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County Offices Newland Lincoln LN1 1YL

27 November 2017

Executive

A meeting of the Executive will be held on **Tuesday, 5 December 2017** in **Committee Room One, County Offices, Newland, Lincoln LN1 1YL** at **10.30** am for the transaction of business set out on the attached Agenda.

Yours sincerely

Tony McArdle Chief Executive

Membership of the Executive (8 Members of the Council)

Councillor M J Hill OBE, Executive Councillor for Resources and Communications (Leader of the Council)

Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health and Children's Services (Deputy Leader)

Councillor C J Davie, Executive Councillor for Economy and Place

Councillor R G Davies, Executive Councillor for Highways, Transport and IT

Councillor E J Poll, Executive Councillor for Commercial and Environmental Management

Councillor Mrs S Woolley, Executive Councillor for NHS Liaison and Community Engagement

Councillor C N Worth, Executive Councillor for Culture and Emergency Services

Councillor B Young, Executive Councillor for Community Safety and People Management

EXECUTIVE AGENDA TUESDAY, 5 DECEMBER 2017

ltem	Title	Forward Plan Decision Reference	Pages
1	Apologies for Absence		
2	Declarations of Councillors' Interests		
3	Announcements by the Leader, Executive Councillors and Executive Directors		
3a	Fairer Funding Deal for Lincolnshire (To receive a verbal update on Fairer Funding for Lincolnshire)	~	Verbal Report
4	Minutes of the Meeting of the Executive held on 7 November 2017		5 - 10
KEY EXEC	DECISIONS - ITEMS TO BE RESOLVED BY THE UTIVE		
5	Highways 2020 - Options Appraisal (To receive a report from the Executive Director for Environment and Economy, which invites the Executive to consider the information within the report and the Lincolnshire Highways 2020 Business Case and seeks approval of the recommended option as the basis on which the Council proceeds to put in place replacement arrangements)	1014443	11 - 68
6	Building Communities of Specialist Provision: A Collaborative Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) in LincoInshire (To receive a report from the Executive Director of Children's Services, which seeks approval of the strategic vision of SEND provision as outlined in the Building Communities of Specialist Provision Strategy document at Appendix A for the purposes of consultation)	l014741	69 - 116
	KEY DECISIONS - ITEMS TO BE RESOLVED BY EXECUTIVE		
7	Council Business Plan 2017 - 2018 Performance Report, Quarter Two (<i>To receive a report from the Chief Executive, which</i> presents an overview of performance for Quarter 2	1014183	117 - 128

presents an overview of performance for Quarter 2 against the Council Business Plan)

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Please Note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

All papers for council meetings are available on: www.lincolnshire.gov.uk/committeerecords

Agenda Item 4





EXECUTIVE 7 NOVEMBER 2017

PRESENT: COUNCILLOR M J HILL OBE (LEADER OF THE COUNCIL)

Councillors Mrs P A Bradwell (Executive Councillor for Adult Care, Health and Children's Services) (Deputy Leader), C J Davie (Executive Councillor for Economy and Place), R G Davies (Executive Councillor for Highways, Transport and IT), E J Poll (Executive Councillor for Commercial and Environmental Management) and B Young (Executive Councillor for Community Safety and People Management)

Councillors R D Butroid, L A Cawrey (Vice-Chairman of the Overview and Scrutiny Management Board), R B Parker (Chairman of the Overview and Scrutiny Management Board) and Mrs C L Perraton-Williams were also in attendance.

Officers in attendance:-

Debbie Barnes (Executive Director, Children's Services), David Coleman (Chief Legal Officer), Glen Garrod (Executive Director of Adult Care and Community Wellbeing), Andy Gutherson (County Commissioner for Economy and Place), Cheryl Hall (Democratic Services Officer), Pete Moore (Executive Director, Finance and Public Protection), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Richard Wills (Executive Director, Environment and Economy) and Adrian Winkley (Minerals and Waste Policy Team Leader).

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs S Woolley and C N Worth and Tony McArdle (Chief Executive).

26 DECLARATIONS OF COUNCILLORS' INTERESTS

There were no declarations of interest at this point in the meeting.

27 <u>MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON</u> <u>3 OCTOBER 2017</u>

RESOLVED

That the minutes of the meeting of the Executive held on 3 October 2017 be approved and signed by the Chairman as a correct record.

2 EXECUTIVE 7 NOVEMBER 2017

28 <u>ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND</u> <u>EXECUTIVE DIRECTORS</u>

28a <u>A Fair Deal for Lincolnshire - Update</u>

The Leader of the Council advised that the campaign for a Fairer Funding Deal for Lincolnshire was now well underway and had received extensive support.

It was noted that the Leader of the Council had recently met with the Secretary of State for Communities and Local Government; the Minister for Local Government; Lincolnshire MPs and other interested parties to discuss a fairer funding deal for Lincolnshire.

It was highlighted that the Government had committed to conducting a Fair Funding Review for local government. Depending upon how the Government proceeds, it had the potential to radically alter the funding profile for the Greater Lincolnshire local authorities. It was expected that the changes could be implemented in 2020, which would see a revised local government funding formula.

It was also highlighted that to bring Greater Lincolnshire in line with the England average for all areas, there was a funding gap of £116m in 2017/18.

It was noted that the County Council Network and other local authorities were carrying out similar campaigns to Greater Lincolnshire's campaign for fairer funding.

Greater Lincolnshire local authorities would continue to campaign for fairer funding for Lincolnshire.

29 <u>LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN: SITE</u> <u>LOCATIONS</u>

Consideration was given to a report by the Executive Director for Environment and Economy, which sought endorsement of the Lincolnshire Minerals and Waste Local Plan: Site Locations document.

The Executive was reminded that the Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft), as detailed at Appendix A to the report, was endorsed by the Executive on 1 November 2016 and, following a period of consultation, had been approved by the County Council on 24 February 2017 for submission to the Secretary of State for Communities and Local Government (SoS) for examination. Details of the consultation were detailed at Appendix B to the report.

The examination was conducted by an independent inspector appointed by the SoS, and had included public hearings between 25 and 27 July 2017. During the examination a number of minor modifications ("Additional Modification") were proposed by the Council's officers to address issues which had been raised through the consultation, as detailed at Appendix C to the report.

3 EXECUTIVE 7 NOVEMBER 2017

The examination closed on 19 September 2017 with the issuing of the Inspector's report, as detailed at Appendix D to the report, which recommended the plan be adopted on the basis that it had met the full requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004. The Inspector also advised that the incorporation of the Additional Modifications would not affect the soundness of the plan.

It was noted that the Environment and Economy Scrutiny Committee had considered a report on the *Lincolnshire Minerals and Waste Local Plan: Site Locations* at its meeting on 24 October 2017. The comments of the Committee were detailed on pages 18-20 of the agenda pack. It was highlighted that concerns were raised that Pinchbeck Parish Council had not been consulted. However, the Council's records had shown that Pinchbeck Parish Council had been consulted on two separate occasions (4 December 2015 and 4 November 2016).

The Leader of the Council thanked officers for their hard work in producing the Minerals and Waste Local Plan.

RESOLVED

That the Executive:

- endorses the Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft) at Appendix A as modified by the Additional Modifications set out in Appendix C of this report;
- (2) authorises the Planning Services Manager to recommend to the County Council further Additional Modifications to update Chapter 1 of the plan (Introduction) and to remove references to "Pre-Submission Draft" within the document in order to reflect its status at the point of adoption; and
- (3) recommends to the County Council that it adopts the Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft) at Appendix A as modified by the Additional Modifications set out in Appendix C or recommended by the Planning Services Manager under paragraph (2) above as the Lincolnshire Minerals and Waste Local Plan: Site Locations.

30 ESPO TRADING COMPANY LIMITED

Consideration was given to a report from the Executive Director for Finance and Public Protection, which sought approval to the involvement of Lincolnshire County Council in the establishment, alongside its ESPO partner authorities, of a trading company to enable ESPO to expand the customer base to which it provided services beyond public bodies.

The Chief Legal Officer advised that ESPO was a public sector buying organisation managed by a local government joint committee, jointly owned by six local authorities, one being Lincolnshire County Council. As it was not a separate legal

4 EXECUTIVE 7 NOVEMBER 2017

entity, its functions were performed through Leicestershire County Council, which acted as a servicing authority to the Joint Committee.

ESPO had traded on a self-funded basis and its sole power to trade was through its servicing authority under the Local Authorities (Goods and Services) Act 1970 which restricted it to only trading with other public bodies within the UK. This market was shrinking as local authority resources reduced and services were outsourced to private or voluntary sector organisations.

With this in mind, ESPO's Management Committee had explored alternative markets and potential customers that were not public bodies and proposed the creation of ESPO Trading Ltd. The new company could trade with organisations with a public sector ethos, and not be restricted by the 1970 Act.

In response to a question, the Executive was assured that should any issues arise with the newly-established ESPO Trading Ltd, each member authority would only be liable for the value of their individual shares.

A Member commented that there could potentially be a conflict of interest between ESPO and ESPO Trading Ltd. Further to this, it was highlighted to the Executive that this had been identified as a potential risk within the Risk Assessment, paragraph 37, page 212, of the agenda pack.

The Chairman of the Overview and Scrutiny Management Board advised that the Board had considered a report on *ESPO Trading Company Limited* at its meeting on 26 October 2017. The Board had unanimously supported the recommendations within the report.

RESOLVED

That the Executive:

- (1) Notes the recommendation of the ESPO Management Committee, having reviewed the detailed business case and other documents, to establish a trading company;
- (2) Approves the establishment and the taking up of County Council membership of a new trading company, 'ESPO Trading Limited' on the basis outlined in this report;
- (3) Notes that the Board of Directors of the trading company will include five officers, acting as Executive Directors made up as follows:
 - (i) Three officers from ESPO being the following office holders:
 - Director of ESPO
 - Deputy Director and Chief Commercial Officer
 - Assistant Director of Finance and IT

- (ii) The Director of Corporate Resources (Leicestershire County Council) or his nominee;
- (iii)An officer nominated by the other Shareholders (member authorities of ESPO);
- (4) Approves the granting by the Council of an indemnity within the scope permitted by the Local Authorities (Indemnities for Members and Officers) Order 2004 to any County Council officers discharging the role of Executive Director of the Company;
- (5) Notes that the Shareholders (member authorities) may nominate up to two Non-Executive Directors to serve on the Board of the Company;
- (6) Notes that each of the six member authorities will be equal shareholders in the new Company and approve the appointment of Councillor R D Butroid as the County Council's shareholder representative on the new company;
- (7) Notes that the shareholder representatives (Elected Members) will be responsible for taking strategic decisions and agreeing the Annual Business Plan for the Company; and
- (8) Delegates to the Executive Director for Finance and Public Protection in consultation with the Leader of the Council authority to agree the terms of and sign the necessary documentation to give effect to this decision and to agree the nomination of an officer from the ESPO member authorities to be an Executive Director of the company.

The meeting closed at 10.55 am.

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Executive

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy		
Report to: Executive		
Date:	05 December 2017	
Subject:	Highways 2020 - Options Appraisal	
Decision Reference:	I014443	
Key decision? Yes		

Summary:

The current Lincolnshire Highways Alliance contracts are due to reach full term on the 31st March 2020 and cannot be further extended under European Union Procurement Law.

This report outlines the replacement options available to the Highway Service and recommends a future option that is best suited to Lincolnshire County Council.

The Executive is asked to consider the information within this Report and the Lincolnshire Highways 2020 Business Case and approve the recommended option as the basis on which the Council should proceed to put in place replacement arrangements.

Recommendation(s):

That the Executive:

- 1) Approves the carrying out of a procurement process for the external commissioning of the services currently covered by the Highways Alliance contracts.
- 2) Approves Option 17 as described in this Report as the package of contracts to be offered to the market within an Alliance model utilising the New Engineering Contract NEC4.
- 3) Delegates to the Executive Director for Environment and Economy in consultation with the Leader of the Council and the Executive Councillor for Highways Transportation and IT all decisions necessary to progress the procurement of the replacement arrangements to include choice of procurement procedure, scope of the services and the terms of all necessary legal documentation but excluding the final decision to award the contract.

	ernatives Considered:
•	Seventeen alternative options have been considered during the Option Appraisal stage that was developed from eight broad option families. The seventeen options were down selected to five main options that underwent Change Impact Analysis and further investigation prior to the Evaluate Options stage. The Five main options were:
	Option 2 Single provider contractor with improved reactive service incentivisation for works contract. Single Provider for design services with LCC design function externalised Separate works contract for Traffic Signals.
	<u>Option 4</u> Works contract split down into multiple providers (reactive service, schemes, and cyclical). Design service top up widened to broader highway service/ Separate contract for Traffic Signals.
	Option 1 Single provider contractor for works contract to remain as is. Design service top up for current LCC in house design function Separate works contract for Traffic Signals
	Option 17 Single provider contractor with improved reactive service incentivisation for works contract. Design service top up widened to broader Highway Service. Separate works contract for Traffic Signals.
	Option 13 Single provider contractor with reactive service brought in house. Design service top up widened to broader highway service. Separate works contract for Traffic Signals.

Reasons for Recommendation:

The recommended option offers the most effective and efficient mechanism for delivering the Highway Service in Lincolnshire following an extensive excercise to review possible options and market conditions.

1. Background

The three contracts that form the backbone of the Lincolnshire Highways Alliance (LHA) began on 1st April 2010 and are due to reach full term on 31st March 2020. Work began on the LHA in 2007 with a preliminary report to the Highways Policy

Development Group, the precursor to the current Scrutiny Committee with decision making at key milestones carried out through the Executive.

The eventual decision to progress with the LHA reflected all of our recent experiences, member's preference for the retention of some control and our best effort to provide flexibility for the future.

The chosen solution was highly innovative at the time and captured a number of areas of best practice from the projects knowledge capture exercise. We were one of the first Authorities to adopt the New Engineering Contract (NEC)3 Term Service Contract and our template was soon adopted by the Midlands Highways Alliance (MHA) and subsequently the Highways Maintainance Efficiency Programme (HMEP) for their model documents. Our use of the X12 Clause to link contracts remains class leading and the linked performance management system is still being used nationally as an example of best practice.

This model contributed to LCC being identified as one of only two Band 3 highway authorities in the country by the Department for Transport when judged against the 22 assessment areas including asset management works planning and programming.

The three contracts that form the LHA are:



The Highway Works Term Contract delivers the majority of highway works including surfacing, patching, surface dressing, drainage, street lighting, bridges/structures, signs, lines, grass cutting, weed control, drainage cleansing, emergency response and winter maintenance.

The Traffic Signals Term Contract delivers all the maintenance and improvement work to our existing signals and controlled crossings together with the provision of new signal installations.

The Professional Services Contract provides access to professional consultancy services including highway and drainage design, transport modelling, planning advice, ecology and archaeology expertise.

Since the current arranagement started in 2010 there has been significant consolidation between providers in the Highways Sector. Suppliers have become much more selective about bidding opportunities due to the large resource implication of taking part in a competitive tender process. Some Authorities have found it difficult to attract an appropriate number of bidders to provide effective competition so it is therefore important for LCC to understand these market drivers. A comprehensive exercise of soft market testing and local authority visits has therefore been undertaken to ascertain what type of model will attract the market and how different models are operating in practice. It should be noted that several

other authorities are on a similar timeline to LCC which exacerbates the need for LCC to undertake an informed procurement process.

Soft Market Testing

Soft market engagement has been carried out with both works and professional service providers to test the market position of the various options and collate best practice. To date meetings have been held with:

Works	Traffic Signals	Professional Services
Eurovia	Dynniq	WSP
Skanska	Siemens	Aecom
Kier	Talent	
Tarmac		
Amey		
Volker Highways		
Costain		

The meetings enabled the project team to test key aspects of the service arrangement so that the Highways 2020 recommended option can meet the market requirements and be viewed attractively.

The following key messages emerged:-

- Only one potential provider expressed interest in delivering all of the services covered by the current Alliance arrangement as prime provider. The rest would be interested in competing for the individual elements.
- The current arrangement of separate contracts within the Alliance structure reflects the structure of the market in that business models within the market are broadly based on core offerings falling within the categories of works, traffic signals and professional services.
- A model based on this structure ensures that the providers are not forced into a relationship outside of their core offering which encourages unnecessary sub-contracting or in which they price for additional risk.
- The minimum contract duration the market would be looking for to recoup investment in plant and equipment would be six or seven years. That kind of duration would also enable the market to engage more in a collaborative, partnership-based arrangement.

Where other messages from the soft market testing are relevant to the options analysis they are referred to at the relevant point in this Report.

Local Authority Benchmarking

LCC carried out a service efficiency review in May 2017 to determine the areas of strengths and weaknesses in comparison with other local authorities within the Highways and Transportation field. The review focused on the Customer Quality and Cost (CQC) data developed by the National Highways & Transportation network (NHT) and the NHT public satisfaction survey. The report concluded that

dialogue should be progressed with Shropshire, Durham and Leicestershire as they were similar in characteristics to Lincolnshire and were showing strong performance in certain aspects.

The Project team has actively pursued current best practice within the market engaging with a wide variety of Local Authorities to test differing approaches to Highway maintenance and share best practice. Discussion has been carried out with the following authorities:

- Devon Contractual arrangement and procurement route choice
- Hampshire Contractual arrangement and procurement route choice
- Rutland Incentivising the Reactive service
- Shropshire General overview
- Leicestershire General overview, reactive service, winter and design. Member involvement from both sides
- Staffordshire General overview, reactive service, winter and design
- Durham General overview, reactive service, winter and design. Member involvement from both sides
- Telford and Wrekin Target Cost Vs Lump Sum

Each of the authorities visited varied in their approach to model selection and the split between client and provider. Each authority discussed their strengths and weaknesses and how LCC were approaching each aspect.

During discussion with the authorities, operational improvement tasks were identified and recorded for development within the Highway 2020 recommended option. This is referred to later in this Report.

Where specific lessons could be learnt from other experiences relevant to the choice between models they are referred to in the following analysis. Overall, in terms of the options appraisal, the benchmarking exercise identified that all authorities were facing similar pressures in terms of both value for money and service quality regardless of the contractual model itself or the split within that model between the client and the provider. The solution in most cases was not solved by the model itself but more related to people and process.

Options Appraisal

We have used the Highway Maintenance Efficiency Programme (HMEP) Procurement Options Toolkit to evaluate the options that are available. Use of the Toolkit is a key factor for our current Band 3 status and helps us to consider the eight key models for highway service delivery. These alternative delivery models are listed below:

- Private Funding
- Single Provider
- Multiple Providers
- Framework
- Joint Venture
- In-House with top up

- Teckal
- In-House

The "Explore Options" element of the HMEP toolkit requires scores to be input against thirty two questions relating to the Highway Service. The scores and comments were inserted into the web based system and the results were as follows:

Works Contracts	1st - Single Provider / 2nd - Joint Venture or Teckal / 3rd - In-house
Design Contract	1st - Single Provider or Teckal / 2nd - Joint Venture / 3rd - In-house

The Private Funding and Framework options were withdrawn from the results above as they were deemed unsuitable options to progress.

Private Funding was withdrawn as PF2 is not currently available and requires a long term financial arrangement which with an uncertain future highways funding situation did not seem attractive.

The Framework option relates to the Council procuring a Framework Contract from which it would call off services as needed. This option was withdrawn because framework agreements are restricted to four years under the Procurement Regulations and the timescales indicated from soft market testing suggested that the optimum timescales for plant and equipment procurement is six to seven years. The short timescale would also limit the likelihood of a collaborative relationship between parties if the duration was capped at four years.

The scoring preferences from the Explore Options section were fed into an Options Heat Map facilitated by Proving Services Ltd of Cranfield University. The remaining core options were expanded further to test hybrid elements and test refined options. Each option was scored in terms of Attractiveness and Achievability with weightings applied for factors that were politically most important. The Political Preference was obtained for each option and recorded during the Member Workshop. During this phase the seventeen options were reduced to five and subjected to further analysis. A copy of the Options Heat Map is included in the Highways 2020 Business Case at Appendix A.

During this phase a combined Contractor and Designer single provider was discounted. This was for two main reasons. The first was that the soft market testing identified that there would be a very minimal market and therefore competition for such a contract with only one provider expressing an interest in a contract structured in such a way. The second was that feedback from our contact with other local authorities identified that either (i) the lack of clear boundaries between those designing and supervising works and those delivering them gave rise to concerns about probity (at worst) or that there was sufficient rigour to deliver best value for money (at best) or (ii) the implementation of strict boundaries within the contractor's operations to deliver the contract has not offered any benefits from streamlined processes.

Furthermore, following discussion with the market it was decided the remaining options should all assume that the Traffic Signal service will be split out of the main works contract as a dedicated service. Following soft market testing and local authority benchmarking it is clear that this service is not currently offered from the main providers and would be sub-contracted. The reactive and high risk nature of this service is something that LCC should retain as a discrete contract. The decision to combine this element of the service with street lighting was also considered and not progressed as the skill sets of these specialisms fundamentally differ.

As a result of this analysis it was decided that-

- Market attractiveness requires design and works to be separated
- The HMEP toolkit analysis had identified that an externally delivered solution was the best option for both works and design.
- In addition the Works element should be further broken down into works and traffic signals elements for the reasons given above.

As a result the remaining options were all combinations of different approaches to this basic arrangement.

Given that this arrangement is already the basic structure of the existing Alliance this leaves one remaining challenge which came out particularly clearly from engagement with elected members – i.e. if the structure of the model is not fundamentally changing how does the Council ensure continuous improvement in the quality of service and in particular the reactive maintenance service. In other words, what scope exists for the Council to change the terms and conditions of the contracts it uses or to change the way it operates the contracts to enhance the rigour of its contract management and its ability to incentivise the contractor or hold the contractor responsible in relation to our required service standards.

This question has been approached through two routes. Firstly LCC has conducted its own lessons learnt exercise in the light of experience of the existing highways alliance. Secondly, the potential for such improvements formed a key part of both the soft market testing and local authority benchmarking engagement. This has all been seen in the light of the availability of a new version of the NEC contract conditions (NEC4).

As a result of that activity a longlist has been drawn up of potential improvements to the contract documentation. This longlist requires further analysis and preferably would be the subject of further discussion with bidders through the procurement process. However potential such improvements include:

- Improved definition of employers risk
- Defined contract review periods to allow potential changes to service splits
- Adoption of the HMEP Price List where possible
- Use of the HMEP method of measurement

We are confident as a result of this work that the contract documentation can be further enhanced to secure service improvement. The precise nature of the changes would be determined under the delegated authority contained in recommendation 3.

In advance of the final option recommendation, Change Impact Analysis workshops were carried out within the Project Team to differentiate each of the remaining five models and prioritise further packages of work. The packages of work were required at both a wider service level and detailed option level to inform the Project Team prior to a recommendation.

The Five Options

L.	•		Contractor		improved	reactive	service
Option 2	Single	provider	works contr for design		with LCC	design	function
•	external Separate		ontract for Tra	affic Sign	als		

The defining features of this option are (i) to develop the contract provisions to improve reactive service incentivisation and (ii) to outsource the design element of the service to an external provider.

Improved reactive service incentivisation is dealt with in more detail under Option 17 below.

The market is able to contend with all aspects of LCC's in house design service but this option considered the traditional design service and was therefore restricted to Technical Services Partnership (TSP) and Operational Asset Management (OAM). If this option was selected it would result in approximately 100 FTEs moving from LCC to the provider.

The positive element of this approach would be that the design service is fully contained within the same organisation that can attract and deliver works on a national level combining best practice from a variety of sources.

The negative element of this approach is that the LCC loses a major element of the intelligent client to make whole life cost considerations in relation to the asset that is being constructed. Outsourcing this element may result in a higher percentage of design being completed outside of Lincolnshire that will gradually result in a loss of engineering skill in the region that will negatively impact the local economy.

Option 4 Works contract split down into multiple providers (reactive service, schemes and cyclical) Design service top up widened to broader highway service Separate contract for Traffic Signals

The defining characteristics of this option are (i) to break up the current Highway Works Term Contract into specialisms such as cyclic maintenance, reactive service and surface treatments with the winter service delivered either within one of the contracts or delivered across them all and (ii) to broaden the design service top up to the broader highway service.

The positive element of approach (i) is that the service (if won by local contractors) may result in corporate overhead expenditure that is more likely to be located within Lincolnshire and have a positive impact on the local economy. It is also anticipated that the direct cost relating to that discrete service area may drop as there is no additional main provider fee placed on top.

The negative element of approach (i) is that it would move the administration of these contracts back in house requiring additional resource. Risks and overlaps in service would sit with the client and the service would lose resilience as the potential to retain operatives carrying out multiple disciplines would be lost. The winter service staffing pool would also be significantly reduced and split across various parties. This would result in a more expensive winter service or force LCC to implement a major change in winter service provision. The local supply market would also require time to develop the capacity to undertake the scale of LCCs operation.

In terms of approach (ii) the proposal here is as described and evaluated under Option 17 below.

Option 1	Single provider contractor for works contract to remain as is Design service top up for current LCC in house design function to
	remain as is Separate contract for Traffic Signals to remain as is

This option assumes that the current arrangement is maintained with only minor updates to accommodate changes in law and recommended best practice.

The positive element of this approach is that the model has enabled Lincolnshire to successfully deliver works and services for the duration of the contract. The delivery model has been in place since 2010 and is understood by the stakeholders involved. The model has assisted LCC to achieve and maintain Level 3 status Incentive funding from the DfT and suits the recent FOM restructure that was carried out on the internal Highway Service in February 2017. The cost to implement and mobilise this option would be low in comparison to all other options.

The negative element of this approach is that the current reactive service contractual mechanisms don't fully incentivise and enable the provider to deliver best value. The current design service is not able to effectively evidence the

potential savings which should be achieved through the appropriate management of design risk provided by the In-house capability.

Option 17 Single provider contractor with improved reactive service incentivisation for Works contract Design service top up widened to broader highway service Separate works contract for Traffic Signals

The defining characteristic with this option is to develop on the current model by implementing further best practice and improving areas of weakness. The model specifically targets incentivising the reactive service and widening the design services top up arrangement to offer provision for the broader highway service.

The positive element of this approach is that it develops on a successful model and looks to improve elements from a known position. The model fits with the majority of providers within the market and should be viewed attractively due to its size and evolved position. Incentivising the reactive service contractually by creating specific performance measures and linking the service area to output improvement targets will improve on the area of weakness identified in the current model. The design top up arrangement would be widened to offer the possibility of providing the broader range of highway services with a more robust design review process to challenge the design option process whilst capturing realised benefits.

The negative element of this approach is that the reactive service incentivisation could lead to a drop in service quality if the mechanisms used are not robust. This element would need to be monitored and reviewed with the provider throughout the life of the contract to ensure this does not occur.

Option 13Single provider contractor with reactive service brought in house
Design service top up widened to broader highway service.
Separate works contract for Traffic Signals

The fundamental difference in this approach is to bring the reactive service in house. If this option was selected it would create the demand for approximately 75FTEs with the strong potential for staff of the existing contractor to transfer to the Council under TUPE.

The positive element of this approach is that it would enable LCC to deliver a combined service in response to fault identification and fault rectification of the asset. Delivering these elements of service in house would give full control to LCC to manage this process.

The negative element of this approach is that the skills to deliver this service are no longer contained within the authority and the reduced volume of work split between two parties reduces opportunity for efficiency. Splitting the works element of the service would confuse the winter service provision as the staffing pool would be split between the client and provider. A study has been carried out to calculate the anticipated financial impact this change would have on LCC. The net cost of this transfer is likely to result in an increase in service cost of approximately £380,000

per annum due to a combination of factors including LCC being responsible for costs currently covered by the Fee, increased pension costs, increased costs consequent on any future harmonisation of terms and conditions with existing Council staff and additional costs of equipment and plant due to loss of purchasing power.

Conclusions of Options Analysis

The criteria selected to differentiate between the above five options were a combination of those recommended within the HMEP Options Appraisal toolkit and additional criteria selected by the Project Team. The criteria selected were:

Enhance the Local Economy Deliver Value for Money Complexity in delivering option (Project) Complexity and capacity to manage the contract (Ongoing) Enhance authority's access to capability & capacity Supports Innovation and Continuous Improvement Contribution to Corporate Strategic Plan Outcomes Resilience (ability to react to uncertainty) Retention of intelligent client and probity Provider readiness and sector success stories

During the Evaluate Options stage the Project Team weighted each of the assessment criteria. The final weightings were agreed with members at the final Member workshop.

The evaluation identified the following preferred option:

_	Single provider contractor with improved reactive service	
Option	incentivisation for works contract	SCORE
17	Design service top up widened to broader highway service	101
	Separate works contract for Traffic Signals	

The remaining options scored:

Option 2: SCORE 60 Option 4: SCORE 69 Option 1: SCORE 93 Option 13: SCORE 78

A copy of the completed Evaluate Options Scoring Matrix can be found within the Lincolnshire Highways 2020 Business Case at Appendix C.

The recommended option following the Options Appraisal stage is to proceed with a developed iteration of the existing model with some notable changes in relation to the reactive service and a broader design (and other professional services) top up arrangement. The base contract will be the recently released New Engineering Contract four (NEC4) with incentive mechanisms that are performance related and encourage collaboration between parties. Particular areas for improvement include:

- Reactive Service (quality and productivity)
- Enhancing the client consultant dynamic within design services
- Winter Maintenance
- Cyclical works
- Customer digital engagement
- Engagement with local supply chain
- Social Value
- Value for Money assessment for Client and Provider functions

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.

* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

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

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

Equality Impact Analysis (EIA) has been carried out on the recommended option and forms part of the Highways 2020 Business Case at Appendix E. The results of the analysis are as follows:

Positive Impacts:

It is anticipated that the recommended option will encourage apprentice schemes within the provider contracts. This will be monitored through contractual performance indicators and commitments made by the providers during the procurement process.

Negative Impacts:

No perceived adverse Impacts

The EIA will be continually monitored throughout the process

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

All options considered as part of the Highways 2020 project will impact the JSNA and the JHWS. The Highway Authority delivers the majority of its service through this procurement route and therefore will impact key elements of the JSNA and all six themes within the JHWS. The recommended option will enable Lincolnshire County Council to deliver an efficient and effective service which will positively impact the JSNA and the JHWS.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The duties under section 17 of the Crime and Disorder Act 1988 have been considered and it is deemed that the Highways 2020 recommended option will have no direct impact.

3. Conclusion

The recommended option is identified in recommendation 2 of this Report.

The reason to proceed with this model is that it improves on the existing model through a knowledge capture exercise from the current arrangement and offers the opportunity for ongoing improvement.

The risks involved with moving to an alternative model at this stage were not offset by the challenges that the existing model faces. Lessons learnt, market analysis and local authority benchmarking confirmed that the model is the correct solution for Lincolnshire County Council. Implementing these improvements, together with the continued implementation of the Future Operating Model, will enable Lincolnshire to continue to be a leading authority in the Highways sector.

The Report recommends approval to proceed to approach the market on the basis of this model. If approval is given, work begins to detail the procurement route and prepare contract documents, incentivisation schedules and specifications to enable contract award in October 2019 with service commencement in April 2020. This work would be carried out under the delegation proposed in recommendation 3 including consultation on key issues and at key stages with senior members.

4. Legal Comments:

The Council has the power to enter into the contracts proposed. Due to the values of the contracts they will have to be procured in accordance with the Public Contracts Regulations 2015.

The decision is consistent with the Policy Framework and is within the remit of the Executive if it is within the budget.

5. Resource Comments:

Accepting the recommendation as set out in this report should have no direct impact on the Council's finances. There is an expectation that the costs of any contracts awarded following the procurement exercise will be met from resources available for the delivery of this activity and should be able to respond to changes in both the revenue and capital funding available based on the budget the Council approves for the periods from April 2020.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The Highways and Transport Scrutiny Committee met on 06 November 2017 and considered a report on the Lincolnshire Highways 2020 Options Appraisal. The Committee considered the replacement options available to the Highway Service and supported the recommendations included in the report.

The Committee agreed to pass on the following comments to the Executive as part of its consideration of this item.

- The Committee welcomed the early involvement of the Scrutiny Committee in the process and the involvement of three members of the Committee on the Project Board. The Committee highlighted the excellent work which had been undertaken as part of the councillor options workshop and visits to other Local Authorities as constructive and informative.
- The Committee queried the costs involved with the contract and the potential scope of the package being proposed. Officers confirmed that the values of the proposed contracts are likely to be similar to the current arrangement that has had a historical spend of approximately £48m a year. Contract durations were discussed and officers confirmed that they will be more than 5 years following the market testing and local authority benchmarking.
- The Committee queried the potential risks for Highways 2020 identified as part of the options appraisal work. Officers highlighted the importance of ensuring continuity of skills and expertise found within the current arrangements were a key priority for the new contract. In addition, the need to build positive and strong working relationships with potential partners was also important to the success of Highways 2020 process.
- The Committee highlighted possible financial opportunities the visits undertaken to other Local Authorities had identified in relation to the skills and expertise built up in Lincolnshire, specifically the potential to generate revenue from the software developed by Lincolnshire County Council to prioritise road condition. Officers confirmed that discussions with other Local Authorities had taken place to take this forward.
- The Committee supported the recommendation to build on the current model by implementing further best practice and improving areas of weakness by specifically targeting and incentivising the reactive maintenance services.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

Each of the main options considered during the Option Appraisal stage have been subject to Change Impact Analysis. The recommended option has been subject to Change Impact Analysis, Equality Impact Analysis and Risk Analysis.

The documents are contained within Appendix A – Lincolnshire Highways 2020 Business Case.

7. Appendices

These are listed below and attached at the back of the report		
Appendix A	Lincolnshire Highways 2020 Business Case V 2.0	

8. Background Papers

Document title	Where the document can be viewed
Highways 2020	Highways and Transport Scrutiny
Update Report: 18th September 2017	
Highways 2020 Update Report: 27th July 2017	Highways and Transport Scrutiny
Highways 2020 Update Report: 16th June 2017	Highways and Transport Scrutiny

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Lincolnshire Highways 2020

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Page 27



Document Control	
Version	
Version Number:	2.0
Version Date:	18/10/17
Description of Change:	New Contract
	usiness Case (Start Up stage)
Name:	Paul Rusted
Position:	Infrastructure Commissioner
Date:	05/09/17
Sponsor Approval – Draft B	usiness Case including options (Design stage)
Name:	Paul Rusted
Position:	Infrastructure Commissioner
Date:	12/10/17
Sponsor Approval – Final B	usiness Case (Develop stage)
Name:	Paul Rusted
Position:	Infrastructure Commissioner
Date:	18/10/17
ICT Governance Board App	roval (if applicable)
Name:	Click here to enter text.
Position:	Click here to enter text.
Date:	Click here to enter text.
Review/Quality Assurance (Performance and Programmes Service)
Name:	Click here to enter text.
Position:	Click here to enter text.
Date:	Click here to enter text.

Contents

- 1. Executive Summary
- 2. Glossary
- 3. Background
- 4. Business Drivers
- 5. Lessons Learnt

- 6. Soft Market Testing
- 7. Local Authority Benchmarking
- 8. Options Appraisal
- 9. Recommended Option
- 10. Key Milestones



1. Executive Summary

1.1. Drivers

The current Lincolnshire Highways Alliance (LHA) is due to reach full term on the 31st March 2020 under European Union (EU) Procurement Law. This Business Case outlines the replacement options available to the Highway Service and recommends a future option that is best suited to Lincolnshire County Council (LCC)

Selection of the most efficient, effective and economic option to maintain the highway network and associated infrastructure is the key driver for the Highways 2020 project.

1.2. Background

The current LHA is comprised of the Highways Works term Contract (HWTC), the Traffic Signals Term Contract (TSTC), and the Professional Services Contract (PSC) that started on the 1st April 2010. The contract was awarded for an initial five year period with individual one year contract extensions to the full term length of ten years. The contract utilised the X12 Clause to link the contracts to create a linked performance management system and create the Alliance structure.

1.3. Options Summary

The options appraisal stage was carried out in three stages that broadly followed the Highways Maintenance Efficiency Programme Procurement (HMEP) Route Choice Toolkit. A variety of broad option types, progressing to detailed option variances were considered and reduced to five options that were best suited to LCC.

Change Impact Analysis, soft market testing, joint member/officer local authority visits and specific testing was carried out to differentiate between the remaining options. The Evaluate Options section of the HMEP Procurement Route Choice Toolkit was then undertaken with the Project Team and presented at a Councillor Workshop to obtain weightings and consensus of the assessment criteria. An additional Options Heat map exercise was carried out with members to fully define our preferred option.

1.4. Recommended Option

The recommended option following the Options Appraisal stage is to proceed with a developed iteration of the existing model with some notable changes in relation to the reactive service and a broader design (and other professional services) top up arrangement. The base contract will be the recently released New Engineering Contract four (NEC4) with incentive mechanisms that are performance related and encourage collaboration between parties. Particular areas for improvement include:

Reactive Service (quality and productivity) Enhancing the client consultant dynamic within design services Winter Maintenance Cyclical works Customer digital engagement Engagement with local supply chain Social Value Value for Money assessment for Client and Provider functions



The reason to proceed with this model is that it improves on the existing model through a knowledge capture exercise from the current arrangement and offers the opportunity for ongoing improvement.

The risks involved with moving to an alternative model at this stage were not offset by the challenges that the existing model faces. Lessons learnt, soft market testing and local authority benchmarking confirmed that the model is the correct solution for LCC. Implementing these improvements, together with the continued implementation of the Future Operating Model (FOM), will enable Lincolnshire to continue to be a leading authority in the Highways sector.

1.5. Financials

The cost to implement the main five options considered within the Business Case have varied dramatically from a "do minimum" approach of approximately £150,000 to a major step change in service delivery that could result in a budget requirement of £800,000. The recommended option is projected to cost in the region of £250,000.

1.6. Timescales

The expectation is for the initial Official Journal of the European Union (OJEU) Notice to be issued in April 2018 under the Competitive Procedure with Negotiation route. Prequalification in May 2018 with invitations to tender issued in October 2018. The project is planning to have a mobilisation period of 6 months prior to the contract go live date of the 1st April 2020.



2. Glossary

- DfT Department for Transport
- HMEP Highways Maintenance Efficiency Programme
- LHA Lincolnshire Highways Alliance
- NEC New Engineering Contract
- LCC Lincolnshire County Council
- FOM Future Operating Model
- MHA Midlands Highway Alliance
- TSTC Traffic Signal Term Contract
- PSC Professional Services Contract
- NHT National Highways & Transportation
- VfM Value for Money
- TSP Technical Services Partnership
- OAM Operational Asset Management
- OJEU Official Journal of the European Union

3. Background

3.1. Context

The three contracts that form the backbone of the (LHA) began on 1st April 2010 and are due to reach full term on 31st March 2020. The contract was awarded for an initial five year period with individual one year contract extensions to the full term length of ten years. Work began on the LHA in 2007 with a preliminary report to the Highways Policy Development Group, the precursor to the current Scrutiny Committee. That resulted in the existing contracts being extended to align with a 1st April 2010 replacement target.

A Steering Group and Working Group were established to progress the project. Exploratory visits were carried out to a number of Authorities considered to be delivering innovation and/or high performance in one or a number of related areas. These included Kent, North Yorkshire and Worcestershire, some of which are now perceived to be behind Lincolnshire when measured by metrics such as the Department for Transport (DfT) Self –Assessment Process.

External facilitation from the Collaborative Working Centre was procured to support the options appraisal process. This took into account the work that had been done to develop an Outline Business Case for a Highways Private Finance Initiative, the Authorities appetite for risk and our core ability to manage any proposed delivery vehicle.

The eventual decision to progress with the LHA reflected all of our recent experiences, member's preference for the retention of some control and our best effort to provide flexibility for the future.

The chosen solution was highly innovative at the time and captured a number of areas of best practice from the projects knowledge capture exercise. We were one of the first Authorities to adopt the New Engineering Contract (NEC3) Term Service Contract and our template was soon adopted by the MHA and subsequently the HMEP for their model documents. Our use of the X12 Clause to link contracts remains class leading and the linked performance management system is still being used nationally as an example of best practice.

The three contracts that form the LHA are:

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The HWTC delivers the majority of highway works including, surfacing, patching, surface dressing, drainage, street lighting, bridges/structures, signs, lines, grass cutting, weed control, drainage cleansing, emergency response and winter maintenance.

The TSTC delivers all the maintenance and improvement work to our existing signals and controlled crossings together with the provision of new signal installations.

The PSC provides access to professional consultancy services including, highway and drainage design, transport modelling, planning advice, ecology, archaeology expertise and support to bids for additional funding.

3.2. Requirement

To investigate, develop and implement a new service delivery model to commence in April 2020. The model will:

- maintain the current high-level performance of the Highways Service
- ensure appropriate value for money in terms of public spending
- continue to maintain DfT Self-Assessment highest status
- provide assurance to Members with regard to service performance
- increase operational effectiveness and efficiency
- improve public confidence and reduce the cost-to-serve
- provide appropriate responsiveness to the public's needs
- continue to be a national leader in the Local Authority Highway sector
- provide a successful transition from the incumbent providers if unsuccessful

4. Business Drivers

4.1. Scope

All existing service areas delivered on the client and provider side of the existing LHA contract are considered and reviewed. This should also include elements of the service such as IT and communication channels directly associated with the interfaces between LCC and the providers within the LHA. The project should also consider all contracts not currently within the alliance that could be introduced.

4.2. Alignment with LCC Business Plan and/or Service Plan

The 2017-2018 Lincolnshire County Council Financial Strategy outlines:

"The Council will implement a planned programme of major improvement, efficiency and transformation projects derived directly from key strategies such as the commissioning council model.

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The programme will aim to achieve substantial savings to keep the Council's spending within the funding available from government grants and the council tax, and to allow modest development and improvement of priority services where possible. Savings will be achieved through improved efficiency wherever possible.

The Council will seek to identify and assess appropriate opportunities to engage in partnership/shared services initiatives with other partners in the public, voluntary and private sectors where this will result in tangible efficiency improvements"

The Highways 2020 project embodies the need for efficiencies and the search for savings, as outlined within our overarching Financial Strategy. The project will examine whether an alliance is still the most appropriate way of working within the Highways service sector.

The Project further improves alignment with corporate objectives by keeping in line with the following overarching commissioning strategies:

• Sustaining and growing business and the economy

This commissioning strategy covers how the council will help businesses to be the drivers of economic growth through supporting a climate in which they are able to invest, enhance their business performance, and offer attractive jobs to a skilled workforce

• Sustaining and developing prosperity through infrastructure

This commissioning strategy facilitates growth and prosperity through encouraging investment and enhancing the economic potential of the county.

LCC recognises that the highways network and associated infrastructure plays a vital role in enabling the county to prosper, achieve its objectives and support the delivery of all seventeen commissioning strategies. Our highways network is one of the largest in the country and comprises of 9,000km of carriageway, 4,000km of footways, 65,000 street lights, 600 signals installations and 3,000 structures. The highways asset also includes associated drainage, street furniture and road markings and has a gross replacement cost of approximately £12bn.

The highway network and associated infrastructure will continue to be maintained, creating the need for a robust new arrangement after the completion of the LHA. The Highways 2020 project will need to provide for this arrangement to continue to adhere to the corporate commissioning strategies relevant to Highways

4.3. Why Do This Now

The current LHA is due to reach full term on the 31st March 2020 under European Union (EU) Procurement Law. A new service delivery mechanism will need to be created and implemented to start on April 1st 2020.

4.4. Strategic Benefits

Strategic Benefits are described below:

- Increased Value for money without a drop in service quality and maintaining the road network and associated infrastructure appropriately
- Increase in efficiency and effectiveness



- A robust contract enabling all stakeholders to work productively and cooperatively
- Improve the current performance of the Highways Service
- Ensure LCC remains an attractive client to the market
- Facilitate the commercialisation agenda
- Increase customer satisfaction with the road network
- Provide sufficient resource to maintain a resilient winter service
- Delivering best practice

4.5. Key Stakeholder

Stakeholder analysis has been undertaken to identify and prioritise their influence on the project. Each stakeholder has had the current and future position plotted in terms of support for the project. A Communication and Engagement Strategy has also been carried out to identify the key communication channels and tools. The Key stakeholders identified as either having a High influence on the Project or the Project has a High impact on them are:



4.6. Known Constraints and Dependencies

The relatively recent implementation of the new LCC Highway Service FOM will have a direct impact on success of delivery partners. Clarity of roles and responsibilities within the embedded new structure will create a successful environment to deliver Value for Money (VfM) improvements for the service.

The One Public Estate (OPE) programme is an established national programme delivered in partnership by the Local Government Association and the Cabinet Office Government Property Unit. OPE partnerships across the country have shown the value of working together across the public sector and taking a strategic approach to asset management. The relationship between this project and the Highways 2020 project will be critical to determine the space available to Providers within LCC owned property.

5. Lessons Learnt

From the start of the LHA in 2010, LCC and its providers have sought to innovate and introduce change by amending the ways in which we work. On occasion, LCC have been unable to implement change without dramatically adjusting the contract mechanisms and moving away from the tendered rates. These have been captured to generate discussion for Highways 2020.

Since the initiation stage a lessons learnt workshop has been held with internal functions to capture suggestions of what could be done differently and changes that need capturing within the contract documentation. Meetings were also held with our incumbent suppliers.

The issues identified for further discussion at the following Highways 2020 groups:

Percentage	Areas of discussion
13%	Contract drafting
32%	Pricing document
27%	Specification



14%	Scope
8%	Performance
2%	Depot Management
4%	Procurement

6. Soft Market Testing

Soft market engagement has been carried out with both works and professional service providers to test the market position of the various options and collate best practice. To date meetings have been held with:

Eurovia	Dynniq	WSP
Skanska	Siemens	Aecom
Kier	Talent	
Tarmac		
Amey		
Volker Highways		
Costain		
U		

The meetings enabled the project team to test key aspects of the service arrangement so that the Highways 2020 recommended option can meet the market requirements and is viewed attractively. Ensuring that the recommended option matches the market strength will ensure that the providers are not forced into a relationship outside of their core offering with the associated increase in priced risk.

All contractors were keen to see the initial contract duration of more than five years to enable relationships to develop and incentivise investment over a long term period. The optimum plant investment period for heavy goods vehicles was consistently reported as six to seven years. Extensions of time beyond the initial contract duration were reported as a good tool to incentivise performance. Extensions should be awarded two to three years in advance of the extension start date so that the provider can continue to deliver best value or be awarded in full and reduced on poor performance. The full contract period was discussed and in theory it should be a multiple of the initial contract duration if that duration offers the optimum period to attain VfM.

The adoption of the NEC (NEC4) was expected from the providers and the approach to pricing mechanisms should be flexible. Consideration should be given to the supply chain when considering open book requirements as some tier two suppliers are not set up to deliver it.

All providers were keen to see historic data in terms of expenditure, order size and value, location of orders, governance structures and works ordering processes. Including this data within the tender documentation will enable bidders to clearly understand the risk and price accordingly.

The providers were keen to enter into limited dialogue either in advance of the procurement process or during it if it included the option for dialogue. The majority of providers would like to see either the Restricted Process or the Competitive Procedure with Negotiation limited to key discussion points due to the potentially large resource implication of taking part in a competitive tender process.

Highways 2020 Business Case V2.0



Throughout this phase of market engagement areas of operational interest were recorded for further investigation subject to funding and resource availability. These aspects were not thought to be linked to the option model but worth pursuing as part of the Highways 2020 project.

7. Local Authority Benchmarking

LCC carried out a service efficiency review in May 2017 to determine the areas of strengths and weaknesses in comparison with other local highway authorities. The review focused on the Customer Quality and Cost (CQC) data developed by the National Highways & Transportation network (NHT) and the NHT public satisfaction survey. The report concluded that dialogue should be progressed with Shropshire, Durham and Leicestershire as they were similar in characteristics to Lincolnshire and were showing strong performance in certain aspects.

The Project team has activity pursued current best practice within the market engaging with a wide variety of Local Authorities to test differing approaches to Highway maintenance and share best practice. Discussion has been carried out with the following authorities:

- Devon Contractual arrangement and procurement route choice
- Hampshire Contractual arrangement and procurement route choice
- Rutland Incentivising the Reactive service
- Shropshire General overview
- Leicestershire General overview, reactive service, winter and design. Member involvement from both sides
- Staffordshire General overview, reactive service, winter and design
- Durham General overview, reactive service, winter and design. Member involvement from both sides
- Telford and Wrekin Target Cost Vs Lump Sum

Each of the authorities visited varied in their approach to model selection and the split between client and provider. Each authority discussed their strengths and weaknesses and how LCC were approaching each aspect. Areas of interest were recorded for further investigation subject to funding and resource availability. These aspects were not thought to be linked to the option model but worth pursuing as part of the Highways 2020 project.

During discussion with the authorities, operational improvement tasks were identified and recorded for development within the Highway 2020 recommended option. The benchmarking exercise identified that all authorities were facing similar pressures regardless of the split between the client and the provider. The solution in most cases was not solved by the model itself but more related to people and process.

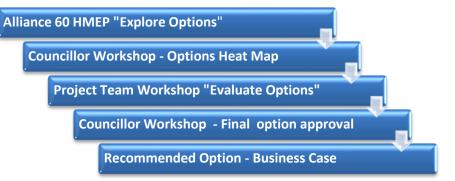
8. Options Appraisal

8.1. Options Overview, Criteria and Approach

The Highways 2020 Options Appraisal has been developed through iterative stages that have accumulated to inform the final recommended option. The approach taken at each stage was as follows:

Highways 2020 Business Case V2.0





Alliance 60 HMEP "Explore Options" – The LHA has held an Alliance 60 event every six months since 2010 that brings together management from each of the alliance partners. At the July Alliance 60 event, the group carried out the Explore Options section of the HMEP Procurement Route Choices for Highways Maintenance Services. Six tables (led by an LCC officer) discussed each of the questions and recorded comments prior to scoring.

Councillor Workshop – An Options Heat map was produced for discussion with members that considered seventeen options that were available to LCC. Each of the options was scored by the Project Team in terms of Attractiveness and Achievability. Factor importance and political preference was obtained to produce a shortlist for further investigation.

Project Team Workshop "Evaluate Options" – The Project Team carried out the "Evaluate Options" section of the HMEP Procurement Route Choices for Highways Maintenance Services. The criteria used to evaluate the options was selected by the Project Team. The scoring against the criteria was steered by the soft market testing, local authority benchmarking and individual work packages created to assist with the decision making process

Councillor Workshop, Final options approval – The final Project Team recommendation was then returned to a second Councillor Workshop where councillors reviewed the decision making process and influenced the weighting factors of the assessment criteria. The Project Team "Evaluate Options" scoring matrix was validated and agreed.

8.2. Options Appraisal

Alliance 60 HMEP "Explore Options" – The HMEP toolkit considers the use of eight models for highway service delivery. The eight alternative delivery models are listed below:

Private Funding Single Provider Multiple Providers Framework Joint Venture In-House with top up Teckal In-House

The "Explore Options" element of the HMEP toolkit requires scores to be input against thirty two questions relating to the Highway Service. The scores and comments were inserted into the web based system and the results were as follows:



Works Contracts	1st - Single Provider / 2nd - Joint Venture or Teckal / 3rd - In-house
Design Contract	1st - Single Provider or Teckal / 2nd - Joint Venture / 3rd - In-house

The Private Funding and Framework options were withdrawn from the results above as they were deemed unsuitable options to progress. Private Funding was withdrawn as PF2 is not currently available and requires a long term financial arrangement which with an uncertain future highways funding situation did not seem attractive. The Framework option was withdrawn because these are restricted to four years under the Procurement Regulations and the timescales indicated from soft market testing suggested that the optimum timescales for plant and equipment procurement is six to seven years. The short timescale would also limit the likelihood of a collaborative relationship between parties if the duration was capped at four years.

The scoring preferences from the Explore Options section were fed into an Options Heat Map facilitated by Proving Services Ltd of Cranfield University. The remaining core options were expanded further to test hybrid elements and test refined options. Each option was scored in terms of Attractiveness and Achievability with weightings applied for factors that were politically most important. The Political Preference was obtained for each option and recorded during the Member Workshop. During this phase the seventeen options were reduced to five and subjected to further analysis. A copy of the Options Heat Map is included in Appendix A. During this phase a combined Contractor and Designer single provider was discounted as it is difficult to establish clear boundaries between those ordering works and supervising it to demonstrate probity or has not offered any benefits from streamlined processes.

8.3. Option Discussion

In advance of the final option recommendation, Change Impact Analysis workshops were carried out within the Project Team to differentiate each of the remaining five models and prioritise further packages of work. The packages of work were required at both a wider service level and detailed option level to inform the Project Team prior to a recommendation.

Wider Service Discussion

Following discussion with the market the remaining options all assume that the Traffic Signal service will be split out of the main works contract as a dedicated service. Following soft market testing and local authority benchmarking it is clear that this service is not currently offered from the main providers and would be sub-contracted. The reactive and high risk nature of this service is something that LCC should retain as a discrete contract. The decision to combine this element of the service with street lighting was also considered and not progressed as the skill sets of these specialisms fundamentally differ. An individual options appraisal for this element of the service is shown in Appendix B.

The current asset management and works ordering software tool within the Highway Service is Confirm that is procured from Pitney Bowes. The system was implemented by LCC in 2010 and is now firmly embedded within the service. Confirm is the most widely used software of its type within the Highway sector and has therefore been interfaced with multiple systems. For the Highways 2020 project it is considered that the software will remain in place subject to renewal agreements but the processes will be reviewed as part of the development.



The Cross Keys Swing Bridge is a vital LCC asset that conveys the A17 traffic over the River Nene at Sutton Bridge. The operation of the swing bridge is currently delivered by a directly employed labour force that provides a service four hours either side of high water. Introducing this element of service into either the PSC or the HWTC contract was considered as part of the Highways 2020 project. The conclusion of the review was that introducing this service element into the main contract would introduce risk to the overall service and may adversely influence the suppliers in terms of price. It is therefore recommended that the operation of the bridge is maintained in its current arrangement and considered as a separate commission at a later date.

The Five Options

	Single	provider	С	ontractor	' with	improv	ved	reactive	service
		visation for							
Option 2	Single	provider	for	design	services	with	LCC	design	function
	externa								
	Separat	e works co	ontra	ct for Tra	ffic Signa	ls			

The fundamental difference of this option is to outsource the design element of the service to an external provider. The market is able to contend with all aspects of LCC's in house service but this option considered the traditional design service and was therefore restricted to Technical Services Partnership (TSP) and Operational Asset Management (OAM). If this option was selected it would result in approximately 100 FTEs moving from LCC to the provider.

The positive element of this approach would be that the design service is fully contained within the same organisation that can attract and deliver works on a national level combining best practice from a variety of sources.

The negative element of this approach is that LCC loses a major element of the potential for the intelligent client to make whole life cost considerations in relation to the asset that is being constructed. Outsourcing this element may also result in a higher percentage of design being completed outside of Lincolnshire that will gradually result in a loss of engineering skill in the region that will negatively impact the local economy.

Option 4 Works contract split down into multiple providers (reactive service, schemes and cyclical) Design service top up widened to broader highway service Separate contract for Traffic Signals

The fundamental difference in this option is to break up the current HWTC into specialisms such as cyclic maintenance, reactive service and surface treatments with the winter service delivered either within one of the contracts or delivered across them all.

The positive element of this approach is that the service (if won by local contractors) may result in corporate overhead expenditure that is more likely to be located within Lincolnshire and have a positive impact on the local economy. It is also anticipated that the direct cost relating to that discrete service area may drop as there is no additional main provider fee placed on top.

The negative element of this approach is that it would move the administration of these contracts back in house requiring additional resource. Risks and overlaps in service would sit with the client and the service would lose resilience as the potential to retain operatives



carrying out multiple disciplines would be lost. The winter service staffing pool would also be significantly reduced and split across various parties. This would result in a more expensive winter service or force LCC to implement a major change in winter service provision. The local supply market would also require time to develop the capacity to undertake the scale of LCCs operation.

Option 1	Single provider contractor for works contract to remain as is Design service top up for current LCC in house design function to remain as is
	Separate contract for Traffic Signals to remain as is

This option assumes that the current arrangement is maintained with only minor updates to accommodate changes in law and recommended best practice.

The positive element of this approach is that the model has enabled Lincolnshire to successfully deliver works and services for the duration of the contract. The delivery model has been in place since 2010 and is understood by the stakeholders involved. The model has assisted LCC to achieve and maintain Level 3 status Incentive funding from the DfT and suits the recent FOM restructure that was carried out on the internal Highway Service in February 2017. The cost to implement and mobilise this option would be low in comparison to all other options.

The negative element of this approach is that the current reactive service contractual mechanisms don't fully incentivise and enable the provider to deliver best value. The current design service is not able to effectively evidence the potential savings which should be achieved through the appropriate management of design risk provided by the In-house capability.

Option 17 Single provider contractor with improved reactive service incentivisation for Works contract Design service top up widened to broader highway service Separate works contract for Traffic Signals

The fundamental difference with this option is to develop on the current model by implementing further best practice and improving areas of weakness. The model specifically targets incentivising the reactive service and widening the design services top up arrangement to offer provision for the broader highway service.

The positive element of this approach is that it develops on a successful model and looks to improve elements from a known position. The model fits with the majority of providers within the market and should be viewed attractively due to its size and evolved position. Incentivising the reactive service contractually by creating specific performance measures and linking the service area to output improvement targets will improve on the area of weakness identified in the current model. The design top up arrangement would be widened to offer the possibility of providing the broader range of highway services with a more robust design review process to challenge the design option process whilst capturing realised benefits.

The negative element of this approach is that the reactive service incentivisation could lead to a drop in service quality if the mechanisms used are not robust. This element would need to be monitored and reviewed with the provider throughout the life of the contract to ensure this does not occur.



Option 13 Single provider contractor with reactive service brought in house Design service top up widened to broader highway service. Separate works contract for Traffic Signals

The fundamental difference in this approach is to bring the reactive service in house. If this option was selected it would create the demand for approximately 75FTEs within LCC which would initially be offered to the employees carrying out this role on the provider side.

The positive element of this approach is that it would enable LCC to deliver a combined service in response to fault identification and fault rectification of the asset. Delivering these elements of service in house would give full control to LCC to manage this process.

The negative element of this approach is that the skills to deliver this service are no longer contained within the authority and the reduced volume of work split between two parties reduces opportunity for efficiency. Splitting the works element of the service would confuse the winter service provision as the staffing pool would be split between the client and provider. A study has been carried out to calculate the anticipated financial impact this change would have on LCC. The net cost of this transfer is likely to result in an increase in service cost of approximately £380,000 per annum.

8.4. Option Recommendation

The criteria selected to differentiate between the remaining options were a combination of those recommended within the HMEP Options Appraisal toolkit and additional criteria selected by the Project Team. The criteria selected were:

Enhance the Local Economy – 14.29% Deliver VfM – 14.29% Complexity in delivering option (Project) – 3.57% Complexity and capacity to manage the contract (Ongoing) – 7.14% Enhance authority's access to capability & capacity – 7.14% Supports Innovation and Continuous Improvement – 7.14% Contribution to Corporate Strategic Plan Outcomes – 14.29% Resilience (ability to react to uncertainty) – 10.71% Retention of intelligent client and probity – 14.29% Provider readiness and sector success stories – 7.14%

During the Evaluate Options stage the Project Team weighted each of the assessment criteria. The final weightings were agreed with members at the final Member workshop.

The evaluation identified the following preferred option:

	Single provider contractor with improved reactive service	
Option	incentivisation for works contract	SCORE
17	Design service top up widened to broader highway service	101
	Separate works contract for Traffic Signals	

The remaining options scored:

Option 2: SCORE 60 Option 4: SCORE 69 Option 1: SCORE 93 Option 13: SCORE 78



A copy of the completed Evaluate Options Scoring Matrix can be found within Appendix C. The assessment reasoning for each of the scores can be found attached in Appendix D.

8.5. Options Summary

The recommended option following the Options Appraisal stage is to proceed with a developed iteration of the existing model with some notable changes in relation to the reactive service and a broader design (and other professional services) top up arrangement. The base contract will be the recently released NEC (NEC4) with incentive mechanisms that are performance related and encourage collaboration between parties. Particular areas for improvement include:

Reactive Service (quality and productivity) Enhancing the client consultant dynamic within design services Winter Maintenance Cyclical works Customer digital engagement Engagement with local supply chain Social Value Value for Money assessment for Client and Provider functions

The reason to proceed with this model is that it improves on the existing model through a knowledge capture exercise from the current arrangement and offers the opportunity for ongoing improvement.

The risks involved with moving to an alternative model at this stage were not offset by the challenges that the existing model faces. Lessons learnt, soft market testing and local authority benchmarking confirmed that the model is the correct solution for LCC. Implementing these improvements, together with the continued implementation of the Future Operating Model, will enable Lincolnshire to continue to be a leading authority in the Highways sector.

Following agreement of the selected option, work begins to detail the procurement route and prepare contract documents, incentivisation schedules and specifications to enable contract award in October 2019 with service commencement in April 2020.

9. Recommended Option

9.1. Strategic Risks

A qualitative risk assessment has been carried for the Highways 2020 project that scored each of the risk sources that may impact the project. Each of the potential risks was ranked in terms of degree of impact and the probability of occurrence. Mitigation measures were considered and re-analysed to reduce risks where possible. The strategic risks that remain for the Highways 2020 project are contained within the following table:



Number	Source (Lack of/failure to)	Consequences	Impact	Probability	Score	Status	Comments
1	Change in market conditions from previous tender	Potential jump in Prices compared to current provider Reduced competition for TSC / Professional services. Lower number of interested parties.	Major	Almost Certain	12	Active	Engage in soft market testing to ensure maximum level of competition. Fully understand contractual obligations and ownership of risk. Ensure stakeholders are aware of potential rise in Prices.
15	Future Operating Model structures / benefits not embedded	Poor efficiency and value for money from internal staff. Poor efficiency and value for money from private sector partners. Ineffective spending decisions Reputation damage	Major	Probable	9	Active	Value for money exercise undertaken for each function. Function specification defined. Senior Management commitment. Transition period for new functions.
2	Failure to ensure continued service delivery during contract switchover with or without change in service provider	Lack of continuity of service Increased costs - claims Lack of motivation of existing contractor Reputation	Major	Possible	6	Active	Project Plan TUPE transfer (if applicable) Ensure contract mobilisation remains at 6 months
11	Withdrawal of major partner at preferred bidder stage	Delay Failure to deliver service Loss of resource	Major	Possible	6	Active	Comprehensive use of Pre- qualification data in shortlist process. Maintain existing contracts through the process.

9.2. Dependencies

See section 4.6

9.3. Detailed Costs, Funding and Benefits

Work Activities	Timescale	Anticipated cost
Project Manager	Assume two thirds of Project Manager time is spent on Highways 2020 project for duration of project. 3.5 Yrs.	£123,000
Project Officer	Assume half of Project Officer time is spent on Highways 2020 project for duration of project. 3.5 Yrs.	£58,000
Internal staffing resource for document preparation and evaluation	7 working groups to draft contractual documentation and specification. Work to be completed in addition to daily activities. Approximately 800hrs for document preparation and 200hrs for evaluation.	£40,000 – This will not be seen as a direct cost to the project but is included within the business case as it will impact the output of the service.
External Professional advice (Legal/commercial)	4 month document drafting. Ad hoc advice.	£25,000
Redundancy costs related to recommended option	None	£0
NEC4 print licence, training, support, meeting venues.	Required as and when throughout project	£10,000
Total		£256,000



9.4. Procurement Route Option

The expectation is for the initial Official Journal of the European Union (OJEU) Notice to be issued in April 2018 under the Competitive Procedure with Negotiation route. During local authority visits and soft market testing evidence has been produced to suggest that savings of around 5% can be achieved from initial tender pricing. Early engagement and dialogue with contractors allows a better understanding of risk position from all parties.

Pre-qualification in May 2018 with invitations to tender issued in October 2018. The project is planning to have a mobilisation period of 6 months prior to the contract go live date of the 1st April 2020. Further detail can be found in section 10.

9.5. Availability of Resources

- Project Sponsor Paul Rusted
- Project Manager Jonathan Evans
- Project Officer Vincent Van Doninck
- Project Board -
 - Richard Wills
 - Andy Gutherson
 - Steve Willis
 - Paul Rusted
 - Jonathan Evans
 - Councillor Richard Davies
- Councillor Panel
 - Councillor Richard Davies
 - > Councillor Michael Brookes
 - Councillor Clio Perraton-Williams
 - Councillor Chris Brewis
 - Councillor Stephen Roe
- Project Team
 - Paul Rusted
 - Jonathan Evans
 - > Tom Gifford
 - Shaun Butcher
 - Mike Coates
 - Nicola Casburn
 - Vincent Van Doninck
 - John Monk
 - Dave Walton
 - Mike Nicholls / Tim Clark
- Advice
- Procurement Alex Botten
- Legal Sieglinde Erwee
- HR Elizabeth Hipworth
- Audit Rachel Abbott
- External resource
 - > As appropriate



A Project Manager has been appointed to lead the Highways 2020 project with assistance from a Project Officer. A Project Board and Project Team have been identified and are meeting regularly. Internal staffing is currently being identified for the next phase of work and will commence once the preferred option is approved. External Professional resource has been identified and is ready to commence work once the preferred option is approved.

9.6. Impact Assessment

A Change Impact Assessment has been carried out. The assessment concluded that for the recommended option the Impact is low in comparison to the alternative options. The major areas of change and improvement will be subject to further Impact Assessments as the improvements are implemented.

Equality Impact Analysis (EIA) has been carried out on the recommended option. The results of the analysis are as follows:

Positive Impacts:

It is anticipated that the recommended option will encourage apprentice schemes within the provider contracts. This will be monitored through contractual performance indicators and commitments made by the providers during the procurement process.

Negative Impacts: No perceived adverse Impacts

The EIA will be continually monitored throughout the process. A copy of the EIA is included within Appendix E.

10. Key Milestones

Outline Plan			
Activity/Milestone	Start Date	End Date	Output/Deliverable
Options Appraisal		05/12/2017	Decision on the preferred option
Market Engagement	01/03/2017	04/06/2018	
Decision on type of Contract	01/03/2017	05/12/2017	
Production of Contract	06/12/2017	04/06/2018	
Documents			
Tender period PQQ	04/06/2018	14/09/2018	
Tender Period ITT	02/10/2018	20/05/2019	
Contract Award		15/10/2019	
Mobilisation	16/10/2019	31/03/2019	
Commence Contract		01/04/2020	

APPENDIX A Options Heat Map Scoring Matrix



			Political Preference	HMEP Prioritisation (Alliance Workshop)	Within Identified Constraint		
		Refresh Data	Politica	HMEP F (Alliano	Within		
Option Family	#	Option Name					
	1	Contractor	Tier 1	Tier 1	Yes		1
Single Provider	2	Designer	Tier 2	Tier 1	Yes		1
	3	Contractor + Designer	Dismissed	Tier 1	Yes	[1
Multiple	4	Multiple Providers Per Service Area	Tier 1	Tier 3	Partially		1
Providers	5	Function-Orientated Service Providers	Tier 1	Tier 3	Partially		
Framework	6	4-Year Framework Agreement	Dismissed	Tier 3	No		1
	7	Company Limited by Guarantee (CLG)	Tier 3	Tier 2	Unknown		1
VL	8	Limited Partnership (LP)	Tier 3	Tier 2	Unknown		1
	9	Limited Liability Partnership (LLP)	Tier 3	Tier 2	Unknown		1
	10	Commissioned Partner (Profits Sharing)	Tier 2	Tier 2	Unknown		1
Teckal	11	Arms-Length Company	Tier 3	Tier 1	<u>Unknown</u>		1
Private Finance	12	PF2	Dismissed	Tier 1	No		
	13	MMT + IRV	Tier 1	Tier 2	Yes		
DLO & Top Up	14	Service Level	Tier 3	Tier 2	Yes		1
	15	Function Level	Function Level Tier 3 Tier 2				1
	16	All	Tier 3	Tier 2	Partially		1
In House + Top Up	17	Primary Design + Add On	Tier 1	Tier 1	Yes		1

	Att	ractiv	eness	: Anal	ysis (\	/fM)					Achie	evabil	ity Ar	nalysi	5				Position Analysi	s
Within klentified Constraints	Economy	Efficiency	Effectiveness	Strategic Value	Stakehokler Value	Total	Weight-Adjusted Score	Complexity (Inherent Risk)	Capability & Capacity	Afforda bilit y	Authority Readiness	Provider Readiness	Sector Success Stories	Governance & Reporting	Partner Management	Cultural Alignment	Total	Weight-Adjusted Score	Attractiveness & Achievability	Rank
'es	100	100	100	100	66	93	93	100	100	100	100	100	100	100	100	66	96	96	94.5	1
'es	66	100	66	100	66	80	80	66	100	66	100	100	100	100	100	66	89	89	84.5	3
'es	100	100	66	100	66	86	86	66	100	66	100	100	33	100	100	66	81	81	83.5	4
tially	100	66	66	66	66	73	71	66	100	66	66	100	33	66	66	66	70	70	70.6	6
tially	66	33	33	66	33	46 40	45 38	33	100	33	66	100	33	66	66	66 66	63 77	63 77	53.9	16 14
No	66	33	33	33	33			100	100	66	66	100	33	100	66					
nown	100	100	66	66	66	80	79	33	66	66	33	33	33	33	100	33	48	48	63.2	13
nown	100	100	66	66	66	80	79	33	66	66	33	66	33	33	100	33	51	51	65.0	11
nown	100	100	66	66	66	80	79	33	66	66	33	66	33	33	100	33	51	51	65.0	11
nown	100	100	66	66	66	80	79	66	100	66	33	66	33	33	100	33	59	59	68.7	8
nown	100	100 100	66 66	100 66	66 66	86 60	86 63	66 33	66	66 33	33 33	33	66 66	66 33	66 66	66 66	62 44	55 44	53.4	17
No	0								33											
'es	66	100	100	66	100	86	87	33	66	33	33	100	66	66	100	100	66	66	76.9	5
'es	33	66	100	66	66	66	68	33	33	33	33	100	66	66	100	100	63	63	65.3	10
'es	66	66	100	66	66	73	73	33	33	33	33	100	66	66	100	100	63	63	67.9	9
tially	33	66	100	66	66	66	68	33	33	33	33	400	66	66		100	52	40	54.2	15
'es	100	66	100	100	100	93	93	100	100	100	100	100	100	100	66	100	96	96	94.5	1

100 100 100 100 100 100 100 100 100

55 74 58 55 84 56 66 87 68

47 46

	Key: Anticipated Performance
	Not Applicable (In This Context)
0	Critical Issue / Barrier to Implementation
	Poorer Than Current Performance
	Unknown or Parity (At Best) Performance
100	Parity Or Better Than Current Performance

66

53 53

100 100 100 100

82 74 74

75

76

Factor Importance

Factor Score

APPENDIX B



Traffic Signals Evaluate Options

		(Contract Co	nfigurations	5		Assessment Criteria		Positio	n Analys	is
	Option	TS Maintenance	TS Improvements Signals Equipment	TS Improvements Civils	TS Design	Advantages	Disadvantages	Practicalities	Support to a resilient traffic signal service	Support to Overall Highway Obiectives	Rank
A	Existing	Signals Contractor	Signals Contractor	Highways Contractor	In house Design plus support from Design Consultant	Single Contact point for all signals works. Uses expertise of Highways Contractor for Civils. Ability to use Design Consultancy to cover workload peaks and troughs.	TS improvements programme heavily reliant on Highways contractor. Maintaining an In-house design function will become increasingly difficult due to ageing team and lack of new entrants with the necessary skills and knowledge.	Has worked successfully over the period of the current contract. Need to ensure key staff continuity within next contract.	Medium	High	1
	Alternative	Signals Contractor	Signals Contractor	Signals Contractor	In house Design plus support from Design Consultant	Single contact point for all signals site activity. More control over the programme	Due to the scale of larger signal improvement schemes there would be a risk that work would be sub-contracted in multiple ways.	Market testing shows that the work profile does not fit the scope of available Traffic Signal Contractors. Contract likely to be led by a civils contractor sub- contracting the signals work.	Low	Medium	2
C	Alternative	Signals Contractor	Signals Contractor	Signals Contractor	Signals Contractor	Single point of contact for all signals activity. Good control over all resources.	Loss of client control and in-house signals expertise.	Much of the signals service outsourced and work likely to be sub-contracted by lead contractor. Loss of control over the service.	Low	Medium	2
D	Alternativ	Highways Contractor	Highways Contractor	Highways Contractor	In house Design plus support from Design Consultant	Allows the main highways contractor to organise and co-ordinate maintenance and improvement works.	Lack of control over procurement, operations, improvements and programmes of works.	Increased complexity of traffic signal equipment leading to maintenance difficulties and increased maintenance costs through sub contracting of service.	Low	Medium	2
E	Alternative	Street Lighting Contractor	Signals Contractor	Highways Contractor	In house Design plus support from Design Consultant	Opportunity to share depot and contract administration.	Limited opportunities to share maintenance staff due to street lighting and traffic signals being distinct specialist operations requiring specialist knowledge. Difficult to manage dispersed signals operations.	Increased complexity of traffic signal equipment leading to maintenance difficulties and increased maintenance costs through sub contracting of service.	Low	Low	3
F	Alternative	Street Lighting Contractor	Street Lighting Contractor	Highways Contractor	In house Design plus support from Design Consultant	All site highway related electrical operations managed under one contract.	Traffic signals operations highly likely to be sub-contracted. Loss of control over operations.	Increased complexity of traffic signal equipment leading to maintenance difficulties and increased maintenance costs through sub contracting of service.	Low	Low	3

APPENDIX C Evaluate Options Scoring Matrix



Delivery model options under review							_			Assessme	ent	Criteria								Posit	ion Analy:	sis	
Model Description		Enhance the Local Economy		Deliver Value for Money	Comeloviter in		Complexity and	capacity to manage the contracts (Ongoing)	Enhance authoritie's	access to capability & capacity		supports Innovation and Continuous Im provement	Contribution to	Corporate Strategic Plan Outcomes		Resilience (ability to react to uncertainty)	Retention of	intelligent client and probity	Provider readiness and sector success stories	Total		Ra	ank
Single Provider Contractor with improved MMT/IRV incentivistaion for works contract. Single provider for design services (TSP and OAM) externalised. Separate works contract for Traffic Signals.		2	2	2		2		2	80	3		2	00	4		2		1	1 1		60		5
Works contract split down into multiple providers (Reactive service, Schemes and cyclical). Design service top up for TSP. Separate contract for Traffic Signals.		3	3	2		3		8 1	80	3		2		4		2		2	2		65		4
Single provider contractor for works contract. Design service top up for TSP. Separate contract for Traffic Signals.		3	3	3	80	4	8	3	80	3	8	3		4		3	80	4	3		9		2
Single Provider Contractor with improved MMT/IRV incentivisation for Works contract. Design service top up widened from TSP to Highway Service. Separate works contract for Traffic Signals.		3	8	4		4	8	4	80	3		84	80	4		3		4	3		10]	1
Single Provider Contractor with MMT/IRV brought in house. Design service top up widened for TSP and OAM. Separate works contract for Traffic Signals.		3	3	2		} 1		8 1	80	3	8	3	80	4		3		4	1		7		3
Factor Weighting Score	[4		4		1		2		2		2		4		3		4	2				
Score Criteria		0 - Not at a	11/	Partially on	ly 1	- In some	res	pects 2 - I	in m	ost respe	cts	3 - In all b	ut n	ninor res	pect	s 4 - In all	resp	ects					



	Assessment Criteria	Option 2 Single provider Contractor with improved reactive service incentivisation for works contract Single provider for design services with LCC design function externalised Separate works contract for Traffic Signals
	Promote the Local Economy	Outsourcing the design element is likely to lead to more design being carried out away from Lincolnshire. The successful provider will look to use their current design offices and may even choose to use overseas design. As a result of this local spend is likely to drop.
	Deliver Value for Money	Outsourcing design may lead to the designer taking a risk averse approach to design that doesn't take into account the whole life cost of the design. Rates of internal design engineers are cheaper than external staff (Including pension costs) but it is acknowledged that this will fluctuate over time. LCC will have less control over the service, member contact will be reduced. Loss of local knowledge that is important on smaller schemes. Pension costs may reduce over time.
	Complexity in Delivering Option	Major staff transfer of up to 100 FTEs to the provider. This would be a major change following the recently introduced FOM. Making this step at this moment in time would not enable the current model to be tested and embedded.
	Complexity and capacity to manage the contracts (Ongoing)	Outsourcing the design element would need carefully defined project briefs that were not subject to change. Change control may become more complex, especially for maintenance works. Increased administration would likely be required. The rest of the service would be similar to the current service.
Ð	Enhance Authority's Capability and Capacity	Access to capability and capacity remains the same as the design/works provider is still available. Additional resource could be brought in as and when required.
age 49	Support Innovation and Continuous Improvement	Outsourcing the design element could result in a reduction in innovation over the time as there is a lack of challenge from a single party. Having two organisations provides challenge and enables continuous improvement. Innovation may drop when considering whole life cost solutions as the driver could be to deliver risk averse design. National provider does however work with various authorities and is able to bring examples of what works elsewhere.
	Contribution to Corporate Strategic Plan Outcomes	All commissioning outcomes at their broad level would be delivered with this option as it would provide a mechanism to deliver works and or services through either a provider or an in house service.
	Resilience (ability to react to uncertainty)	A reduction of 100FTEs from LCC will lose resilience and the capacity to deal with emergencies. Grouping the majority of works within one contract enables the service provider to provide resilience on behalf of LCC. Maintaining this volume of work will allow the winter service to be provided from one provider.
	Retention of intelligent client and probity	Loosing 100FTEs from LCC would be a major reduction in the intelligent client function. Once outsourced the staff may choose to stay with their current provider and be lost. A smaller commissioning function would be left in house that may struggle to retain good officers and may not attract junior staff with the correct skillset moving forward. Maintaining the manager role in house enables the service to develop skills and retained knowledge from experience from previous contracts.
	Provider readiness and sector success stories	Outsourced design and works contracts have initially worked in some cases but over time the Local Authority staff are diluted and the culture of the organisation isn't delivered in the same way. Margins and profits on initial design will outweigh the ongoing maintenance costs. A small retained client will lose experience and struggle to recruit staff that have experienced design and will be less informed and able to challenge as a result.



	Assessment Criteria	Option 4 Works contract split down into multiple providers (reactive service, schemes and cyclical) Design service top up widened to broader highway service Separate contract for Traffic Signals
	Promote the Local Economy	Administration and back office functions will be split up across multiple providers and therefore (depending if the successful contractors are based in Lincolnshire) may be delivered locally compared to a national provider. Due to EU regulations the tender will be open to all contractors and some that are not area tied may be successful within the tender process and may not be based in Lincolnshire. Not outsourcing the design element is likely to mean that officers will remain in Lincolnshire.
	Deliver Value for Money	Increased administration on LCC side to facilitate contracts. Risk of service overlaps or gaps. Potentially improved prices on individual contracts (Less Fee on Fee) but it is likely that the cost to deliver the Winter service will increase.
	Complexity in Delivering Option	Additional contracts required with new set of procurement documents for each new service area split. Possible to have gaps or overlaps in service and would need to re-consider the Winter service provision.
_	Complexity and capacity to manage the contracts (Ongoing)	Introducing more providers will increase the complexity of the service area. Introducing additional parties is likely to reduce the opportunity for a joined up approach. LCC capacity would need to be increased to deal with additional contracts and interfaces.
ag	Enhance Authority's Capability and Capacity	Access to capability and capacity remains the same as the design/works provider is still available. Additional resource could be brought in as and when required.
e 5	Support Innovation and Continuous Improvement	Easier to deliver change within a smaller organisation but loss of the national picture of working with other local authorities.
	Contribution to Corporate Strategic Plan Outcomes	All commissioning outcomes at their broad level would be delivered with this option as it would provide a mechanism to deliver works and or services through either a provider or an in house service.
-	Resilience (ability to react to uncertainty)	Splitting up the existing works provider would reduce LCC's resilience for each service area. LCC would have a reduction of dedicated provider staff that would be working on the LCC contract as the ability for provider to move gangs between different work types. Retaining the 100FTE LCC officers will enable LCC to react to major events as and when required.
	Retention of intelligent client and probity	Keeping the 100FTEs in house on the design element will enable LCC to remain an intelligent client. Splitting up the works contract to multiple contracts will reduce the opportunity to retain staff as they will be more likely to work for other providers. The client would be more likely to become stretched and result in a distracted management. Maintaining the designer and service manager role in house enables the service to develop skills and retained knowledge from experience from previous contracts.
	Provider readiness and sector success stories	There are a reduced number of examples of this contract arrangement in the market. The consultation with the major suppliers to date would suggest that this isn't the correct approach for them but a second tier of contractor is available to take this on. Dealing directly with traditionally sub-contractors would result in a different service and may result in cultural differences between parties. In theory this approach doesn't incentivise efficiencies of combining work types as the smaller service areas would concentrate on their own works only.



	Assessment Criteria	Option 1 Single provider contractor for works contract to remain as is Design service top up for current LCC in house design function to remain as is Separate contract for Traffic Signals to remain as is
	Promote the Local Economy	As the majority of service work is based in Lincolnshire the contracts are split down to local providers. As with Option 4 the EU procurement regulations open up the market and therefore it can't be guaranteed that the contractors will be based in Lincolnshire. Not outsourcing the design element is likely to mean that officers will remain in Lincolnshire.
	Deliver Value for Money	Volume of work enables efficiencies to be made on the provider side. Combined works contract enables the Winter service staffing to be delivered from one provider. Benchmarking suggests that this is the most efficient mechanism to deliver the works element of the service. Designers kept in house are able to make whole life cost considerations.
	Complexity in Delivering Option	The complexity to deliver this option is low as it is the current solution in place.
	Complexity and capacity to manage the contracts (Ongoing)	LCC is experienced with the current structure and changing this could be seen as a risk. The resources to deliver this are currently in place.
_	Enhance Authority's Capability and Capacity	Access to capability and capacity remains the same as the design/works provider is still available. Additional resource could be brought in as and when required.
ag	Support Innovation and Continuous Improvement	Grouping the majority of Highway works together makes synergies between service areas potential. Having enough value within the contract enables the provider to invest to make savings.
e ე	Contribution to Corporate Strategic Plan Outcomes	All commissioning outcomes at their broad level would be delivered with this option as it would provide a mechanism to deliver works and or services through either a provider or an in house service.
	Resilience (ability to react to uncertainty)	Combing the majority of the works within one provider enables them to draw upon larger retained workforces that are dedicated to the LCC contract. Gangs can be retained and moved between work types in different work types. Retaining the 100FTE LCC officers will enable LCC to react to major events as and when required.
	Retention of intelligent client and probity	Maintaining the designer and service manager role in house enables the service to develop skills and retained knowledge from experience from previous contracts. Retaining the 100FTE LCC officers keeps the knowledge and experience in house. Decisions will be driven on a broader set of objectives compared to if the resource was outsourced.
	Provider readiness and sector success stories	The majority of the main providers in the market are set up to deliver works of this type. The size of the contract enables investment and introduces the ability to make more savings through creating LEAN environments. Having a main single works providers reduces the interfaces between LCC and the main provider. Keeping the majority of the design service in house enables officers to challenge the provider.



	Assessment Criteria	Option 17 Single provider contractor with improved reactive service incentivisation for Works contract Design service top up widened to broader highway service Separate works contract for Traffic Signals
	Promote the Local Economy	As the majority of service work is based in Lincolnshire the contracts are split down to local providers. As with Option 4 the EU procurement regulations open up the market and therefore it can't be guaranteed that the contractors will be based in Lincolnshire. Not outsourcing the design element is likely to mean that officers will remain in Lincolnshire.
	Deliver Value for Money	Volume of work enables efficiencies to be made on the provider side. Combined works contract enables the Winter service staffing to be delivered from one provider. Benchmarking suggests that this is the most efficient mechanism to deliver the works element of the service. Designers kept in house are able to make whole life cost considerations. Improvements made to the reactive service are likely to result in increased gang performance and delivery on the ground. Widening the top up arrangement will enable OAM to deal with peaks and troughs in funding without over committing to long term staffing.
	Complexity in Delivering Option	The complexity to deliver this option is low as it is the current solution in place.
J	Complexity and capacity to manage the contracts (Ongoing)	Following the introduction of the FOM, LCC are able to approach the delivery of works in a standardised approach and the contract documentation in these areas will be adjusted with this knowledge.
ge	Enhance Authority's Capability and Capacity	Access to capability and capacity remains the same as the design/works provider is still available. Additional resource could be brought in as and when required.
1	Support Innovation and Continuous Improvement	Grouping the majority of Highway works together makes synergies between service areas potential. Having enough value within the contract enables the provider to invest to make savings. Innovation will be possible and continuous improvement will be delivered as we have been through a learning cycle within the contract to date.
	Contribution to Corporate Strategic Plan Outcomes	All commissioning outcomes at their broad level would be delivered with this option as it would provide a mechanism to deliver works and or services through either a provider or an in house service.
	Resilience (ability to react to uncertainty)	Combing the majority of the works within one provider enables them to draw upon larger retained workforces that are dedicated to the LCC contract. Gangs can be retained and moved between work types in different work types. Retaining the 100FTE LCC officers will enable LCC to react to major events as and when required.
	Retention of intelligent client and probity	Maintaining the designer and service manager role in house enables the service to develop skills and retained knowledge from experience from previous contracts. Retaining the 100FTE LCC officers keeps the knowledge and experience in house. Decisions will be driven on a broader set of objectives compared to if the resource was outsourced.
	Provider readiness and sector success stories	The majority of the main providers in the market are set up to deliver works of this type. The size of the contract enables investment and introduces the ability to make more savings through creating LEAN environments. Having a main single works providers reduces the interfaces between LCC and the main provider. Keeping the majority of the design service in house enables officers to challenge the provider.



Assessment	Option 13 Single provider contractor with reactive service brought in house
Criteria	Design service top up widened to broader highway service.
December the Local Former	Separate works contract for Traffic Signals
Promote the Local Economy	Bringing in the Reactive service isn't likely to result in any change to the Local Economy as this service area is area based. There is no
	anticipated difference between the Provider or Client retaining this element. Not outsourcing the design element is likely to mean that officers will remain in Lincolnshire.
Deliver Value for Money	Reduced volume of work reduces the ability for efficiencies to be made on the provider side. Bringing the reactive service in house
	confuses the Winter service provision and may lead to gaps in service provision when required. A study has been carried to calculate the
	anticipated cost of bringing the reactive service in house. The net cost of this is likely to result in an increase in service cost of
	approximately £380,000. LCC no longer skilled to manage this resource. Designers kept in house are able to make whole life cost
	considerations. Widening the top up arrangement will enable OAM to deal with peaks and troughs in funding without over committing to
Consultation Delivering	long term staffing.
Complexity in Delivering Option	Whilst the contract documentation would be manageable and similar to option 4, bringing in approximately 75 FTEs from the provider would be complex. A new management structure would need creating and provider staff would need to be brought into LCC. GLEA
	system and JE criteria would be offered requiring additional resource and time on LCC.
Complexity and capacity to	Majority of blue collar management skills lost within the current organisation. Staff from existing provider would likely TUPE across to LCC
Complexity and capacity to manage the contracts	although senior management would not. Complex HR and Job evaluation grading to be carried out as officers move from existing terms
(Ongoing)	and conditions to LCC posts.
Enhance Authority's	Access to capability and capacity remains the same as the design/works provider is still available. Additional resource could be brought in
Capability and Capacity	as and when required.
Support Innovation and Continuous Improvement	Taking the reactive service away from the main contract will limit the ability to makes synergies between service areas. Having enough
Continuous improvement	value within the contract enables the provider to invest to make savings. Innovation will be possible and continuous improvement will be delivered as we have been through a learning cycle within the contract to
	date. This element will be reduced for the reactive service as it will likely remain static during the transition. Innovation and continuous
	improvement at a later date remains unknown but we would lose the skills a national provider can deliver.
Contribution to Corporate	All commissioning outcomes at their broad level would be delivered with this option as it would provide a mechanism to deliver works and
Strategic Plan Outcomes	or services through either a provider or an in house service.
Resilience (ability to react to	Splitting up the works service restricts the ability to draw upon larger retained workforces that are dedicated to the LCC contract. Harder
uncertainty)	to move gangs between work types.
	Increased capacity to react quickly as an additional 75FTEs would be working for LCC. They could react directly to LCC instruction across
	all service areas.
	Taking the reactive service in house creates a confused Winter service provision as staffing would be delivered from two parties and gaps
	in provision may appear. Retaining the 100FTE LCC officers will enable LCC to react to major events as and when required.



Retention of intelligent	Maintaining the designer and service manager role in house enables the service to develop skills and retained knowledge from experience
client and probity	from previous contracts.
	Retaining the 100FTE LCC officers keeps the knowledge and experience in house. Decisions will be driven on a broader set of objectives compared to if the resource was outsourced.
Provider readiness and	Splitting the reactive service from the remaining works contract introduces difficulties in terms of depots, winter service and ability to
sector success stories	combine elements of the service. Taking this element of the service out of the contract would reduce the appeal to the market. Few
	examples of this arrangement are currently being delivered in the market. There are more examples of fully in-house works than a hybrid
	model.



Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

Please make sure you read the information below so that you understand what is required under the Equality Act 2010

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority 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 relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.



The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

Page

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.



Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

'age

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The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions "Who might be affected by this decision?" "Which protected characteristics might be affected?" and "How might they be affected?" will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.



Background Information

	Title of the policy / project / service being considered	Highways 2020	Person / people completing analysis	Jonathan Evans/Vincent VanDoninck
	Service Area	Infrastructure Commissioning	Lead Officer	Jonathan Evans
	Who is the decision maker?	Paul Rusted	How was the Equality Impact Analysis undertaken?	Discussion between officers involved using guidance on Equality & Diversity.
	Date of meeting when decision will be made	18/10/2017	Version control	V1.0
	Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de- commissioned?	Commissioned
	Describe the proposed change	The current Lincolnshire Highways Alliance is due to reach full term on 31 st March 2020. A new service delivery mechanism will need to be created and implemented to start on April 1 st 2020. The Business Case outlines the replacement options available to the Highway Service and recommends the option that is best suited to LCC for the Highways 2020 project. The recommended option following the Options Appraisal stage is to proceed with a developed iteration of the existing model with some notable changes in relation to the reactive service and a broader design top up arrangement. The reason to proceed with the model is that it improves on the existing model that has been through a learning cycle since it was introduced in 2010.		



Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <u>http://www.research-lincs.org.uk</u> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the <u>Council's website</u>. As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.



Positive impacts The proposed change may have the following positive impacts on persons with protected characteristics

ſ	Age	The Highways 2020 Business Case has identified improvement to social value within the recommended option. It is anticipated that
	Aye	the recommended option will encourage Apprentice schemes within the provider contracts.
		the recommended option will encourage Apprentice schemes within the provider contracts.
ĺ	Disability	No positive impact.
-	Conderrecoinnment	
Ч	Gender reassignment	No positive impact.
Page		
ЭС		
60	Marriage and civil	No positive impact.
	partnership	
Ţ	<u> </u>	
	Pregnancy and	No positive impact.
	maternity	
	Race	No positive impact.

APPENDIX E Equality Impact Analysis



	Religion or belief	No positive impact.
	Sex	No positive impact.
	Sexual orientation	No positive impact.
τ		
Page		
ge		
0	If you have identifie	ed positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act
د	2010 vou can inclu	de them here if it will help the decision maker to make an informed decision.



Negative impacts Negative Impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below.

	Age	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Disability	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
P	Gender reassignment	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
age 62	Marriage and civil partnership	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Pregnancy and maternity	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Race	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Religion or belief	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Sex	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	
	Sexual orientation	No perceived adverse impact. Highways 2020 Business Case describes in general terms the contractual replacement options available to the highway service and recommends the best option for LCC. Its impacts are neutral between those with a protected characteristic and people who do not share that protected characteristic.	



If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

age 64



Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

Stakeholders

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at <u>consultation@lincolnshire.gov.uk</u>

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

No consultation or engagement activity undertaken outside of the Highways 2020 Project Team



Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Γ	4.00	News identified
	Age	None identified.
	Disability	None identified.
ŀ	Gender reassignment	None identified.
		None identified.
Page		
Оe		
Ð		
ဂွ	Marriage and civil partnership	None identified.
Ì	Pregnancy and maternity	None identified.
-		
	Race	None identified
	Race	None identified.

APPENDIX E Equality Impact Analysis



	Religion or belief	None identified.
Page 66	Sex	None identified.
	Sexual orientation	None identified.
	Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.	Yes.
	Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?	The benefits will be monitored through the contractual performance indicators and commitments made by providers during the procurement process



Further Details			
	If yes, please give details.		
–			
ပ တ O Actions required	Action	Lead officer	Timescale
 Actions required Include any actions identified in this analysis for on-going monitoring of impacts. 	Regular Review	Jonathan Evans	Continual Monitoring.
Signed off by	Paul Rusted	Date	12/10/2017

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Executive

Open Report on behalf of Debbie Barnes, Executive Director of		
Children's Services		

Report to:	Executive
Date:	05 December 2017
Subject:	Building Communities of Specialist Provision: A Collaborative Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) in Lincolnshire
Decision Reference:	l014741
Key decision?	Yes

Summary:

Attached to this covering report, is the strategy: "Building Communities of Specialist Provision: A Collaborative Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) in Lincolnshire". The strategy seeks to outline outcomes from a collaborative review of the strategic direction of provision for pupils with SEND. The development of the strategy is in keeping with the Department for Education: High Needs Strategic Review announced in March 2017.

Proposals are identified within the report and will be subject to wider consultation with parents, pupils, academy trusts, schools (mainstream and special) and the range of providers engaged in providing for the health and education of pupils with SEND in Lincolnshire schools.

The Executive is asked to approve the attached strategy for the purpose of consultation and to approve engagement in public consultation with children and young people, parents/carers, schools and academy trusts, support groups, independent providers, health and social care partners, Regional Schools Commissioner, Elected Members and all interested parties.

This will enable feedback, comments and suggestions from those most closely associated and affected by proposed changes to further inform the final strategy.

Recommendation(s):

That the Executive:-

1) Approve the strategic vision of SEND provision as outlined in the Building Communities of Specialist Provision Strategy document at Appendix A for the purposes of consultation. 2) Approve engagement in public consultation on the strategy in order to collect feedback, comments and suggestions from those most closely associated and affected by the proposed changes.

3) Delegate to the Executive Councillor for Adult Care, Health and Children's Services authority to approve the final adoption of the strategy and to take all decisions necessary to give effect to any changes to maintained special school provision made necessary by the strategy.

Alternatives Considered:

1. Not to change the nature of specialist provision.

The Building Communities of Specialist Provision Strategy has been developed in response to the requirements of the DfE High Needs Strategic Review, in order to enhance the provision of special school places to meet the growing demand. This requires Local Authorities to review provision for pupils with SEND in order to ensure that there are sufficient good school places which meet the changing needs of all pupils with SEND.

As this strategy has been developed in line with DfE requirements, not to adopt it would mean the County Council is not compliant with those requirements.

Reasons for Recommendation:

Approval for the strategy is sought so a local integrated system of specialist provision which meets the education, health and care needs of pupils with SEND can be implemented.

The strategy will:

• Ensure that pupils and families are at the heart of all SEND provision.

• Develop current Lincolnshire special schools so they have the provision and resources to meet All Needs, which enables pupils to be educated in the right setting, as close as possible to where they live.

• Enhance Lincolnshire special schools so they can provide equity of provision to all pupils regardless of where they live.

• Through investment, ensure sufficiency of places in special school settings for all pupils who require this provision (as identified in their Education, Health and Care Plan) to attend ideally their nearest school, or one in their locality.

• Create local All Needs special schools which will be able to meet the needs of pupils, who have previously been unable to be educated in the county,

specifically pupils with Autism Spectrum Disorder (ASD) and Challenging Behaviour.

• Work collaboratively with health and social care partners to meet the health and care needs of all pupils with SEND in their local All Needs schools.

• Establish greater collaboration between special and mainstream schools to improve the educational experience of SEND pupils in mainstream and support pupil transition within a fluid and flexible system.

1. Background

<u>Local</u>

Lincolnshire has 20 special schools for pupils with SEND, a mixed economy of Multi-Academy Trusts and LA Maintained schools. There are four Social, Emotional and Mental Health special schools (SEMH schools - one primary and three secondary) and two LA Maintained hospital schools. Almost all special schools are delivering Good or Outstanding education according to current Ofsted ratings (one school is rated as Requires Improvement).

Research commissioned by Lincolnshire County Council (LCC) conducted by the ISOS Partnership (2015/16), identified the need to "reshape" SEND provision to meet the needs of the increasing population of pupils requiring placement in special school settings. It also highlighted the need for more collaborative working between special and mainstream schools and lends its support for an "All Needs" approach to SEND. (ISOS Partnership, 2015)

Further research by ISOS examined parental views of SEND services, in particular the experience of parents of pupils educated in Out of County/Independent Non-Maintained Schools (referred to as OOC). Responses were varied but parents generally viewed out of county placement as a last resort and as a result of continuous system failings for their child.

This combination of this research along with national policy development from the Department for Education (DfE) has identified the need to review current provision and devise a new strategy to reshape the special school system in Lincolnshire.

Since the introduction of the SEND Code of Practice in 2014, and following national trends, Lincolnshire has seen a significant increase in the number of pupils identified with SEND, with increasing numbers seeking a place at a special school.

This high demand for special school places means that, based on school premises size, many Lincolnshire special schools have significant capacity pressures. Along with capacity challenges, the current education system has special schools operating within clearly defined designations. This means that pupils are taught in special schools which can only meet the needs of their specific designation e.g. autism specific or physical disability/profound and multiple learning difficulty specific. As a consequence many pupils have to travel for significantly long periods

and distances in order to access special school place where their needs can be met and there is capacity.

Leaders in education in Lincolnshire have identified that the existing provision is experiencing considerable pressures and questions around sustainability and premises suitability have been raised. These pressures are examined in detail within the strategy including the unacceptable distances travelled by pupils to school and excessive demand on special school places making the current system unsustainable.

National

Since 2010, there has been a gradual increase in the number of pupils attending state-funded special schools. In 2010, 38.2% of pupils with statements were educated in special schools: by 2016 this had increased to 42.9% of pupils with statements or EHC plans. The percentage of pupils with statements or EHC plans attending independent schools has also increased between 2010 and 2016, from 4.2% to 5.7%. (Special educational needs: an analysis and summary of data sources. DfE May 2017)

Nationally, the numbers of pupils who are identified as having SEND are continuing to significantly increase and needs are becoming more complex. Pupils are being identified as having several different physical, health, social, emotional and educational needs which require a coordinated approach of support and care involving a range of different expertise and services. Access to specialist support and the location of these services are likely to be under pressure as needs and demands increase. It is therefore timely and essential to review arrangements of provision and access to pupils, which will result in redesigning the system of provision for pupils with SEND, to better meet those needs now and to be flexible and responsive enough to deal with future requirements.

Whilst local and national data indicates that there is a need for increasing the number of school places to support pupils with SEND, we must also consider how mainstream schools can be made more accessible so that the right support and access to additional services can be achieved. This will meet the DfE High Needs Strategic Review requirements of collective responsibility and joint accountability; as well as help achieve greater access to a wider curriculum for pupils with SEND. This will contribute to the objective of preparing more pupils for employment and independent living.

In Spring 2016, NHS England produced "Reducing Distant SEND Placements Report" which considered the sustainability of out of county/long distance placements for children and young people with SEND. It identified the need for a more strategic approach to developing system-wide change, which must be affected through collaboration and a common moral purpose. This report further supports the need to review existing special school provision due to national and local demands.

"The key to success however lies in the strategic leadership of the school system as solutions are more likely to emerge through a coherent approach when all partners are working to a common vision." (Chilvers, P. Reducing Distant SEND Placements: Increasing Regional Sufficiency, 2016)

In March 2017, the Department for Education announced the High Needs Strategic Review, which requires local authorities, alongside schools, to review provision for pupils with SEND in order to ensure that there are sufficient good school places which meet the changing needs of all young people.

"Supporting local authorities to create sufficient good school places for all pupils, including those with special educational needs and disabilities (SEND), is a high priority for the Government. Local authorities have important specific responsibilities for children and young people with SEND."
 (DfE Section 31 Grant determination for a high needs strategic planning fund in 2016-17: DCLG ref 31/2916)

The emphasis of the review is one of close collaboration between all schools and providers in producing a strategic plan which delivers sustainable, good quality provision to meet current and future needs, and reflects what parents and pupils want. It is expected that LA's will work with maintained schools, academies, free schools and others to agree how SEND education should be met across their area, including considering the best ways of supporting mainstream schools to meet these needs.

In response to the identified local challenges and national directives, education leaders in Lincolnshire have recognised the need to work more collaboratively to address the main issues impacting on special school provision.

In order to address the Local and National context issues and accordance with the DfE High Needs Strategic Review the Building Communities of Specialist Provision Strategy has been co-produced. This is available in Appendix A.

The Building Communities of Specialist Provision Strategy will enable Lincolnshire pupils with SEND to access an integrated and collaborative all needs education system which provides excellent education, health care and support interventions.

It will:

"Establish an integrated school system where children and young people get the right health, care and education, in the right place, at the right time, as close as possible to where they live."

The strategic vision of this integrated school system will provide the foundations for:

"Provision without boundaries: where children feel they belong, are respected, hopeful and optimistic about their future." The strategy seeks to create an integrated education, health and care provision which will:

- a. Provide a local education system in which parents can have confidence that their child's education, health and care needs can be met.
- b. Ensure a sufficient supply of special school places for pupils with SEND.
- c. Provide local community special schools, which can meet the needs of all pupils in their community, by removing the current barriers to access, particularly where schools can only meet the needs of pupils with specific designations of disability.
- d. Reduce the travel time for pupils with SEND by enabling them to attend a special school in their locality.
- e. Develop a system which enables pupils with SEND to access a greater range of mainstream curriculum and experiences.
- f. Increase opportunities for pupils with SEND to transition to a mainstream setting, if this is identified as most appropriate and beneficial.
- g. Support pupils to access education close to their family and their community thus reducing the number of pupils being educated in Out of County placements/Independent Non-Maintained special schools.
- h. Recognise the very specific needs of some pupils with hearing impairments, where parental preference identifies the important of belonging within a British Sign Language community and support pupils to access these arrangements, where agreed through the SEND process.
- i. Create and enhance relationships between special and mainstream schools so pupils with SEND can remain in mainstream schooling.
- j. Clarify and enhance health interventions across special schools, so all schools can meet the health and therapeutic needs of the pupils in their communities.
- k. Improve opportunities for special and mainstream teaching staff to share best practice, skills and knowledge.

This strategy proposes to make significant changes to the existing specialist education provision, creating an integrated system where pupils attend their nearest school, confident their educational and health needs can be fully met. Where they have full access to a curriculum which is appropriate for their learning needs and are taught by teaching staff who are skilled in the learning profiles of all pupils with SEND. Where pupils can develop friendship bonds with their classmates which can extend beyond the school boundaries as they are educated in their local communities and where they can learn in a flexible, integrated system which supports transition. As the strategy requires changes to be made to existing provision it will trigger the statutory provisions and guidance which apply to changes to maintained schools. This recommends a period of pre-consultation engagement and requires a minimum 4 week period of statutory consultation.

As the strategy is so central to the proposals it is intended to carry out a fuller pre-consultation engagement that takes in the Strategy as well as the specific changes which would be proposed for individual schools. This will allow the Council to consider feedback on the Strategy as part of the process of making any changes and the consultation approach has been designed to reflect these two elements of the engagement.

In addition to the Council's own schools, the Council's own processes for effecting change will need to be closely co-ordinated with the separate and different process that Academy schools must follow to affect the kinds of changes being proposed. Close liaison between the County Council and Academy schools has been carried out and will be maintained to ensure co-ordination of timetables and decision-making.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

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

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The primary equality consideration for the strategy is the protected characteristic of people with disabilities, as it proposes to significantly alter the educational experience of pupils with SEND. In producing the strategy, the needs of pupils with SEND and their families have been central to its development, with the primary aim of reducing the negative impact of excessive travel time to school which their mainstream peers do not experience. In order to ensure pupils with SEND and their families perspectives are considered throughout the strategy, Lincolnshire Parent Carer Forum have been involved in its coproduction and will be leading independent events within the consultation process.

The strategy proposes to abolish disability segregation by reshaping the special school system to remove designations from the entry criteria, enabling pupils to attend their local school which will meet all type of need and disability. By investing in schools to ensure they have the resources to meet all needs, resulting in a positive impact on pupils with SEND. Less than 2% of mainstream school pupils in Lincolnshire travel more than 10 miles to school compared to over 35% of special school pupils. Pupils with SEND have longer journeys, taking more time and involving more stress, than their mainstream counterparts and the strategy aims to address this disadvantage.

Consideration has been given to the small cohort of pupils with hearing impairment who are assessed via the EHCP process as requiring education in a specialist school for the deaf. The number of pupil's who require access to a school which uses British Sign Language as a first language, is so significantly low that it would not be viable to provide this type of specialist school in county. However, every pupil who is identified as requiring this type of education is supported, via the EHCP process, to access specialist provision.

By removing the barriers of designation from special schools, the strategy will also seek to reduce separation in schools and offer pupils with SEND more opportunity for integration and inclusion.

The proposed mechanisms within the strategy which will address the need for greater collaboration between mainstream and special school i.e. special school satellites, will offer greater inclusion and enable pupils with SEND to access more mainstream opportunities. These may include access to the mainstream curriculum, social activities and extended day; affording pupils with SEND the same opportunities and experiences as their mainstream peers. This strategy also encourages pupils with SEND to foster good relationships with their mainstream

peers by providing greater opportunity to associate.

Age has been considered within the strategy as the proposed model requires some minor changes to the age ranges of two schools. The age change for these schools will form be part of the consultation process and will consider in detail the impact of this proposal. LCC are committed to ensuring that the schools affected are provided with additional resources to meet the needs of the new cohort of pupils joining the school.

Age and disability has been considered as a protected characteristic with regards to pupils with SEND and their experience of transition. By removing the need to transition between schools at key points in their education, the strategy recognises that pupils with SEND have different needs than their mainstream peers when it comes to transition.

All other protected characteristics relate specifically to the educational provision pupils receive within the school setting, which is not going to change as a result of proposals within the strategy.

A full Equality Impact Assessment is currently being developed as part of the Building Communities of Specialist Provision Strategy and will be further developed throughout the consultation process to ensure parental and pupil feedback is incorporated in the document. The EIA will be submitted for consideration as part of the final proposal in relation to the strategy following consultation.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

Lincolnshire's Joint Strategic Needs Assessment for children and young people aged 0 - 25, with SEND, illustrates a growing trend in complexity of need both nationally and locally. Nationally there has been a 12% increase, since 2014, in the numbers of young people with an Education, Health and Care (EHC) Plan. Lincolnshire follows the same trend with 2.9% of school aged pupils having an EHC Plan.

In England in 2010, 38% of pupils with a Statement of SEN attended maintained Special Schools. By 2017 this figure has risen to almost 43% of young people with an EHC Plan attending special schools. In Lincolnshire almost 45% of school aged pupils with an EHC Plan attend a maintained or academy special school with a further 5% attending an Independent Non-maintained Specialist Provision. 36% of children with an EHC Plan attend mainstream schools with the remainder in Post 16 or Early Years settings. There is a growing pressure on special school places as a result of this increase in the requirement for specialist provision.

The most common type of primary need for children with an EHC Plan is Autism Spectrum Disorder (ASD). There is a slight rise from last year to almost 26% of young people in England with this condition identified as their primary need. In Lincolnshire, the number of children with an EHC Plan that have ASD identified as their primary need is 22.4%, a 0.4% increase since 2016. ASD is often associated

with high levels of anxiety or challenging behaviour which makes it difficult for mainstream schools to manage the needs of these pupils. 70% of young people in out of county placements have ASD or Social, Emotional and Mental Health identified as their primary need. The difficulties associated with ASD are highlighted in the JSNA Autism report.

The significant pressures in SEND provision, evident in the JSNA, provide the drivers for this strategic change.

Consideration has been given to the JHWS and the aim of the strategy is to improve the wellbeing of children with SEND.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The adoption of the Building Communities of Specialist Provision Strategy does not relate to the reduction of crime and disorder in local communities.

3. Conclusion

In conclusion, the Building Communities of Specialist Provision Strategy proposes to develop an integrated system of special education for pupils with SEND, which will meet their education and healthcare needs, as close as possible to home. Through significant capital investment, special schools would be enhanced to meet the needs of pupils with all needs and designations of disability (with exceptions identified in the strategy) and to create increased capacity to meet the growing demand. Schools will require investment to ensure they have the appropriate resources to meet all needs and that staff are sufficiently skilled to meet pupil need.

The proposed model has been agreed with all special school Head Teachers and the Lincolnshire Parent Carer Forum and fully meets the strategic vision for SEND provision. However, without full and open consultation we cannot fully appreciate the impact this Strategy will have on pupils with SEND and their families.

This strategy is being presented for approval to engage in public consultation. If this is agreed, engagement and public consultation will be carried out in such a way as to co-ordinate consultation on the strategy with the statutory consultation requirements falling on the Council in relation to specific proposals for changes to individual schools. The results of the consultation will be presented to Children's and Young Peoples Scrutiny Committee and the Executive (or the Executive Councillor) in seeking a decision whether to proceed with the strategy and the school changes that it would entail.

4. Legal Comments:

The Council has the power to adopt the recommendation in the Report. The relevant considerations including as to Equality Act duties are set out in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive if it is within the budget.

5. Resource Comments:

The recommendation in the report to adopt the strategic vision for SEND provision as outlined in the Building Communities of Specialist Provision Strategy document is predicated on developing localised special education opportunities for children and their families in Lincolnshire and capacity to meet need. Having a local offer that fulfils this, whilst having strong links between mainstream and special providers will help to achieve the best possible outcome for children and young people with SEND, and ensure value for money (in terms of placement and transportation costs) is being achieved by the Local Authority due to expertise being retained locally delivered through effective size operations. The government has provided revenue and capital funding to support Local Authorities to make capital investment in provision for pupils with SEND, which with earmarked capital funding within the Council's capital grants will enable the strategy to be fulfilled.

It is anticipated that this strategy will require revenue funding to support the implementation of this strategy, such as training, start-up costs, transitional support etc. The Schools Forum supported the Local Authority proposal to earmark revenue funding of up to £2m from the Dedicated Schools Grant underspend for this project whilst funding remains available. The proposed amount is purely indicative, and earmarking this funding is of sound financial planning. Ongoing revenue funding for high needs provision will continue to be funded through the high needs block of the Dedicated Schools Grant.

6. Consultation

a) Has Local Member Been Consulted?

Yes.

b) Has Executive Councillor Been Consulted?

Yes.

c) Scrutiny Comments

This decision is to be considered at Children's and Young Peoples Scrutiny Committee on 1st December 2017. The comments of the Committee will be reported to the Executive.

d) Have Risks and Impact Analysis been carried out?

See e) below.

e) Risks and Impact Analysis

The risk and impact analysis insofar as it can be determined at this stage is set out in the Report. The analysis will continue to be developed throughout the consultation process in response to feedback to ensure all interested parties have the opportunity to be considered.

7. Appendices

These are listed below and attached at the back of the report						
Appendix A	Building Communities of Specialist Provision: A Collaborative Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) in Lincolnshire					

8. Background Papers

Document title	Where the document can be viewed
DfE High Needs Strategic Review	SEND Project Office.
ISOS Partnership - SEND Review:	SEND Project Office.
Gathering feedback from parents and	
carers	
ISOS Partnership – Assessment of the	SEND Project Office.
sufficiency of specialist provision for	
children with SEND in Lincolnshire	
Reducing distant SEND placements;	SEND Project Office.
Increasing regional sufficiency	
DfE Guidance - Making Significant	SEND Project Office.
Changes to an Open Academy	
DfE Guidance - Making Prescribed	SEND Project Office
Alterations to LA Maintained Schools	

This report was written by Eileen McMorrow, who can be contacted on 01522 550988 or <u>Eileen.McMorrow@lincolnshire.gov.uk</u>.

Building Communities of Specialist Provision: A Collaborative Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) in Lincolnshire

Forward by Councilor Mrs Patricia Bradwell

I am delighted to share our ambitions to improve the availability of local services for children and young people with a special educational needs and those with a disability.

I believe that all children have the right to access education as near to their local community as possible and am fully committed to working with our schools and with parents to help realise this ambition. All Lincolnshire schools strive to offer the right level of support to children and young people, but when mainstream schools can no longer meet the complex needs of some of our children, we all want them to be able to access high quality education which helps them to achieve their potential, as near to their local community and family as possible. This strategy, supported through significant investment, will help us to achieve this.

It outlines the proposed strategic direction of SEND provisions for Lincolnshire, not only focusing on education but also placing the health and care needs of pupils at the heart of the strategy. We recognise that this will require some significant changes to existing provision, but be assured that we have worked in collaboration with all Special School Head Teachers/Executive Head Teachers and the Lincolnshire Parent Carer Forum to ensure that the changes will benefit families in Lincolnshire.

The strategy acknowledges the potential impact to individual pupils and families and describes how risks will be managed whilst keeping children and families' needs at the heart of any proposals for change. Whilst much of the strategy focuses on the role of special schools, it is also important to consider the role of mainstream schools in enhancing the educational opportunities of pupils with SEND in their settings and for those who may benefit from access to a more challenging curriculum but require the support of a specialist setting. All our schools in Lincolnshire are committed to doing their best to support pupils who have enhanced learning needs.

I am pleased to confirm that the Council have committed significant investment which will enable change and the capital outlay required to implement the proposed model. It is important that families have confidence that our special schools will be equipped to meet the wide ranging and complex needs of some of our children. They are Lincolnshire children and they deserve the right education, in the right place with the right facilities and the right staff to help them to realise their potential.

Strategic Vision of SEND Provision

The Building Communities of Specialist Provision Strategy will enable Lincolnshire pupils with SEND to access an integrated and collaborative all needs education system which provides excellent education, health care and support interventions.

It will:

"Establish an integrated school system where children and young people get the right health, care and education, in the right place, at the right time, as close as possible to where they live."

The strategic vision of this integrated school system will provide the foundations for:

"Provision without boundaries: where children feel they belong, are respected, hopeful and optimistic about their future."

The strategy seeks to create an integrated education, health and care provision which will:

- a. Provide a local education system in which parents can have confidence that their child's education, health and care needs can be met.
- b. Ensure we have a sufficient supply of places in schools for pupils with SEND.
- c. Provide local community special schools which can meet the needs of all pupils in their community by removing the current barriers to access, particularly where schools can only meet the needs of pupils with specific designations of disability.
- d. Reduce the travel time for pupils with SEND by enabling them to attend a special school in their locality.
- e. Develop a system which enables pupils with SEND to access a greater range of mainstream curriculum and experiences.
- f. Increase opportunities for pupils with SEND to transition to a mainstream setting, if this is identified as most appropriate and beneficial.
- g. Support pupils to access education close to their family and their community thus reducing the number of pupils being educated in Out of County placements/Independent Non-Maintained special schools.
- h. Recognise the very specific needs of some pupils with hearing impairments, where parental preference identifies the important of belonging with a British

Sign Language community and support pupils to access these arrangements, where agreed through the SEND process.

i. Create and enhance relationships between special and mainstream schools so pupils with SEND can remain in mainstream schooling.

- j. Clarify and enhance health interventions across special schools, so all schools can meet the health and therapeutic needs of the pupils in their communities.
- k. Improve opportunities for special and mainstream teaching staff to share best practice, skills and knowledge.

This strategy proposes to make significant changes to our existing specialist education provision, creating an integrated system where pupils attend their nearest school, confident their educational and health needs can be fully met. Where they have full access to a curriculum which is appropriate for their learning needs and are taught by teaching staff who are skilled in the learning profiles of all pupils with SEND. Where pupils can develop close friendship bonds with their classmates which can extend beyond the school boundaries as they are educated in their local communities and where they can learn in a flexible, integrated system which supports transition.

By working in collaboration with Lincolnshire special schools, Lincolnshire Parent Carer Forum and all other interested parties, this strategy, if approved will ensure that all pupils and their families can access an education system which will support them to achieve their full potential within their local communities.

Our special school Head Teachers, Lincolnshire Parent Carer Forum and the Lincolnshire Learning Partnership (LLP) have formally committed to its strategic vision but it can only be achieved if there is real cohesion and collaboration across all organisations involved in the strategy.

Our stakeholders believe that by working together, we can:

- Ensure that pupils and families are at the heart of all SEND provision.
- Enhance Lincolnshire special schools so they can meet All Needs, which enables pupils to be educated in the right setting, as close as possible to where they live.
- Enhance Lincolnshire special schools so they can provide equality of provision to all pupils regardless of where they live, with access to the same resources and support.
- Through investment, ensure sufficiency of places in special school settings for all pupils who require this provision (as identified in their Education, Health and Care Plan) to attend ideally their nearest school, or one in their locality.
- Create local All Needs special schools which will be able to meet the needs of pupils, who have previously been unable to be educated in the county,

specifically pupils with Autism Spectrum Disorder (ASD) and Challenging Behaviour.

- Work collaboratively with health and social care partners to meet the health and care needs of all pupils with SEND in their local All Needs schools.
- Establish greater collaboration between special and mainstream schools to improve the educational experience of SEND pupils in mainstream and support pupil transition within a fluid and flexible system.

"Enhancing the education, care and support of children and young people with additional needs is at the heart of this project. Enabling all pupils to attend their nearest special school will maintain high quality educational provision and provide opportunities for the creation of a localised special needs community." (James Husbands, Head Teacher at Willoughby Special School, Bourne)

<u>Context</u>

Local

Lincolnshire has 20 Specialist schools for pupils with SEND, a mixed economy of Multi-Academy Trusts and Local Authority Maintained schools. There are four Social, Emotional and Mental Health special schools (SEMH schools - one primary and three secondary) and two LA Maintained Hospital schools. Almost all special schools are delivering Good or Outstanding education according to current Ofsted ratings (one school is rated as Requires Improvement).

Research commissioned by Lincolnshire County Council (LCC) conducted over a number of years by the ISOS Partnership (2015/16), identified the need to "reshape" SEND provision to meet the needs of the increasing population of pupils requiring placement in special school settings. It also highlighted the need for more collaborative working between special and mainstream schools and lends its support for an "All Needs" approach to SEND. (ISOS Partnership, 2015)

Further research by ISOS examined parental views of SEND services, in particular the experience of parents of pupils educated in Out of County/Independent Non-Maintained Schools (referred to as OOC). Responses were varied but parents generally viewed out of county placement as a last resort and as a result of continuous system failings for their child.

This combination of this research along with national policy development from the Department for Education (DfE) has identified the need to review current provision and devise a new strategy to reshape the special school system in Lincolnshire.

Since the introduction of the SEND Code of Practice in 2014, and following national trends, Lincolnshire has seen a significant increase in the number of pupils identified with SEND, with increasing numbers seeking a place at a special school.

This high demand for special school places means that, based on school premises size, many Lincolnshire special schools have significant capacity pressures. Along with capacity challenges, the current education system has special schools operating within clearly defined designations. This means that pupils are taught in special schools which can only meet the needs of their specific designation e.g. autism specific or physical disability/profound and multiple learning difficulty specific. As a consequence many pupils have to travel for significantly long periods and distances in order to access special school place where their needs can be met and there is capacity.

Leaders in education in Lincolnshire have identified that the existing provision is experiencing considerable pressures and questions around sustainability and premises suitability have been raised. These pressures will be examined in detail within the strategy including the unacceptable distances travelled by pupils to school and excessive demand on special school places making the current system unsustainable.

National

Since 2010, there has been a gradual increase in the number of pupils attending state-funded special schools. In 2010, 38.2% of pupils with statements were educated in special schools: by 2016 this had increased to 42.9% of pupils with statements or EHC plans. The percentage of pupils with statements or EHC plans attending independent schools has also increased between 2010 and 2016, from 4.2% to 5.7%. (Special educational needs: an analysis and summary of data sources. DfE May 2017)

Nationally, the numbers of pupils who are identified as having SEND are continuing to significantly increase and needs are becoming more complex. Pupils are being identified as having several different physical, health, social, emotional and educational needs which require a coordinated approach of support and care involving a range of different expertise and services. Access to specialist support and the location of these services are likely to be under pressure as needs and demands increase. It is therefore timely and essential to review arrangements of provision and access to pupils, which will result in redesigning the system of provision for pupils with SEND, to better meet those needs now and to be flexible and responsive enough to deal with future requirements.

Whilst local and national data indicates that there is a need for increasing the number of school places to support pupils with SEND, we must also consider how mainstream schools can be made more accessible so that the right support and access to additional services can be achieved. This will meet the DfE High Needs Strategic Review requirements of collective responsibility and joint accountability; as well as help achieve greater access to a wider curriculum for pupils with SEND. This will contribute to the objective of preparing more pupils for employment independent living.

In Spring 2016, NHS England produced "Reducing Distant SEND Placements Report" which considered the sustainability of out of county/long distance placements for children and young people with SEND. It identified the need for a more strategic approach to developing system-wide change, which must be affected through collaboration and a common moral purpose. This report further supports the need to review existing special school provision due to national and local demands.

"The key to success however lies in the strategic leadership of the school system as solutions are more likely to emerge through a coherent approach when all partners are working to a common vision." (Chilvers, P. Reducing Distant SEND Placements: Increasing Regional Sufficiency,

2016)

In March 2017, the Department for Education announced the High Needs Strategic Review, which requires local authorities, alongside schools, to review provision for pupils with SEND in order to ensure that there are sufficient good school places which meet the changing needs of all young people.

"Supporting local authorities to create sufficient good school places for all pupils, including those with special educational needs and disabilities (SEND), is a high priority for the Government. Local authorities have important specific responsibilities for children and young people with SEND."
 (DfE Section 31 Grant determination for a high needs strategic planning fund in 2016-17: DCLG ref 31/2916)

The emphasis of the review is one of close collaboration between all schools and providers in producing a strategic plan which delivers sustainable, good quality provision to meet current and future needs, and reflects what parents and pupils want. It is expected that the LA's will work with maintained schools, academies, free schools and others to agree how SEND education should be met across their area, including considering the best ways of supporting mainstream schools to meet these needs.

In response to the identified local challenges and national directives, education leaders in Lincolnshire have recognised the need to work more collaboratively to address the main issues impacting on special school provision.

Current Provision and Challenges

Pupils with SEND

In the academic year 2015/16 the SEND Service received 723 requests for Education, Health and Care Plan Assessments; this was a 38% increase on 2014/2015 and 52% increase on 2013/2014 (the year before implementation of the SEND reforms).

There are increasing numbers of Education, Health and Care Requests, Assessments and Plans being allocated: as of Jan 2017, 3916 pupils in county are subject to an EHCP or Statement compared to 3,300 in 2014 at the implementation of SEND reforms. At 2.8% of the pupil population this is in line with the regional average but Lincolnshire actual numbers are significantly higher than the neighbouring LA's. Increasing numbers of parents are requesting special school placement for their children, reporting that mainstream schools cannot meet their specific needs. Of the 3,916 pupils with an EHCP or Statement in Lincolnshire, 45.5% pupils attend special school with 41% attending mainstream, above the national average of 43.8% in special school. This move towards increased number of pupils requesting and being educated in special school has been challenged by the DfE High Needs Strategic Review who are encouraging Local Authorities to consider how best to meet the needs of pupils with SEND in mainstream schools, wherever possible. (All data from Lincolnshire School Census, January 2017)

Designation

Of the 3916 Lincolnshire pupils with SEND who have EHCP/Statements 1,481 pupils are educated in special schools (excluding SEMH and Hospital schools).

These pupils are, at present, most likely to be educated in a school which has clearly defined designations i.e. Moderate and Severe Learning Difficulties combined or Physical Disabilities and Profound and Multiple Learning Difficulties combined.

Some of the schools have begun the progression into providing a far wider range of need than their designation due to sufficiency demands, whereas others have remained committed to their specialism.

Designation	Schools
Physical Disability/	St Francis School, Lincoln
Profound and Multiple Learning Difficulty	
Severe Learning Difficulty/	St Bernard's School, Louth
Profound and Multiple Learning Difficulty	The Sandon School, Grantham
	The John Fielding School, Boston
	The Garth School, Spalding
Moderate Learning Difficulty/	St Christopher's School, Lincoln
Severe Learning Difficulty	St Lawrence School, Horncastle
	The Eresby School, Spilsby
	Ambergate Sports College, Grantham
	Willoughby School, Bourne
	The Priory School, Spalding
Autism Specialist	Gosberton House, Gosberton
All Needs	Warren Wood, Gainsborough
	The Aegir School, Gainsborough

Table 1: Current School Designation

When mapping the pupil distribution across the special schools, it became apparent that schools were admitting a significantly wider range of pupil need than their original designation suggested, as can be seen from Table 2.

This demonstrates that special schools can meet the needs of pupils with a wider range of need, which would enable children to access education in their local community, nearer their home, reducing unacceptable travel time to school. This

must be an entitlement for all our children rather than this practice happening in some areas of our county.

<u>Table 2: Actual distribution of pupil need across special schools</u> Shaded areas indicates the school has pupils with the indicated type of need in attendance. For definitions please see All Needs Definition.

School	ASD	HI	MLD	MSI	ОТН	PD	PMLD	SEMH	SLCN	SLD	SPLD	VI
Ambergate, Grantham												
Sandon, Grantham												
Gosberton House, Gosberton												
Priory, Spalding												
John Fielding, Boston												
Garth, Spalding												
St Christopher's, Lincoln												
St Francis, Lincoln												
St Lawrence, Horncastle												
Eresby, Spilsby												
St Bernard's, Louth												
Warren Wood, Gainsborough												
Aegir, Gainsborough												

Capacity and Commissioned Places

Through this strategy, we are committed to enabling pupils to access special school education as near to their community as possible and that means ensuring there is adequate capacity in each school and locality to meet need. At present there are significant challenges regarding capacity with 50% of special schools beyond capacity for their premises size.

The table below evidences the increasing need for more special school places year on year. Special schools are constantly adapting to meet this need and find extra space for pupils but this is not sustainable in the current system. Significant investment is required to overhaul our special schools so they have capacity to meet the growing need and changing profile of their population.

School	15/16	16/17	17/18	18/19
Sandon, Grantham	77	74	75	72
Ambergate, Grantham	122	125	142	144
Gosberton House, Gosberton	90	90	90	95
Priory, Spalding	130	128	129	133
Garth, Spalding	45	50	55	59
John Fielding, Boston	44	49	52	58
St Christopher's, Lincoln	260	282	261	242
St Francis, Lincoln	133	151	146	140
St Lawrence, Horncastle	141	154	157	155
Eresby, Spilsby	57	58	69	79

Table 3: LCC Commissioned special school places from 2015/16 – 2018/19

St Bernard's, Louth	62	62	63	68
Willoughby, Bourne	71	69	79	80
Warren Wood, Gainsborough	60	57	85	93
Aegir, Gainsborough	127	121	117	111
Total	1419	1470	1520	1529

To ensure sustainability and adequate capacity in any future special school system, consideration must be given to significant growth planning and sufficiency forecasting for this cohort. Forecast methodology for SEND pupils is being developed and will inform this strategy once available.

School Premises

Beyond the capacity demands, some special schools are challenged with premises which are not suitable to meet the demands of their existing pupils. Buildings are narrow with some units having little or no wheelchair access. Storage for medical aids is limited with corridors being used to store standing frames and walkers.

Hygiene suites are small and impractical and scope for redevelopment is, in places, limited due to site restrictions. Unsurprisingly, some special schools are, at present, unable to meet the needs of pupils with ASD and challenging behaviour as they do not have the space to segregate and manage risk appropriately, which is impacting on the need for OOC placements for this cohort of pupils.

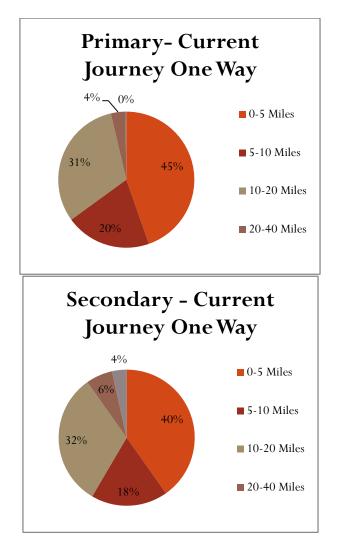
Additionally, pupils with complex physical and medical needs are mainly attending St Francis School in Lincoln as this has the specialist resources to meet their needs. As a consequence, pupils are travelling significant distances to attend this school, rather than one close to home, which does not have the resources to meet need.

There is a significant challenge for many of the county's special schools to be able to meet the needs of pupils in their local community due to design and space challenges. Whilst some schools are built to meet the needs of our most physically and medically complex pupils, other are designed for pupils with learning difficulties and it would require significant capital investment to implement this strategy. A strategic capital investment program is essential to ensure our schools can meet the needs of pupils in their local communities, thereby reducing travel time and its impact.

Travel and Transport

This review has identified significant challenges to pupils and families due to the excessive travelling pupils need to undertake to attend school.

The tables below indicate the journeys that are being conducted special school pupils as of July 2017.



- 84 (5.25%) currently travel between 20 and 40 miles to school (i.e. up to 80 miles a day return)
- 493 (31.4%) currently travel between 10 and 20 miles to school (i.e. up to 40 miles a day return)
- 296 (18.9%) currently travel between 5 and 10 miles to school

This is in direct contrast to their mainstream counterparts of whom less than 2% travel more than 10 miles one way.

Transport for children in special schools is costing almost £10m per annum and rising year on year and this is unsustainable for the Local Authority.

The consequence of special school designation and capacity is that almost 70% pupils do not attend their nearest special school, with some pupils travelling past other special schools to be educated where their specific needs can be met. The impact of considerable travel distance on pupils and families cannot be underestimated, with reduced school performance, challenging behaviour, increased levels of fatigue and poor engagement possible where pupils are subject to excessive travel times. It is a basic matter of equity to seek to strive for as short and stress-free a journey to and from school as possible. It is not uncommon for pupils to have a three hour daily round trip to and from school. In the autumn, winter and early spring, such a journey, added to the school day means that pupils are often travelling in the dark at both the beginning and the end of their day.

Out of County/Independent Non-Maintained Special School Placement

Out of County placements are made only when Lincolnshire Schools have stated that they cannot meet the special educational needs of a particular learner. There is a continuing pressure on meeting the needs of those learners with Autistic Spectrum Disorders or Social, Emotional and Mental Health issues and specifically those with challenging behaviours. Out of county placements go through a rigorous commissioning process.

Young people with Autistic Spectrum Disorders and Social, Emotional and Mental Health difficulties make up 70% of the 88 Out of County placements. It is frequently their challenging behaviour that has led them to be placed in provision outside of Lincolnshire.

The number of Out of County placements has remained relatively static over the last three years but the costs have risen significantly. In the financial year 2016/17 the authority spent \pounds 7.997m on independent non-maintained specialist provision, an increase of \pounds 0.348m from the 2015/16 spend.

OOC placements may not always be the best way of achieving positive outcomes for pupils with SEND, and many parents report extra strain for the rest of the family. Being educated away from home can reduce the pupil's ability to form close social networks in their local community, leaving them with without a sense of belonging in their community.

Parent/Carer Perspective

The experiences of pupils and their families must be at the heart of this strategy and effective consultation is crucial to ensure that their voices are heard. It is essential that this strategy recognises the challenges faced by pupils with SEND and their families on a daily basis and how difficult it is for some to simply get to school or access the right education for their children.

Parents, via the Lincolnshire Parent Carer Forum, have expressed views about the travel time for pupils and raised concerns around access to appropriate school places so far outside their local community. Parents have also raised concerns, via

the ISOS Partnership research, about the impact of OOC placements and how is negatively affects their family life.

"We lost our child at the age of 11; we lost a massive part of his teenage years. We would have preferred him to go to a school in-county; had there been a school with the right provision.....it has been very sad for us as a family." (ISOS Partnership. SEND Review: Gathering feedback from parents and carers,

2015)

This can cause considerable strain on many pupils and their families as getting to and from school every day involves travelling a significant distance from their home and community. Some pupils may have to live away from home, in order to access a school place which provides for their specific needs. Pupils with SEND experience exclusion from all parts of society and school is a place where they should experience friendship, belonging and community. Attending a school which is a significant distance from home often limits the number of social opportunities pupils can access, as their friends are geographically dispersed too. Arranging social opportunities for pupils with SEND is often impossible for parents as the special school they attend does not have an established community around it. Access to extended day opportunities are also limited due to transport arrangements and parents report that their children miss out on opportunities which would support their social development. This can have a detrimental effect on how pupils enter the world of work or further education, and how prepared they are for adulthood.

For more information about our parents perspectives, please read the Eve's and Trevor's stories in Appendix 1.

Funding

The High Needs Strategic Review has allocated £283,911 to Lincolnshire develop its strategic plan for SEND provision. Once the plan has been sanctioned and agreed, LCC will be allocated £2,314,235 for capital investment to increase SEND sufficiency across the next 3 years.

In addition, LCC have identified to following funding streams to support the significant capital investment required to implement this strategic vision:

- Basic Needs Budget Boston £5.2m
- Basic Needs Budget Lincoln £8.5m
- Property Maintenance/Condition Budget £24m.

Projected capital expenditure for this strategy will be available once the proposed model has been consulted up and agreed.

Summary of Reasons for Change

• There is a clear need for a specialist school system which is sustainable and can meet current and future needs of pupils and their families, recognising that needs are becoming more complex and special school places are at a premium.

- There are areas of insufficiency of special school places, resulting in pupils attending schools some distance away from home.
- Some special schools operate within clearly identified designations, meaning pupils may have to travel further to attend a school which can meet their need.
- Lincolnshire special schools buildings are designed to meet the needs of pupils within their specialism. Therefore, even where there is capacity and a willingness to meet pupil need, the building and resources available may restrict admission.
- Almost 70% of pupils with SEND are not attending their nearest school. For some of these pupils, this is not a significant issue. However, for over 36% of pupils their school return journey is between 40 and 80 miles per day. These calculations do not include diversions to collect other pupils so actual return journey times can be over 3 hours.
- The effects on pupil wellbeing, performance and health of attending a school that is local to their address are often underestimated. However, it is clear that a longer day, caused by an arduous or long journey at each end of the school day, does nothing to improve the outcomes for pupils with SEND.
- Reduced travel time may result in increased social or family time for pupils with SEND. Opportunities for accessing local clubs or spending more time with family and friends may be greater.
- OOC provision is unsustainable and is not always the most appropriate provision for pupils with SEND. Families are dramatically impacted by the loss of their child to residential provision and in most cases would rather their child was educated close to home.
- Pupils with SEND and their families are facing too many challenges just to access the right education in the right place at the right time.
- When they do have access to quality education, it is often significantly far away from home that they are then missing out on the important social experiences which their mainstream peers take for granted.
- Pupils educated in OOC are also missing out on the social opportunities and experiences enjoyed by their mainstream peers and face greater challenges when returning to their local communities.

• Mainstream settings can offer many pupils with SEND the opportunity for real inclusion but require access to enhanced support from special schools to be able to continue meeting need throughout a pupil's education.

Proposed Model

Education leaders in Lincolnshire are united in their commitment to the strategic vision and proposed model and are working towards agreement from all Multi-Academy Trust Boards and LA Maintained schools Chair of Governors. This vision also has the formal endorsement of the Lincolnshire Learning Partnership, who recognise the significant impact this proposed strategy could have on Lincolnshire pupils.

Each school has committed to a model of provision which will break down the barriers of segregation based on type of disability, where pupils will be educated within their local communities.

At the heart of this strategy is the aspiration to enhance the lives of pupils with SEND and their families by improving their educational experience. However, it must be recognised that pupils with SEND can often be the most vulnerable members of our society, some of whom find significant change challenging.

LCC and all other stakeholders can confidently reassure parents and all concerned parties that, at no point in the implementation of this strategy, will any pupil be expected, persuaded or forced to change school against their wishes. All opportunities to move to a school closer to home will be on a voluntary basis and transition will only occur as part of an agreed and fully supported process, at a time in their education that is least likely to cause upset. If this strategy is agreed, it is an opportunity for pupils and families, not a requirement.

The proposed strategy will seek to create communities of specialist education across the county to for pupils with SEND, in both special and mainstream schools, through collaboration and collective responsibility ensuring All Needs can be met at the nearest school. Pupils will no longer have to travel considerable distances to a school that can meet all their needs, nor will pupils need to be educated away from home, unless specific need dictates (Pupils with significant hearing impairment may choose to attend an Out Of County school for the deaf community, when agreed through the SEND process).

The county will operate within a 4 locality model (see Appendix 3) with each locality having a shared responsibility for every pupil with SEND who lives within their locality and requires a place at a Specialist school. Each locality will develop a multi-disciplinary, collaborative Allocations Hub responsible for ensuring every pupil assessed as needing one will have access to a special school place as close as possible to home which can meet their needs.

Where there is existing segregation based on age (i.e. primary and secondary schools are separate and distinct) due to the specific design of their premises, this will remain, though the majority of schools will be providing All Through education for pupils of statutory school age (4-16 years). This negates the needs for excessive transitions for vulnerable pupils who find change and transition potentially difficult.

Every school is committed to meeting the needs of pupils within the All Needs definition, as defined by the Governments school's database, "Get Information about Schools".

All Needs Definition Specific Learning Difficulty Visual Impairment Hearing Impairment Multi-Sensory Impairment Speech, Language and Communication Autistic Spectrum Disorder Physical Disability Moderate Learning Difficulty Severe Learning Difficulty Profound and Multiple Learning Difficulty Social, Emotional and Mental Health Needs (as a secondary need only)

A significant capital investment program will ensure all special schools have the right facilities and resources to educate pupils with all needs as defined above.

Each locality (and the special schools within) will work collaboratively with their SEND partners to ensure that the provisions received in school not only benefit the pupils educationally but also ensure that their healthcare needs are effectively met.

Each locality (and the special schools within) will develop learning support network with its neighbouring mainstream schools to support mainstream inclusion for pupils with SEND. These learning opportunities will enable pupils with SEND to remain in mainstream school if this is the right place for them to be educated. There will also be greater opportunities for transition from special to mainstream, where identified as appropriate and beneficial for the pupil.

Opportunities to access mainstream and special provision will be developed across the sector so pupils have access to a broad range of educational and social experiences.

It is imperative that they newly proposed system can address the previously discussed system challenges to create an integrated and collaborative all needs school system to deliver effective education and healthcare to pupils with SEND across Lincolnshire.

Key Features

• A collaborative system of special schools that can meet most special educational needs and disabilities (excluding hearing impaired) by being designated "all needs" and taking pupils of all ages.

- A new special school to meet the demand for places. This will be a Free School, and will be part of the collaborative special school system. The new school is likely to be based in Lincoln as this is where demand and need is greatest.
- Four localities within the county which provide school places for SEND which are local and more easily accessible to pupils in terms of distance and travel time.
- Equal access to resources, expertise and support across the county for pupils with SEND in mainstream and special schools, which supports pupils to access or remain on roll at whichever school best meets their need (special or mainstream).
- New satellite units, accessible from each locality, on mainstream school sites (primary and secondary) which are managed by local special schools and offer transition support for SEND pupils accessing curriculum areas in mainstream or requiring additional support from special schools whilst accessing their school place in mainstream.
- A professional staff development and support network accessible to all schools which can provide shared experience, advice, knowledge, training and support on a full range of special educational needs and disabilities issues and needs.
- Space and facilities which will support education and therapy needs of pupils with complex physical, medical, emotional, social and educational needs in "all needs" schools across Lincolnshire.
- An integrated approach with Health services, to delivering medical, health and therapy support to pupils with SEND.

Proposed Model: Summary of School Changes

Below is a brief summary of the proposed changes to be consulted on. For a more detailed description of the proposed, see Appendix 2. For designation definition please see All Needs Definition.

North West Locality									
School	Current	Current Age	Proposed Changes						
	Designation	Range							
St Christopher's	MLD/SLD/ASD	3-19	Designation change to All Needs						
School, Lincoln			Age Range - No Change						
St Francis Special	PMLD/PD	3-19	Designation change to All Needs						
School, Lincoln			Age Range - No Change						
New Free School,			New All Needs 3-19						
Lincoln			Built to address over-crowding at St						
			Christopher's.						

Warren Wood,	All Needs	2-11	No change to age range or
Gainsborough			designation
The Aegir School,	All Needs	11-19	No change to age range or
Gainsborough			designation

North East Locality								
School	Current	Current Age	Proposed Changes					
	Designation	Range						
St Lawrence School,	MLD/SLD	5-16	Designation change to All Needs					
Horncastle			Age Range - No Change					
St Bernard's School,	SLD/PMLD	2-19	Designation change to All Needs					
Louth			Age Range - No Change					
The Eresby School,	MLD/SLD	2-19	Designation change to All Needs					
Spilsby			Age Range - No Change					
South West Locality								
School	Current	Current Age	Proposed Changes					
	Designation	Range						
The Sandon School,	SLD/PMLD	3-19	Merge schools into one, based across					
Grantham			two sites. To meet All Needs across					
Ambergate Sports	MLD	5-16	the two sites					
College, Grantham			Designation change to All Needs					
			Age Range – 3-19 across both sites					
The Willoughby	MLD/SLD	2-19	Designation change to All Needs					
School, Bourne			Age Range - No Change					

	South East Locality									
School	Current	Current Age	Proposed Changes							
	Designation	Range								
The Garth School,	SLD/PMLD	2-19	Merge schools into one, based across							
Spalding			two sites. To meet All Needs across							
The Priory School,	MLD/SLD	11-16	the two sites							
Spalding			Designation change to All Needs							
			Age Range – 2-19 across both sites							
Gosberton House	ASD/SCLN	2-11	Designation change to All Needs							
Academy, Gosberton			Age Range - No Change							
The John Fielding	SLD/PMLD	2-19	Designation change to All Needs							
School, Boston			Age Range - No Change							
			Significant expansion and relocation							
			proposed (48-140 pupils)							

Specialist School Satellites

In addition to the proposed changes to school designation, the need for greater collaboration between special and mainstream schools to support effective transition has been identified. Local narrative reflects national trends with more pupils with SEND seeking placement in special schools when mainstream schools can no longer meet their needs.

The strategy proposes to address this issue through the development of special school satellites, in order to promote collaboration and flow between the two types

of provision. Four potential locations will be identified initially, based on numbers of pupils with moderate learning difficulties (the most likely candidates for this provision) capacity demands and existing relationships with local mainstream schools:

The proposed model would implement a phased approach to this initiative, with the first 4 sites being identified and developed to support the initial pilot. Developing physical premises on the mainstream site would be essential to this provision, to ensure its sustainability and avoid changes of personnel affecting its usage. The initial pilot would accommodate two classes of 8 pupils on each site.

Based on mainstream schools sites who are committed to the strategy, these satellites would enable special school pupils with moderate learning difficulties or ASD to access elements of the mainstream curriculum through an integrated and personalised timetable while based at the satellite unit. This would enable pupils to access elements of the mainstream educational experience and curriculum with a view to possible transition back to mainstream permanently. Access to mainstream may include educational opportunities or social activities but the focus would be to broaden the educational experience of the pupil and enable them to access wider curriculum opportunities. Pupils would remain on the role of the special school until permanent transition has occurred, if this is the ultimate aim, or continue with an integrated timetable if this proves beneficial.

Additionally, the mainstream school hosting the satellite would be able to refer pupils on their role to a Specialist Outreach provision, hosted within the satellites. Where mainstream pupils are identified as requiring some additional support with elements of their learning and would benefit from the nurturing environment of the special school, a program of targeted, time-limited intervention would be provided. This would require LCC agreement as any places in the satellites would be accessed through LCC SEND processes, ensuring the right pupils access this specialist support.

This approach would support workforce development, with special school staff sharing skills and knowledge with their mainstream colleague, enhancing the mainstream skill set.

Other Local Authorities have implemented this model successfully and report a significant impact on the mainstream settings approach to pupils with SEND. The strategy would support the implementation of these satellites as an initial pilot and review throughout the duration of the strategy.

Interdependencies

Social, Emotional and Mental Health and Hospital School Provision

As part of the special schools review, which informs this strategy, significant challenges have been identified within the provision of Social, Emotional and Mental Health education. Questions have been raised around the suitability of the pathways to the SEMH settings which vary according to the pupil's point of identification/diagnosis. There are challenges regarding current capacity and whether it is sufficient or if there is a need for more primary school places and

whether the existing model can meet the increasingly complex needs of pupils with SEMH.

A work stream with the objective of developing a shared ethos and way of working across the county for SEMH provision, consistent with the vision and principals of this strategy, has been established. However, it is not ready to report back into this strategy due to the complexity of the task assigned. The strategic vision for SEMH provision in Lincolnshire is currently being developed and will be introduced into this strategy when it is ready to be considered for consultation. Time must be taken to fully understand the experience for pupils with SEMH and their families and any future model of provision for pupils with SEMH must be:

- High quality
- Evidence-based
- Collaborative across education, health and social care
- Tailored to the individual needs of children and young people
- Flexible and coherent across transitions.

Health Provision for Pupils with SEND

Delivering a robust and effective health offer to pupils with SEND in a localitybased, all needs school system can only be achieved through collaboration with our partners in the health and social care. This model proposed within the strategy would have a significant effect on the pupil populations of each school, moving away from specific types of need to a greater range of needs in each school. The proposed capital investment will address the resources required to meet the need of a wider range of pupils but the special schools may require changes to existing health provision arrangements to ensure the needs of their pupils are met.

We recognise that there will be an impact on health commissioning arrangements across the localities and will be working closely with our Health partners throughout the duration of the strategy to ensure we develop a fully integrated system of education, health and care. A development workshop has been arranged during the consultation period, for sector leaders, commissioners and providers. The event will be co-facilitated by LCC and Health Leads and will focus on developed an integrated approach which ensures pupils with SEND can access an:

"Integrated school system where children and young people get the right health, care and education, in the right place, at the right time, as close as possible to where they live."

Impact of Proposed Model

Impact of Proposed Model

To fully understand the impact of this proposed strategy, we need to hear the voices of pupils and their families through a full and open consultation process. We have identified some potential impacts for pupils and families but which may include the following.

Potential impact on pupils and their families

- The immediate impact on pupils and families would be the understandable concern around change. Pupils with SEND are less likely to be comfortable with significant change than their mainstream peers and may be unable to cope with a school change, even if it meant reduced travel time. This is why it is so important to provide support to pupils and their families if they choose to transition.
- The proposed model would provide parents with greater choice as the previous barrier of disability specific designations will have been removed.
- Investment in all special schools will ensure a wider range of needs can be met, close to home, enabling parents to have more confidence in the special school system and not need to look beyond the county for specialist provision.
- Local all needs special schools would create communities around each school, which could better support pupils to access more social opportunities during term time and school holidays and extend friendships beyond school hours.
- It would enable pupils reduce their travel times significantly. Pupils would no longer be subjected to long and arduous journeys before and after school and therefore would be less fatigued, have greater capacity for concentrating at school, and have more valuable 'amenity time' with their families and peers.
- Parents and carers would benefit from having more time with their children before and after school, making the daily routine less rushed and providing more opportunity.
- Pupils and their families would have greater opportunity to access other activities such as after-school clubs as their travel time is reduced, giving them more after-school time.
- We recognise that this may impact working families detrimentally as parents have planned their work times around pupils transport arrangements. We would work closely with individual families who would like their child to attend a nearer school to support them with challenges this strategy presents.

- By providing all age schools, where possible, pupils with SEND would not have to experience potentially challenging transitions through their educational journey.
- By developing a special school system which work collaboratively with local mainstream schools and has established pathways for transition, pupils with SEND will have greater access to mainstream opportunities and curriculum.

Impact on special schools

Following significant capital investment and the implementation of this strategy, we would anticipate significant impact to special schools, beyond the obvious capacity increase and improved resources to meet all level of need. The change to the pupil population will undoubtedly require a program of workforce development for each special school to ensure all needs can be met and this must be a consideration for all school when planning change. Upskilling staff to meet a wider variety of need will ensure the quality of education provided is consistent.

Impact for LCC

The primary impact for LCC is the anticipated reduction of transport costs, if all pupils attend their nearest special school. The model presented will potentially enable 70% pupils to access a suitable school closer to where they live and see the mean distance travelled to school per pupil reduce from 11.73 miles to 5.72 miles.

This would ultimately mean a transport budget reduction of between $\pounds 2m - \pounds 3m$ per annum, but these savings will only the be realised when the strategy is fully implemented.

Conclusion and Next Steps

In conclusion, the presented strategy would seek to make significant changes to our existing special education provision in order to create an integrated system where pupils attend their nearest school, confident their educational and health needs can be fully met. Where they have full access to a curriculum which is appropriate for their learning needs and are taught by teaching staff who are skilled in the learning profiles of all pupils with SEND. Where pupils can develop close friendship bonds with their classmates which can extend beyond the school boundaries as they are educated in their local communities and where they can learn in a flexible, integrated system which supports transition.

The proposed model has been agreed by all Lincolnshire special school Head Teachers and Lincolnshire Parent Carer Forum, who are committed to supporting the significant changes this strategy requires to create communities of specialist provision and support for pupils with SEND.

If this strategy is approved, the consultation process will commence in early January 2018.

The current challenge to the special school system means it is unsustainable and inflexible. It is imperative that we take this opportunity to build communities of special educational provision which is holistic, flexible, integrated and can meet the needs of a growing population now and in the future.

Appendix List

- 1. Case Studies : Eve's and Trevor's Stories
- 2. Draft Proposed Changes to Special Schools
- 3. Proposed Model Map

Eve's Story

Eve attended play school and mainstream primary in her local community. From the penultimate year at primary school I drove her 40 miles to a Special School for children with complex physical disabilities on a joint placement for one day a week. This worked very well for a year in identifying whether she would be best placed in Special School or would attend the Mainstream Secondary School the next year.

The down side was the transport. I drove her the 40 miles (taking 90 minutes due to traffic etc) due to her not being confident with taxis etc and found that even with me driving her directly there, she was very tired by the journey (as was I!).

After another year in joint placement, whilst attending mainstream secondary school, it became clear that Eve was getting lazy and looked at her day at Special School as a holiday rather than pushing herself. We subsequently went into Mainstream full time.

This worked brilliantly and she gained lots of friends in her local community (sadly she wasn't able to go to the same mainstream school as her twin – due to accessibility issues) but made lots of connections in the community attending youth club, guides etc.

Eve is now on a supported internship and has a placement at the Local Nursing Home as Activities Coordinator.

This, I strongly believe, is due to the strong links we have made whilst being schooled in our local community where everyone knows her and values her contribution to society.

In my ideal world:

- There would be NO Criteria. The child has needs and they should be met by whomever, however and whenever, but the child's needs should always be met.
- We would not have to fight for services. Service providers would have enough funding to cover these services or explore alternative options.
- Parents would attend one meeting held at school with all professionals involved in my child's case. I would only have to repeat information once and service providers would be able to provide answers to my questions.
- My child would have been able to go to the same mainstream school as her sister because the environment is not a problem.
- Systems such as statementing, EHC, PIP etc. would be simple and easy to understand. There would be no red tape or bureaucracy.
- I am always treated as an equal, listened to, respected and acknowledged as an expert on my child. This would not stop at 18 when they become an adult. We would receive support in dealing with the young person's transition to adulthood.
- There would be plenty of provision in my community for my child with a disability to play sport alongside her non-disabled sibling and friends, without my intervention
- Service providers would be able to prioritise teaching a young person independent living skills rather than have to concentrate on GCSE's, setting my child up to fail.

My daughter may have a disability but she does not see herself as having a disability and is mainly disabled by the environment and other people. I would love for other people to see her as she sees herself.

Trevor's Story

Trevor travelled to School A, 28 miles from home, from age 10 until he left at 16. It was difficult to find the right provision for him and we decided on School A because at the time it 'just felt right' and had a good record, etc. We felt that our local Special School (School B) was not right educationally although as time went on, and reviewing our situation in particular due to the travel, we did try to get Trevor into School B but there were no places. Nor at the time did we feel the other locality school (School C & School D) were right.

The travel was OK at first; from home to School A via another village only just off route. However, after a couple of years the route was changed so Trevor went via a town 12 miles in the opposite direction collecting students before going onto School A. He was collected from home at 7.15 each morning and this put a big strain on us having to get him out of bed to make sure he was ready in time when he would still be exhausted from school and the travel the previous day. This also impacted on his ability to learn when at school as he would be so tired. It also impacted on his behaviour which, at times, was intolerable and certainly affected his brother and all of us as a family. In addition, the taxi company was and still is changed constantly, sometimes during the school year. I cannot see how this benefits anyone. Trevor would just get used to one driver and escort and then it would change. I did write a letter of complaint to the transport dept at Lincoln but they told me that any travel less than 3/4 hour was acceptable (I am sure though that the journey was more than this on many days). As I mentioned, we did try to move him to School B later but there were no places so we decided just to 'stick it out.'

Trevor does have 'autistic tendencies' and got and still gets very tired, therefore trying to get him out of bed and rushing him to get ready most days was stressful for him and the rest of the family. I had a responsible, 'full on' job and would arrive at work most days feeling exhausted before I even started!

I think that the whole situation put a huge strain on all of us. His brother has been, over the years, a very tolerant brother and it is difficult to quantify exactly how this situation affected him as it was and still is just second nature to us all. In general, for him, the fact he has a brother like Trevor has caused him not only to miss out on things but a 'sadness' that his older brother is different compared to his friend's brothers.

In my Ideal World:

Trevor would be an independent, fit 19 year old sportsman who could drive, probably have a girlfriend and be at college. I know some people with disabled children say they wouldn't swap them but I cannot understand that because Trevor would love to be all the above things.

However, in this world Trevor would have received more help and guidance regarding choice of school. He went to School A but struggled because of his limited ability and, although we questioned this often, it was difficult to move him once he was established in the school. Unfortunately, we were never happy that he was at the right school but if was difficult to understand alternatives.

Transport of course was an issue; length of journey but also the change of taxi providers on continual basis. Trevor would just build relationship with one escort and driver and then it would change. We would have been more than happy to contribute financially to ensure consistency.

Model of Proposed Changes to Special Schools

DRAFT - POTENTIAL REMODELLING OF COUNTY PROVISION AND INDICATIVE PRESCRIBED/SIGNIFICANT CHANGE PROCESSES REQUIRED (AS HIGHLIGHTED)

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
	Gains-	Warren Wood	Mayflower Academy	Primary (112)	All Needs	Primary All Needs (112)	N/A	Already all needs with sufficient capacity.	Minor accommodation requirements to be reviewed.
West	borough	Aegir Community School	Mayflower Academy	Secondary (160)	All Needs	Secondary All Needs (160)	N/A	Already all needs with sufficient capacity.	Minor accommodation requirements to be reviewed.
North W	Lincoln	St Christopher's School	Maintained	All Through (272)	MLD/SLD	All Through All Needs (190)	Change to the type of need catered for.	St Christopher's to become All Needs School, with pupils of Primary and Secondary School age in this area also attending the New Free School to be built in Lincoln. Significant remodelling of site is required as it is unsuitable to meet All Needs. Site has substantial space but layout and condition is inappropriate.	There will be a capital impact. Project brief to be determined through discussions with the schools and application of BB104 guidance (consistent and equitable approach) to establish shortfall in accommodation to meet any increased capacity and high priority condition and suitability requirements.

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
		St Francis School	Maintained	All Through (152)	PMLD/PD	All Through All Needs (173)	Expansion and change to the type of need catered for.	St Francis is currently the only SEN school in the county specialising in PD/PMLD need. It has been designed to meet the highest level of need and would therefore be able to meet All Needs. However, capacity would need to increase slightly due to its change of designation. The school is on a substantial site and could accommodate remodelling/expansion.	
		New Free School	Free School/Acad emy	n/a	n/a	All Through All Needs (120)	Free School Application	Possible Wave 13 application or LA led capital bid if there is the opportunity. A MAT will need to be identified to lead the bid.	New school on new site.

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
North East	Horn- castle	St Lawrence School	The Wold's Federation	All Through (80)	MLD/SLD	All through all needs (150) expand to accommod ate demand in the wider area (e.g. The Eresby and St Bernard's = 340 in total)	Expansion to absorb Spilsby area pressure/overfl ow and change to the type of need catered for.	Whilst it would appear that there would be spare capacity at St Lawrence, current need is being met through the use of unsuitable temporary classrooms. Significant remodelling would be required to for the school to meet All Needs of pupils in the Horncastle area. Additionally, capacity challenges at The Eresby School and St Bernard's School would indicate a capacity shortfall in the quadrant. LCC proposes to consider the quadrant as a whole school system, enabling pupils to be educated in their local area, rather than specifically their nearest school.	There will be a capital impact.Project brief to be determined through discussions with the schools and application of BB104 guidance (consistent and equitable approach) to establish shortfall in accommodation to meet any increased capacity and high priority condition and suitability requirements.
	Louth	St Bernard's School	The Wold's Federation	All Through (96)	SLD/PML D	All through all needs (100)	Expansion and change to the type of need catered for	The site has limited potential for expansion, potentially redeveloping the existing boarding block to accommodate teaching space, in order to meet projected capacity. The school is of poor	

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
								condition and design and would require significant remodelling and resources to meet the needs of those with the most complex disabilities.	
	Spilsby	The Eresby School	David Ross Education Trust	All Through (72)	MLD/SLD	All through all needs (84)	Possible expansion	Unfortunately, the current site could not accommodate expansion up to the natural NOR of 156 due to its location. Capacity could be increased to 88 with some development/remodel- ling but there is no space for extension. Consider the quadrant as a whole school system, enabling pupils to be educated in their local area, rather than specifically their nearest school. Capacity at St Lawrence, and potentially St Bernard's after investment, could be utilised.	Minor development and internal remodelling with some modest capital investment required.

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
	Gran- tham	The Sandon School	Community Inclusive Trust	All Through (64) NOR 71	SLD/PML D		Change to the type of need catered for, expansion, amalgamation and potential age range change.	All through all need split site single school (funding impact dependant) across two premises. One school	There will be a capital impact. Project brief to be determined through discussions with the schools and application of BB104 guidance (consistent and equitable approach) to establish shortfall in accommodation to meet any increased capacity.
Vest		Ambergate Sports College	Community Inclusive Trust	All Through (144) NOR 142	MLD/SLD	All through all needs (approx. 229)		 will expand to take on the capacity of the discontinued school when they merge. Potentially an all through all needs school on one site if the site could be extended in the future (dependant on other factors). 	
South West	Bourne	Willoughby School	Maintained	All Through (96)	MLD/SLD	All through all needs (135)	Expansion and change to the type of need catered for	This school is already meeting the needs of those with the most complex disabilities and has appropriate facilities. A small extension will be required to increase capacity and the site can accommodate this.	There will be a capital impact. Project brief to be determined through discussions with the schools and application of BB104 guidance (consistent and equitable approach) to establish shortfall in accommodation to meet any increased capacity.
	Sleaford	New Free School	Free School/Acad emy	n/a	n/a	Primary All Needs (112)	Free School Application	Possible future application or LA led capital bid if there is the opportunity. A MAT will need to be identified to lead the bid - on hold until required in the future.	No action at this time, but potential new school on new site in the future if there is a sufficiency requirement.

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
East	Boston	The John Fielding School	Community Inclusive Trust	All Through (64)	SLD/PML D	All Through All Needs (140)	Expansion and relocation and change to the type of need catered for.	The current site would not be able to meet capacity or pupil need and therefore the new model proposes a new build of this school on a more suitable site, designed to meet the highest level of need. A site has been identified. (option to consider former John Fielding buildings for a primary SEMH school in the future).	not be able to meet capacity or pupil need and therefore the new model proposes a new build of this school on a more suitable site, designed to meet the highest level of need. A site has been identified. (option to consider former John Fielding buildings for a primary SEMH school in the future). Priory Garth to become all through all-need single school across two sites. Adaptations would be required to ensure that all needs and all ages could be catered for across the two sites
South I	Spald- ing	The Garth School	Community Inclusive Trust	All Through (55)	AI	All Through All Needs	Change to the type of need catered for, expansion, amalgamation and potential	all through all-need single school across two sites. Adaptations would be required to ensure that all needs and all ages could be catered for across the two sites	
		The Priory School	Community Inclusive Trust	Secondary (141)	MLD/SLD	(195)	and potential age range change.	combined. The two schools would merge to become one single split site school. One school will technically (but not physically) expand to take on the capacity of the discontinued school	Suitability requirements.

Quadrant	Location	School	Academy/ Maintained	Type (size) Check NOR	Current Designation (under review)	Proposed New Designation (size)	Significant Change/ Prescribed Change	Notes/Proposal Details	Impact on premises/ investment
								when they merge. An age range change would be needed if it were Priory to expand across the two sites and incorporate primary provision.	
	Gos- berton	Gosberton House Academy	The Lincolnshire Education Trust	Primary (64)	Autism Specialist School	Primary All Needs (92)	Expansion and change to the type of need catered for.	Gosberton House would transition from a specialist ASD Primary School to an All Needs Primary School; serving pupils in the Spalding and surrounding area. This would be a significant change of designation for Gosberton House and would require considerable support and management around the transition. The current premises would require a small level of expansion to accommodate projected capacity and significant remodelling to support the needs of those with the highest level of complex disability.	

Quadrant	Location	School	Academy/ Maintained	Age	Current Designation	
	Lincoln					
Countywide	Louth	The Pilgrim School	Maintained	Secondary	Hospital:	
countywide	Sleaford	The Fighth School	Maintaineu	Secondary	Community based.	
	Boston					
South West	Sleaford	Ash Villa	Maintained	Secondary	Hospital: Provides education for inpatient acute mental health unit.	
	Grantham	The Phoenix Academy	The Phoenix Academy Trust	Secondary	SEMH	
North West	Lincoln	Fortuna School	Maintained	Primary	SEMH	
	Lincoln	Athena School	Maintained	Secondary	SEMH	
North East	Spilsby	Woodlands Academy	Community Inclusive Trust	Secondary	SEMH	

Other SEND provision not involved in structural/organisational change:

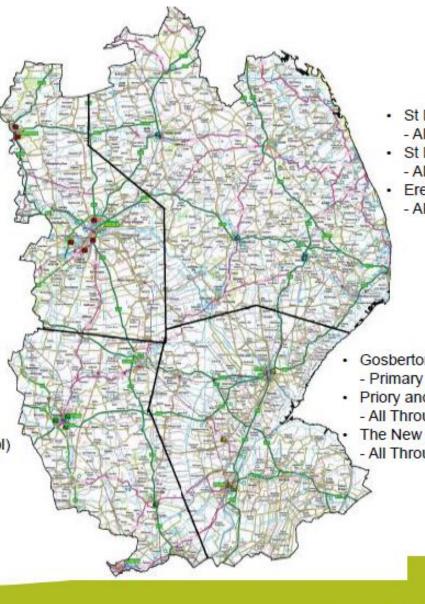
Proposed Model

NW

- · Warren Wood, Gainsborough - Primary All Needs
- Aegir School, Gainsborough - Secondary All Needs
- St Christopher's School, Lincoln - All Through All Needs
- St Francis School, Lincoln - All Through All Needs
- New Free School, Lincoln - All Through All Needs

SW

- · Sandon and Ambergate, Grantham
 - All Through All Needs (split site school)
- Willoughby School, Bourne - All Through All Needs



NE

- St Lawrence School, Horncastle - All Through All Needs
- · St Bernard's School, Louth - All Through All Needs
- Eresby School, Spilsby
 - All Through All Needs

SE

- Gosberton House Academy - Primary All Needs
- Priory and Garth School, Spalding
- All Through All Needs (split site school)
- The New John Fielding School, Boston
- All Through All Needs





Executive

Open Report on behalf of Tony McArdle, Chief Executive

Report to:	Executive
Date:	05 December 2017
Subject:	Council Business Plan 2017 - 2018 Performance Report, Quarter Two
Decision Reference:	1014183
Key decision?	Νο

Summary:

This report presents an overview of performance for Q2 against the Council Business Plan.

Executive can view performance on the web on the Lincolnshire Research Observatory using this link

Recommendation(s):

That Executive:-

- 1. Note and consider 2017/2018 Quarter 2 performance.
- 2. Approve the proposed changes to reporting as set out in this report.

Alternatives Considered:

- 1. No alternatives have been considered to recommendation 1 as it reflects factual information presented for noting and consideration.
- 2. The alternative to recommendation 2 is not to make any changes in reporting as recommended in this report and instead to continue to report against the measures as published in the Council Business Plan 2017/2018. However, without the recommended changes, these measures are not considered to assist the Executive in obtaining an accurate picture of the organisation's performance.

Reasons for Recommendation:

To provide the Executive with information about Quarter 2 performance against the Council Business Plan 2017/2018 and propose changes to reporting to assist the Executive in monitoring that performance in future.

1. Background

The Council Business Plan 2017/2018 was approved by Council on 24th February 2017. This report provides the Executive with highlights of Q2 performance. The full range of infographics is available to view on this <u>link</u>

Headlines Quarter 2 performance

Of the 14 commissioning strategies reported in Q2:-

9 performed really well (all measures reported in Q2 achieved the target); 5 had mixed performance (some measures achieved and some measures did not achieve the target in Q2).

The following 3 commissioning strategies are reported annually in Q4:-

- Readiness for school
- Sustaining and developing prosperity through infrastructure
- Learn and achieve

The good news

The following 9 commissioning strategies have performed really well (all measures reported in Q2 achieved the target):-

Adult Frailty, long term conditions and physical disability <u>Children are safe and healthy</u> <u>Community resilience and assets</u> <u>How we effectively target our resources</u> (Combination of 3 commissioning strategies) <u>Safeguarding adults</u> <u>Specialist adult services</u> Sustaining and growing business and the economy

<u>Mixed performance</u> (some measures achieved and some measures did not achieve the target)

The following 5 commissioning strategies had mixed performance:-

<u>Carers</u> <u>Protecting the public</u> <u>Protecting and sustaining the environment</u> <u>Readiness for Adult Life</u> <u>Wellbeing</u>

Appendix A provides a summary of the measures that did not achieve the target in Q2. It is worth noting that all of the measures detailed in Appendix A did not achieve the target in Q1 and Q2 with the exception of '16-17 year old Looked After Children participating in learning' (where performance is expected to improve) and 'Health and Social Care staff trained in Making Every Contact Count (MECC)' (where the annual target is expected to be achieved).

Proposed changes to reporting performance against the Council Business Plan 2017/18

The relevant Executive Councillor has been consulted and recommends that:-The annual target for flood risk management of 100 properties protected is amended to a more realistic target of 50 properties. Achievement of this target depends, to a large extent, on the delivery of flood alleviation schemes in the Council's capital programme. In some years there is a reliance on single, larger schemes (such as that at Stamp End in Lincoln), and there is clearly a risk associated with this approach as any slippage within the programme can be detrimental to the target being met. This is the situation in which we now find ourselves. It was intended to construct a major scheme this year at Digby to protect about 50 properties, but due to land issues this will not now happen until early in 2018/19. A similar-sized scheme at Middle Rasen has been held in reserve in the expectation that it could be accelerated, but it transpires that this, too, cannot be delivered this year. There are no other schemes sufficiently advanced that they can be delivered this year. In the case of this particular target, there are no implications for other service areas if the target is revised down or not met. (Measure 73)

Proposed changes for improving the infographics

A slight change to improve the infographics with clearer labelling of the reporting period is shown in Appendix B for consideration by the Executive. If approved by the Executive we will implement the improvement for all appropriate measures.

The above changes have been made to the infographics for the libraries measures.

Data expected in Quarter 2 but not available

Data is still not available for reporting for the measure 'Requests for support for new clients, where the outcome was universal services/signposting'. Although Mosaic can indicate the number of requests for support received, at present it is unable to determine the most appropriate outcome of those requests due to the multiple actions that can result from the complex Mosaic workflow. Future reporting is dependent on the progress made by the consultant database developer. (Measure ⁶¹).

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

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

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

The Report presents performance against the outcomes and measures that are the Council Business Plan many of which relate to people with a protected characteristic including young people, older people and people with a disability. It is the responsibility of each service when it is considering making a change, stopping, or starting a new service to make sure equality considerations are taken into account and an equality impact analysis completed.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

The Report presents performance against the outcomes and measures that are the Council Business Plan many of which relate directly to achievement of health and wellbeing objectives.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The Report presents performance against the outcomes and measures that are the Council Business Plan some of which relate to crime and disorder issues.

3. Conclusion

This report presents an overview of performance for Quarter 2 against the Council Business Plan 2017/2018 and proposed changes to reporting to assist the Executive in monitoring that performance in future. Executive is invited to consider performance and consider and approve the proposed changes to reporting.

4. Legal Comments:

The Executive is responsible for ensuring that the Executive functions are discharged in accordance with the Budget and Policy Framework of which the Business Plan is a part. This report will assist the Executive in discharging this function.

The recommendation is lawful and within the remit of the Executive.

5. Resource Comments:

Acceptance of the recommendation in this report has no direct financial consequences for the Council.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

N/A

c) Scrutiny Comments

The Overview and Scrutiny Management Board (OSMB) is scheduled to consider this report at its meeting on 30 November 2017. The comments of the Board will be presented to the Executive at its meeting on 5 December 2017.

d) Have Risks and Impact Analysis been carried out

No

e) Risks and Impact Analysis

Any changes to services, policies and projects are subject to an Equality Impact Analysis. The considerations of the contents and subsequent decisions are all taken with regard to existing policies.

7. Appendices

These are listed below and attached at the back of the report						
Appendix A	Appendix A Summary of the measures that did not achieve the target in Q2					
Appendix B	Proposed changes for improving the infographics					

8. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Jasmine Sodhi, who can be contacted on 01522 552124 or jasmine.sodhi@lincolnshire.gov.uk.

Appendix A Summary of those measures where the target was not achieved in Quarter 2

The following 5 commissioning strategies had mixed performance. It is worth noting that all of the measures detailed below did not achieve the target in Q1 and Q2 with the exception of '16-17 year old Looked After Children participating in learning' (where performance is expected to improve) and 'Health and Social Care staff trained in Making Every Contact Count (MECC)' (where the annual target is expected to be achieved).

Carers

Of the 3 measures reported in Q2, 1 achieved the target and 2 measures did not achieve the target.

- 'Carers who receive a direct payment' continues not to achieve the target and is unlikely to meet the target by the end of the year. There are two routes to get carers services, the carer:-
- Can go through the carers service managed by Serco and CarersFIRST, in which case the carer will be assessed in their own right and receive a direct payment as the exclusive deployment of a personal budget. Historically this has been where the majority of the activity has been, and where there has been a high percentage of direct payments provided to carers;
- May be assessed jointly with the person they care for by an Adult Care Team. The resulting personal budget to the person they care for may typically take the form of respite care in a residential care home. Although the service is directly for the client (i.e. they are placed in a care home), the service is actually recorded as an 'indirect' carer service, as it meets the needs of the carer by offering them a break.

There has been an increase in the carers offer by Adult Care Teams over the last 2 years, which is offsetting the percentage of carers with a direct payment. This whole family approach is not to be discouraged though. As a consequence, this measure is currently being reviewed as the measure may no longer be suitable for monitoring the aims of the strategy. (Measure 54)

- 'Carers supported to delay the care and support for the person they care for' as reported in Q1, this measure was included in the Council Business Plan to illustrate the preventative element of the Carers Service in delaying the support needs of the adults that carers are looking after. It shows the proportion of carers receiving services where the adult cared-for does not receive a service from Adult Care. Interestingly, there is a slight downwards trend from Q1. This is for two reasons:-
- More and more carers are in fact being identified and referred by Adult Care (i.e. where the adult does receive a service from Adult Care). This is a trend to be welcomed and means that Adult Care is moving towards a practice of 'Thinking Family' when it comes to assessing need.
- The downward trend indicates that within the 'Health and Care Community' as a whole, we are not identifying carers early enough. Strategically, the earlier we can identify and help carers, the more resilient and well supported the carer is. Early identification and early help is key to strong performance.

We need the full and active engagement of all our partners in primary, community based, specialist and acute health care to identify and signpost carers to available support at the earliest opportunity. Our new Better Care Fund projects working with pharmacies and Health teams will help support these outcomes. The NHS Five Year Forward View Memorandum of Understanding will also support this approach, requiring all Health partners to describe how they will identify and support family carers. It should be noted that carers who are supported within our hospital based in-reach service are not yet counted here (unless they progress onto an assessment). At the moment, Adult Care is not yet able to report on referral sources to the Customer Service Centre to evidence improvement in carer identification by our

partners. We are not on track to achieve the target as it stands for the year end without significant changes in practice in carer identification by the wider Health & Care community. (Measure 57).

The following 3 measures are reported biennially in Q4. Latest performance relates to 2016/2017 and was reported in Q4 2016/2017:- 'Carer reported quality of life' (Measure 55) 'Carers included or consulted in discussions about the person they care for' (Measure 56), 'Carers who find it easy to find information about services' (Measure 58).

Protecting the public

A summary of the 7 measures that did not achieve the target in Q2 for Protecting the Public Commissioning Strategy are:-

- 'Alcohol related antisocial behaviour incidents' Alcohol related anti-social behaviour is 10% lower in Q2 than in Q2 2016/2017. Alcohol related anti-social behaviour continues to fall and remains the lowest this quarter than it has been in Quarter 2 for the past six years. Alcohol related crime occurring at night has decreased particularly. Although the target has not been achieved this quarter, the figure is closer to the target than in Q1 2017-18. (Measure 5)
- 'Alcohol related violent crime incidents' alcohol related violence is up 38% compared to Q2 2016/2017 and is higher than last quarter. Overall, all types of alcohol related crime are continuing an upwards trend with alcohol related violence accounting for the largest proportion. An increase in overall violent crime is currently being experienced nationally. (Measure 6)
- 'Reported incidents of domestic abuse' domestic abuse incidents reported to the police are 8% lower in Quarter 2 than in Q 2 2016/2017. In terms of locality, all districts except for Boston and North Kesteven have seen a decrease in reports compared to the same quarter last year. Although there remains a gap between the prevalence estimates provided by the Crime Survey for England and Wales and those reported to the police, it is important to note that these figures don't include incidents reported to other agencies and support services such as district councils or housing agencies. (Measure 7)
- 'Juvenile first time reoffenders' the most recent published FTE (first time entrants) • figure for Lincolnshire is 283 actual young people for the period of April 2016 to March 2017 is higher than the target figure of 203. As highlighted in Q1, the number of young people entering the criminal justice system for the first time is mostly controlled by external influences, e.g. Police policies, and therefore it is difficult to predict future performance. However, there are no expectations that this figure is likely to rise sharply in the near future. The figure of 283, when expressed as a rate per 100,000, 10 to 17 year old population is 454, which is higher than the local Midlands region of 359, and the National average of 321. In June we launched a new diversionary project in Lincolnshire in conjunction with Lincolnshire Police. This, through joint co-operation between both Services, will divert young people that offend at a low level, through local panels that will try to prevent those young people from getting a criminal record. What we should see will be a more effective restorative justice process, instead of giving the young person a criminal record that will unfairly affect their future life chances. This also should therefore help reduce the numbers of first time entrants. The first impact on the FTE rate will show in the Q3 figures. (Measure 15)
- 'Primary fires' we are currently behind target having seen a 7% increase (41 incidents) over the 6 month period compared with last year (up from 560 at Q2 last year to 601 this year). The increase can be attributed mainly to dwelling fires (increase of 16 or 9%) and vehicle fires (increase of 22 or 17%). The increase seen

at Q2 is less significant than that at Q1 and this has had the effect of bringing the measure closer to target. (Measure 19)

- 'Deliberate primary fires' we are currently behind target having seen an increase of 35 (32%) deliberate primary fires compared to Q2 last year. This is mainly due to an increase in deliberate vehicle fires (from 42 to 71), again compared to Q2 last year. However, the increase seen at Q2 is less significant than that at Q1and this has had the effect of bringing the measure closer to target. (Measure 21)
- 'Deliberate secondary fires' we are currently behind target having seen a 26% increase (39 incidents) in deliberate secondary fires compared to this time last year. The increase can be attributed mainly to deliberate fires involving refuse/refuse containers (up by 40 from 84 at Q2 last year to 124 this year). The increase seen at Q2 is less significant than that at Q1 and this has had the effect of bringing the measure closer to target. (Measure 22).

Protecting and sustaining the environment

A summary of the 2 measures that did not achieve the target in Q2 for Protecting and Sustaining the environment Commissioning Strategy are:-

- The Household Waste Recycling Centre (HWRC) the percentage of household waste recycled is in Q2 is 73.8% and although currently above the yearend forecast of 73.2%, it is anticipated that this figure will decrease in quarters 3 and 4. This is due to a decrease in composting because of weather changes and growing conditions. As reported in Q1, we are seeing an overall reduction in the HWRCs recycling rate; a contributing factor will be the processing of some materials has been moved down the waste hierarchy from recycling to recovery. The Environment Agency have concerns around some materials being stored which has reduced the available recycling outlets in Lincolnshire. (Measure 76)
- 'Household waste recycled' the household waste recycled figure is 50.1% and the service anticipates a decrease in performance over quarters 3 and 4 as we see a reduction in composting during the winter months. As reported in Q1, the service is forecasting an overall decrease of household waste recycled. The year-end forecast is 45.8% for the 2017/2018 reporting year, compared with 46.7% in 2016/2017. This is due to an increase in the reported level of contamination (non-recyclables) in the mixed dry recyclable material collected at the kerbside and the actual overall waste tonnage presented has reduced slightly. The service is predicting a slight drop in the overall levels of green waste due to the growing conditions this summer. The aspirational target of 55% was set in our Joint Municipal Waste Strategy and needs to be addressed. The Strategy is being refreshed in partnership with the District Councils. (Measure 78)

Readiness for Adult Life

Of the 2 measures that can be reported in Q2, performance for '16-17 year old Looked After Children participating in learning' is below target and represents approximately two young people. The Virtual School Team have identified all of those 16-17 year olds not participating in learning and have been successful in finding appropriate placements for the majority of students in the period September to October 2017. This has brought performance within the tolerance range for this indicator as of 23rd October 2017, which although outside of Q 2 reporting parameters, shows a positive increase. (Measure 45)

Wellbeing

A summary of the 3 measures that did not achieve the target in Q2 for Wellbeing Commissioning Strategy are:-

'Successful completion of alcohol treatment' following the new contracts commencing in October 2016 it was anticipated that performance would dip, this has been realised with a reduction in outcomes to 34.9% compared with a target of 40%. Although the transition period to the new contracts was problematic and very disruptive to service delivery and its users, local data now shows performance starting to improve but this has yet to be reflected in the verified data from the Department of Health. (Measure 31)

'Chlamydia diagnosis' Service Credits are now in place from June 2017 due to continuing non achievement of the chlamydia target. The Detection Rate Indicator in East Midlands (all chlamydia diagnoses in 15 to 24 year olds attending specialist and non-specialist sexual health services (SHSs), who are residents in England, expressed as a rate per 100,000 population) ranked Lincolnshire 5th out of 9 Local Authorities which is a downwards position. compared with Lincolnshire's rank of 2nd out of 9 Local Authorities in Q 1; it should be noted however, that Detection rates are falling across the country overall. The positivity rate remains high at 8.8% (target 8 percent) ranked 1st out of 9 Local Authorities. The Public Health England (PHE) Regional Advisor for Sexual Health has advised that the focus should be on the positivity rate as the main quality indicator. Action is ongoing to ensure Data Quality is accurate and a Chlamydia Pathway workshop for Lincolnshire Integrated Sexual health Services (LISH) is planned for November 2017 which will audit recent outputs. A workshop was held in October 2017 to address development of improved chlamydia testing and a new improvement plan was agreed. The monthly Contract Management Meeting (CMM) will monitor progress. The issues have been raised at a strategic level with the recent addition of a Strategic Contract Management Meeting (CMM). LISH have now set targets for their sub-contracted outreach team The Terrence Higgins Trust (THT) and are renewing relationships with their contracted General Practitioner's and Pharmacies to improve.

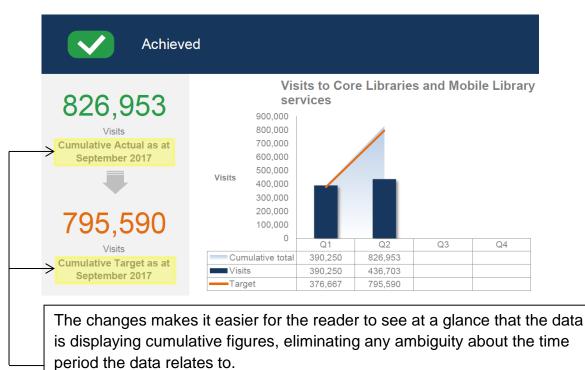
'Health and Social Care staff trained in Making Every Contact Count (MECC)' although it has been broken down into quarterly segments for the purposes of reporting, the target for this measure is annual. The service expected that performance in quarters 1 and 2 to be low as this period has been spent planning and developing the programme. The service is reporting that overall, the measure is still on track to meet the annual target. (Measure 103)

Appendix B Changes to improve Infographics

Data Referencing for Cumulative measures:

Example Visits to Core Libraries and Mobile Services is show by way of example (Measure 36)

New reporting period referencing



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