 2% variance on the budget.
- 2.2 At the October meeting, the committee received information on pressures in relation to 24 hour care which is the most significant area of overspend within the budget. An updated version of the table provided is attached as Appendix 2. There continues to be high demand but there is no significant movement on the numbers of people in 24 hour care from those reported in October.
- 2.3 The other significant spending pressure continues to be provision of care at home primarily for frail older service users.

3. ACTION TAKEN TO ADDRESS THE OVERSPEND

- 3.1 At the October meeting, the committee was advised of a number of initiatives to shift the approach in providing services focussed on re-ablement. Since the meeting there have been further initiatives in that direction, most significantly, the opening of re-ablement and assessment beds at the Council's existing Summerford and Oakbank Homes. These provide an opportunity for discharge from hospital with an intention to return home rather than the existing pathway into residential accommodation. This is coupled with the development of an initiative to provide enhanced care at home, the Closer to Home Project, which is a joint initiative between the Council and the Health Board funded through the Integrated Care Fund. This aims to prevent hospital admissions but, more generally, maintaining people in their own homes should assist in easing pressure on the 24 hour care budget. The Closer to Home initiative is at an early stage and there will be an evaluation process to assess its impact in due course.

- 3.2 In relation to care at home, the service will shortly be introducing real time monitoring for care at home staff. This will have the benefit of allowing services to be better planned to make better use of downtime and will also reduce administrative costs. The same system will also be introduced for private providers. This should allow for more efficient procurement from private providers.
- 3.3 More broadly, work continues on developing a new approach to eligibility criteria. This will be a two stage process. Firstly, there is a need to press forward with the existing Council decision to reprofile services towards those assessed as having critical and substantial needs. Secondly, there will be a more general consideration of the utility of the current categories of need. There is also a recognition in the service that in the application of the existing policy, there is a need for a better balance between the allocation of staff time between the initial assessment of needs and the ongoing review of those needs.

4. RECOMMENDATION

It is recommended that the Committee notes the contents of the report.

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HEAD OF SOCIAL WORK ADULT SERVICES

Date: 27 January 2016

Contact Name: Colin Moodie

BACKGROUND PAPERS

NIL

FALKIRK COUNCIL

SUBJECT: SOCIAL WORK ADULT SERVICES OVERSPEND 2014/2015

MEETING: SCRUTINY COMMITTEE

DATE: 15 OCTOBER 2015

AUTHOR: HEAD OF SOCIAL WORK ADULT SERVICES

1. INTRODUCTION

1.1 The purpose of this report is to provide Scrutiny Committee with information on the budget overspend in Social Work Adult Services during the financial year 2014/2015.

1.2 The report will also advise Members on actions being taken to monitor and manage expenditure in the current financial year.

2. BUDGET EXPENDITURE IN 2012/13, 2013/14, 2014/2015

2.1 Over the past 2 years the Adult Care budget has out-turned as follows:

- 2012/13 – There was an underspend of £733,000 which was a variance of -1.1% against the allocated budget.
- 2013/14 – There was an overspend of £301,000, a variance of 0.4% against the allocated budget.

2.2 The Adult Care budget in the last financial year was £68,980,930. The year-end outturn showed an overspend of £575,430 which is a variance of 0.8% against the allocated budget. The main area of overspend was 24 hour placements.

2.3 The main pressures on the budget were reported to the Executive by the Director of Social Work Services on 30th September 2014.

2.4 In addition a comprehensive report on budget pressures in Social Work was included as an appendix to the Revenue Budget Framework 2015/16 – 2017/18.

2.5 The September report highlighted that there was a potential overspend of £0.70 million which was brought down to £0.575 million by year end through a process of careful management and monitoring.

2.6 The pressures that contributed to the overspend centred to a large extent on increased demand which continues to be a feature going forward. The main areas of increased demand are summarised as follows:

●	8% increase in people assessed as needing community care services.
●	Significant increase in Adult Support and Protection work as this issue comes to the fore in communities through better communication and involvement.
●	Increase in Home Care provision.
●	6% increase in the requirement for Care Home places.
●	Increase in complex care expenditure in line with medical advances.

2.7 Much of these increases are as a result of demographic changes and a need to respond to referrals within current policy guidelines.

3. ACTIONS BEING TAKEN TO MANAGE THE PRESSURE

3.1 The Adult Care budget for the current year is £70,071,240 and there is a real challenge for the service to constrain expenditure to those levels and meet demanding savings targets.

3.2 Work has started on re-profiling eligibility criteria to ensure that as we go forward scarce resources are targeted at those with the highest level of need. In addition work with partners is focussed on ensuring accessible services are in place which are aimed at preventing needs escalating.

3.3 The current predicted outcome is showing a potential overspend of around £1,400,000 which is a 2% variance against the budget. Considerable focus is being brought to bear on bringing down this amount.

3.4 The integration of services with Health partners offers an opportunity to transform our approach to service delivery. Going forward we will focus on delivering outcomes to support service users to maintain independence. In order to achieve this transformation the service will look to prevention and reablement services which can be delivered through an integrated approach.

3.5 There remains in particular a difficulty with the cost and volume of 24 hour placements and the service is targeting actions in this area. These include.

●	Intense scrutiny on each placement.
●	Training for staff on alternative ways of working.
●	Review of contract costs.
●	Work on service transformation to develop a closer partnership approach and outcomes focussed care plans
●	Re-profile of Eligibility Criteria.

4. CONCLUSION AND RECOMMENDATIONS

4.1 Social Work Adult Services continue to face a difficult and challenging time. The service is rising to the challenge by reviewing working practice, integrating services and developing a partnership approach with service users.

4.2 However this change process is at the very start and will take time to be implemented throughout the service.

4.3 In the meantime Social Work Adult Services senior management will continue to monitor and manage expenditure on a regular basis.

4.4 **Members are asked to:**

- **Note the contents of this report.**

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Deirdre Cilliers
Head of Social Work Adult Services
Contact 4005
Date: 31st August 2015

LIST OF BACKGROUND PAPERS

FINANCIAL POSITION SOCIAL WORK SERVICES – 30 SEPTEMBER 2014

REVENUE BUDGET FRAMEWORK 2015/16 – 2017/18

No of Residents in Care

APPENDIX 2

	Frail Elderly	FPNC only	Physical Disability	Learning Disability	Mental Heath	Total
final 12/13	549	156	in with FE	97	60	862
as at 13/09/13	426	160	134	99	68	887
as at 08/01/14	436	158	143	93	74	904
final 13/14	441	162	148	95	74	920
as at 12/09/14	437	179	158	97	77	948
as at 09/01/15	437	168	173	98	76	952
final 14/15	460	169	180	97	79	985
as at 03/07/15	471	164	166	100	82	983
as at 31/08/15	470	164	173	103	83	993
as at 30/09/15	473	159	172	104	82	990
as at 06/11/15	471	159	171	104	82	987
as at 27/11/15	487	153	162	104	82	988
as at 07/01/16 #	479	156	168	105	82	990

there may be admissions that we had not been notified at the time of running report

FALKIRK COUNCIL

SUBJECT: SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE
MEETING: SCRUTINY COMMITTEE
DATE: 4 FEBRUARY 2016
AUTHOR: DIRECTOR OF CHILDREN'S SERVICES

1. INTRODUCTION

- 1.1 A report was presented to the Scrutiny Committee in October 2015, providing information on the budget overspend in Social Work Children & Families service for the financial year 2014/15.
- 1.2 The October report also outlined the actions being taken to monitor expenditure in the current financial year. This report seeks to provide an update on progress.
- 1.3 The October 2015 report highlighted a projected overspend of £1.77 million at the end of July 2014. Despite diligent management and monitoring, this rose to £2.784 million by 31 March 2015, a variance of 13.6% against the allocated budget.

2. BUDGET EXPENDITURE 1 APRIL 2015 TO 31 DECEMBER 2015

- 2.1 The main pressures on the budget were reported to the Executive by the Director of Social Work on 30 September 2014. In addition, a comprehensive report on budget pressures in Social Work was included as an appendix to the Revenue Budget Framework 2015/16 – 2017/18.
- 2.2 The Children & Families Social Work budget for 2015/16 is now £20.939 million. Members will note that the October 2015 report to Committee indicated that the 2015/16 budget figure was £21.475 million. This was correct at that point in time. The reduction is due to the removal of departmental admin and Capital charge budget. The projected outturn as at 31 December 2015 is an overspend of £1.445 million, a variance of 6.9% against the allocated budget.

The budget overspend directly relates to additional expenditure being incurred due to increases in the number of children who require to be looked after away from home and the complexity of the needs they present.

The main areas of overspend continue to be related to the purchasing of external placements (mainly residential care and fostering).

2.3 Main Pressure Areas 2015/16

Type of Placement	Budget £'000	Projection £'000	Variance £'000	% Variance £'000
Residential Schools – joint funded	2,254	2,212	-42	-2
External Residential Care	3,474	3,870	396	11
Fostering (Falkirk Council)	1,594	1,779	185	12
External Fostering	942	1,762	820	87
TOTAL	8,264	9,623	1,359	

2.4 Residential School Placements

In total, 38 young people have been placed in residential schools between 1 April 2015 and 31 December 2015. As at 31 December, there were 19 young people in residential schools and 2 in secure. NHS FV contributes funding to 3 of the above placements due to the complex and health care needs of the children placed. Weekly costs for residential school placements vary considerably, with the cheapest being £1,886 per child per week and the most expensive being £5,250 per child per week.

2.5 External Residential Care Placements

38 young people in total have been in external residential care placements from April 2015. As at 31 December 2015, there were 24 young people in external placements.

The costs vary from £2,520 per child per week to £3,745. The average placement cost is £3,055.

2.6 Foster Care Provision

Foster carers are paid a fee of either £60, £100 or £150 per child per week in relation to providing a fostering service and the weekly amount of this is dependent on their skill level. They also receive an age related allowance per child per week related to caring for individual children. The age related allowances are:-

0 – 4	£137.18 per week
5 – 10	£156.26 per week
11 – 15	£194.53 per week
16+	£226.87 per week

The Council currently has 60 registered foster carers and 12 short break carers for children with disability. The Children and Young People (Scotland) Act 2014 set an upper limit of 3 unrelated placements per fostering family.

As at 31 December 2015 there were 101 young people placed with Falkirk foster carers, 2 young people with supported carers and one in a board and lodgings placement.

2.7 There have been 46 placements in total with external foster carers since 1 April 2015.

As at 31 December 2015, there were a total of 39 young people in these placements. Of these, the Council holds Permanence Orders for 33 of them (4 with authority to adopt). This would indicate that they are in **long-term** stable placements and certainly means that they will not be going home, will remain in care and the Council, as their corporate parent, has the responsibility to care for them. As a consequence, it is therefore not feasible to reduce the overspend against this budget line. It would be more financially realistic to set a mainstream budget for this as many of these children are likely to remain in placement until age 19.

2.8 Kinship Care Payments

Members will recall in 2014 the Equality and Human Rights Commission (EHRC) challenge to Councils in relation to inequity of allowances to kinship carers of looked after children, with the Council having to revise its policy to avoid judicial review.

From 1 April 2015, we incrementally moved to undertaking financial assessments of current kinship carers and all new kinship carers of looked after children to move them on to the same rate of age related allowances paid to foster carers (outlined at 2.6). At the moment, we have 34 eligible kinship carers with an estimated increased cost (based on mid-range allowance minus child benefit) of £72,000 part year costs to the 2015/16 budget. Scottish Government part year funding of £52,000 has been provided for 2015/16.

2.9 In reaching agreement in relation to parity of allowance to kinship carers of looked after children, the Scottish Government announced in Autumn 2015 that the equivalent of fostering rates should also apply to certain carers with a Section 11 Residence Order. Clarity on the criteria for this is anticipated by end January/early February 2016. This will have significant implications financially for the Council.

The criteria will require payment of fostering equivalent allowances at minimum to carers with Section 11 Orders where the child was looked after immediately prior to the granting of the Section 11 Order, but may extend well beyond this to carers with whom the service has had limited or no previous involvement. Payments are required to be back-dated to 1 October 2015. No payments have yet been made as we await the announcement from the Scottish Government.

73 carers with Section 11 Orders are currently supported financially by the Council at a rate of £50 per week per child. For October 2015 – March 2016, additional funding from the Scottish Government means that, if carers qualify for child benefit and child tax credit, the additional funding of £107,030 should cover the increased costs of parity of allowance. If only eligible for child benefit, there will be a maximum shortfall of approximately £102,820. Any extension of eligibility will increase these costs.

Following the clarification of eligibility, a further report will be provided to Members on this matter.

3. CONTEXTUAL INFORMATION

- 3.1 Table 1 below provides comparator figures for children looked after away from home for the last 4 years. It shows the sharp increase in numbers throughout 2014, continuing throughout 2015.

Table 1
Falkirk Council Number of Children Looked After Away from Home

	Total on LAAFH Register as at			
	2012	2013	2014	2015
January	211	209	227	249
February	207	213	229	252
March	204	219	228	252
April	208	227	228	251
May	214	225	227	248
June	210	228	236	236
July	214	222	247	240
August	218	216	248	241
September	215	223	246	247
October	212	226	248	244
November	210	223	257	246
December	211	224	256	246

3.2 Table 2 below provides comparator figures for looked after children rate per 1000 of population under 18.

These figures were published on 31 March 2015 by the Scottish Government and relate to Children's Social Work statistics for Scotland for 2013/14. They are based on an annual CLAS (Children Looked After statistics) return made by all Local Authorities as at 31 July each year.

It is worth noting that the percentage rate is lower than the national average and compares favourably with our comparator Local Authorities. We compare less favourably in having more children looked after away from home in residential care/schools than in foster care.

Table 2
Looked After Children - Falkirk v Scotland & Comparator Local Authorities

			HMIE Comparator LAs @ 31/07/14					Other Neighbouring LAs @ 31/07/14			FALKIRK @ 31/07/15
	Scotland @ 31/07/14	FALKIRK @ 31/07/14	South Lanarkshire	Fife	Clacks	Moray	Angus	Stirling	North Lanarkshire	West Lothian	
Number of Children Looked After	15,580	370	595	952	184	213	272	233	706	415	364
<i>Rate per 1,000 <18 population</i>	15.1	11.6	9.6	13.1	17.9	11.2	12.1	12.9	31.2	18.4	11.4
Number of Children Looked After At Home (with parents)	4,144	114	212	123	52	46	92	67	282	125	118
<i>Rate per 1000 <18 population</i>	4.0	3.6	3.4	1.7	5.0	2.4	4.1	3.7	12.5	5.5	3.7
Number of Children Looked After Away From Home	11,436	256	383	829	132	167	180	166	424	290	246
<i>Rate per 1000 < 18 population</i>	11.1	8.0	6.2	11.4	12.8	8.8	8.0	9.2	18.8	12.8	7.7

3.3 Table 3 below provides comparator budget figures for children looked after in residential and community settings for 2013/14.

These figures are collected nationally by the Improvement Service as part of the Local Government Benchmarking Framework. Again it is worth noting that Falkirk's spend on both residential and community settings is below the national average and compares favourably with our comparator authorities.

Table 3
LGBF Indicators - Falkirk v Comparator Local Authorities 2013/14

	Scotland	FALKIRK	HMIE Comparator LAs					Other Neighbouring LAs		
			South Lanarkshire	Fife	Clacks	Moray	Angus	Stirling	North Lanarkshire	West Lothian
The Gross Cost of "Children Looked After" in Residential Based Services per Child per Week	£3,098.31	£2,507.14	£2,623.63	£2,962.82	£2,426.92	£4,698.72	£4,612.82	£2,501.28	£3,445.51	£2,576.54
<i>Rank</i>		10	13	16	6	30	29	8	21	12
The Gross Cost of "Children Looked After" in a Community Setting per Child per Week	£264.83	£225.06	£179.66	£329.41	£289.71	£237.94	£305.73	£211.54	£117.42	£218.65
<i>Rank</i>		14	6	26	21	16	23	9	2	12

3.4 Assessment of need in relation to children and young people is based on robust risk assessment and risk management. The number of young people who require to be accommodated at any one time is highly variable as well as unpredictable. This is also influenced by the legislative decisions taken both by the Children's Hearing and the Sheriff Court, which the local authority is then required to implement or be faced with the possibility of an Enforcement Notice, thereby creating potentially unacceptable risks to individual children and/or reputational risk to the Council.

Consequently, this leads to financial volatility.

3.5 Work is ongoing to interrogate the performance management data to identify themes/patterns of characteristics in relation to the young people who are looked after away from home.

3.6 To date, we know that the following characteristics are prevalent:-

- parental drug and alcohol misuse
- parental mental health issues
- child protection issues (physical, emotional abuse and neglect)
- domestic violence
- self-harming behaviour of young people themselves
- drug and alcohol use by young people themselves
- risks to self and others

4. ACTIONS BEING TAKEN TO MANAGE THE BUDGET

4.1 There continues to be a real challenge to constrain expenditure, meeting demanding service efficiency targets whilst protecting both individual children and any potential reputational risks to the Council.

4.2 The contract with Care Visions for Westside has now been increased from 4 to 5 beds, effective from **9 July 2015** at a contract rate per bed per week of £2,750 compared to an average weekly cost of £3,055 for external provision.

4.3 We previously spot-purchased 2 placements from FTS at a cost of £2,975 per week. We now have a contract in place with them to purchase 6 out of their 8 beds at a weekly cost of £2,870. This has therefore provided savings on the 2 spot purchased beds from **2 November 2015**. It also enabled us to bring 3 young people back from more expensive external residential placements and accommodate a foster placement breakdown locally.

4.4 We are negotiating with Care Visions to potentially contract with them to provide a further 3 - 4 bedded unit.

4.5 We are due to run a foster carer recruitment campaign in March. Consequently, we will ask Payroll to include a message in all Council employee payslips in February, hopefully to create interest.

An article from an existing foster carer is also being put forward for inclusion in the Falkirk Council News, again to generate awareness and interest.

4.6 The Council contract with external foster carers is being reviewed. We have asked providers to give us a reduced rate for sibling and long-term placements. All but one of the 8 providers have agreed to do this. Work to progress the new contract is underway.

4.7 The integration of Social Work Children & Families service with Education into an integrated Children's Service brings opportunities to reduce duplication and transformation of current services in our approach to service delivery. The future focus has to be on improving outcomes for children and young people.

Plans are being progressed to develop a co-ordinated Family Support Service to include both early intervention and targeted services, thus providing a greater focus on prevention in relation to young people becoming looked after.

A manager from Social Work is to be seconded to the Mariner Service as a test of change to assist with bringing more young people back to Falkirk from external provision and allowing them to access local education. The pending relocation of the Mariner Service from Weedingshall to the former Focus School property in Laurieston also supports the Service in trying to increase the level and availability of provision within Falkirk.

5. CONCLUSION

5.1 Social Work Children & Families service continues to face a difficult and challenging time, particularly in light of the financial implications of the Children and Young People (Scotland) Act 2014 as well as the volatility of the demand for placements. Within the newly formed Children's Service, we will be reviewing working practices and seeking transformational change to address these issues. However, the change process will take time and dedicated resources to take this forward.

5.2 In the meantime, the Senior Leadership Team within Children's Services will continue to robustly monitor expenditure on a regular basis.

6. RECOMMENDATION

6.1 The Committee is invited to note the progress made to date.

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Robert Naylor
Director of Children's Services
Contact Tel No: 504686

BACKGROUND PAPERS

FALKIRK COUNCIL

**Subject: COUNCIL HOUSING INVESTMENT PROGRAMME –
CONTRACT MANAGEMENT**
Meeting: SCRUTINY COMMITTEE
Date: 4 FEBRUARY 2016
**Author: DIRECTOR OF CORPORATE & HOUSING SERVICES &
DIRECTOR OF DEVELOPMENT SERVICES**

1 INTRODUCTION

- 1.1 Following a report by the Directors of Corporate & Housing Services and Development Services, considered by this Committee in August 2015, Members requested a further report be submitted on the contract management of the Council's Housing Investment Programme (HIP).
- 1.2 This report seeks to provide Members with more information on the programme of housing contracts including details on the number of projects delivered within the anticipated budget and programme timescales.

2 BACKGROUND

- 2.1 The report considered by Members last year provided details of the operating arrangements in relation to the delivery of the Council's HIP, specifically:
- The context, scale and diversity of the programme
 - The various stages involved in delivering the programme, from planning through to the completion of works
 - The roles and responsibilities of the relevant Services, sections and teams involved in the delivery of the programme
 - Information on areas of continuous improvement and development
- 2.2 This report focuses on HIP contract performance and provides information to Members on the number of contracts that have been completed within the anticipated budget and programme timescales, highlighting any mitigating circumstances where contract timescales have been extended or the project budget exceeded. It will also consider any trends that may be seen in cost or programme overruns.
- 2.3 Works undertaken in the HIP are categorised under 3 main headings viz;
- 1. Housing Quality Standard Works - Development**
 - Elemental Improvements – External Fabric
 - Energy Efficiency Works – replacement heating
 - Health & Safety Works – water mains replacement etc
 -
 - 2. Housing Quality Standard Works – C&HS**
 - Kitchen/Bathroom Renewal
 - Electrical Upgrading & CO Detector Installation

- Estate Improvements (Landscaping Works)
- Priority Areas

3. Non Housing Quality Standard Works

- New build Council housing
- Property buy backs
- Mortgage to rent
- Local Housing Strategy Initiatives
- Window Leasing Buy-back

- 2.4 This report primarily considers construction contracts and covers the first category of works and new build housing, in the third category, as detailed above. The other elements of the HIP are rolling programmes of pre-planned work, undertaken by a combination of the Council's in-house BMD; Estates Management Division and external contractors. Works involving external contractors are part of framework contracts and are projected to be in line with budgeted and tender values.
- 2.5 The value and complexity of construction related works can vary substantially within each category and, in particular, between differing types of work. More detail is given in paragraph 3.2 below.
- 2.6 Many construction contracts are at risk from adverse weather, utility company involvement (Scottish Water, Scottish Power etc) and issues with owner occupied properties forming part of the contract works.

3 CONTRACT BUDGET & PROGRAMME

- 3.1 Attached to this report is Appendix 1 which illustrates, for financial year 2014-15, the total number of contracts in each works category, the value of works in each category and the total value of works for the year. Additionally, the number of contracts which were completed within the anticipated budget and programme timescale is shown.
- 3.2 As can be seen, individual contract values range from £165,000 to £5,780,262 with contract periods ranging from 8 weeks to 104 weeks. Of the 25 major contracts in the whole programme 21 were completed within budget and overall the entire HIP programme was delivered within budget.
- 3.3 Looking at contracts completed within the anticipated programme timescales is less definitive as there are a substantial number of contracts which suffered from delays due to factors outwith the client's and/or contractor's control. The vagaries of the Scottish weather and the need to have external contract works undertaken at all times of year to ensure funding is expended expediently, has resulted in a significant number of contracts not meeting initial anticipated completion dates. In such instances, the contractor is entitled to a contract period extension for time lost to adverse weather however there is no entitlement to loss and expense and therefore no additional cost to the Council.
- 3.4 Where delays are caused by statutory undertakers, such as Scottish Power, the contractor is again entitled to an extension of time, although where the contractor can demonstrate that the statutory undertaker works were delayed due to the direct action (or omission) on the part of the client or contract administrator the contractor has the right to a claim for loss and expense.

- 3.5 Similarly, where delays are caused to a contract by issues arising from owner occupied properties the contractor is entitled to both an extension of time and potentially, payment for loss and expense. Delays can occur when it is necessary to consult with owner-occupiers to secure agreement to progress works in relation to communal repairs to roofs, walls, drainage etc. Development Services work closely with C&H Services colleagues who manage this element of work to ensure problems are minimised. In order to mitigate possible delays, our internal HIP Contract Management Procedures were also updated in 2015 to provide improved guidance for staff dealing with owner-occupiers who are involved in communal works undertaken through the HIP.
- 3.6 In contracts where the estimated completion date has been exceeded for legitimate reasons, extensions of time must be granted. There have been a considerable number of projects that have been completed beyond their original estimated completion date however the vast majority of these have finished within three months of this date. All bar three of these contracts were completed within budget.
- 3.7 The Customer Care Team in Development Services advise tenants of the contract start date and the anticipated completion date and in conjunction with the Clerk of Works and Contractor's staff, deal with any customer enquiries that arise. It is the responsibility of the contractor to advise individual addresses when work to a specific property is scheduled and for any subsequent changes or delays to that date.

4.0 CONCLUSION

- 4.1 The HIP is undertaken each year by a competent client and design team and experienced and well-organised contractors however, there can be no guarantees that building contracts will complete on time and on budget due to the number of factors outwith the control of the Council. It is however, acknowledged that the circumstances that can lead to delays or additional expense can be mitigated, lessons learned and a quality service provided.

5.0 RECOMMENDATIONS

Members are requested to:

- 5.1 **note the contents of this report**

.....
**DIRECTOR OF CORPORATE
 & HOUSING SERVICES**

.....
**DIRECTOR OF DEVELOPMENT
 SERVICES**

Date: 26 January 2016

Contact Officer: Robert McMaster, Head of Roads & Design
 David McGhee, Head of Resources & Procurement

LIST OF BACKGROUND PAPERS

- 1 Report to Scrutiny Committee 20th August 2015.

Housing Investment Programme 2014-15 Project Report		Trade	CONTRACT ACCEPTANCE (excl fees)	ESTIMATED FINAL ACCOUNT	Start	Anticipated Completion	Construction Completion	Houses In Contract	14/15 Spend End Year	NOTES
Works Categories & contract details		WORKS	TENDER	EFA	start					
ELEMENTAL (FABRIC) IMPROVEMENTS										
Carry forward from 13/14 (BMD contracts)									£1,422,479	
Carry forward from 13/14 (External contractors)									£1,895,949	
Avon Ter/Bridgend Rd/Craigbank Rd/Main St/Slamannan Rd/The Neucks, Avonbridge	RENDER/ROOF	£480,890.40	£401,800		Aug-14	Dec-14	Mar-15	48	£341,670	Utilities issues (SP overhead supplies), adverse weather
Carronhall Ave/Gairdoch Dr/Kincardine Rd/Kinnaid Ave/Quarrollhall Cresc, Carronshore	EXT WALL INS/ROOF	£594,074.15	£434,000		Oct-14	Feb-15	May-15	40	£495,449	Adverse weather, rendering resource
Chapel Dr/Gerald Ter/Sutton Park Cr/Kinnaid Dr/Ochil Dr, Stenhousemuir	EXT WALL INS/ROOF	£965,573.62	£846,000		Oct-14	Apr-15	Jul-15	80	£704,069	Delayed due to rendering resource
Cal Ter/Eben Pl/Mam Dr/Merv Cresc/Merv Ter/Prin St/Quns Dr/Rosed Ter, California; Drum Cot/Irene Ter, Standburn	REND/ROOF	£873,004.77	£791,000		Feb-15	Aug-15	Sep-15	110	£311,054	Utilities issues (SP overhead supplies), adverse weather, additional properties
Alexander Av/Montgomery St, Falkirk	EXT WALL INS.	£432,512.16	£350,000		Nov-14	Mar-15	Jul-15	17	£293,273	Technical issue with new wall insulation system
Forth Av/Balfour Cr/Broomage Cr, Larbert. Elim Dr/Mavisbank Av/Maranatha Cr, Shieldhill	EXT WALL INS/ROOF	£666,761.41	£570,000		Jan-15	Jun-15	Ongoing	57	£259,188	Technical issues (Anchor House Type), utilities (SGN)
Ashley St/Claremont St/Bowling Green Pl, Bonnybridge	EXT WALL INS	£549,076.13	£450,000		Dec-14	Mar-15	Ongoing	57	£349,474	Utilities issues (SGN co-ordinating gas risers)
BLOCK TOTAL		£4,561,892.64	£3,842,800					409	£6,072,605	
ENERGY EFFICIENCY WORKS										
New gas connections related to VAR 7280	GAS MAINS		£100,000						£100,000	Infrastructure - SGN one off connections
New gas mains, Grangemouth, GRA 7244	GAS MAINS	£184,832.00	£184,832						£184,832	Infrastructure - SGN street mains installation
New gas mains, Maddiston GRA 7245	GAS MAINS	£164,802.00	£164,802						£164,802	Infrastructure - SGN street mains installation
New installations framework VAR 7280 (60 installs per week)	GAS HEATING	£5,430,628.00	£6,179,718		Oct-13			1500	£4,049,588	Framework programme
BLOCK TOTAL		£5,780,262.00	£6,629,352					1500	£4,499,222	
ESTATE IMPROVEMENTS										
Carry forward - Door Entry Systems									£51,035	
Door entry systems - Bo'ness/Dawson/Denny/Falkirk/Grangemouth/Stenhousemuir	DOOR ENTRY	£237,573.34	£220,000		Nov-14	Mar-15	Ongoing	100	£155,025	Additional properties added
BLOCK TOTAL		£237,573.34	£220,000					100	£206,060	
PRIORITY AREAS HIGH RISE										
Marshall & Leishman Towers FAL 7116	HIGH FLATS	£4,995,255.00	£4,814,688		Feb-13	Jul-14	Aug-14	174	£700,415	Underground services issue, adverse weather, H&S incident
Symon Tower	HIGH FLATS	£2,145,179.22	£2,050,000		Jan-14	Oct-14	Oct-14	88	£1,228,115	
Glenfuir & Greenbank GF Areas/Tank replacement	HIGH FLATS	£297,178.77	£320,000		Mar-15	Jul-15	ongoing		£0	On site 15/16
BLOCK TOTAL		£7,437,612.99	£7,184,688					262	£1,928,530	
HEALTH AND SAFETY WORKS										
Asbestos Water Main Renewal	WATER MAINS	£173,864.77	£120,000		Jan-13			51	£117,000	Owner Occupier delays
Carry forward - Lead Pipe Replacement	WATER MAINS		£0						£25,000	ad hoc replacement, survey dependant
BLOCK TOTAL		£173,864.77	£120,000					51	£142,000	
NEW HOUSING										
Merchiston Road, FAL 6959 Carry forward	NEW HOUSING	£3,914,675	£3,755,900		Dec-12	Apr-14	May-14	40	£187,583	Weather and utilities (BT) delayed final completion
Parkhall Drive, MAD 6958 (based on progress, not on BMD programme) Carry forward	NEW HOUSING	£4,045,359	£3,825,000		Jan-13	May-14	Jun/Jul 14	40	£549,360	Utilities (Gas/Electricity) delayed final phased completions
Windsor Road, FAL 6961 Carry forward	NEW HOUSING	£2,267,181	£2,160,000		Jun-13	Apr-14	Jun/Aug 14	24	£450,970	Weather, Utilities (Gas/Electricity), drainage delayed final phased completion
Tinto Drive, GRA 6960 Carry forward	NEW HOUSING	£5,354,559	£5,025,000		Jun-13	Nov-14	Oct/Dec 14	56	£1,923,665	Utilities issues (Electricity) delayed final phased completion
Merchiston Rd Phase 2	NEW HOUSING	£2,169,240	£2,086,000		Aug-14	Mar-15	Jun-15	27	£1,456,235	Adverse weather & utilities (Electricity) delayed final completion
Broad Street, Denny	NEW HOUSING	£874,968	£896,000		Apr-14	Apr-15	Apr-15	9	£853,093	
Fairlie Street, Camelon	NEW HOUSING	£971,948	£1,049,000		May-14	Mar-15	Jun-15	10	£850,000	Groundworks, adverse weather & utilities (Electricity) delayed final completion
BLOCK TOTAL		£19,597,930	£18,796,900					206	£6,270,906	
TOTALS		£37,789,136	£36,793,740					2528	£19,119,323	

Note : Contract and EFA totals spread over 3 financial years