



# AGENDA

Executive - 10.00 am Wednesday, 15 January 2025

**Public Guidance Notes contained in Agenda Annexe** 5 - 6

**Click here to join the online meeting** 7 - 8

## **1 Apologies for Absence**

To receive any apologies for absence.

## **2 Minutes from the Previous Meeting (Pages 9 - 24)**

To approve the minutes from the previous meeting.

## **3 Declarations of Interest**

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#) )

## **4 Public Question Time**

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

## **5 Executive Forward Plan**

To note the latest Executive Forward Plan of planned key decisions that have been published on the Council's website.

[Click here to access - Executive Forward Plan](#)

## **6 Somerset Council Improvement and Transformation Programme - January (Pages 25 - 34)**

- 7 2024/25 General Fund Revenue Budget Monitoring Report - Month 7 (report to follow)**
- 8 Annual Public Health Report (report to follow)**
- 9 HRA Development Team and name change for Homes in Sedgemoor (Pages 35 - 40)**
- 10 The Provision of General Nursing Care Block Beds in Somerset (Pages 41 - 70)**

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## Guidance notes for the meeting

### Council Public Meetings

The legislation that governs Council meetings requires that committee meetings are held face-to-face. The requirement is for members of the committee and key supporting officers (report authors and statutory officers) to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

#### Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at

[democraticserviceteam@somerset.gov.uk](mailto:democraticserviceteam@somerset.gov.uk) or telephone 01823 357628.

They can also be accessed via the council's website on [Committee structure - Modern Council \(somerset.gov.uk\)](#)

### Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

### Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### Public Question Time

If you wish to speak or ask a question about any matter on the Committee's agenda please contact Democratic Services by 5pm providing 3 clear working days before the meeting. (for example, for a meeting being held on a Wednesday, the deadline will be 5pm on the Thursday prior to the meeting) Email

[democraticserviceteam@somerset.gov.uk](mailto:democraticserviceteam@somerset.gov.uk) or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out, or alternatively can attend the meeting online.

A 20-minute time slot for Public Question Time will be set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. Each speaker will have 3 minutes to address the committee.

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish. If an item on the agenda is contentious, with many people wishing to attend the meeting or if multiple speakers wish to ask questions that are similar to others, a representative will need to be nominated to present the views of a group.

### Meeting Etiquette for participants

Only speak when invited to do so by the Chair.

Mute your microphone when you are not talking.

Switch off video if you are not speaking.

Speak clearly (if you are not using video then please state your name)

If you're referring to a specific page, mention the page number.

There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

### **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed.

### **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

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Minutes of a Meeting of the Executive held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Monday, 2 December 2024 at 10.00 am

**Present:**

Cllr Bill Revans (Chair)  
Cllr Liz Leyshon (Vice-Chair)

Cllr Theo Butt Philip  
Cllr Heather Shearer  
Cllr Sarah Wakefield

Cllr Mike Rigby  
Cllr Federica Smith-Roberts  
Cllr Richard Wilkins

**In attendance:**

Cllr Mandy Chilcott  
Cllr Faye Purbrick  
Cllr Jo Roundell Greene

Cllr Frances Nicholson  
Cllr Diogo Rodrigues  
Cllr David Woan

**Other Members present remotely:**

Cllr Graham Oakes  
Cllr Adam Boyden  
Cllr Dawn Denton  
Cllr Habib Farbahi  
Cllr Dawn Johnson  
Cllr Marcus Kravis  
Cllr Sue Osborne  
Cllr Claire Sully  
Cllr Gwil Wren

Cllr Suria Aujla  
Cllr Nicola Clark  
Cllr Andy Dingwall  
Cllr Henry Hobhouse  
Cllr Andy Kendall  
Cllr Dave Mansell  
Cllr Fran Smith  
Cllr Martin Wale

**47 Apologies for Absence - Agenda Item 1**

Apologies were received from Councillor Graham Oakes (in attendance online) and Councillor Val Keitch.

**48 Minutes from the Previous Meeting - Agenda Item 2**

Resolved that the minutes of the Executive held on 4<sup>th</sup> November 2024 be confirmed as a correct record.

**49 Declarations of Interest - Agenda Item 3**

The following declarations of interest were automatically recorded:

Cllr Theo Butt Philip – Wells City Council  
Cllr Graham Oakes – Yeovil Town Council / Yeovil Without Parish Council  
Cllr Mike Rigby – Bishops Lydeard and Cothelstone Parish Council  
Cllr Heather Shearer – Street Parish Council  
Cllr Federica Smith-Roberts – Taunton Town Council  
Cllr Richard Wilkins – Curry Rivel Parish Council

**50 Public Question Time - Agenda Item 4**

Public Questions were received from Stuart Hearn and Sarah and Daisy Baker. The questions and responses provided are attached in Annexe A.

**51 Executive Forward Plan - Agenda Item 5**

The Executive noted the Forward Plan.

**52 Somerset Council Improvement and Transformation Programme – December Update - Agenda Item 6**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Transformation, Human Resources and Localities, Cllr Theo Butt Philip, to introduce the report. Cllr Butt Philip highlighted that the report covered progress from 12 October to 8 November 2024.

Cllr Butt Philip proceeded to hand over to Sara Cretney, Service Director Strategy & Performance, who highlighted that the current main focus is the workforce programme and the associated risks, with a summary of the changes to the risks included in the report.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the uncertainty around staff feedback on the consultation and the related risk; whether the cost pressures created by the national Budget would create additional risks, particularly with third party supplies for care and third sector organisations; the deadline associated with risks in March and the consequences if that deadline was not met; devolution to parishes and the timing with setting parish precepts; the risk associated with the capitalisation directive still awaiting approval; whether cost information shared with Town and Parish Councils was accurate.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to note the latest progress update report including:**

- **The progress made in the month from 12 October – 8 November 2024.**

- **The current assessment of programme risks which includes those with a score of 16 or higher that may arise during the change process, along with the status of actions to mitigate these risks, as detailed in Appendix A**

### **53 2024/25 General Fund Revenue and Capital Budget Monitoring Report - Month 6 (Qtr2) - Agenda Item 7**

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted that this report was for Quarter 2, up to the end of September; that the Capital and Revenue reports had been combined; the current one-off and ongoing revenue pressures; the status of the reserves; the concerns around the Dedicated Schools Grant (DSG) deficit.

Cllr Leyshon proceeded to hand over to Nicola Hix, Service Director Finance and Procurement, who went through the revenue and capital figures in detail and highlighted the positive movements in many service directorates; the challenges in Children's Services, including high placement costs and the DSG; that only 34% of savings in this year's budget had been achieved and the importance of those remaining being delivered; the feedback from Scrutiny on the report.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the successful savings made in Adults Services and the overspends still being worked on; improvements in forecasting and modelling in Children's Services and challenges with placement costs, DSG, and the High Needs Block; debt outstanding to the council and whether there is a reasonable expectation to collect it; slippage in the capital programme and the pressures and potential costs associated with this; delivering alternative savings for those that are not able to be achieved.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Note Council is now forecasting a balanced revenue position (on-budget).**
- **Note the total Council Revenue forecast underspend of £8.479m for the year. There is a forecast underspend of £2.419m within Service Directorates for 2024/25 and the Corporate Contingency of £6.000m, whilst remains unallocated it has been released into the forecast outturn within budget lines Table 1.**
- **Note that the planned use of reserves of £36.800m for Medium Term Financial Plan (MTFP) Support towards the budget is forecast to reduce by of £8.479m to £28.321m, due to the forecast underspend within budget lines.**
- **Agree that mitigating actions are to be identified in order to reduce any**

overspends, to take action and to contribute to the long-term financial sustainability of the authority.

- Agree that the Council continues with the aim of avoiding a Section 114 notice by taking all of the necessary actions and continuing to operate as if one has been issued.
- Note the progress and delivered savings of £13.114m of the approved savings programme as set out in Table 2 and Appendix J.
- Note that work will continue to find mitigating or substitute savings for the £0.432m of Red unachievable savings, deliver the £5.142m Amber at risk savings and the £20.189m Green on track savings.
- Note the in-year forecast overspend on the Dedicated Schools Grant of £28.259m, an increase of £2.419m from Month 5 (in paragraph 14).
- Note the total forecast Dedicated Schools Grant year-end deficit of £64.199m as set out in Appendix C.
- Note the collection rates for Council Tax and Business Rates as set out in paragraph 24.
- Note the quarterly update on the prudential indicators detailed in Appendix L.
- Note the outstanding debt position as detailed in Chart 3 and Appendix M.
- Note the level of General Reserves is £52.4m (risk-based assessment – minimum £30m, maximum £60m).
- Approve the additional Quarter 2 capital slippage of £75.690m into future years.
- Approve £22.123m of externally funded additions to the capital programme, as detailed in Section 34 of this report.
- Note £2.708m of virements within the capital programme, as shown in Appendix O.

#### **54 2024/25 Housing Revenue Account Revenue & Capital Budget Monitoring Report - Qtr2 - Agenda Item 8**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity, Cllr Federica Smith-Roberts, to introduce the report. Cllr Smith-Roberts highlighted that there had been positive movement but the account was still showing an overspend, in part due to repairs and maintenance cost and the condition void properties are left it.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: possibilities for improving the conditions void properties are left in such as the Leaving Well scheme; whether the Council as landlord has the right to enter properties and complete repairs; the difference in write-offs between Homes in Sedgemoor and the in house service; slippage in some programmes including the fire safety programme; whether any properties have unsafe cladding as indicated in the Grenfell report.

The Leader of the Council concluded the discussion and proceeded to a vote on the

recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Note the Housing Revenue Account forecast overspend of £1.717m for 2024/25, the mitigations actions in the report and the impact on the HRA General Fund Reserve of this overspend.**
- **Agree to take further mitigating actions to pull back the forecast overspend for the next quarter and by outturn.**
- **Note the forecast outturn position of the Capital Programme of £55.172m for 2024/25.**
- **Approve slippage of £37.723m into future years.**
- **Note the Capital virements in paragraph 27.**

## **55 Q2 Corporate Performance Management Report - Agenda Item 10**

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted the indicators shaped around the four priorities of the Council as well as the supporting priority of a financially sustainable and resilient Council; the future improvements to ensure indicators are meaningful and recognisable; that Scrutiny Committees would be engaged for further improvement.

Cllr Leyshon proceeded to hand over to Sara Cretney, Service Director Strategy & Performance, who provided details on the measures and how they had been expanded in this report; that a narrative had been added for each measure; that there had been a targeted deep dive into the Fostering service and that some measures had been expanded on that basis; that further deep dives were planned; that there was now joint reporting for several housing measures that had been backdated.

The Leader of the Council, Cllr Bill Revans, invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the number of Overdue Care Act assessments and the causes behind it; the percentage of EHCPs completed within 20 weeks, the pressures causing this and planned improvements to the process.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to review the performance information provided within appendix A, and in particular the narrative relating to performance this quarter.**

## **56 Council Tax Reduction Scheme for 2025/26 - Agenda Item 11**

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce

the report. Cllr Leyshon detailed that: the report is required every year as Somerset Council is billing authority for all Somerset households; the figures relating to those claiming a reduction on Council Tax including those of state pension age, working age, and the number claiming 100% reduction on Council Tax; the consultation and engagement with Citizens Advice; the budget pressures the Council is facing and the difficulty of this decision; feedback was received from Scrutiny on two occasions resulting in two further recommendations to the paper; the recommendations overall.

The Leader of the Council, Cllr Bill Revans, added that there had been a recent policy announcement by central government relating to increasing Council Tax above the annual limit. He then invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: discomfort supporting this proposal given the impact on the very low income and vulnerable; how the Household Support Fund could be used to support people; engagement with the VCFSE sector; the equalities impact of the proposal; the unfair and unsustainable basis of Council Tax for funding Council services; the need for support from central government given Somerset Council's below average Council Tax rates; the importance of mitigations and Household Support Fund and the Exceptional Hardship Fund; what the implications would be of a positive response from central government on raising Council Tax; the reduction in backdating period from 12 months to 1 calendar month and whether that was appropriate; whether the decision on the Council Tax Reduction Scheme could be deferred until a central government decision was made; how disregards were accounted for in the banding table; the impact on disabled households in particular; whether a referendum to increase Council Tax would be appropriate and the associated costs; the impact of the previous amendments to the consultation on the budget; the cost of devolution being passed on to households with some towns and parishes increasing precepts by over 160%; the risk of an overspend in the Household Support Fund; comparison with Department for Work and Pensions with backdated benefits.

Following the discussion, the recommendations in the report were amended.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed.

**Following consideration of the officer report, appendices, debate, and amendment of the written recommendations the Executive resolved to:**

- 1. Agree and recommend that Full Council approve the increase to income band thresholds by the September 2024 CPI rate of 1.7% in line with the percentage increase to state benefits as implemented by the Department for Work and Pensions (DWP)**
- 2. The Leader of Council to write to the Minister for Local Government to explore the case for Somerset Council's Council Tax to be raised by more than the referendum limit, due to Exceptional Financial Support, low Council Tax base and rate, increasing demand, and taking into account Government's requirement that plans be in place to protect vulnerable people.**
- 3. Agree and recommend that Full Council approve the CTR and**

associated EH scheme for 2025/26 as set out in this paper except for the reduction in back dating a CTR claim to 3 calendar months.

4. **Ask Officers to urgently investigate and report back on the potential to use an element of the Household Support Fund to support those who may be affected by future changes to CTRS thresholds.**

#### **57 Review of the Non-Domestic Rating Discretionary Rate Relief and Hardship Policy - Agenda Item 12**

The Leader of the Council, Cllr Bill Revans, invited the Deputy Leader and the Lead Member for Finance, Procurement and Performance, Cllr Liz Leyshon, to introduce the report. Cllr Leyshon highlighted that the changes came in three parts: excluding private schools from discretionary rate relief in line with central government policy on private schools; reducing the relief percentage for hospitality and leisure; ending the local newspaper relief policy.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the impact on contractors providing leisure on the Council's behalf; what do the changes mean for pubs and local communities; whether private schools that aren't registered as charities would be impacted; the impact on retail and hospitality; whether there was monitoring of businesses that would be impacted and what routes there were for gathering feedback.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to agree and recommend to Full Council:**

- **That the Non-Domestic Rating Discretionary Rate Relief and Hardship policy is amended to prevent Private Schools from applying for assistance in anticipation of the changes to the Local Government Finance Act 1988. The recommended wording is to be found in Appendix D of the policy and states: 'The ratepayer must not fall within the definition of a Private School. For business rates purposes, 'Private Schools' are defined by HM Treasury as schools at which full time education is provided for pupils of compulsory school age where fees are payable.'**
- **To delegate authority to the Council's Section 151 Officer in consultation with the Monitoring Officer to make any additional amendments as necessary to ensure the wording aligns with that Act once such amendments come into force.**
- **To reduce the relief percentage within the policy for Retail, Hospitality and Leisure sector for 2025/26 from 75% to 40% as a result of changes to Central Government policy.**
- **To end Local Newspaper Relief in line with Central Government policy.**

#### **58 Budget Proposals 2025/26 to 2029/30 - Agenda Item 9**

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Agree the new Budget Savings for 2025/26 of £43.950m as set out in Appendix A**
- **Agree the substitution of the £9.000m saving in 2025/26 as per paragraph 22.**
- **Note the revised 2025/26 budget gap of £53.846m after taking into account the proposed savings and substitution.**
- **Recommend the savings and substitution to Full Council**
- **Agree that the Council continues with the aim of avoiding a Section 114 notice by taking all of the necessary actions and continuing to operate as if one had been issued.**

**59 Award contract for Advocacy Services - Agenda Item 13**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report.

Cllr Wakefield proceeded to hand over to Vicky Chipchase, Strategic Manager Quality Performance & Assurance, and Bernie Howard, Senior Commissioning Officer, who explained: the contract is due to expire at the end of March; the statutory duties the service provided; that people with lived experience had been involved in the process; that the recommendation related to endorsing the competitive procurement process; that the contract is initially for five years with the option to extend for a further three years.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the decision coming to Executive as part of the process; how the decision to extend for three years would be made.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Endorse the procurement process and approve the contract award and recommendations detailed in Appendix B (Confidential Tender Evaluation Report) for the provision of Advocacy in Somerset**
- **Approve the commissioning of the successful bidder for an initial period of 5 years with an option to extend by 3 years.**
- **Provide a delegation to the Executive Director for Adults Services and Housing to agree the 3 year extension option in consultation with the Lead Member for Adult Services, Housing and Homelessness. The decision to implement the extension, or otherwise, will be assessed against an agreed set of performance and service measures.**
- **Agree the case for applying the exempt information provision as set out**



**in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix B in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information. Agree to exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).**

## **60 The Provision of OPMH Block Beds in Somerset - Agenda Item 14**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report. Cllr Wakefield explained the purpose of block beds and the cost-saving they created, as well as the areas where they were not able to award a contract.

Cllr Wakefield proceeded to hand over to James Sangster, Service Manager Adults & Health Commissioning, and Gemma Beasley, Senior Commissioning Officer, who explained: that 78 beds in five areas were being procured and that the contract value was £4.4m with the potential of £600,000 for directly awarded beds; that the beds give the Council price security and protect from the impact of the increases in National Insurance.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: if there were market concerns relating to not being able to get beds in Taunton; how the costs and savings associated with block beds are tracked; having sufficient capacity in these beds; areas of Somerset that are distant from these block beds procured; when does the NHS support funding these beds; the need to stabilise the market only in some areas of the county; clarification on the number of beds sought.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Approve the procurement of 5 contracts in Care Homes, securing 78 Older Peoples' Mental Health Block Beds.**
- **Approve Commissioners to work with the care home market to explore a direct award for a further 10 beds.**
- **Agree the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix B in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining**
- **Exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).**

## **61 The Provision of Dementia Residential Block Beds - Agenda Item 15**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report.

Cllr Wakefield proceeded to hand over to James Sangster, Service Manager Adults & Health Commissioning, and Gemma Beasley, Senior Commissioning Officer, who explained that this was to award 9 contracts of block beds and homes for people with advancing dementia but no nursing needs.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the confidence level of working with providers in the Wellington area; whether smaller providers could put partial bids in.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Approve the outcome of the procurement process to award contracts to the suppliers named in Tender Evaluation Report Confidential Appendix B for Dementia Residential Block Beds, for the length of 5 years (plus permitted extensions).**
- **Approve commissioners to work with the care home market to explore a direct award for a further 20 beds.**
- **Agree the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix B in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**
- **Exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).**

## **62 Award contract for Extra Care Services - Agenda Item 16**

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Adults Services, Housing and Homelessness, Cllr Sarah Wakefield, to introduce the report. Cllr Wakefield explained the importance of extra care support in enabling people to live independent and that a full procurement exercise and consultation had been carried out, resulting in a more flexible framework with reduced cost.

Cllr Wakefield proceeded to hand over to Stephen Miles, Strategic Manager – Adult Services, and Sally Pluck, Commissioning Officer, who explained: the spectrum of adult social care and where extra care housing sits within it; the full procurement

exercise undertaken and the consultation with residents, landlords, internal and external staff; the proposal to award contracts across three different lots; that every single hourly rate had reduced as part of the process.

The Leader of the Council invited comments from Committee Members and other Members present, with officers providing responses as appropriate. Questions and points raised included: the gap in provision in the West Mendip area and how it could be addressed.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Award the following contracts for care and support commencing on 01/04/2025 for a period of 5 years, with options to extend for up to a further 2 years.**
  - **Lot 1 (East & South)**
  - **Lot 2 (West)**
  - **Lot 3 (North)**
- **Equalise the charge for the core support in all schemes at a rate of £29.27 from 01/04/2025, removing the rate of £59.04 that is currently being paid by residents of those schemes where housing related support is currently commissioned from care providers, but will be directly provided by social landlords under the new model.**
- **Initiate a consultation with ECH residents on a proposal to review the charges paid by the residents of ECH schemes annually as part of the annual Adult Social Care fees and charges process.**

**63 Key Decision to enter into a lease for a Commercial Investment Property -**  
Agenda Item 17

The Leader of the Council, Cllr Bill Revans, invited the Lead Member for Economic Development, Planning and Assets, Cllr Mike Rigby, to introduce the report. Cllr Rigby explained that there was a unit in Christchurch and a tenant had been identified and that this would lead to an increase in income and an increase in capital value.

The Leader of the Council invited comments from Committee Members and other Members present. Points raised included: this was a difficult property to let and the team had done a fantastic job identifying a tenant.

The Leader of the Council concluded the discussion and proceeded to a vote on the recommendations, which were agreed unanimously.

**Following consideration of the officer report, appendices and discussion, the Executive resolved to:**

- **Authorise the recommendation regarding a lease on terms identified in**

**Appendix 1**

- **Agree the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached Appendix 1 in confidence, as it contains commercially sensitive information, and the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.**
- **Delegate authority to make all necessary arrangements and agreements to conclude arrangements for the lease to the Executive Director for Resources, Strategy and Transformation in consultation with the Lead Member for Economic Development, Planning and Assets.**

**(The meeting ended at 2.13 pm)**

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**CHAIR**

## Executive 2 December 2024 – Public Questions

Name of person submitting	Annexe A – Public Questions Question
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 21</p>	<p>The published vision for Somerset Council is to build "a fairer, greener, resilient, more flourishing Somerset that cares for the most vulnerable and listens to you".</p> <p>In 2022, Somerset Council decided it wished to sell Packsaddle Community Fields in Frome to raise capital receipts. The fields are 8 acres of green space and are a listed Asset of Community Value, the only green space Asset of Community Value of its kind in Somerset.</p> <p>Since 2022, I have written to the council on five occasions offering to buy the fields on behalf of the local community, many of whom are elderly and vulnerable, so that the fields can be enjoyed by our community in perpetuity. The first email was sent to Estates, the subsequent four were sent to senior executives including Duncan Sharkey and Bill Revans.</p> <p>I have not received a single response to any of these emails. This is not the action of a council that 'listens to you' and 'cares for the most vulnerable'.</p> <p>Whilst refusing to engage with me and the local community, Somerset Council has, however, been actively working with a developer on a scheme to build 74 houses on this green, community space. The proposed development scheme is not policy compliant as it does not offer the required 30% affordable housing. It is neither sustainable nor green as the vast majority of the houses will not have solar panels or heat pumps - they will instead have gas burning boilers. Yet the council's planning officer still recommended approval. This is not the action of a 'greener' council.</p> <p>Please can the Executive answer the following questions:</p> <ol style="list-style-type: none"> <li>1. Does it accept that these actions are contrary to Somerset Council's published vision, specifically of being a 'greener...Somerset that cares for the most vulnerable and listens to you'?</li> <li>2. What will the Executive do to investigate and rectify this situation in order to comply with its published vision?</li> </ol>

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<p>Written Response</p> <p>Page 22</p>	<p><b>Response from Lead Member for Economic Development, Planning, and Assets, Cllr Mike Rigby</b></p> <p>Thank you for your question. In framing a response, it is important to set out the history behind this land. This parcel of land, comprising about 8.3 acres, was originally purchased by the Council in 1973 with the intention that it be used as the site for a future new-build school to serve the area, as it was expected that there would be large amounts of new housing built that would outstrip the local supply of school places. Subsequent increases in school place demand have been met using other solutions such as increasing places at nearby schools.</p> <p>On this basis the Council had determined that the site is now surplus and will not be used.</p> <p>The Council entered into an Option Agreement with the purchaser to sell the site. The Option Agreement includes the caveat that the purchaser would not complete the transaction until they have obtained planning permission on the site. Selling the land in this way generates a higher return than selling the land without planning permission and reduces the risk to the Council.</p> <p>By entering into an Option Agreement, the Council is also not able to sell the site to any alternative third party.</p> <p>If planning permission were to be granted, the Council would complete the sale of the site to the developer. If planning permission were to be refused, the developer would not purchase the site, and the Council would then explore other options for the disposal.</p> <p>The exact price at which the site will be sold is currently uncertain. This is due to the developer not having yet gained planning permission for development. If permission is granted, then there will be a formal valuation process carried out to determine market value, with both the Council and the purchaser undertaking their own valuations of the site. The anticipated sale price will be commensurate with residential land sale prices for sites of a similar size and location.</p> <p>Therefore, the Council originally purchased the land for a reason that is no longer needed, is required to obtain best value when disposing of the site, is already contracted with a third party to sell the site and intends to use the capital receipts to invest into its ongoing work in supporting other services including providing care for its most vulnerable.</p> <p>I also note your concerns about the current planning application which remains under consideration; the application was withdrawn from the Planning East Committee meeting in November to allow officers time to review the concerns raised by the People for Packsaddle Group prior to consideration by the Committee. It is likely to be resubmitted for the planning committee early in the new year.</p>
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	<p>I do appreciate that this response may be disappointing, but I hope you understand the Council’s position and contractual obligations.</p>
<p><b>Sarah Baker / Somerset Inclusive Nexus</b></p> <p>Pages</p>	<p>Thank you for acknowledging, the 1100 children out of the approximate 2000 children who in 2020 were without any provisions. Each day we are coming across more and more children who are being pushed out of schools due poor curriculum delivery and reduced staffing in Academies.</p> <p>10 years ago, there was approximately 240 children, happily in elected home education. Last year this number has risen to over 2200 children, and rapidly growing! The trauma caused in Somerset schools is life changing, for the many who have deregistered from the school systems.</p> <p>We welcome the change of the Somerset SEND reform delivery, this was something that the previous DCS changed to prevent children to receive funding to stay in mainstream provisions.</p> <p>What will the council be doing to ensure that academies are held to account?</p>
<p><b>Written Response</b></p>	<p><b>Response from Lead Member for Children, Families, and Education, Cllr Heather Shearer</b></p> <p>Thank you Sarah and Daisy for coming in person to ask your question. We understand and share your concerns about the increasing number of children without school places and the rise in elective home education. Our proposed reforms for SEND and exclusions highlight several key strategies to make mainstream education an appealing and accessible choice for children and their families.</p> <p>The Local Authority (LA) has several measures in place to hold Multi Academy Trusts (MATs) accountable:</p> <ol style="list-style-type: none"> <li>1. Team Around the School (TAS) and Team Around the Child (TAC) Meetings: These meetings are conducted across LA maintained schools and academies to ensure that children receive the right support at the right time. These forums are intended to create a level playing field for support and accountability for all establishments.</li> <li>2. Graduated Response Tool: All schools are accountable for ensuring that a graduated response to children with additional needs is consistently applied and the use of the graduated Response Tool by all schools can evidence this.</li> </ol>

## Executive 2 December 2024 – Public Questions

3. Data Sharing: SEND data and other relevant information are shared at MAT CEO meetings to maintain transparency and accountability.
4. Managing SEND Concerns: These are raised at the LA's School Improvement Panel, where Relationship Managers, linked to Academies, discuss any SEN issues during their meetings. This ensures joined-up work around academies and that we have a full picture of any concerns.
5. Locality Model: The move towards this model ensures that all LA schools and Academies are involved in phase transition meetings, facilitating appropriate placements and provision for SEND children.

Additionally we have developed our Education for Life strategy, which includes working with all schools, academies, early years providers and colleges to ensure we have a consistent approach to education provision, quality and attainment across the county.

These steps help ensure that MATs are providing the necessary support and resources to their students, particularly those with special educational needs (SEND).



## Decision Report

Committee: Executive

Meeting Date – 15/01/2025

Key Decision – yes



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## Improvement & Transformation Programme – December Progress Update

Chair of Committee: Cllr Bill Revans – Leader of the Council

Executive Member(s): Cllr Theo Butt Philip – Lead Member for Transformation, Human Resources and Localities.

Local Member(s) and Divisions affected: N/A

Executive Director: Alyn Jones - Executive Director for Resources, Strategy and Transformation

## Executive Summary

This report provides an update to Executive on the progress made with the Improvement and Transformation Programme in the month from 11 November – 6 December 2024. The report outlines the key areas of progress, including the Workforce Programme and the Council restructure, innovation and Change and Partnership, Localities and Devolution. Additionally, it highlights the current assessment of programme risks up to 19 December.

## Recommendations

That Executive:

- Endorse the progress made in the month from 11 November – 6 December 2024.
- Consider the current assessment of programme risks which includes those with a score of 16 or higher that may arise during the change process, along with the status of actions to mitigate these risks, as detailed in Appendix A.

## Reasons for Proposals

To ensure continued awareness of the approach to transformation, noting the progress on delivery of the expected outputs of the component parts and the management of risk associated with the Somerset Council Improvement and Transformation Programme.

Report Author: Louise Routley, Improvement and Transformation Lead, Strategy and Performance

Contact Details: [louise.routley@somerset.gov.uk](mailto:louise.routley@somerset.gov.uk)

### Background and purpose of report

1. The purpose of the report is to provide a progress update on the Improvement and Transformation Programme against the current scope of the Programme as set out in appendix B.

### Programme Delivery Progress

2. The Improvement & Transformation Programme continues to make significant progress across the various workstreams.

The current primary focus is on the **Workforce Programme** and whole Council restructure and progress is as follows:

- Continuation of formal Consultation which launched as planned on 24 October with the Business Case for layers 4-6 restructure shared with Trade Unions in advance.
- A review of consultation feedback at the mid-point of the formal consultation period to address any immediate issues which colleagues and Trade Unions had identified. Where applicable, structures were amended and addendums added to original Service Business Cases, for consideration throughout the remaining consultation period, up to midnight on 7 December.
- Revised Service Business Cases were shared with Trade Unions on 27 November.
- Executive Leadership Team agreed on Thursday, 5 December to extend consultation by one week, following a formal request from Trade Unions. The consultation will now close at midnight on 14 December. As of 6 December 1300, consultation responses had been received.
- Preparation for recruitment and selection has commenced following the approach being shared with Executive Leadership Team and Unions.
- Support for staff through the delivery of:
  - Planning Your Future roadshows taking place throughout December at offices across Somerset
  - Confidential HR face to face drop-in sessions
  - Confidential HR virtual sessions
- Online webinars provided external partner organisations to offering advice and guidance on CV writing, retirement guidance, interview techniques and redundancy support.

Other areas of progress across the Programme include:

### Innovation and Change

- Corporate wide categorisation and prioritisation of the existing project register with the purpose of identifying and prioritising corporate level projects.

- Implementation of a single Income Management System with all payment being processed successfully.
- The Revenues and Benefits application consolidation continue to report as 'at risk' due to being behind schedule, following contractual delays however, prior to next reporting cycle it is envisaged this issue will be resolved. A plan is now in place to mitigate the impacts of the delay.
- A business case for the wider adoption of Microsoft CoPilot (Artificial Intelligence) has been developed and is ready for sign-off.
- Recognition of Somerset's AI journey by winning the AI local government collaboration award at the Smarter Working Awards.
- Investment property disposals - confidence levels remain high that the target from investment property disposals will be achieved within the financial year, exceeding early estimations of total redundancy costs.

### Partnerships, Localities and Devolution

- Further refinement of the scope of the Partnership & Localities Programme to ensure products are deliverable can be adequately resourced and aligned with the MTFs.
- The Devolution Programme Board (DPB) continues to refine the requirements of the programme, incorporating lessons from recent devolution projects. Progress on in-flight tranche 1 activity continues and scoping of tranche 2 activity is being considered.

### 3. 3 Programme Risks

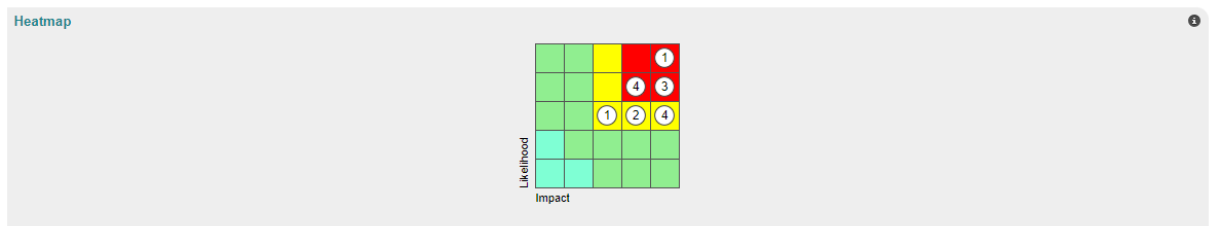
All programme risks are now managed through Ideagen. This includes risk scores, internal controls, monitoring of mitigating actions in progress and completed.

Following feedback at the October Scrutiny meeting, all risks are now being updated monthly, regardless of risk score. The template has also been amended to include wider narrative against mitigating action and the overall risk update by the Risk Owner.

Automated prompts for updates have been implemented as part of the review cycle which run concurrently with risks being actively managed and updated to maintain real-time risk oversight.

The current programme risk overview is:

#### Improvement and Transformation Risks-



Area of Programme	Number of Risks
Programme Level/Cross Cutting	1 Red, 4 Amber
Workforce	2 Red, 3 Amber,
Innovation & Change	1 Red
Partnerships, Devolution & Localities	4 Red
Total Live Programme Risks	15

Since the last report, the following amendments have been made through the management of Programme risks:

- **ITP0001 Insufficient budget for redundancies** – No change to the risk score. Capital receipts continue to be monitored and reported to Scrutiny, Corporate & Resources and Executive through budget monitoring reports. Cost of redundancies against Capital receipts continue to track against forecast figures.
- **ITP0002 Redesign of the Council does not deliver the required workforce savings** – No change to risk score. Products required to deliver consultation, recruitment and appointment phases have been identified enabling the mitigating action to be closed. Two additional mitigating actions have been added and relate to the principles of recruitment and appointment process. These mitigations are shared with ITP0019 (*Collective consultation period extended again beyond 14 December in response to additional feedback from Trade Unions*).
- **ITP0003 Financial savings counted twice so reducing the actual savings against the bottom line** – a process remains in place to ensure savings are only counted once, however there is no change to this risk whilst the budget for 2025/26 is being finalised with checks and amendments being made.
- **ITP0005 Unmotivated workforce** – Likelihood score has increased to “likely” this month moving it from Medium (Amber) to High (Red); this is primarily down to the restructure consultation. Varying levels of support interventions are in place.
- **ITP0006 Council struggles to recruit and retain required talent and knowledge, whilst the restructure progresses this will impact on morale, retention and attraction of talent** – No change to risk score. Progress made on pay and grading, with a Total Pay and Reward report prepared for ELT and discussions due to start in December regarding the resourcing and financing of the programme in 25/26.
- **ITP0007 Insufficient resource in Data and Tech skills to deliver requirements of Innovation & Change Programme and DDAT capabilities that enable service redesign and sustainable change** – Despite mitigating actions, no change to the overall risk score. Prioritisation matrix received feedback from Transformation Board, and testing with services has begun.
- **ITP0008 Insufficient resource to deliver business as usual (to the same standard) following permanent exit of resources** – Reduced from High (red) to Medium (amber) following a review of the initial risks/issues identified by services through the workforce element of the transformation programme. Corporate priorities and associated actions now agreed. Service Impact and mitigation templates will be completed when finalising structure proposals, alongside service EIAs.

- **ITP0009 Excessive loss of staff with talent and organisational knowledge, as turnover is expected to increase because of voluntary and compulsory redundancies** – score remains very high due to the impact of the Council Restructure programme.
- **ITP00010 Non delivery of the organisational restructure by 31st March 2025** – No change to risk score. Additional existing project and change resource has been reprioritised to the programme to provide dedicated resource to Directors to assist with the consultation end point reviews and finalise the new structure. Additional HR resource is being recruited to provide sufficient HR Advisory and HR Business Partnering capacity from December 2024 – March 2025. Four mitigations are shared with ITP0019 (*Collective consultation period extended again beyond 14 December in response to additional feedback from Trade Unions*).
- **ITP00011 Damage to Trade Union relations and risk of industrial action** – Moved from Low (Green) to Medium (Amber) to reflect feedback from Trade Unions on consultation process, the consultation period extension and potential impact on delivery of financial savings.
- **ITP00013-ITP00017 (Devolution risks)** – No change to risk scores, and mitigating actions underway.

A new risk (ITP0019) has been identified in the November reporting period.

**ITP0019 – Collective consultation period extended again beyond 14<sup>th</sup> December in response to additional feedback from Trade Unions** – The inherent risk score is 4 (likely) and 5 (critical impact). The current risk score has a likelihood score of 3 and an impact score of 5 resulting in a Medium (amber) risk score of 15. The mitigating activity to manage the risk includes continued engagement with Trade Unions, providing additional resource to the Workforce programme to enable key programme milestones to be achieved, extending notice periods into 25/26 and Directors providing support to the programme where intervention is required. Mitigations are shared with risks ITP0002 or ITP00010 as highlighted above.

A single risk has closed in this reporting period.

**ITP0004 Payroll costs continue to increase despite key lines of enquiry (KLOE) to reduce workforce costs being implemented** – the risk has been closed in this reporting period. Internal controls that are in place are managing this risk reducing the current risk score to be nearer the target risk score which means the risk can be monitored through the project risk register rather than the programme register.

Appendix A details the full risk report including an update on the progress of mitigating activity that is being taken. There are 49 mitigations, of which 15 are fully complete and have transferred to being existing controls in place. 34 are in progress with none being overdue

## **Links to Council Plan and Medium-Term Financial Plan**

4. The overarching transformation approach is key to closing the budget gap for 2024/25 and to support long-term financial stability. The workforce reduction programme within the transformation portfolio delivers the single largest financial benefit in 2025/26 (£32-£40m) and is therefore an essential element toward future financial stability.
5. The ambitions within our Council Plan are enabled by the resources available. Our budgetary position affects the level of impact that can be achieved for our communities. Moving towards a financially sustainable council will help safeguard our ambitions.

## **Other options considered**

6. See February 2024 Executive Report on Developing the Approach to Transformation - [Developing the Approach to Transformation.pdf \(somerset.gov.uk\)](#)

## **Key considerations for the Council**

### **Scrutiny comments / recommendations:**

7. Since the last update to Executive views from Corporate and Resources Scrutiny Committee have been sought in November on the Improvement and Transformation Programme.

Scrutiny continues to note that the volume of change required to deliver a financially sustainable council would impact service delivery. Continued awareness and scrutiny of the Programme is required, so the impact of resizing the workforce, devolving services, is understood by all stakeholders and relevant scrutiny boards. To assist in continued awareness, regular all Member briefings are now taking place. Member briefings have taken place in April, June, August and October. With the next briefing planned for January 2025.

Scrutiny raised concerns that the current risk review cycle wasn't sufficient, and all risks should be reviewed on a monthly basis to provide more assurance. Following feedback, the risk cycle has now been changed to reflect the request. The risk template has also been amended to provide further narrative regarding how mitigating actions are being managed and the risk owner monthly summary.

Feedback from Corporate and Resources, Scrutiny Committee regarding the latest monthly progress update report and programme risk report will be obtained at the meeting on 6 January 2025, with a verbal update being provided to Executive on 15 January 2025.

## **Consultation and feedback**

8. Consultation with staff and Trade Unions on the proposed structure and impacts are underway. There is no requirement for further public consultation at this stage

## **Financial and Risk Implications**

9. Risks related to the delivery of the Council's improvement and Transformation Programme, including delivery of financial savings, are detailed in this report in section 3 and Appendix A.

## **Legal and Procurement Implications**

10. There are no legal or procurement implications resulting from this progress update.

## **HR / Workforce Implications**

11. The workforce and HR implications associated with the Improvement and Transformation Programme will be significant and will be considered separately as the Workforce Programme develops. The workforce reduction element of the Improvement and Transformation Programme will reduce FTE by c. 22% across the whole Council, affecting all levels of management and staff. As detailed in this progress update, phase 2 of the Somerset Council restructuring business case is currently in implementation (September 2024 – March 2025) to ensure Somerset Council is financially resilient and sustainable from April 2025. The Workforce Programme scope is detailed in Appendix B.

## **Equalities Implications**

12. An organisation wide Staff focused Equality Impact Assessment (EIA) was completed for the organisation redesign. This supports the staff consultation and identifies any areas where we could be having a disproportionate impact on our staff from Protected Characteristics. This could be a greater proportion of reductions in a certain characteristic or disproportionate impact of a restructure process on a characteristic. This organisational wide EIA is being supported by service specific EIAs which require further development and will be subject to changes once the consultation has completed and proposals have been confirmed.

## **Community Safety Implications**

13. There are no community safety implications associated with this report, but any service specific impacts on community safety will be considered separately as the programme develops.

## **Climate Change and Sustainability Implications**

14. Somerset Council have declared both a Climate and Ecological Emergency. Through that, the Council has committed to working towards making the whole county, including our own estate and operations, 'Carbon Neutral' by 2030 and to take positive action to reverse the damage on our natural habitats by man-made activity. We have also pledged to ensure that Somerset is resilient to, and prepared for, the effects of Climate Change. There are no climate change and sustainability implications directly arising from this report however separately it would be

appropriate for the Council to consider the impact of this programme and other national changes on our targets.

### **Health and Safety Implications**

15. There are no direct health and safety implications from this decision. However, any specific impacts and implications will be considered separately as the programme develops.

### **Health and Wellbeing Implications**

16. We recognise that any period of change can be unsettling. Our employee assistance programme has a range of resources available to staff to help with their physical and mental wellbeing. As part of the Workforce programme, we will ensure that an extensive communication and engagement approach is maintained through the 'Supporting People Through Change' workstream. A SharePoint site has been created as a one stop shop for all existing and new manager and staff health and wellbeing resources.
17. Any specific impacts and implications on population health and wellbeing and impacts on preventing ill-health or reducing health and social inequalities, will be considered as part of any decision making as the programme develops.

### **Social Value**

18. There are no Social Value implications directly arising from this report. However, any specific impacts and implications will be considered separately, for example, social value will be a key consideration particularly for the Partnerships, Devolution and Localities programme and will be built into measures of success and impact.

### **Background Papers**

19. Somerset Council Improvement and Transformation Progress Update – December update report to Scrutiny, Corporate & Resources [Agenda for Scrutiny Committee - Corporate and Resources on Monday, 6th January, 2025, 10.00 am - Modern Council](#)
20. Somerset Council Improvement and Transformation Risk Management Update to Audit Committee 19 December 2024 [Agenda for Audit Committee on Thursday, 19th December, 2024, 10.00 am - Modern Council](#)
21. Somerset Council Improvement and Transformation Progress Update – November Update report to Executive 2 December 2024 [Agenda for Executive on Monday, 2nd December, 2024, 10.00 am - Modern Council](#)
22. Somerset Council Improvement and Transformation Progress Update – November update report to Scrutiny, Corporate & Resources [Agenda for Scrutiny Committee - Corporate and Resources on Monday, 25th November, 2024](#)
23. Somerset Council Improvement and Transformation Progress Update – October update report to Executive 4 November 2024 [Agenda for Executive on Monday, 4th November, 2024, 10.00 am](#)



24. Somerset Council Improvement and Transformation Progress Update – October update report to Scrutiny, Corporate & Resources [Agenda for Scrutiny Committee - Corporate and Resources 28 October 2024](#)  
Somerset Council Improvement and Transformation Progress Update – August update report to Executive 5 August 2024. [Agenda for Executive on Monday, 5 August 2024, 10.00am -](#)
25. Somerset Council Improvement and Transformation Progress Update – July update report to Scrutiny, Corporate & Resources [Agenda for Scrutiny Committee - Corporate and Resources on Wednesday, 24th July, 2024, 10.00 am - Modern Council \(somerset.gov.uk\)](#)
26. Somerset Council Improvement and Transformation Programme – June update, report to Executive 5<sup>th</sup> June 2024. [Agenda for Executive on Wednesday, 5th June, 2024, 10.00 am - Modern Council \(somerset.gov.uk\)](#)
27. Improvement and Transformation Programme, report to Scrutiny Corporate and Resources, 29<sup>th</sup> May 2024.  
[Somerset County Council](#)
28. Developing the Approach to Transformation – Future Council, report to Executive 8<sup>th</sup> April 2024. [Agenda for Executive on Monday, 8th April, 2024, 10.00 am - Modern Council \(somerset.gov.uk\)](#)
29. Developing the Approach to Transformation, report to Scrutiny 7<sup>th</sup> March 2024.  
[Somerset County Council](#)
30. Developing the Approach to Transformation, report to Executive 7<sup>th</sup> February 2024.  
[Developing the Approach to Transformation.pdf \(somerset.gov.uk\)](#)  
**Note** For sight of individual background papers please contact the report author.

## Appendices

31. Appendix A – Improvement & Transformation Programme Risk Register – position as at 19 December 2024
32. Appendix B – Scope of Improvement & Transformation Programme

## Report assurance

	Officer Name	Date Completed
Legal & Governance Implications	Scott Woodridge Jill Byron	03/01/2025 02/01/2025
Finance & Procurement	Nicola Hix	20/12/2024
Workforce (*)	Dawn Bettridge	23/12/2024
Asset Management (*)	Simon Lewis	N/A
Executive Director	Alyn Jones	19/12/2024
Executive Lead Member	Cllr Theo Butt Philip	02/01/2025
<b>Consulted:</b>	Councillor Name	
Local Division Members	List local members	N/A
Opposition Spokesperson(s)	Cllr Faye Purbrick	Report shared on 03/01/20245
Relevant Scrutiny Chair(s)	Cllr Steven Pugsley	Report shared on 03/01/2025

## Decision Report

Committee: Executive

Meeting Date – 15/01/2025

Key Decision – yes

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## Creation of a Single Housing Development Team for Somerset Council

Chair of Committee: Cllr Bill Revans – Leader of the Council

Executive Member(s): Cllr Federica Smith-Roberts - Lead Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity

Local Member(s) and Division(s) affected: All in the Ex SDC and SWT areas

Executive Director: Chris Hall - Executive Director Community Place& Economy

### Executive Summary

1. Officers have been reviewing the options to meet the skills gap created by the loss of the Service Director for Housing earlier this year. The gaps that currently exists are line management responsibility for a specialist housing commissioning site development and construction team as well as knowledge of the bidding and business case process to government to secure the multi-million pound opportunities for external funding. We also have relationship management gaps with key partners including government departments and Homes England who are providers of those grants.
2. The proposal is to create a single housing development team to deliver the current and future Somerset Council Housing Revenue Account development plans. It is further proposed that the team within HiS be expanded to include the whole of Somerset, with the in house team being moved under Transfer of Undertakings, Protection of Employment (TUPE) Regulations 2006 from Somerset Council to HiS. This will allow the resource and skills in HiS to be utilised for the benefit of the whole of Somerset.
3. This approach achieves the objectives of closing the skills gap without adding additional cost, by creating a single more resilient team whilst protecting the Council from redundancy costs.
4. The content of the development plan is not part of this paper, instead this is covered within the 30 year Housing Revenue Account Business Plan.
5. Reflecting that the geographical area historically covered by HiS would change, the HiS Board were asked to consider a name change. The Board were supportive of exploring a name change, and their proposal forms part of the recommendations of this report. As the sole shareholder of Homes In Sedgemoor, the decision is for Somerset Council to make.
6. The name change proposed follows internal consultation with employees and the Board.

7. It was identified that in creating a single development team in under HiS a greater level of oversight of the development programme would be beneficial. The HiS Board have acknowledge the growth in their responsibilities and have established a Development Subcommittee in response to this.
8. For clarity neither property ownership nor tenancies are proposed to change under this proposal with all HRA properties continuing to be owned by Somerset Council.
9. The proposal to combine resources is specific to the development team and does not cover other aspects of the service.

### **Recommendations**

10. That Executive approve the following:

- a) The proposed name change from Homes In Sedgemoor to Homes in Somerset
- b) Approve the TUPE transfer of the Somerset Council Development Team to Homes In Sedgemoor (Homes In Somerset), with the associated change to the Management Agreement, subject to formal HR consultation.

### **Reasons for Proposals**

11. To close the skills gap without adding additional cost and creating a single more resilient team whilst giving continuity of employment and terms and conditions to current employees.
12. One option considered was to replace the role of Service Director on a like for like basis, but it was felt this may create duplication across our inhouse Housing landlord service and Homes In Sedgemoor (HiS) our Arms Length Management Organisation (ALMO). Creating duplication ahead of the wider landlord options appraisal would be counterproductive

## **Main report and supporting information**

### **Background**

13. The Housing Revenue Account (HRA) is a ring-fenced, self-financing, account used to manage the Council's housing stock, with the Council acting as the Landlord. The Development Teams exist in both of the landlord delivery models but could be brought together without the need for formal engagement with tenants as the bulk of their work is to create new properties prior to tenancies and occupation.
14. Somerset Council has two landlord operating models which sit under one Housing Revenue Account. The two landlord operating models are an in-house service in the West, formerly Somerset West and Taunton (SWT), and Homes in Sedgemoor (HiS) which is an Arm's Length Management Organisation (ALMO) operating in the North, formerly Sedgemoor District Council (SDC). The combined total dwelling stock as at 1 April 2024 is 9,755 (5,709 for the inhouse service and 4,046 managed by HiS). In addition to this we have 599 leasehold properties (490 managed by the in-house service and 111 managed by HiS).
15. The housing development teams deliver the purchase, regeneration, and construction of council housing stock owned by Somerset Council. This includes the current approved development programme and the pipeline of activity and opportunities. The latter requires considerable assessment of land, building and financial arrangements to develop opportunities into business cases that come forward for funding decisions by Somerset Council within the annual review of the HRA 30 year Business Plan.

### **Purpose of Report**

16. To close the skills gap without adding additional cost and creating a single more resilient team whilst giving continuity of employment and terms and conditions to current employees.

### **Links to Council Plan and Medium-Term Financial Plan**

17. The 2024/25 Budget for the HRA was approved by Full Council in February 2024 along with the updated Medium-Term Financial Plan (MTFP) and updated 30-Year Business Plan. This proposal seeks to prevent costs that may be duplicated in the current dual landlord model.

### **Other options considered**

18. Consideration was given to recruiting to the skills and resource gap but this was felt to create avoidable cost to the HRA.
19. Further consideration was given to the single Development Team being hosted by Somerset Council's in house team, this was dismissed as it is this team where the skills gap exists.

## **Key considerations for the Council**

### **Scrutiny comments / recommendations:**

20. This report was considered by Community Scrutiny Committee on 11<sup>th</sup> December 2024, a strong debate was held with the committee giving their support to the recommendations.

### **Consultation and feedback**

21. This report will be presented, for information purposes and discussion, to the Tenants Strategic Board on the 25 November 2024. A formal public / tenant consultation is not required for this development team change, but Homes In Sedgemoor will undertake engagement activity with their tenants regarding their proposed name change.

### **Financial and Risk Implications**

22. Somerset Council will amend the funding agreement to reflect the employment responsibilities moving from Somerset Council to the ALMO (Homes in Somerset). This has no negative impact on the HRA.

23. It might appear that the ALMO having control over the Development Team exposes Somerset Council to a greater level of financial risk, however all properties that bought or built by the Development Team remain in the ownership of Somerset Council. Expenditure by the Development Team is subject to Somerset Council approval within the HRA business plan and allocation within the capital programme. Additionally it is Somerset Council that will continue to raise the purchase orders for works as it does now.

24. The ALMO have also approve establishing a Development Sub Committee to bring additional oversight of the development programme. This subcommittee will then report to the Board of which we have three Somerset Council voting Members and one Co-opted Member.

25. In the event that the recommendations cannot be agreed Somerset Council risks not having the knowledge or skills to attract new funding to support current scheme or the development of new schemes, instead being reliant upon HRA borrowing alone and thus limiting the ability to buy or build new stock at the rate we would be able to in the event of greater external financial grants. External grants are also used for large scale capital improvement schemes to current stock and again this opportunity may be lost. Whilst we could seek the support of HiS for their profession advice, they would not be responsible for the delivery of any grants.

### **Legal and Procurement Implications**

- There are no specific legal implications arising from this report beyond the need to follow due process in consulting and delivering the TUPE transfer.

## **HR / Workforce Implications**

- The approval to combine the Development Teams, if given by Executive, is subject to consultation with those that would be subject to the transfer. This would be up to 9 people (7.91 FTE).
- It is proposed that the formal consultation process would commence during January and last 30 days.

## **Equalities Implications**

- There are no identified specific equalities implications arising from this report for employees or for service users. The TUPE process will protect terms and conditions for employees.

## **Community Safety Implications**

- There are no community safety implications arising from this report.

## **Climate Change and Sustainability Implications**

- There are no climate change and sustainability implications arising from this report.

## **Health and Safety Implications**

- There are no health and safety implications arising from this report.

## **Health and Wellbeing Implications**

- There are no health and wellbeing implications arising from this report.

## **Social Value**

- There are no Social Value implications arising from this report.

## Report assurance

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	19/11/24
Finance & Procurement	Kerry Prisco	20/11/24
Workforce (*)	Dawn Bettridge	20/11/24
Asset Management (*)	Simon Lewis	18/11/24
Executive Director	Chris Hall	22/11/24
Executive Lead Member	Cllr Federica Smith-Roberts	21/11/24
<b>Consulted:</b>		
Local Division Members		
Opposition Spokesperson(s)	Cllr Mandy Chilcott Leader of Opposition  Cllr Suria Aujla Opposition Member for Communities, Housing Revenue Account, Culture and Equalities and Diversity	22/11/24
Relevant Scrutiny Chair(s)	Cllr Gwil Wren, Chair - Scrutiny Communities Committee	



## Decision Report

Committee: Executive  
Meeting Date – 15/01/2025  
Key Decision – yes



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### **The decision to award the provision of General Nursing Block Beds in Somerset.**

Chair of Committee: Cllr Bill Revans - Leader of the Council  
Executive Member(s): Cllr Sarah Wakefield - Lead Member for Adult Services  
Local Member(s) and Division(s) affected: Countywide  
Executive Director: Mel Lock - Director of Adult Social Care

### **Executive Summary**

Adult Social Care Commissioning is seeking approval to award contracts for 49 Block Bed in care homes following a competitive tender exercise. Appendix A details the 'Tender Evaluation Report'. It concludes that we have made the decision to award 4 contracts following the procurement exercise, consisting of 39 Nursing Block Beds, at the cost of £800 per week, costing approximately £1.6m per year. No bids were received for the Yeovil area and commissioners will now work with the care home market to explore the opportunity to direct award a further 10 beds to meet demand. These additional beds would cost a further £0.4m per year leading to a total contract value being £2.0m per year.

This approach will support the development of a market that delivers high quality care and a person-centred approach to Nursing Care across Somerset, ensuring the people of Somerset remain in their local areas, and communities. This will contribute to the reductions of hospital admissions and delayed discharges by ensuring Somerset Council has access to beds within Nursing Care Homes when required. It will offer guaranteed services in the following areas:

Shepton Mallet/Wells – 5 beds  
Minehead – 11 beds  
Bridgwater – 23 beds  
Yeovil – 10 beds (Direct award)

### **Recommendations**

The Executive agrees:

a. the outcome of the procurement process to award contracts to the supplies named in the Tender Evaluation Report Confidential Appendix B for General Nursing Block Beds, for the length of 5 years (plus permitted extensions of 2 years + 2 years + 1 year).

b. Commissioners to work with the care home market to explore a direct award for 10 Block Beds in Yeovil due to no bids being received during the procurement tender.

c. the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential Appendix B in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exception outweighs the public interest in disclosing that information.

d. to exclude the press and public from the meeting where there is any discussion at the meeting regarding the confidential tender evaluation report (Appendix B) (to be treated as exempt information).

### **Reasons for Proposals**

The current contracts for General Nursing Block Beds are due to expire 31st March 2025. We need to ensure a continued supply for high quality care and Nursing specified services that continue to meet the needs of an aging population and the increasing levels of people requiring nursing care 24/7.

New contracts will need to be in place on 1st April 2025 to ensure the continuation of these services so that Somerset Council meets its statutory obligations under the Care Act to:

- Meet need, promote health and well-being.
- Promote greater choice and control for people in what care and support services they receive so that they can live their life the way they want to.
- Ensure a more diverse market of care and support services that responds to people's needs and choices, that places a strong emphasis on quality

The accompanying confidential Appendix B contains commercially sensitive information relating to the contract and the Council's financial and business affairs. Officers recommend that this is treated as exempt information. "Exempt information" is defined by Section 100 of the Local Government Act 1972, and by Schedule 12A to that Act: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)". The public interest test is then applied and, in this instance, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Report Author: Gemma Beasley, Senior Commissioning Officer, Adults – Care Homes

Contact Details: 01823 357579, [gemma.beasley@somerset.gov.uk](mailto:gemma.beasley@somerset.gov.uk)

### Background and purpose of report

1. As a local authority we have a statutory duty to commission services to support the people of Somersets assessed Care Act Needs. Nursing and Residential Care is recognised under the Care Act as a statutory requirement and recent CQC inspections have identified a lack of available services within the budget of the Local Authority. Since 2021 Somerset has seen a loss of 16 care homes, leading to a loss of 144 general nursing placements. The impact of this was mainly felt in South Somerset and Sedgemoor, which in 2023/2024 is now reporting as the highest cost area for nursing care. The people of Somerset should have choice and control over how and where they are supported, having block beds in place in high demand and expensive areas allows the local authority to offer choice and control to the person at the heart of their care.
2. The new contract will need to be in place on 1<sup>st</sup> April 2025 to ensure Somerset Council meets its statutory obligations under the Care Act to:
  - Promote greater choice and control for people in what care and support services they receive so that they can live their life the way they want to.
  - Ensure a more diverse market of care and support services that responds to people's needs and choices, that places a strong emphasis on quality.

Somerset Council currently commission on average 33% of the care home market within Somerset. Of these 1,533 placements are registered as General Nursing level support and 501 are purchased by Somerset Council. The proposed lots will allow Somerset Council access to these services for the people of Somerset at the local authority fee rate. Ensuring these services are available not only for offers of long-term support but also reducing carer breakdown and individuals reaching crisis point due to lack of support in their area. Throughout the recommissioning exercise and market research, it was evident due to the increases in care costs people are requiring support from the Local Authority at a quicker rate, having block beds dispersed throughout Somerset offers continuity of care and reduces the need for people to move to a different care home when their finances meet the threshold of Local Authority funding.

A recommissioning exercise has been undertaken to give an opportunity to improve the quality and robustness of the services to ensure they are fit for the future including strict expectations surrounding person led care. The Local Authority role is seen as critical as critical and under Section 5 of the Care Act, the duty to shape and maintain an efficient and effective market of services for meeting care and support needs in the local area is firmly placed with Somerset Council.

The re-commissioning plan included a review of the current services with key stakeholders, partners, providers and customers to co-produce a service model that could respond to the following challenges:

- Demographic changes to an increasing elderly population.
- Increased demand on the health and social care services that impact on hospital admissions and delays in discharges.
- Financial challenges regarding Fair Cost of Care and Cost of Living Crisis.
- Recruitment and retention of workforce.

The service will support offer value for money as across all general nursing placements, there are 4 areas of Somerset where Somerset Council pay above average fees. These are Yeovil, Shepton Mallet/Wells, Bridgwater and Minehead. The current position of the block beds has offered fee stability in the areas of Bridgwater and Minehead, which are both high demand areas with limited amounts of capacity.

The service will be commissioned by Somerset Council however has been co-designed with health colleagues to ensure there is a joint focus and support for the service provider. This is surrounding training, being person led and to ensure community support is being utilised to prevent crisis point being reached.

### **Links to Council Plan and Medium-Term Financial Plan**

3. The recommendation to approve the block bed contract for General Nursing provision within care homes links with: The Somerset Adult Social Care Strategy 2024-2027 the key priorities being: Right Support, Right Place, Right Time, and Future Focused. The Medium-Term Financial Plan has been based upon key assumptions in line with up-to-date design and cost modelling including demand increases in adults' services and significant increases in placement costs.
4. The proposed decision supports the Councils priorities and impacts on the delivery of these priorities positively. The contract has been designed and based upon data led commissioning, financial analysis and research surrounding the requirements to provide high quality and up-to-date general nursing care. The contract has been created whilst experiencing the impact of the care home crisis which has impacted social care considerably. Due to this there is the inclusion of regular contract review and commissioning oversight, ensuring the service is working as expected and flexible to demand changes therefore offering future planning, ensuring the right support in the right place and at the right time.

### **Other options considered**

5. The decision to tender these services across 4 locations is based upon data led commissioning, these are the area's the people of Somerset wish to reside. The decision not to re-tender was not put forward due to the following

reasons. The current contract ends on 31<sup>st</sup> March 2025 after which we would not be meeting our statutory obligations under the Care Act. There would be a reputational risk for Somerset Council if there is no contract in place.

Potential admissions to hospital which could have been avoided and/or delayed discharge from hospital.

Transitioning all General Nursing block beds to spot placements would likely escalate the weekly expenditure depending on the prevailing spot rates. This substantial increase in costs could strain the council's budgetary allocations, undermining our financial sustainability and impacting other essential services and initiatives.

Transitioning from block contracts to spot contracting arrangements could result in people having to move to care homes more affordable for Somerset Council. This would cause significant disruptions for those living with frailty, a vulnerable population requiring specialised care and consistent environments.

There is limited market access for Somerset Council in General Nursing homes. It is crucial to retain these allocations to ensure consistent and high-quality care for the people of Somerset.

## **Key considerations for the Council**

### **Scrutiny comments / recommendations:**

6. This report will be shared with the chair of the Scrutiny Committee and other members as listed below.

### **Consultation and feedback**

7. As part of the commissioning activity, we ran several market engagement sessions, alongside a number of site visits including speaking to those residing in the care home to understand their views. The specification was written in consultation with partners from across the health and social care system in Somerset. The contract has been designed around the feedback from these parties, including conversations with diversity groups which have led to environmental considerations within the specification.

### **Financial and Risk Implications**

8. Somerset Council has a statutory requirement to meet the social care and support needs of its population. The expected gross cost of the block contracts is £2m. The contract price will be set annually in line with the MTFP. No additional funding is being requested because of this decision as the cost is covered within the existing budget.
9. There are risk implications in relation to ensuring sufficient continuity of existing General Nursing Provision after the 31<sup>st</sup> March 2025. These have

been mitigated through this procurement exercise to secure specialist care within high demand areas of Somerset.

In the instance that the new care home contracts are not agreed, there is the risk of destabilisation of the care home market. Including the loss of guaranteed services and incurring significant additional financial cost to the local authority. The loss of guaranteed services surround general nursing care will reduce the continuity of care and may result in placements being lost and the person therefore being impacted.

Current Risk Score:

<b>Likelihood</b>	<b>4</b>	<b>Impact</b>	<b>5</b>	<b>Risk Score</b>	<b>20</b>
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Projected risk score if recommended actions are agreed and delivered:

<b>Likelihood</b>	<b>2</b>	<b>Impact</b>	<b>3</b>	<b>Risk Score</b>	<b>6</b>
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### **Legal and Procurement Implications**

10. The procurement process for awarding contracts to nursing homes has been conducted in accordance with all relevant legal frameworks, including but not limited to the Public Contracts Regulations 2015 and the council's internal procurement policies. Due process has been followed throughout the exercise to ensure fairness, transparency and equal opportunity for all bidders.

The Contracts and Procurement team has been involved throughout the process, ensuring compliance with all statutory requirements. We have been supported by one of Somerset Council's Contracts Solicitors, who has provided legal oversight and confirmed that all necessary steps have been taken to mitigate any potential risks. The Contracts Solicitor has formally signed off on the process, affirming that it meets the required legal standards.

Furthermore, the proposed contracts incorporate necessary legal provisions concerning safeguarding, data protection (in line with the UK GDPR), and compliance with relevant regulatory bodies, including the Care Quality Commission (CQC). These measures ensure that the council's interests are protected and that providers meet their statutory and contractual obligations. any legal implications of the recommendations.

11. There are no outstanding legal issues, and the risk of legal challenge has been assessed as low. Should any challenges arise, the Contracts Solicitor is confident that the process is robust and compliant with applicable laws.

### **HR / Workforce Implications**

12. There are no relevant HR implications for Somerset.

## **Equalities Implications**

13. A full Equalities Impact Assessment Process and Report has been undertaken and signed off by Somerset Council's Equalities Officer. No negative outcomes were identified. The full report is included below.

## **Community Safety Implications**

14. The decision to award these contracts has no relevant community safety implications.

## **Climate Change and Sustainability Implications**

15. The lots within the specification have been based upon the demand of the population within Somerset. This reduces the need of additional travel as they will remain residing near family and friends. The contract also offers an element of sustainability for service provider and reduces the need for newly built care homes in the area, allowing more opportunities to be met in the Local Development Framework.

With that in mind, this Decision will have a potential impact (positively) on, including, but not limited to, the following:

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- Pollution to air, land and water ·
- Factors that contribute to Climate Change, including the whole-life carbon emissions of this Decision ·
- Protection of and access to the natural environment ·
- Travel choices that do not rely on the car, including active, public and other modes of more sustainable transport ·
- A strong, diverse and sustainable local economy ·
- Meet local needs locally ·

## **Health and Safety Implications**

16. The health and safety of staff and people in Care Homes is fundamental to the successful delivery of these contracts. Each successful bidder has their own Health and Safety plan and as part of the tender process successfully demonstrated how they incorporate health and safety considerations into their environment and work force plans.

## **Health and Wellbeing Implications**

17. The decision aims to have a positive impact on the health and well-being of the person being supported via the contract. The specification focuses on personal centred care, strengthening links within the community, maintaining relationships, positive multi-agency working, continuity of care, unnecessary admissions to hospital and the avoidance of delayed discharges from hospital. All of which from research has been shown to positively influence the person's health and well-being. For each of the three priorities below from the Health and Wellbeing Strategy does the proposal have ·

- significant positive or negative impacts on health and wellbeing
- significant positive or negative impacts on preventing ill-health (physical and mental health)
- significant positive or negative impacts on reducing health and social inequalities

## **Social Value**

18. As part of the procurement process, bidders were asked to submit proposals of how they will deliver against Social Value as part of these contracts. The successful applicants effectively demonstrated how they will develop and implements plans to deliver the proposals they put forward as part of their submission.

19. The following priority areas are relevant to this service: ·

- Developing employment, skills and training opportunities, particularly for hard-to-reach/disabled/target groups
- Improving health and wellbeing, maintaining independence and reducing inequalities of local residents and employees
- Helping build community capacity and playing an active role in the local community, especially in those areas and communities with the greatest need

## **Background Papers**

N/A

## **Appendices**

- A - Tender Evaluation Report
- B – Tender Evaluation Report CONFIDENTIAL






## Report assurance

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	26/11/2024
Finance & Procurement	Nicola Hix	09/12/2024
Workforce (*)	Dawn Bettridge	20/11/2024
Asset Management (*)	Simon Lewis	27/11/2024
Executive Director	Mel Lock	20/11/2024
Executive Lead Member	Cllr Sarah Wakefield	04/12/2024
<b>Consulted:</b>	Councillor Name	
Local Division Members	Cllr Sarah Wakefield	04/12/2024
Opposition Spokesperson(s)	Cllr Lucy Trimmell	28/11/2024
Relevant Scrutiny Chair(s)	Cllr Gill Slocombe/Cllr Claire Sully	27/11/2024 and 29/11/2024

## Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or [www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)

<b>Organisation prepared for (mark as appropriate)</b>	 <b>Somerset</b> Council	 <b>NHS</b> <b>Somerset</b>	 <b>NHS</b> <b>Somerset</b> NHS Foundation Trust
<b>Version</b>	V2	<b>Date Completed</b>	01/07/2024
<b>Description of what is being impact assessed</b>			
To tender for the block bed provision of Nursing Block Bed provision in Somerset			
<b>Evidence</b>			
<p><b>What data/information have you used to assess how this policy/service might impact on protected groups?</b> Sources such as the <a href="#">Office of National Statistics</a>, <a href="#">Somerset Intelligence Partnership</a>, <a href="#">Somerset’s Joint Strategic Needs Analysis (JSNA)</a>, Staff and/ or <a href="#">area profiles</a>,, should be detailed here</p>			
<p>Office of National Statistic, Somerset Intelligence Partnership, current contract performance data, Eclipse data and area demand profiling.</p> <p>References:  <a href="#">Older People - Somerset Intelligence - The home of information and insight on and for Somerset - Run by a partnership of public sector organisations</a>  <a href="#">Death registration summary statistics, England and Wales - Office for National Statistics</a></p>			

[The health and care needs of older LGBT+ people | Discover | Age UK](#)  
[Exploring the everyday lives of disabled people - GOV.UK \(www.gov.uk\)](#)  
[Profile of the older population living in England and Wales in 2021 and changes since 2011 - Office for National Statistics \(ons.gov.uk\)](#)  
[Health of Homelessness | The BMJ](#)  
[Rough sleeping in the UK - Office for National Statistics \(ons.gov.uk\)](#)  
[autumn-survey-2023-social-care-housing-health-and-winter-final.pdf \(adass.org.uk\)](#)  
[Population Projections - Somerset Intelligence - The home of information and insight on and for Somerset - Run by a partnership of public sector organisations](#)  
[Older people living in care homes in 2021 and changes since 2011 - Office for National Statistics \(ons.gov.uk\)](#)  
[Food: How Cultures Eat And What It Means - Cultural Awareness International](#)

**Who have you consulted with to assess possible impact on protected groups and what have they told you?** If you have not consulted other people, please explain why?

We have consulted with carers groups, used guidance created by people with lived experience, consulted the market, key stakeholders, community, and health services linked to care home’s providing nursing care.

**Analysis of impact on protected groups**

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
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<p><b>Age</b></p>	<p>In 2021 24.9% of Somerset's population was aged 65 years, up from 21.2% in 2011. Projections suggest by 2036 just over a third of the population in Somerset will be 65 or over. Meanwhile Somerset's working age population is set to decrease.</p> <p>The commissioning of these services will have a positive impact by offering nursing care to a person based on the care they require and being the right environment for the individual. Although statistics are based on individuals 65 and over, individuals typically enter a nursing home at around 80 years old.</p> <p>The Contracts and Quality Team will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback. This will be completed by quarterly reviews, aiming for joint working with Commissioning colleagues to visit the care homes when these commence.</p>	□	□	☒
<p><b>Disability</b></p>	<p>Older age is commonly linked to an increased risk of falls and imbalance. This combined with aging degeneration means the service provision is expected to support a high number of people with a physical disability.</p> <p>Living in a home with other people can also be overwhelming for individuals and lead to feelings of high anxiety/sensory overload. Misunderstanding this form of communication can lead to individuals being labelled as 'challenging'.</p> <p>The specification will therefore require the provider to reflect and respond to the full range of needs of people with physical disabilities.</p>	□	□	☒






	<p>The ethos of the new service will be to support people to remain/become as independent as possible via the use of assistive technology, person led care, optimal handed care and the removal of restrictive 1-1 where appropriate.</p> <p>The Contracts and Quality Team will ensure that the service is being delivered according to the services specification and quality standards and will take account of customer feedback.</p>			
<b>Gender reassignment</b>	<p>There is little UK research surrounding older transgender adults. Those who have had gender reassignment may be concerned about being treated unfairly via experiences of being misgendered. Access for Social Care has been identified as a concern for the transgender community due to fears of underfunding leading to local authorities being unable to provide care provisions. The impact of this would mean relying on informal care from family members who have not accepted their gender/sexuality risking individuals being left without care and support. These concerns were mimicked when speaking to the Diversity Group UK, including the fears over their safety and gender being assumed.</p> <p>US research has identified that when compared to cisgender respondents, transgender older people were at higher risk of poor physical health, disability, and depression.</p>	□	□	☒
<b>Marriage and civil partnership</b>	<p>Married/Civil partnership couples may be at risk due to everyone's needs being individual. We can't predict that both persons in a marriage/Civil partnership will require the support of a nursing home however we can use data led commissioning to offer support close to home and relationships to be maintained.</p>	□	□	☒

<p><b>Pregnancy and maternity</b></p>	<p>Although an individual may require nursing care at any point in their life, this service is typically aimed towards older people therefore the risk of pregnancy may be apparent but extremely unlikely.</p>	<p>☐</p>	<p>☐</p>	<p>☒</p>
<p><b>Race and ethnicity</b></p>	<p>A rapid evidence review conducted by the NHS race and Health Observatory highlighted vast and persistent ethnic inequalities in healthcare. Recognising and addressing racial disparities is crucial for ensuring access to nursing care.</p> <p>An individuals' race and ethnicity are a very important part of an individual's identity. There is a risk of minority groups not being recognised within a care home such as typically being English speaking, there is the potential the menu's will be based on traditional English cuisine.</p> <p>Food is a vital aspect of cultural identity and heritage, it reflects the history, values and social systems of different regions and communities. Food is also a way of expressing oneself, connecting with other and exchanging culture.</p> <p>Providers are expected to complete a robust risk assessment, and a diverse and person-centred approach. The training requirement for the contract will also encourage carers to be educated surrounding communication i.e. noticing body language.</p> <p>Access to translators is also available as required.</p> <p>People from different backgrounds may need to have information and support provided in a range of formats. We will therefore need to add into the service specification a requirement for the provider to ensure</p>	<p>☐</p>	<p>☐</p>	<p>☒</p>

	that the information about the service will need to be made available in a variety of formats to suit individual needs.			
<b>Religion or belief</b>	<p>Since 2011, the religious profile of the older population has become more diverse. The percentage of the older population who identified as Christian decreased by 8.2%, while the percentage identifying as other religious groups increased by 0.2%.</p> <p>The largest change has been in the percentage of the older population who reported no religion. It increased from 8.5% in 2011 to 17.5% in 2021, with men more likely to report no religion (21.9%) than women (13.8%).</p> <p>Providers are expected to complete a robust risk assessment, and a diverse and person-centred approach. The training requirement for the contract will also encourage carers to be educated surrounding communication i.e. noticing body language.</p> <p>People from different backgrounds may need to have information and support provided in a range of formats. We will therefore need to add into the service specification a requirement for the provider to ensure that the information about the service will need to be made available in a variety of formats to suit individual needs.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Sex</b>	Most studies in the UK show that women have a higher risk of care home admission than men, even after adjusting for age and health differences. There is not much difference in the findings when comparing those in a relationship/partnership to those living alone.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<p>When looking at age in relation to future demand for formal care there is a narrowing gap in life expectancy between men and women.</p> <p>The specification is not sex specific and the service provider is expected to risk assessment each individual independently to provide support for their particular care and support needs.</p>			
<p><b>Sexual orientation</b></p>	<p>Many older LGBT+ people have experienced lifetimes of prejudice, alongside this it is an under researched area. Research does however indicate 16% had negative experiences when accessing health services.</p> <p>The fear of prejudice can lead to individuals repressing their sexual orientation which leads to other issues such as depression, anxiety and unhealthy coping mechanisms such as social isolation or comfort eating.</p> <p>There is a risk of an automatically assuming as individual's are heterosexual rather than asking their preference.</p> <p>Providers are expected to complete a robust risk assessment, and a diverse and person-centred approach. The training requirement for the contract will support this approach.</p> <p>The service specification will require the service provider to conduct its business in accordance with the principles of the care and support being focussed on enabling people to live as individuals and their preferences.</p>	<p>□</p>	<p>□</p>	<p>☒</p>



<p><b>Armed Forces (including serving personnel, families and veterans)</b></p>	<p>The Royal British Legion operates only six care homes in the country for the Armed Forces Community and their families. However, the Veteran Friendly Framework (VFF) has been launched for care homes to support veterans. While only 20 out of 15,000 care homes in the UK currently offer specific support to veterans' efforts are being made to improve accessibility.</p> <p>The specification outlines the service provider must be person centred and if additional requirements are identified in relation to the individual being a veteran, we must work together to support the individual and look at improving training within the home. An example being the care home would based that months training focus surrounding supporting a veteran or introducing new policy</p>			
<p><b>Other, e.g. carers, low income, rurality/isolation, etc.</b></p>	<p>The impact on unpaid carers is stark, with over two-thirds (68%) of Directors reporting in the ADASS Spring Survey 2023 an increase in referrals to their council relating to carer breakdown, which is an increase from 65% in 2021/22. Where Directors have seen an increase in carer breakdown the main drivers appear to be, burnout, lack of access to health support and the struggle to find the right support services. Most (91%) Directors either strongly agreed or agreed that unpaid carers are coming forward with increased levels of need in their local area.</p> <p>The over-reliance upon unpaid carers is having detrimental impact on their physical and mental wellbeing, as well as their ability to be in paid employment if they so wish. Figures from the Carers UK State of Caring Survey 2022 found that unpaid carers are taking on more than ever, with 41% not taking a break from their caring role in a year.</p>			

	The approach to the re-commissioning of the services includes having data led commissioning leading to higher amounts of services in higher demand areas of Somerset, allowing individuals to reside in their preferred area and maintaining relationships with their family/friends and link with the community.			
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**Negative outcomes action plan**

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Monitor the quality of services delivered against the service specification	Ongoing	Contracts Team	Contract review meetings.	<input type="checkbox"/>
Monitor the effectiveness of partnership working expectations	Ongoing	Commissioning Team	Partnership forums and working together events	<input type="checkbox"/>
Monitor the effectiveness of the delivery of services	Ongoing	Commissioning Team & Sourcing Care Team	Review of the live dashboards, joint forums	<input type="checkbox"/>
Ensure the service specification is available in different formats	Ongoing	Commissioning Team		<input type="checkbox"/>
	Select date			<input type="checkbox"/>

	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
<b>If negative impacts remain, please provide an explanation below.</b>				
<b>Completed by:</b>	Gemma Beasley			
<b>Date</b>	01/07/2024			
<b>Signed off by:</b>	Tom Rutland			
<b>Date</b>	01/07/2024			
<b>Equality Lead sign off name:</b>	Tom Rutland			
<b>Equality Lead sign off date:</b>	01/07/2024			
<b>To be reviewed by: (officer name)</b>	Gemma Beasley			
<b>Review date:</b>	01/04/2025			

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**APPENDIX A**

**Tender Evaluation Report**

**Provision of General Nursing Care Block Beds in  
Somerset**

**EPRO1000076**

**Author: Name: Steve Barker**  
**Title: Service Manager**  
**Commercial & Procurement**  
**Date: 18.11.2024**



## 1. Management Summary

**Tender name:** Provision of General Nursing Care Block Beds in Somerset  
**Brief description:** Nursing care services in Somerset are determined by the assessed outcomes following a Care Act Assessment, accompanying Understanding You Form (UYF) and relevant Health assessments, and commissioned by Somerset Council. Providers of these services must adhere to the standards set forth by regulatory bodies and ensure compliance with the Care Quality Commission (CQC) standards for regulated care for people living with nursing care requirements.  
**Scope:** Somerset wide  
**Incumbent providers:** Various  
**Current value:** £2,000,000 per annum  
**End date of current contract:** 31.03.2025

Following a Non-Key Decision approval dated **05.07.2024**; the decision was taken to go out to tender using the Open Process.

## 2. Procurement Process

This procurement was carried out in accordance with the authority's Contract Procedure Rules and Standing Orders and Public Contracts Regulations 2015.

Suppliers were invited to submit a response to the Invitation to Tender (ITT) through the e-Tendering System. The Procurement Documents were published on **27.09.2024**.

Bid responses were received by the closing date of **24.10.2024** as follows:

- **2** Bidders responded.
- All Bidders submitted a compliant Bid.
- Bids were evaluated in accordance with the criteria set out in the Procurement Documents and set out in section 2.1 below.

The Commercial and Procurement Team conducted the initial compliance checks.

### 2.1. Evaluation Methodology

Bids were evaluated in accordance with the evaluation criteria set out within the Procurement Documents. Weightings and scores are contained within the Confidential Appendix B.

### 2.2. Quality

The quality questions were scored and evaluated in accordance with the published criteria.

The quality element of the Tenders were evaluated by a panel of officers and moderated by staff from the Commercial and Procurement Team at Somerset Council (see Confidential Appendix B for the list of evaluators and moderators). Each

evaluation panel member scored each Bid on an individual basis and prior to the moderation meeting.

Moderated scores are available in Confidential Appendix B, including the recommended award decision.

### 2.3. Pricing

Pricing was not assessed. Care and Support will be commissioned at Somerset Council's published care home rate which is updated each April.

### 2.4. Social Value

The qualitative score for social value was evaluated as per section 2.2 and moderated by Commercial and Procurement.

The value score for social value was calculated by the Commercial and Procurement team in accordance with the published criteria.

Moderated scores are available in Confidential Appendix B, including the proposed award decision.

## 3. Contractual Position

The Contract will be under the standard SC Service Terms and Conditions. There is a clause within the Contract which allows termination by giving notice in writing to the supplier with 6 months' notice. For any extension to the Contract, discussions with the Supplier will be conducted sufficiently far in advance of the Contract expiry date to arrive at an agreed position.

As part of the bid response, Bidders were invited to offer specific measurable Social Value commitments in addition to the stated requirements of the specification. Delivery of these commitments will be monitored as part of contract management.

This is subject to approval of a **Key Decision** to award supported by this evaluation report.

### 3.1. Proposed Term

The awarded Contract will be for an initial term of **60** months. The contract will commence on **02.04.2025** and will continue up to the initial term which will expire on **31.03.2030**. An, up to, 60 month contract extension option is available which would take the contract to **31.03.2035**.

### 3.2. Service Levels and Contract Management

Service levels will be monitored as part of Contract Management and the contract will be managed to ensure that the service meets expectations and to identify further opportunities for cost and service improvement.

## 4. Risk and Mitigation

Risk: Challenge to the outcome of the procurement process



Mitigation: Adherence to the Public Contracts Regulations (2015), Somerset Council's Contract Standing Orders and the principles of transparency, equal treatment and non-discrimination.

## 5. Next Steps

- Suppliers to be informed of the decision by Commercial and Procurement Team **09.01.2025**
- Standstill period **10.01.2025 – 20.01.2025**
- Contract Mobilisation/ Implementation **21.01.2025 – 31.03.2025**
- Contract start date **01.04.2025**

**End of Report**



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