**Public Document Pack** 

# Special Co-operative Executive

### Thursday 24 March 2022 at 11.00 am

To be held at the Town Hall, Pinstone Street, Sheffield, S1 2H

The Press and Public are Welcome to Attend

| Membership                                |   |
|---|---|
| Councillor Terry Fox                      | (Leader of the Council)                       |
| Councillor Julie Grocutt                  | Deputy Leader and Executive Member for        |
|   | Community Engagement and Governance)          |
| Councillor Mazher Iqbal                   | (Executive Member for City Futures:           |
|   | Development, Culture and Regeneration)        |
| Councillor Jayn <mark>e Du</mark> nn      | (Executive Member for Education, Children and |
|   | Families)                                     |
| Councillor Cate McDonald                  | (Executive Member for Finance and Resources)  |
| Councillor Geo <mark>rge L</mark> indars- | (Executive Member for Health and Social Care) |
| Hammond                                   |   |
| Councillor Paul Wood                      | (Executive Member for Housing, Roads and      |
|   | Waste Management)                             |
| Councillor Dou <mark>glas J</mark> ohnson | (Executive Member for Climate Change,         |
|   | Environment and Transport)                    |
| Councillor Paul Turpin                    | (Executive Member for Inclusive Economy, Jobs |
|   | and Skills)                                   |
| Councillor Alison Teal                    | (Executive Member for Sustainable             |
|   | Neighbourhoods, Wellbeing, Parks and Leisure) |



#### PUBLIC ACCESS TO THE MEETING

The Co-operative Executive discusses and takes decisions on the most significant issues facing the City Council. These include issues about the direction of the Council, its policies and strategies, as well as city-wide decisions and those which affect more than one Council service. Meetings are chaired by the Leader of the Council, Councillor Terry Fox.

A copy of the agenda and reports is available on the Council's website at <u>www.sheffield.gov.uk</u>. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda. Members of the public have the right to ask questions or submit petitions to Cooperative Executive meetings and recording is allowed under the direction of the Chair. Please see the <u>website</u> or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Co-operative Executive meetings are normally open to the public but sometimes the Co-operative Executive may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last. Please see the Council's website for details of how to access the remote meeting.

Co-operative Executive decisions are effective six working days after the meeting has taken place, unless called-in for scrutiny by the relevant Scrutiny Committee or referred to the City Council meeting, in which case the matter is normally resolved within the monthly cycle of meetings.

PLEASE NOTE: Meetings of the Co-operative Executive have to be held as physical meetings. If you would like to attend the meeting, you must register to attend by emailing committee@sheffield.gov.uk at least 2 clear days in advance of the date of the meeting. This is necessary to facilitate the management of attendance at the meeting to maintain social distancing. In order to ensure safe access and to protect all attendees, you are encouraged to wear a face covering when moving about within the venue.

It is also recommended that you undertake a Covid-19 Rapid Lateral Flow Test within two days of the meeting. You can order tests online to be delivered to your home address, or you can collect tests from a local pharmacy. Further details of these tests and how to obtain them can be accessed here - Order coronavirus (COVID-19) rapid lateral flow tests - GOV.UK (www.gov.uk). We are unable to guarantee entrance to observers, as priority will be given to registered speakers. Alternatively, you can observe the meeting remotely by clicking on the 'view the webcast' link provided on the meeting page of the website.

If you require any further information please contact Abby Hodgetts on 0114 273 5033 or email abby.hodgetts@sheffield.gov.uk.

#### CO-OPERATIVE EXECUTIVE AGENDA 24 MARCH 2022

#### Order of Business

| 1. | Welcome and Housekeeping Arrangements   |                 |
|----|---|-----------------|
| 2. | Apologies for Absence   |                 |
| 3. | <b>Exclusion of Public and Press</b><br>To identify items where resolutions may be moved to<br>exclude the press and public   |                 |
| 4. | <b>Declarations of Interest</b><br>Members to declare any interests they have in the business<br>to be considered at the meeting  | (Pages 5 - 8)   |
| 5. | <b>Public Questions and Petitions</b><br>To receive any questions or petitions from members of the<br>public  |                 |
| 6. | Feedback from the Gleadless Valley Masterplan<br>community consultation, proposed changes to the<br>Masterplan and outlines the key delegations needed for<br>implementing the Masterplan.<br>Report of the Executive Director, Place | To Follow       |
| 7. | Sheffield Community Youth Strategy 2022-25<br>Report of the Executive Director, People Services   | (Pages 9 - 34)  |
| 8. | Advocacy Hub Contract Extension<br>Report of the Executive Director, People Services  | (Pages 35 - 46) |
| 9. | Financial Support for Sheffield City Trust<br>Report of the Executive Director, Resources   | (Pages 47 - 52) |
|    | NOTE: The next meeting of Co-operative Executive will   |                 |

be held on Wednesday 20 April 2022 at 2.00 pm

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#### ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must <u>not</u>:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You must:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) -
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where -

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Audit and Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Director of Legal and Governance on 0114 2734018 or email <u>gillian.duckworth@sheffield.gov.uk</u>.

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## Agenda Item 7



#### Author/Lead Officer of Report: Chelsea Renehan, Head of Youth Services

| Report of:        | Executive Director, People Services        |
|-------------------|--|
| Report to:        | Co-Operative Executive                     |
| Date of Decision: | 24 <sup>th</sup> March 2022                |
| Subject:          | Sheffield Community Youth Strategy 2022-25 |

| Is this a Key Decision? If Yes, reason Key Decision:- Yes X No  |  |  |
|---|--|--|
| - Expenditure and/or savings over £500,000  |  |  |
| - Affects 2 or more Wards X   |  |  |
| Which Cabinet Member Portfolio does this relate to? Community Youth Services  |  |  |
| Which Scrutiny and Policy Development Committee does this relate to?  |  |  |
| Children, Young People and Family Support Scrutiny and Policy Development<br>Committee  |  |  |
| Has an Equality Impact Assessment (EIA) been undertaken? Yes X No   |  |  |
| If YES, what EIA reference number has it been given? <b>1168</b>  |  |  |
| Does the report contain confidential or exempt information? Yes No X  |  |  |
| If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-   |  |  |
| "The ( <b>report/appendix</b> ) is not for publication because it contains exempt information<br>under Paragraph ( <b>insert relevant paragraph number</b> ) of Schedule 12A of the Local<br>Government Act 1972 (as amended)." |  |  |

#### Purpose of Report:

This report sets out the work undertaken by Youth Services to develop a citywide Community Youth Strategy for Sheffield covering the period 2022-2025.

It seeks approval of the final version of the Sheffield Community Youth Strategy 2022-2025.

#### Recommendations:

It is recommended that Co-Operative Executive:

• Approves the Community Youth Strategy attached to this report as a statement of the Council's strategic approach to Youth Services.

#### Background Papers:

(Insert details of any background papers used in the compilation of the report.)

#### Community Youth Strategy 2022-25

| Lea  | d Officer to complete:-   |                                      |
|--|---|--------------------------------------|
| in respect of any re<br>indicated on the St<br>Policy Checklist, an<br>been incorporated | I have consulted the relevant departments<br>in respect of any relevant implications  | Finance: Liz Gough                   |
|  | Policy Checklist, and comments have been incorporated / additional forms  | Legal: Nadine Wynter                 |
|  | completed / EIA completed, where required.  | Equalities: Ed Sexton                |
|  | Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.  |                                      |
| 2  | EMT member who approved submission:   | John Macilwraith                     |
| 3  | Cabinet Member consulted:   | Terry Fox                            |
| 4  | 4 I confirm that all necessary approval has been obtained in respect of the implications indicated<br>on the Statutory and Council Policy Checklist and that the report has been approved for<br>submission to the Decision Maker by the EMT member indicated at 2. In addition, any<br>additional forms have been completed and signed off as required at 1. |                                      |
|  | Lead Officer Name:<br>Chelsea Renehan   | Job Title:<br>Head of Youth Services |
|  | Date: 15 <sup>th</sup> March 2022   |                                      |

#### 1. PROPOSAL

#### 1.1 Background

Youth services and provision have declined nationally with over a billion pounds taken out of youth provision nationally over the period of austerity.

This has left a provision in decline and a lack of qualified youth workers graduating from universities that offer youth work degrees. This is evident across the country including Sheffield where we have since lost a JNC recognised Youth Work Degree program that was once delivered by Sheffield Hallam University.

The Youth Services contract with Sheffield Futures ended in October 2020 and the service was subsequently brought back into the Council. A Cabinet report in June 2020 set out the council's intention to invest and improve the youth service and to broaden our partnership with organisations across the city.

Due to the pandemic the effort to invest has been seriously compromised. In 2020/21 a decision was made to use most of the £2m investment to provide Laptops for young people to aid their learning and access to online materials as schools were closed and when opened struggled to maintain class learning whilst trying to mitigate the spread and effect of Covid.

#### 1.2 Challenges

Disinvestment nationally in youth services has seen the decline in the youth work profession to the extent that, currently, no Further Education college or university in Sheffield provides a youth work qualification or training facility. This has led to difficulty recruiting the number of youth workers we need to grow the service across the city.

When the contract was brought back in house affordability limited provision to just 49 sessions for the city which does not provide citywide coverage or adequate staffing numbers and the youth facilities, in most cases, are in a poor condition and not fit for a modern youth offer.

Engagement with young people is patchy and there is a need to develop the pathways to engage with young people and to give them voice and influence over the services they want.

#### 1.3 **Current Position**

Over the last 4 months, a number of key actions have been achieved:

- A new operating model has been designed, to be implemented early in the new year, that will result in a professionally qualified senior youth worker attached to each LAC for youth service provision and development with young people in their community.
- Development of the Youth Partnership Board with at least 25% of the membership being young people. This group have met twice and has achieved the 25% target of youth involvement representative of Sheffield's young residents with recognition of diverse voices.
- An increase in youth attendance and participation at existing provisions including in some our most deprived neighbourhoods seeing an average of 35-40 young people attending club nights and the most successful Dark Nights Programme in years
- Quarterly activity reports are discussed and circulated to local ward councillors.
- Work with the National Youth Agency profiled thematic specialists and Universities about a training and development programme to ensure that youth workers have the necessary training and qualifications to deliver youth services.
- Attendance at meetings within the Voluntary, Community and Faith sector.
- Preparing a youth survey that will take place bi-annually, delivered in February, alongside youth parliament elections.
- Increased youth cabinet seats from 20 to 45 to ensure all Local Area Committee areas and underrepresented voices are encouraged to participate.

These have culminated in the production of this 'Live' strategy (Appendix A). This is a city-wide youth strategy that all active members of the youth partnership will account to via a managed annual delivery plan. This will include strategic champions to informally audit the work as it takes place.

#### 1.5 **The Strategy**

We are ambitious for young residents of Sheffield and their access to modern contemporary and trusted services that are designed based on their identified 'lived needs' and we want to plan to invest the £2m commitment of SCC responsibly.

Young people deserve access to modern services with a trained and dynamic workforce committed to delivering the best outcomes with and for young people of Sheffield.

Approval of the strategy will result a sustainable, quality provision making Sheffield the place to be for both youth work professionals and for young people living in the city.

As a result of the strategy, by 2025, Sheffield's young people will have a relationship of trust in a city of support, innovation and safety. We will be recognised for contemporary practices with growing benefit to young

people in Sheffield. We will be connected leaders and working collaboratively with partners to build Sheffield's support for young people.

In 2025:

- Young people will have access to safe, ambitious, and creative youth provisions where they live.
- Young people will have access to safe, professional, and contemporary specialist intervention services that are 'in touch' with their needs.
- Young people will feel connected and their communities will have the knowledge to notice, and the confidence report, harm early.
- Young people in Sheffield will be employment ready, aspiring to achieve what 'THEY' think is right for their interests and themselves.

#### 2. HOW DOES THIS DECISION CONTRIBUTE ?

2.1 The strategy will contribute to the following ambitions in the one-year plan:

#### 2.1.1 Communities and neighbourhoods

Community Youth Services will offer a program of ambitious service and support to young people in Sheffield that enables them to achieve to their full potential. The work will support all young people needing any developmental community-based support from universal engagement to specialist provision.

One Year Plan

## Communities and neighbourhoods

- Engaging, enabling and empowering our residents through Local Area Committees
- High quality, safe homes for all our citizens
- Neighbourhoods that are clean, green, safe and thriving
- Supporting communities as Covid restrictions ease
- Supporting young people in Sheffield to develop and flourish
- Investing in our sport and leisure facilities to support better health and wellbeing

### Understanding trends, delivering quality, evidencing impact

Youth Strategy

- Ensuring high quality, relevant and contemporary provisions that can demonstrate significant impact on the quality of life for Young Sheffielders.
- Ensure ambitious, confident, and clear 'inspection readiness' informed by young people's lived experiences and youth proofed by them
- Demonstrate vigilance to the changing trends of young people and spot early signs of

concern.

- Demonstrate the value of information, advice and guidance.
- Proactively seeking external funding opportunities and partnerships to test new ideas and develop practice Sheffielders in their communities.
- Demonstrate the contribution that a universal youth service makes on wider community cohesion.

#### 2.1.2 Education, Health and Care

Sheffield is committed to providing an outstanding youth offer outside formal education, ensuring there are trusted adults, mentors and/or youth workers to provide consistent professional guidance, advice and support to enable access to a wide range of leisure, educational, cultural experiences and activities

One Year Plan

Youth Strategy

#### Education, health & care

- Give everyone the best start in life
- Support Covid recovery for children and young people
- We strive to be an exemplar in children's services and support our Children Looked After to achieve their full potential.
- Deliver effective, personfocused SEND services
- Reduce exclusion in all its forms
- Enabling adults to live the life that they want to live

Thriving and resilient young Sheffielders

- A thriving and innovative program of universal community-based activities of informal education.
- Safe mobility for young people between communities encouraging positive relationships.
- Young Sheffielders will have consistent access to highly trained and committed specialist workers.
- Young Sheffielders will determine their own life goals and will be enabled to aspire for safe opportunities with high-quality information, advice and guidance.
- Community Youth Services will continue to strive for proportionate engagement from underrepresented groups.

 All young Sheffielders will be empowered and supported to celebrate their chosen identities and beliefs

#### 2.1.3 Our council

Youth Services in Sheffield are committed to the authentic engagement of all ages in the design and delivery of services. Young Sheffielders and their communities leading the way for design and development will be essential to make sure services are effectively responding to the needs of young people in communities.

It is recognised, in the strategy, that there is a significant need for positive collaboration, innovation and trend setting for youth services in Sheffield. To achieve this, we will work proactively and inclusively with all stakeholders, being bold and dynamic together to recognise local strengths in communities to keep young people safe. Enabling young people, through their own advocacy, to aspire to achieve their own chosen potential.

One Year Plan

#### **Our council**

- Involve our citizens in the decisions that affect them and their communities
- Support our diverse communities in recovering from the impact of Covid by taking visible action to fight poverty and inequality
- Attract sustainable jobs and more investment to Sheffield by being a confident, outward looking city that punches its weight on a regional, northern and national stage
- A city council that is well-run, connected to communities and committed to excellence
- A city council that is ready for the future

#### Youth Strategy

#### Sheffielders shape services

- To involve all stakeholders in the design, delivery and evaluation of Community Youth Services.
- To enhance the knowledge and skills of communities to recognise the earliest signs of harmful behaviour and exploitation of young people.
- To consult with Young Sheffielders regularly.
- Biennial survey of Young Sheffielders informing key design
- Youth Role Models programs supporting citizen and peer led responses to the needs of Young Sheffielders
- Development of a Youth partnership, empowering young people to have a say about matters most important and relevant to them.

#### 3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 There has been extensive consultation with young people, staff, and wider stakeholders over the last 6 years.
- 3.2 As part of a consultation process in summer 2017, the views of young people were sought on the future of services for young people in Sheffield. This consultation included speaking directly to young people, including more vulnerable young people. This included meeting with the Youth Cabinet and Young Advisers..
- 3.3 We heard a number of views from young people about existing services and their needs. In particular young people repeatedly told us they didn't like having to keep 'bouncing around' support services, having to 'tell their story' repeatedly to new keyworkers in different services, and would value having a more joined up and consistent support service that could meet a range of needs without needing to keep referring them on.
- 3.4 Visits were made to housing schemes for homeless young people aged 16-19 and consultation undertaken with the residents and staff there. The young people reported having to repeat their personal circumstances and support needs several times in each service they accessed which they found frustrating.
- 3.5 The new Youth Partnership, which has a minimum of 25% young people, has been consulted on the development of this strategy. The Board has, to date, met twice and feedback from attendees has shaped the development of this strategy.

#### 4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

#### 4.1 Equality of Opportunity Implications

4.1.1 An Equality Impact Assessment (reference 1168) has been developed. It considers how the strategy would potentially benefit groups with protected characteristics, including age, disability and sex, and its wider impacts on health, poverty and other issues. Pending the decision, this will be reviewed and updated further to reflect further progress and development of the strategy.

#### 4.1.2 **Outcomes of the Equality Impact Assessment**

The additional resources to be invested in supporting young people will reduce inequalities in outcome between younger people and their older peers. Resources will be balanced so that young people with greater disadvantage receive more support tailored to their needs, so this proposal will contribute to efforts to close the gap in areas like school engagement and attainment which are felt more greatly by young people from more disadvantaged or groups protected by equalities duties.

#### 4.2 **Financial and Commercial Implications**

4.2.1 There are no direct financial implications of adopting the strategy. Funding has been allocated to the delivery of the Strategy for the 22/23 financial year

The implementation of any of the actions set out in the Strategy will be subject to further decision making in accordance with the Leader's Scheme of Delegation, and the financial and commercial implications will be considered fully at that time.

#### 4.3 Legal Implications

- 4.3.1 The Council has several statutory duties relevant to youth and young people services. These include the duty under Section 507B to, so far as reasonably practicable, secure access to sufficient educational and recreational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities. Adoption of the proposed Strategy will help to ensure that these duties continue to be met.
- 4.3.2 The implementation of any of the actions set out in the proposed Strategy will be subject to the appropriate decision making process, and the legal implications will be considered fully at that time.

#### 4.4 **Other Implications**

4.4.1 None

#### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The 'do nothing' option would be to not have a Community Youth Strategy in place. The strategy gives the opportunity to capture, in one place, the plan and direction for the city in relation to Community Youth Services.

#### 6. REASONS FOR RECOMMENDATIONS

6.1 Implementing a city-wide Community Youth strategy is timely for the reasons described above. It captures the high-level strategic aims with relation to Youth Services and provides clarity and direction for the service.

This is a live and evolving strategy until 2025 that will be monitored by the youth partnership board and will be actioned through an annual service (partnership) delivery plan, this will be established and monitored with quarterly action plans and reports that feed into the partnership ensuring that the views of all partners and stakeholders, including young people, continue to shape the delivery of Community Youth Services into the future.

# Sheffield City Council Youth Services Strategy 2022-2025

Safe, creative, ambitious Community Youth Services

where all young people in Sheffield can thrive

heffield City Counci



## **Forewords**

### **Cllr Terry Fox, Leader of Sheffield City Council**

"I am increasingly impressed by our Sheffield Young Residents, every time I meet young people I see talent, warm hearts, and joy. Our young Sheffielders are incredibly spirited, and they have stories to tell!

This, Sheffield Community Youth Services strategy is the city councils first in over two decades, it is symbolic in its time - we are saying, very clearly, we are listening to all of our young residents throughout our city, we hear the valuable contributions made and we see you.

In this strategy we have set out clear ambitions for partnerships, safe working prestice, development of excellent practice and amplifying our young residents' democratic expressions. We want to make sure that we have clear support networks for all young people.

We want Sheffield as a city to be ambitious for its young residents. We want to know all our young people have opportunities and can achieve. We want to make sure all our young residents know that they can be kept safe in their communities and that they are seen for their positive and active contributions.

Essential to this will be all services, organisations, communities, and young people working together to lead and guide what happens next. Asking ourselves the questions, are we feedback ready? Are we contemporary? Do we know what young people actually want?

We have set ourselves the task, the challenge and we have the ambition for all Young Sheffielders to make it work in the right way for them."

### Muneerah, Sheffield Youth Cabinet Elected Member Northeast Local Area Committee

"Sheffield, as a city and a community, has a responsibility to ensure we, young residents, have access to support when they need it. Community based Youth Services must be available and widespread. This development of community youth work provision means young people can have access to adults we can trust and activities that are relevant, helping us to understand and grasp important life skills such as employment, managing our mental health, social skills and having our voices heard. In this youth strategy, it is essential we hear from young people of all backgrounds to see what needs to be improved and where; this strategy commits to a Biennial Youth Survey so young people are always part of the decisions and we check in every two years.

One of the key areas of my election manifesto was looking to reduce knife crime and antisocial behaviour. Young residents are open about their fears on our streets. Sheffield Youth Cabinet are pleased to see that there are going to be more community based youth activities, accessible to all, throughout the city, especially providing our most vulnerable peers with a safe space indoors and safe adults to talk to.

This strategy gives us an opportunity for young residents to engage and generate solutions, informally, around key topics that need to be discussed, without this we risk young residents in Sheffield being on the edges of our Sheffield society, unheard when making decisions and only seen when considered a problem. Young Sheffielders contribute a great deal to their communities, this is our chance to stand out positively in our communities and city."

# Youth Services in Sheffield

#### Background

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Sheffield is England's fourth-largest city with a population of over 569,000 and an economy worth over £11.3billion with a rich history of industry, enterprise and technological innovation.

At the very core of Sheffield's future development, success and long-term prosperity are its young people. Sheffield is ambitious for its young people and our aim is to be one of the best cities for young people to live by 2025, and young people will be at the heart of this ambition.

In Sheffield, it is estimated that there are 132,000 young people aged between 10 and  $24^1$ . This is over 22% of the city's population.

Disprvestment nationally in youth services has seen the decline in the youth work profession to the extent that, currently, no further education college or university in Sheffield provides a youth work qualification or training facility.

When Youth Services was brought back in house, affordability limited provision to just 49 sessions for the city which does not provide citywide coverage or adequate staffing numbers and the youth facilities, in most cases, are not fit for a modern youth offer.

Engagement with young people has been patchy and there is a need to develop the pathways to engage with young people and to give them voice and influence over the services they want.

This strategy demonstrates our intention to invest in, and improve the youth service and to broaden our partnership with organisations across the city.

#### The future of Youth Services

Sheffield is committed to providing an outstanding youth offer outside formal education, ensuring there are trusted adults, mentors and/or youth workers to provide consistent professional guidance, advice and support to enable access to a wide range of leisure, educational, cultural experiences and activities.

It will connect support across a wide range of provision based on the needs of young people i.e., school/college and training, employment support and advice, safeguarding, youth justice, education, family support, and health, including mental health.

It focuses resources on the specific needs of young people (age 10 - 24) supporting their journey into successful young adulthood and the rest of their lives.

Provision will be embedded in communities so that it is responsive to, and driven by, local needs and the diversity of our city and co-produced with young people themselves.

Young people will be defined by their contributions, aspirations, and talents rather than being defined by problems or deficits.

Our city-wide approach will be developed through partnerships with key stakeholders including young people themselves, internal services, Voluntary, Community and Faith sector and statutory partners and delivered using a mixed model through a combination of SCC youth workers and investing in VCF and other partner led activities for young people at a local level.

Most importantly, young Sheffielders will be at the heart of everything we do ensuring their voices are heard and influential, and that their needs are met through multi agency and strength-based approaches.

<sup>1</sup>Estimates of the population for the UK, England and Wales, Scotland and Northern Ireland - Office for National Statistics (ons.gov.uk)

## **Our vision** is to offer safe, creative, ambitious Community Youth Services where all young people in Sheffield can thrive

Our vision will ensure Young Sheffielders can achieve their goals and ambitions and benefit from the future economic prosperity of the city.

They will contribute to, and benefit from, supportive and dynamic neighbourhoods with access to a Wide range of youth, leisure, cultural and creational opportunities.

Deir voice and citizenship will continue to be at the heart of everything we do as a city, recognising that our young Sheffielders are the future of the city economically, socially, and culturally.

Our vision supports and aligns with the commitments of the One Year Plan, supporting young people in Sheffield to develop and flourish

We will invest into Youth Services in Sheffield, working with Local Area Committees and young people to identify locally tailored opportunities. We will increase Community Youth sessions from one to three sessions per ward per week

Our Youth Strategy for the city will be a live strategy, co-produced with young people, which will continuously evolve to reflect new learning and practice.

We will develop an annual activity plan that will detail what services we will deliver and when and how we will deliver them. Our strategy and progress against the annual activity plan will be monitored by the Youth Partnership.

The Youth Partnership will include a minimum of 25% of young people as members and will hold our services to account to ensure we are delivering the right services in the right way for the young people in the city.

We will work with schools, further education and youth services to ensure that young people have post-16 educational, employment and training opportunities.

### In 2025:

- Young people will have access to safe, ambitious and creative youth provisions where they live
- Young people will have access to safe, professional and contemporary specialist intervention services that are 'in touch' with their needs.
- Young people will feel connected, and their communities will have knowledge to notice and the confidence to report harm early
- Young people in Sheffield will be employment ready, aspiring to achieve what 'THEY' think is right for their interests and themselves.

# Who are Community Youth Services?

Community Youth Services is made up of a number of youth engagement services that seek to support young people where they are at. This means that, unlike other services, we work with the young person first and apply their selfagency as our starting point. Young people lead the support they receive and determine their own objectives to help them to achieve their goals.

Fundamentally, we are community based. We offer youth provisions which are delivered directly in communities. Youth voice is a core value in our work to make sure we are delivering services to young people that are relevant to their needs.

#### **Universal Community Youth Services:**

Mostly, this work consists of youth work provisions such as Youth Clubs, Detached Youth Work, Groupwork and Partnership e.g. Advice and Guidance support who also offer football. This work does not require any referral, young people can access this in their communities if they wish.

#### Targeted Community Youth Services:

Most of this work is referral based or has a statutory requirement such as Information, Careers advice. Our Community Youth Teams offer a multi-disciplinary support program to young people acknowledging signs of support before the need to consider specialist engagement.

#### **Specialist Community Youth Services:**

This work focuses on high need and statutory requirements such as young people who go missing from home, who have been or are involved in Sexual Exploitation or being harmed by similar contextual risks in their communities. This work also forms the Child Sexual Exploitation work for the Amber Service



# Youth Voice - what young people want



# Youth Voice - issues affecting young people

Young Sheffielders provide great advice to make the best use of spaces offering helpful, fun and safe activities and enabling young people to grow, stay safe, access opportunity and create important memories with their peers and their communities.

We want Young Sheffielders to have a say in all aspects of their services which spread beyond Community Youth Services but mean recognising Young Sheffielders in all areas of council decisions that affect them. To do this means we commit to actively listening to our young people.

we want young people to be heard and to feel safe enough to share their direct feedback. For this to happen we must provide a variety of patforms for young people, in particular those from underrepresented groups, to have a say.

2022 has seen Sheffield Youth Cabinet grow from 20 to 45 young people ensuring these increased seats represent vulnerable and underrepresented voices, communities and other agencies.

We will develop a local authority wide, biennial youth survey which will give us a stronger understanding of the expectations of young residents of their council, the issues they face and their opportunity for democratic expression and representation.



# **Our Strategic Goals**

- Sheffielders shape services
- Thriving and resilient young Sheffielders
- Ambitious, relevant and connected leadership Understanding trends, delivering quality, evidencing impact
- Confident, skilled and contemporary workforce

# **Sheffielders shape services**

Youth Services in Sheffield are committed to the authentic engagement of all age Sheffielders in the design and delivery of our services. Young Sheffielders and their communities, recognising this isn't always locality, leading the way for design and development will be essential to make sure we are effectively responding to the needs of young people in communities.

consistently and authentically engage all stakeholders in the design, delivery and evaluation of Community Youth Services.

To enhance the knowledge and skills of communities to recognise the earliest signs of harmful behaviour and exploitation of young people.

To consult with Young Sheffielders to regularly understand their lived experiences and selfdetermined needs for intervention and universal support. To carry out a biennial survey of Young Sheffielders informing key design in all areas of SCC

City wide and collaborative Youth Role Models programs supporting citizen and peer led responses to the needs of Young Sheffielders

Joined up youth voice platforms through the further development of the Youth Partnership, empowering young people to have a say about matters most important and relevant to them.

- Develop an Annual Activity Plan in April each year to detail what services we will deliver and when and how we will deliver them
- Embed provision in communities so that it is responsive to and driven by local needs and the diversity of our city, and co-produced with young people themselves
- Allocate a **named Youth Worker** to each Local Area Committee by end June 2022.
- Allocate a budget for each Local Area Committee for community led design and partnership development in April each year.
- Hold **quarterly Youth Partnership meetings** that will hold us to account
- Hold an annual city-wide Youth Partnership conference
- Model service delivery based on best practice and the needs of young people and the communities in which they live

# **Thriving and resilient young Sheffielders**

Exciting, contemporary, and holistic services contribute to thriving and resilient young people. Community Youth Services will offer a program of ambitious service and support to young people in Sheffield that enables them to achieve to their full potential. Our work will support all **y**oung people needing any developmental community-based support **G** muniversal engagement to specialist provisions.

Soung Sheffielders will have access to a thriving and innovative program of universal communitybased activities of informal education.

A vibrant service offer will ensure safe mobility for young people between communities encouraging positive relationships based on common creative interests and social action.

Young Sheffielders will have consistent access to highly trained and committed specialist workers to enable support from trusted adults for those that need additional intervention and support. Young Sheffielders will determine their own life goals and through tailored support will be enabled to widely aspire for safe opportunities with highquality information, advice and guidance.

Community Youth Services will continue to strive for proportionate engagement from underrepresented groups ensuring high quality, well-informed, and inclusive and accessible provisions.

All young Sheffielders will be empowered and, where needed, supported to celebrate their chosen identities and beliefs

- Increase the number of Community Youth sessions from one to a minimum of three in each ward per week.
- Invest in youth facilities across the city to make them safe, secure and with the right equipment to meet young Sheffielders' expectations of modern, contemporary, welcoming spaces.
- Commission specialist **speech and language** services and **SAYIT LGBTQIA+** work.
- Invest in **digital inclusivity** and support digital access to youth engagement including 'open access digital provision' e.g. safe gaming networks, podcasting and online youth clubs for those where circumstances do not allow real time engagement.
- Providing funding to grow provision through partnerships with VCF locally.
- Increase access to activities for young people local activity, city activity (leisure, cultural etc), residential activities and trips.
- Ensure young people have consistent access to trusted adults or mentors and/or youth workers to provide professional guidance, advice and support

# Ambitious, relevant, and connected leadership

We recognise there is a significant need for positive collaboration, innovation and trend setting for youth services in Sheffield. To achieve this, we must ensure that we work proactively and inclusively with all stakeholders, being bold and dynamic together to recognise local strengths in communities to keep young people safe. Enabling young people, through their own advocacy, to aspire to achieve their own whosen potential.

Sensure a proactive presence in strategic decision making; adopting a solution focused and collaborative work model.

To develop a clear communications strategy to consider the wider community messaging and stakeholder engagement to ensure all are well informed and engaged in the earliest of help and its progress.

To ensure a clear and coherent strategic understanding of the challenges and strengths in Sheffield communities, working with; Young People, key stakeholders, and Local Area Committees to design and co-deliver responses that add value to the universal program.

To further develop, with key decision makers, stakeholders and elected members, the city-wide Youth Partnership to respond to the self-identified needs and lived experiences of Young Sheffielders.

To, as requested by young people, lead as "good leaders" – leading by example and with young people. To act on our commitments and if unable to, feedback why this cannot be achieved.

- Identify and invest in collaborative partnership co-delivery with stakeholders and partners
- Develop a city-wide approach through partnerships with key stakeholders including young people themselves, VCF partners and statutory partners such as the NHS and the Police.
- Deliver a mixed model through a combination of SCC youth workers and investing in VCF led activities for young people at a local level.
- Authentically listen to, and clearly communicate with, Young People, partners, and Local Area Committees to identify the challenges and strengths of communities throughout the city.

## Understanding trends, delivering quality, evidencing impact

Understanding the lived experience of young people in their communities is essential to delivering relevant and high-quality services. We cannot take for granted the modern world young people now engage with, we need to be relevant to young people in order to effect positive influence and change. To achieve this we must be welevant, engage with young people, understanding and mapping orends and supporting young people to recognise what they have wechieved.

Ensuring high quality, relevant and contemporary provisions that can demonstrate significant impact on the quality of life for Young Sheffielders to live in their communities safely.

Ensure ambitious, confident, and clear 'inspection readiness' informed by young people's lived experiences and youth proofed by them

Demonstrate vigilance to the changing trends of young people and spot early signs of concern and monitor this.

Demonstrate the value of Information, Advice and Guidance with retrospective case studies and feedback from those who have left the service.

Proactively seek external funding opportunities and partnerships to test new ideas and develop new practice and thinking to benefit Young Sheffielders in their communities.

Evidence universal impact and demonstrate the contribution that a universal youth service makes on wider community cohesion.

- Develop and invest in provision that is based on the National Youth Agency (NYA) National Youth Work Curriculum.
- Aspire to the NYA Quality Mark, built on the National Occupational Standards for youth work, to explore ways to develop and provide youth work to the highest possible standard.
- Engage in external and peer review of our services to ensure they continue to meet the needs of our communities.
- Seek out additional external funding, including Central Government funding to implement the 'National Youth Guarantee' that ensures every young person will have access to regular out of school activities, adventures away from home and opportunities to volunteer.
- Proactively **monitor service delivery** performance standards through a range of measures to ensure the service is always '**inspection ready**'.

# Confident, skilled, and contemporary workforce

In Sheffield youth services and youth support must be 'in touch' with the emerging themes young people present. We must be strong in identifying responses that enable and empower young people as early as we can, and we have a duty of care to support the wellbeing and needs of our staff both emotionally and to achieve their own career progression goals.

## 

**Exo**mote wellbeing activities and wellbeing offers e.g. mindfulness, free swim and alternative meeting arrangements such as walking lunch and screen free time.

Active implementation of national good practice for staff such as no consecutive evening work patterns (4 in 5 approach) with balanced Time off.

#### Training

Provide comprehensive professional training and development programs for staff and volunteers

Postgraduate opportunities – apprenticeships.

Responsive Training - CSE, Trauma, AMBIT.

#### Development

Provide regular supervision, appraisal and team meetings and access to non-managerial supervision and SCC coaching offers

Encourage and identify champions for thematic areas to actively encourage innovation

Support attendance at national conferences to learn from best practice

#### Vision and Reflection

Hold an annual Sheffield Youth Partnership conference

Practice Weeks and inspection readiness work

Data and evidence-based learning

- Invest in a comprehensive, cross-service training and development programme for SCC staff and voluntary sector youth workers to ensure there is a nationally recognised standard for all youth work across the city, modernise practice delivery and build sustainable capacity across the youth sector
- Invest in ongoing Continuing Professional Development for our staff
- Develop our staff to have the skills and confidence to deliver effective and innovative youth work.
- Identify best practice across the youth sector including bringing in national and international experts in Youth Work.
- Implement 'practice weeks' to road-test new and innovative delivery.

# **Measuring Success**

The success of the strategy will be measured against the National Youth Agency Quality Mark criteria<sup>2</sup>. A range of specific measures will be identified for each indicator in the Annual Activity Plan.

| Standards                         | Indicators   | Strategic Goal  |
|-----------------------------------|--|---|
|                                   | Young people engage in programmes and activities   | Thriving and resilient young Sheffielders                   |
| Young People's Personal           | Young people participate in programmes that support their personal and social development                            | Thriving and resilient young Sheffielders                   |
| Sugial Development and            | Young people are actively involved in planning youth work activities and decision making                             | Sheffielders shape services                                 |
| ē                                 | Young people understand and appreciate diversity   | Thriving and resilient young Sheffielders                   |
| 32                                | Youth workers initiate, build and maintain purposeful relationships with young people and establish boundaries       | Confident, skilled, and contemporary workforce              |
| Quality of Youth Work<br>Practice | Youth workers know the needs of young people and plan appropriate work with them                                     | Confident, skilled, and contemporary workforce              |
|                                   | Youth workers deliver effective programmes and sessions with young people  | Confident, skilled, and contemporary workforce              |
|                                   | Workers reflect on, evaluate and improve the effectiveness of their work with young people                           | Confident, skilled, and contemporary workforce              |
| Leadership &<br>Management        | The organisation has a clear and compelling vision, strategy and plan for its work with young people                 | Ambitious, relevant, and connected leadership               |
|                                   | The organisation has effective processes for quality assurance and performance management which involve young people | Understanding trends, delivering quality, evidencing impact |
|                                   | The organisation knows the effectiveness of its work and the impact on young people                                  | Understanding trends, delivering quality, evidencing impact |
|                                   | The organisation enables staff to be effective through continuing professional development.                          | Confident, skilled, and contemporary workforce              |

<sup>2</sup>NYA Quality Mark Framework



### **Implement actions from the Strategy:**

### **Develop the Annual Activity Plan**

Work with our staff and partners to develop the Annual Activity plan and a range of performance measures to monitor our performance on our strategic goals in line with the NYA Quality Mark framework.

### Beedback on our work

Launch our first biennial survey of Young Sheffielders informing key design in all areas of Sheffield City Council and Reedback the results to partners, stakeholders and the Youth Partnership.

Provide performance data to the Youth Partnership so we can demonstrate our achievements against the Strategy and Annual Activity Plan.

### **Maintain engagement**

Involve young people, the Youth Partnership, Local Area Committees and stakeholders across the city so everyone knows about this strategy and can tell us how we are doing to offer '*Safe, creative, ambitious Community Youth Services where all young people in Sheffield can thrive*'.

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## Agenda Item 8



Author/Lead Officer of Report: Avi Derei, **Commissioning Officer** 

Tel: 0114 205 6867

| Report of: | Director of Adult Health & Social Care |
|------------|--|
| Report to: | Co-operative Executive                 |

Date of Decision: 24/3/22

Subject:

Extension to the Sheffield Advocacy Hub Contract

| Is this a Key Decision? If Yes, reason Key Decision:- Yes 🗸 No  |  |
|---|--|
| - Expenditure and/or savings over £500,000  |  |
| - Affects 2 or more Wards   |  |
| Which Executive Member Portfolio does this relate to? Health and Social Care  |  |
| Which Scrutiny and Policy Development Committee does this relate to?  |  |
| Healthier Communities and Adult Social Care Scrutiny and Policy Development<br>Committee  |  |
| Has an Equality Impact Assessment (EIA) been undertaken? Yes 🖌 No   |  |
| If YES, what EIA reference number has it been given? 1146   |  |
| Does the report contain confidential or exempt information? Yes No  |  |
| If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-   |  |
| "The ( <b>report/appendix</b> ) is not for publication because it contains exempt information<br>under Paragraph ( <b>insert relevant paragraph number</b> ) of Schedule 12A of the Local<br>Government Act 1972 (as amended)." |  |

#### Purpose of Report:

The purpose of the report is to request an extension of 12 months to the current Advocacy Services contract which is due to expire March 31<sup>st</sup> 2022, to meet its statutory duties.

This report highlights the importance of ensuring continuity of advocacy services in a way that meets the needs of the people of Sheffield who require this service by extending the current contract whilst also allowing officers to assess the impact of key legislation changes on advocacy training and practice.

In addition, this report will explore suggested changes to the scope of the Advocacy Services contract in line with engagement and feedback from key stakeholders.

#### Recommendations:

It is recommended to the Co-operative Executive:

- 1) Approve the extension of the Sheffield Advocacy Hub contract by 12 months so that the Council can continue to meet its statutory duties under the Care Act 2014, Mental Health Act 2007, the Health and Social Care Act 2012 and the Mental Capacity Act 2005 as outlined within this report.
- 2) To the extent not already delegated to them by the Leader's Scheme of Delegation, delegate authority to the Executive Director of People, in consultation with the Director of Legal and Governance and Director of Finance and Commercial Services to prepare and execute all required documentation and take steps to implement these recommendations and the proposals as outlined within this report.
- 3) Notes that sufficient time is allocated to allow officers to measure the impact of the amendments to the Mental Capacity Act 2005 from April 2022 which in turn will have a direct impact on how Advocacy Services are delivered nationally as outlined in this report.

#### Background Papers:

N/A

| Lead Officer to complete:- |  |                                     |  |
|----------------------------|--|-------------------------------------|--|
| 1                          | I have consulted the relevant departments<br>in respect of any relevant implications<br>indicated on the Statutory and Council<br>Policy Checklist, and comments have<br>been incorporated / additional forms<br>completed / EIA completed, where<br>required.   | Finance: Ann Hardy                  |  |
|                            |  | Legal: David Cutting/Richard Marik  |  |
|                            |  | Equalities: Ed Sexton               |  |
|                            | Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.   |                                     |  |
| 2                          | EMT member who approved submission:  | Alexis Chapell                      |  |
| 3                          | Executive Member consulted:  | George Lindars-Hammond              |  |
| 4                          | I confirm that all necessary approval has been obtained in respect of the implications indicate<br>on the Statutory and Council Policy Checklist and that the report has been approved for<br>submission to the Decision Maker by the EMT member indicated at 2. In addition, any<br>additional forms have been completed and signed off as required at 1. |                                     |  |
|                            | <b>Lead Officer Name:</b><br>Avi Derei   | Job Title:<br>Commissioning Officer |  |
|                            | Date: 24/03/22   |                                     |  |

#### 1. PROPOSAL

- 1.1 We are proposing a 12-month extension to the current Advocacy Services contract which would be due to otherwise expire in March 2022.
- 1.2 The Council currently have a statutory duty under the Care Act 2014, Mental Capacity Act 2005, the Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market. The Council also has a duty under the Care Act 2014 to arrange an independent advocate for adults as part of assessment and care management including safeguarding enquiries. The expiration of the contract without another in place to replace it would mean that the Council would fail to meet its statutory duty.
- 1.3 Our intention is to impact assess changes to key legislation as, for example, 'Deprivation of Liberty' transitions to become 'Liberty Protection Safeguards' which are due to come into force in April 2022.
   With the additional time that this extension would afford, the Council will

undertake a thorough impact assessment of the changes to legislation and identify training and practice needs in both the advocacy services

- 1.4 and identify training and practice needs in both the advocacy services and social care following those changes.
- 1.5 The current contract for Advocacy Services is due to expire March 2021, and there is insufficient time to re-tender for services before this date. The extension to the current contract has been subject to detailed consideration, in respect of alternative approaches, such as a light touch re-procurement, referred to in section 5. This, coupled with the consequential impact of the pandemic upon our internal resources, has had an impact on the timeline for a final decision.
- 1.6 We have previously communicated an informal notice of intent to extend the contract to the provider, clearly stating that this would be subject to final approval.
- 1.7 Should the contract expire without re-tender or extension, then we would be unable to contract any further Advocacy services via the existing contracting arrangements.
- 1.8 We will be unable therefore to apply in an equitable manner our Statutory duty under the Care Act 2014, Mental Capacity Act 2005, The Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market.
- 1.9 The amendment to the Mental Capacity Act 2005 moving from Deprivation of Liberty (DOLS) to Liberty Protection Safeguards is may be introduced in July 2022. This will have a substantial impact on multiple areas of advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy, Independent Mental Capacity Advocacy Deprivation of Liberty (DOLS) and Relevant Person Representative advocacy. It is important this impact is understood as it will change the way advocacy services operate and interact with social care.
- 1.10 If there was no re-tender or extension, advocacy support could only be arranged via a spot purchases or direct payment, which puts unnecessary pressure upon the person in receipt of care to arrange, finance and manage if this is not what they wish to do. We do not feel that this process will be equitable across those in need of advocacy support and will inevitably favour those already the social care system. This may in turn lead to additional pressure on social care.
- 1.11 Any terms and conditions that we currently contract against, such as quality expectations, timescales for procurement, and quality monitoring, would no longer be enforceable, and would negatively impact upon The Council's ability to ensure that the services procured for Sheffield residents are appropriate and meeting their needs.
- 1.12 A 12-month extension will ensure that alongside measuring the impact of the legislation change we will be able to adhere to the 6-month procurement lead in time required.

- 1.13 The pressures mentioned above about the markets ability to tender for this contract creates risk that cannot be mitigated.
- 1.14 This extension will ensure:
  - The Council continues to meet its Statutory duties under the Care Act 2014, Mental Capacity Act 2005, The Health and Social Care Act 2012 and the Mental Health Act 2007
  - There are no adverse effects to residents currently in receipt of advocacy services, in terms of the continuity of their advocacy support.
  - There is no adverse effect to both the Council and Sheffield residents currently in hospitals or residential settings, already receiving or awaiting advocacy support to enable moves to less restrictive care environments.
  - Sufficient time is granted to develop, test and implement new, sustainable a new advocacy model.

# **Current Position**

- Currently advocacy services are delivered by a single provider, The
   Sheffield Advocacy Hub. The Sheffield Advocacy Hub is a partnership between three non-profit organisations Citizens Advice Sheffield, Cloverleaf Advocacy and Disability Sheffield.
- The Sheffield Advocacy Hub provides a single point of contact for anyone requiring adult advocacy services. It has been operating under contract since April 2017 on a 3-year initial contract with a plus 1 plus 1 extension. Prior to the introduction of the Sheffield Advocacy Hub in April 2017 these services were delivered by several different organisations making access to the service confusing for clients and carers. This change has had a positive impact on a variety of stakeholders.
- 2.3 Under the current contract the following advocacy services are available: Care Act advocacy, independent mental health advocacy, independent mental capacity advocacy, independent mental capacity advocacy with a focus on deprivation of liberty, NHS complaints advocacy, relevant person's representative advocacy.
- 2.4 The current referral levels surpass initial pre contract forecasts and evidences the positive utilisation of the services within the Sheffield community. A breakdown of the last 6 months of referrals can be found below. With the figures below in mind it is likely that over the period of

extension The Hub will pick up approx. 5,000 referrals for various types of advocacy.

| Type of advocacy support referrals                                    | April – Oct 2021 |
|---|------------------|
| Care act  | 178 – 21.24%     |
| Independent Mental Health Advocate                                    | 153- 18.26%      |
| Independent Mental Capacity Advocate                                  | 139 – 16.59%     |
| Independent Mental Capacity Advocate<br>Deprivation of Liberty (DOLS) | 83 – 9.90%       |
| Learning disability   | 18 – 2.15%       |
| NHS complaints  | 54 - 6.44%       |
| Relevant Person Representative  | 213 – 25.42%     |

2.5 The current contract's pricing structure is based on hours delivered under the contract without a differentiation between types of advocacy support provided. The current average spend is currently £260,000 per quarter. The estimated cost of this extension will be 1.04m based on current referral rates.

# **3** Transformational Ambitions

- 3.1
  - The amendment to the Mental Capacity Act 2005 moving from Deprivation of Liberty (DOLS) to Liberty Protection Safeguards is likely to be introduced in July 2022. This will have a substantial impact on multiple areas of advocacy, Independent Mental Health Advocacy, Independent Mental Capacity Advocacy, Independent Mental Capacity Advocacy Deprivation of Liberty (DOLS) and Relevant Person Representative advocacy. These areas form 69% of the referrals. The changes are likely to impact in terms of practice and the training needs of both the advocates and social care in the area of Advocacy. It is important that the impact of these changes is considered in a measured approach which will inform a future service specification.
- 3.2 There have been some gaps in the areas of advocacy services commissioned currently identified by The Sheffield Advocacy Hub in areas such as community DOLs and parental advocacy. Further cross departmental work is required to explore the scope of the gaps identified, consult with stakeholders, and include in future service specification if appropriate.
- 3.3 Throughout the term of the contract there have been requests from social care for staff training around the subject of Advocacy. While not in the original service specification, The Sheffield Advocacy Hub have been accommodating these requests. There is a need to include an element of training within future service specifications. The extent of these training requirements will be affected greatly by the amendment to the Mental

Capacity Act 2005 mentioned above.

#### Key milestones

| Cooperative Executive approval 12 Month Contract<br>Extension | 24.03.22 |
|---|----------|
| Contract Go Live  | 01.04.22 |

# 4. HOW DOES THIS DECISION CONTRIBUTE?

- 4.1 The Corporate Plan outlines a desire 'Enabling adults to live the life that they want to live' and. Advocacy services are essential in conveying a voice for the voiceless and supporting the residents of Sheffield to get the support they want from social care and health services.
- 4.2 The Corporate Plan outlines a desire to 'Involve our citizens in the decisions that affect them and their communities' We view advocacy as key partner in this area, supporting the residents of Sheffield to participate in discussions about issues that affect them and their communities.
- 4.3 The overarching principles of the transformational ambitions detailed in section 3 are consistent with the Corporate Plan and will seek to reduce health and social care inequalities.
- 4.4 It has been identified that the elapsing of the contract without a new contract in place to start will impact upon the accessibility of statutory advocacy services.
- 4.5 The extension of the current contract and contract will ensure that we continue to meet the ambitions within the Joint Health and Wellbeing Strategy that everyone has access to quality care.
- 4.6 Adult Health and Social Care Strategic Plan (2021 2030) outlines in its commitments to 'Provide temporary assistance to help people regain some stability and control in their life following ill health or crisis.' several elements of the current advocacy contract are designed to enable this approach. An advocate will ensure a person has the tools to make an informed decision.
- 4.7 Adult Health and Social Care Strategic Plan (2021 2030) outlines in its commitments to 'Make sure support is led by "what matters to you", with helpful information and easier to understand steps' Often advocacy support and more specifically Care Act and Generic LD advocacy bridge that gap in communication and have the tools to offer independent support around a specific subject/area of life to those who feel they are not being heard and to ensure they are taken seriously and that their rights are respected.
- 4.8 Adult Health and Social Care Strategic Plan (2021 2030) outlines in its

outcomes that 'Everyone in Sheffield should be able to live independently and have control and choice over decisions that affect their care and support.' – We view advocacy as a key enabler in this area to support the voices of Sheffield residents to be heard and become the key decision makers about their care and support.

4.9 Sheffield City Council People Portfolio Strategy 2021-22 outlines the objective of 'Increase equality, resilience and inclusion', 'Thriving communities where people like to live', 'People are and feel safe', 'People are independent and can achieve their potential' & 'People are healthier and happier' – We see advocacy as a golden thread throughout these objectives

# 5. HAS THERE BEEN ANY CONSULTATION?

- 5.1 Consultation has been completed with the contracts team regarding the performance of the provider. Contracts officers have reported that the relationship with the provider is excellent, quality of the advocacy provided is high and that they are receptive to feedback and take actions in a timely manner. While the volume of the work is much higher than initially anticipated, the provider has implemented a robust triage system to enable the urgent cases to be accommodated.
- 5.2 Commissioning officers have stated that the Hub has been forthcoming in engaging with a variety of activities outside of the scope of the contract such as training requests from social care, participation in a provider selection process for a new supported living development and taking on focused work to support social care in resolving complaints. It is clear that the residents of Sheffield are at the heart of the provider's operation and that they are dedicated in improving both user experience of advocacy services and generally social care services across the city.
- 5.3 Assessment and Care Management have fed back that the working relationship is positive, there is a close link between the DOLs team and the provider. Social care has highlighted that the training offered for new starters from the Hub is of good quality. Assessment and Care Management are in agreement with this extension request citing that the major change to legislation would have a substantial impact on the ways of working and that it would be prudent to measure this impact before designing a new service specification.
- 5.4 Due to the vast scope of stakeholders, we were unable to complete robust consultation with the end user. We feel however that the very low number of complaints and multiple stories of difference evidence a positive experience for the end user. An additional advantage of a contract extension would be the opportunity to engage people who use services and carers as well as wider stakeholders in a more extensive consultation and review

# 6. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

#### 6.1 Equality of Opportunity Implications

- 6.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 6.1.2 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.
- 6.1.3 The extension will support people to have a voice in their own health, support and other matters that they would otherwise be without. In Equality Act terms, beneficiaries share many protected characteristics.
- 6.1.4 The primary characteristic of Disability covers a range of support under Sheffield Advocacy Hub (including mental health and learning disability). Secondary characteristics (e.g. relating to Race or Age) apply). And advocacy is also relevant to the Council's wider consideration of equality interests – e.g. Health, Poverty.

As such, the extension to the contract and maintenance of advocacy
 provision is supportive of the Council's responsibilities under The Duty, namely to consider ways to improve the experience and outcomes of people who share protected characteristics relative to those who do not.

An Equality Impact Assessment has been completed and is summarised below:

- The extension of the contract will prevent unnecessary disruption to continuity of care, which would have negative impacts upon the people in receipt of services
- The extension will allow continued equitable access to advocacy services for Sheffield residents
- Positives impacts upon persons who share protected characteristics would be maintained as a result of the extension.

The proposals will support to ensure that advocacy support remains stable over the next 12 months and will continue to ensure the availability and quality of advocacy delivered to vulnerable adults with eligible social care needs. The extension of the contract would not impact disproportionately on any section of the service user population.

6.2 <u>Financial and Commercial Implications</u>

6.2.1 The proposed extension value of £1.04m across 12 months is in line with contract spend over the past two years, and therefore appears sufficient to meet demand.

However, the Advocacy service has exceeded their budget for the past four years.

|       | FY Budget | FY Outturn | Variance  |
|-------|-----------|------------|-----------|
| 21/22 | 534,200   | 717,736    | (183,536) |
| 20/21 | 534,200   | 725,293    | (191,093) |
| 19/20 | 534,200   | 603,354    | (69,154)  |
| 18/19 | 474,200   | 540,315    | (66,115)  |

(21/22 based on month 7 forecast)

The budget allocation for this contract is  $\pounds$ 767,200 per year, with a budgeted income of  $\pounds$ 159,000 from recharging DOLS. In 20/21 contract spend was  $\pounds$ 1.05m. The proposed contract value for 22/23 is  $\pounds$ 1.04m which exceeds the budget available.

At present, the Advocacy service benefits from additional grant funding which stood at £329,627 in both 19/20 and 20/21. This sits alongside the recharges to DOLS and offsets some of the additional contract spend. The table below breaks down the total overspend on the business unit.

|             |                            | U        |          |           |
|-------------|----------------------------|----------|----------|-----------|
|             |                            | 20/21    | 19/20    | 18/19     |
| Incomo      | Government Grants          | (15,627) | (15,627) | (9,778)   |
| Income      | Recharges                  | (48,665) | (79,526) | (108,225) |
| Expenditure | Voluntary Action Sheffield | (30,048) | (30,048) | (21)      |
| Expenditure | Advocacy Contract          | 285,433  | 194,355  | 184,139   |
|             |                            | 191,093  | 69,154   | 66,115    |

#### Variances against budget allocations

Spend on the advocacy contract has been continually greater than the allocated budget, even prior to Covid-19. Current levels of overspend are dependent on the continual underspend against budget on the VAS contract, as well as increased income from government grants and recharges. If the grant was to come to an end, or if recharges reduce going forwards, then the level of overspend will increase further above current levels.

The requested extension will total an overall contract period of 6 years. This must be compliant under the Public Procurement Regulations (PCR) 2015. The Council can seek to rely upon Regulation 72 of PCR 2015, which is detailed in section 4.3.

If this request is approved, then The Sheffield Advocacy Hub will be offered the contract extension and must sign and return the extended contract to remain as the active provider to the extended contract. Commercial Services recommend that we extend this contract, by way of variation to the duration of the current contract with The Sheffield Advocacy Hub for a further 12 months, to April 30th 2023.

#### 6.3 Legal Implications

- 6.3.1 Under the Care Act 2014, local authorities have duties to arrange an independent advocate for adults, as part of their own assessment and care planning and care reviews and to those in their role as carers as well as for adults who are subject to a safeguarding enquiry or Safeguarding Adults Review. The duties also apply to children who are approaching the transition to adult care and support, when a child's needs assessment is carried out, and when a young carer's assessment is undertaken.
- 6.3.2 Under the Mental Capacity Act 2005, responsible bodies, the NHS and local authorities all have a duty to make sure that independent mental capacity advocates are available to represent people who lack capacity to make specific decisions and to safeguard the rights of people detained under the Mental Health Act 2007 and those on community treatment orders (CTOs).
- 6.3.3 Under the Health and Social Care Act 2012, local authorities have a duty to commission a service to provide support to people who want to make a complaint about the NHS and need some support to do this.
- 6.3.4 It is submitted that it is possible to set out a legal case for the 12-month extension to the contract under Reg 72(1)(e) and (8) of the Public Contract Regulations 2015 (PCR 2015).
- 6.3.5 It is arguable that:
  - The 12-month extension would not render the contract materially different in character from the one initially concluded (Reg 72(8)(a)), as it relates to the same services on the same terms;
  - Had a six-month term already been set for the contract, it would not have allowed for the admission of other candidates/acceptance of other tenders/attracted additional participants (Reg 72(8)(b)) – Commercial Services have advised that the advocacy services market is small, with few participants;
  - The extension does not change the economic balance in favour of the provider (Reg 72(8)(c));
  - The scope of the contract remains the same (Reg 72(8)(d)) it is for the same services on the same terms; and
  - A new provider will not be replacing the original provider (Reg 72(8)(e)).
- 6.3.6 On this basis, there is an arguable legal case that the contract extension can be justified under Reg 72(8) PCR 2015. However, this does not eliminate the small risk of legal challenge from disgruntled providers and

any decision must bear this risk in mind.

6.3.7 The European Convention on Human Rights requires local authorities to take into account their 'positive obligations' to actively promote and protect the rights of people as described in the Convention and maintains that providers of publicly funded home care should consider themselves bound by the Human Rights Act 1998.

#### 6.4 Other Implications

6.4.1 The contract is delivered by specialist partners in the voluntary sector who are still recovering from COVID pressures. They are currently heavily involved in supporting the social care transformation and recovery work taking place in Adult Social Care by providing advocacy support for people who are impacted by the changes underway. There would be a risk that the providers in the local market would not be in a position to tender for this contract if the extension was shorter due to the pressure on their resources as a result of the above factors.

# 7. ALTERNATIVE OPTIONS CONSIDERED

7.1 A light touch retender was considered instead of an extension; however, this was not supported by Legal or Commercial Services as it was seen as being non-compliant with the Public Contracts Regulations 2015, given the size of the market and cost.

# 8. **REASONS FOR RECOMMENDATIONS**

- 8.1 Should the contract expire without re-tender or extension, then we would be unable to contract any further Advocacy services via the existing contracting arrangements.
- 8.2 We will be unable therefore to apply in an equitable manner our Statutory duty under the Care Act 2014, Mental Capacity Act 2005, The Health and Social Care Act 2012 and the Mental Health Act 2007 to maintain a stable and sustainable care market.
- 8.3 A 12-month extension will ensure that alongside measuring the impact of the legislation change we will be able to adhere to the 6-month procurement lead in time required.

# Agenda Item 9



Author/Lead Officer of Report: David Hollis, Assistant Director legal and Governance

**Tel:** 0114 205 3125

Report to: Co-operative Executive

Date of Decision: 24 March 2022

Subject:

Financial Support for Sheffield City Trust

| Is this a Key Decision? If Yes, reason Key Decision:- Yes x No  |      |  |  |
|---|------|--|--|
| - Expenditure and/or savings over £500,000  | x    |  |  |
| - Affects 2 or more Wards   |      |  |  |
| Which Cabinet Member Portfolio does this relate to? Finance and Resources   |      |  |  |
| Which Scrutiny and Policy Development Committee does this relate to? Overview and Scrutiny Management Committee   |      |  |  |
| Has an Equality Impact Assessment (EIA) been undertaken? Yes No x   |      |  |  |
| If YES, what EIA reference number has it been given? (Insert reference number)  |      |  |  |
| Does the report contain confidential or exempt information? Yes   | No x |  |  |
| If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-   |      |  |  |
| "The ( <b>report/appendix</b> ) is not for publication because it contains exempt information<br>under Paragraph ( <b>insert relevant paragraph number</b> ) of Schedule 12A of the Local<br>Government Act 1972 (as amended)." |      |  |  |

#### Purpose of Report:

To update on the impact of the Council's Leisure Investment and facilities Review (approved in November 2021) on the Sheffield City Trust group of companies and to approve required funding and pension arrangements.

#### **Recommendations:**

That Co-operative Executive.

- Note the intention of Sheffield City Trust to not bid to operate the Major Sporting Facilities from the hand back date in 2024
- Note and approve the intention of Sheffield City Trust to agree a concurrent hand back of the other Sheffield leisure facilities to the Council, allowing the Council to include these in delivery of its approved Leisure Strategy from 2024 Those facilities are.
  - English Institute of Sport Sheffield
  - Ice Sheffield
  - Sheffield City Hall
  - Heeley Pool & Gym
  - Springs Leisure Centre
  - Concord Leisure Centre
  - Beauchief, Birley and Tinsley Golf Courses
- Delegate authority to the Director of Finance and Commercial Services in consultation with the Director Legal and Governance to enter into revised funding agreement with Sheffield City Trust as outlined in this report
- Delegate authority to the Director of Finance and Commercial services in consultation with the Director of legal and Governance to enter into revised pension arrangements with Sheffield City Trust as outlined in this report.
- To the extent not covered by existing delegations, delegates authority to the Director of Finance and Commercial services in consultation with the Director of legal and Governance and Co-operative Executive Member for Finance and Resources to take such steps as deemed appropriate to achieve the objectives outlined in this report.

#### **Background Papers:**

Report to Co-operative Executive 17 November 2021 https://democracy.sheffield.gov.uk/documents/s48479/Form%202%20-%20Leisure%20Review%20Final%20Report%2008112021.pdf

Lead Officer to complete:-

| 1 | I have consulted the relevant departments<br>in respect of any relevant implications<br>indicated on the Statutory and Council<br>Policy Checklist, and comments have<br>been incorporated / additional forms<br>completed / EIA completed, where<br>required.  | Finance: Ryan Keyworth                                |  |  |
|---|---|---|--|--|
|   |   | Legal: David Hollis                                   |  |  |
|   |   | Equalities: Bev Law                                   |  |  |
|   | Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.  |   |  |  |
| 2 | EMT member who approved submission:   | Eugene Walker   |  |  |
| 3 | Cabinet Member consulted:   | Cllr Cate McDonald                                    |  |  |
| 4 | I confirm that all necessary approval has been obtained in respect of the implications indicated<br>on the Statutory and Council Policy Checklist and that the report has been approved for<br>submission to the Decision Maker by the EMT member indicated at 2. In addition, any<br>additional forms have been completed and signed off as required at 1. |   |  |  |
|   | Lead Officer Name:<br>David Hollis  | Job Title:<br>Assistant Director legal and Governance |  |  |
|   | Date: 24 March 2022   |   |  |  |

# 1. PROPOSAL

- 1.1 Sheffield City Trust (SCT) was set up in 1987 as an independent charity to oversee the running of the City's sport and leisure facilities, linked to the Major Sporting Facilities (Sheffield Arena, Ponds Forge and Hillsborough Leisure Centre) that were built for the 1991 World Student Games. The Trust now runs most of the council's leisure and entertainment facilities and some of these arrangements come to an end in 2024. As part of ambitious plans for the future of Sheffield's leisure and entertainment facilities, in November 2021, proposals were approved by the council's Cooperative Executive to progress a long-term plan for major improvements and investment, creating an exciting leisure offer that will also deliver on health and wellbeing outcomes for Sheffield and our residents.
- 1.2 The strategy approved a Council procured approach to appointing an external partner, as outlined in this report to run the facilities. Cooperative Executive also approved a significant investment in our Leisure and Entertainment facilities to deliver a balanced and sustainable portfolio of facilities which support the needs of our communities alongside elite sport and events.

- 1.3 Although it is only the Major Sporting Facilities (MSF) that are required to return to the Council in 2024 (in lieu of repayment for the funding provided to SCT by the Council to service the Luxembourg Bond) SCT have advised the Council that they do not intend to bid to operate the MSF from 2024 and consequently they will no longer operate the other facilities in Sheffield and will return them to the Council at the same time. A provisional date of 31 August 2024 has been agreed for the hand back of facilities.
- 1.4 The Council's current funding for SCT is via grant under the Shortfall Funding Agreement for the MSF. Formal funding arrangements that were in place for other facilities have ended. In addition, the Council has, for many years, provided a Letter of Comfort to SCT as part of the annual audit process. This letter allows SCT's auditors to sign the accounts on a 'going concern' basis. The letter requires the Council to provide short term cash flow support should it be required to enable SCT to meet its financial obligations.
- 1.5 An end date to operations brings into sharper focus SCT's status as a going concern. To lawfully operate to that date, SCT needs to be satisfied it will have sufficient funding to meet its obligations and pay all creditors. This is not only in relation to its day-to-day operations, but also to wind up the group companies on a solvent basis and it therefore needs a net positive balance sheet by 2024.
- 1.6 The current funding arrangements with the Council (Shortfall in relation to the Major Sports Facilities) and Letter of Comfort on cash-flow are not sufficient to give the level of security SCT needs to lawfully continue trading. Decisions taken by SCT to keep the level of funding from the Council within the levels agreed with the Council over previous years (Covid impacts excepted) such as the treatment of ticket monies owed to promotors will now need to be addressed within a fixed timescale.

1.7

SCT is an admitted body within the Local Government Pension Scheme (LGPS). This has meant that some SCT legacy staff have had the benefit of membership of the LGPS pension scheme although it has been a scheme closed to new members for some time. There is a LGPS pension deficit valued at £4m in 2018 on the SCT balance sheet. Discussions have taken place with South Yorkshire Pension Authority (SYPA) and agreement reached for new admission arrangements that will remove any liability from the balance sheet of SCT and combine it within the Council's Fund within the LGPS.

1.8

The terms of a new funding agreement have been agreed with SCT. This will not commit open ended funding nor act as an unlimited guarantee. SCT has produced a Business Plan that projects all income and expenditure from operating through to the end of August 2024 and to then wind up the various group companies. The gap between income and expenditure will be funded by the Council by way of grant. The Business Plan will be scrutinised, updated and agreed on a regular basis to ensure it remains affordable to the Council.

The agreement also sets out expectations of co-operation between the parties to deliver a successful hand over of facilities and assistance to be provided by SCT to the Council when a new operator is appointed in 2024.

# 2. HOW DOES THIS DECISION CONTRIBUTE ?

2.1 This decision contributes to the One Year Plan priority of Investing in our sport and leisure facilities to support better health and wellbeing. This will contribute to our Public Health objectives and the City's Move More outcomes.

# 3. HAS THERE BEEN ANY CONSULTATION?

3.1 There has been no public consultation on the direct implications of this report. Consultation has taken place with SCT.

# 4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

- 4.1 Equality of Opportunity Implications
- 4.1.1 There are no equality of Opportunity implications arising directly from the implementation of the recommendations.
- 4.2 Financial and Commercial Implications
- 4.2.1 The business plan proposed by SCT to accompany the agreement is considered by Council officers to be very prudent. As it stands, there is a £7m gap between the subsidy that SCT say they need between now and August 2024 and the amount the Council has available from the General Fund Revenue Budget. £3m of the gap had been provided for in the Month 10 budget monitoring. The remaining £4m revenue support will cover from a specific reserve that was set up at the yearend in 2020 to deal with expected future costs of SCT. This means that there will be no additional impact on the General Fund Revenue Budget beyond that already included in the 2021/22 Revenue Budget, the Medium-Term Financial Analysis and 2022/23 Budget that was approved at Council on Wednesday 2 March 2022. Once this agreement is in place, the council will continue working with SCT senior management and Trustees to improve on the financial performance set out in the business plan.
- 4.3 <u>Legal Implications</u>

4.3.1 The Council has the power under the Local Government (Miscellaneous Provisions) Act 1976 to provide, inside or outside its area, such recreational facilities as it thinks fit and may contribute by way of grant or loan towards the expenses incurred or to be incurred by any voluntary organisation in providing any recreational facilities which the authority has power to provide. SCT is a voluntary organisation for the purposes of this power.

The funding amounts to a measure but is not regarded as a subsidy for the purposes of Subsidy Control as it is purely local in its application and is unlikely to affect international trade.

#### 4.4 Other Implications

4.4.1 There are no other direct implications arising from this report.

# 5. ALTERNATIVE OPTIONS CONSIDERED

#### 5.1 **Not entering into revised funding arrangements**

5.1.1 This is not an attractive or viable option for the Council. If SCT does not have the required security of funding to operate as a going concern until it ends operation and wind up as a solvent business, then legally its Trustees would need to cease trading and the most likely outcome would be an insolvent wind up. In this situation, SCT would be operated by an insolvency practitioner and that would likely mean the closure of most of the leisure facilities before 2024. The best scenario would be hand back to the Council but due to the complexity of the arrangements that have been entered into over time, this is not guaranteed for all facilities.

#### 5.1.2

Even then the Council would either have to operate the facilities or at short notice find another operator pending going to out to procurement under the Leisure Strategy. Having to enter into piece meal short term arrangements and the officer time involved could end up being less cost effective than funding SCT as set out in this report. In addition, the position of staff in SCT would be unclear and there may be redundancies whereas under this arrangement, TUPE is likely to apply.

# 6. REASONS FOR RECOMMENDATIONS

- 6.1 The recommended option allows SCT to continue the provision of leisure and entertainment services up to the hand back of facilities in 2024 whilst giving the Council the most flexible options to deliver these services from all the SCT facilities in line with the approved Leisure Investment and Facility Review strategy.
- 6.2 It avoids a potential insolvency situation that could have significant impact on the delivery of these services in the short to medium term.

# SHEFFIELD CITY COUNCIL

# Removal from Call-in Process ("fast track") Scrutiny Procedure Rule 17

Subject: Financial Support For Sheffield City Trust

Decision Maker: Co-operative Executive

Date of Decision: 24 March 2022

# Decision to be removed from Call-in process:-

(a) Note the intention of Sheffield City Trust to not bid to operate the Major Sporting Facilities from the hand back date in 2024

(b) Note and approve the intention of Sheffield City Trust to agree a concurrent hand back of the other Sheffield leisure facilities to the Council, allowing the Council to include these in delivery of its approved Leisure Strategy from 2024 Those facilities are.

- English Institute of Sport Sheffield
- Ice Sheffield
- Sheffield City Hall
- Heeley Pool & Gym
- Springs Leisure Centre
- Concord Leisure Centre
- Beauchief, Birley and Tinsley Golf Courses

(c) Delegate authority to the Director of Finance and Commercial Services in consultation with the Director Legal and Governance to enter into revised funding agreement with Sheffield City Trust as outlined in this report
(d) Delegate authority to the Director of Finance and Commercial services in consultation with the Director of legal and Governance to enter into revised pension arrangements with Sheffield City Trust as outlined in this report.
(e) To the extent not covered by existing delegations, delegates authority to the Director of Finance and Commercial services in consultation with the Director and Commercial services in consultation with the Director of Legal and Governance to enter into revised pension arrangements with Sheffield City Trust as outlined in this report.
(e) To the extent not covered by existing delegations, delegates authority to the Director of Finance and Commercial services in consultation with the Director of Legal and Governance and Co-operative Executive Member for Finance and Resources to take such steps as deemed appropriate to achieve the objectives outlined in this report.

#### **Reasons for Urgency**

The decision relates to new funding arrangements to be entered into with the Sheffield City Trust. These need to be signed before 1 April 2022 and waiting for call-in/call-in would prevent that. The matter was referred to the Overview and Scrutiny Management Committee on 17 March 2022 in advance of the decision by Co-operative Executive.

We certify that the above item of business is urgent and that its delay for scrutiny would consequently significantly prejudice the interests of the Council or a third party. (To be signed by an Executive Director and 2 Statutory Officers)

Signed Eugene Walker via email Date 18/03/22

#### Executive Director of Resources

Plus any two of the following Statutory Officers:-

Signed ..... Head of Paid Service (Chief Executive)

Date .....

Tall

James Henderson via email Date 18/03/22 Signed Chief Finance Officer (Acting Executive Director, Resources)

Signed

Date 18 March 2022 **Deputy Monitoring Officer (Assistant Director of Legal & Governance)** 

#### Consultation with the appropriate Executive Member / Chair of the Co-operative Executive

I confirm that I have been consulted about and support the removal of this item of business from the call-in process.

Certe Mc Donald

Date 21/3/2022

Executive Member for Finance and Resources

# Lead Officer to Complete

As Lead Officer (LO), I confirm that I have notified the Chair of the Scrutiny Committee\* detailed below, that the decision is urgent and they are aware that the decision is being removed from the call-in process.

Scrutiny Chair: Cllr Denise Fox

Scrutiny Committee: Overview and Scrutiny Management Committee.

Date 18/3/22

Print Name: David Hollis

LO Signature

Position: Assistant Director Legal and Governance

\*In the absence of the Scrutiny Chair, the Lord Mayor / or Deputy Lord Mayor should be notified and recorded above.

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