

Supplement to the agenda for

Cabinet

Thursday 27 July 2017

2.00 pm

**The Council Chamber - The Shire Hall, St. Peter's Square,
Hereford, HR1 2HX**

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Herefordshire Council

Minutes of the meeting of Cabinet held at The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Thursday 20 July 2017 at 2.00 pm

Present: Councillor AW Johnson (Chairman)
Councillors H Bramer, DG Harlow, JG Lester, P Rone and NE Shaw

Group leaders in attendance Councillors JM Bartlett, TM James and AJW Powers

Scrutiny chairmen in attendance Councillors WLS Bowen, CA Gandy and J Stone

Other councillors in attendance: Councillors PE Crockett and D Summers

Officers in attendance: Geoff Hughes, Martin Samuels, Chris Baird, Claire Ward and Andrew Lovegrove

10. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Morgan and Councillor Price.

11. DECLARATIONS OF INTEREST

None.

12. MINUTES

A correction to the minutes of the meeting held on 22 June 2017 was noted.

The fourth paragraph of item 9 to be amended to read:

“The leader of the It’s Our County! group welcomed the proposal. He commented that the ward member for the proposed site for the new school recognised the need and supported the proposal. He asked what would happen to the private nursery provision which was operating on the site. The interim director of children’s wellbeing responded that notice had not been served on the nursery provider and discussions were ongoing.”

Resolved: That the Minutes of the meeting held on 22 June 2017, as amended, be approved as a correct record and signed by the Chairman.

13. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were received.

14. QUESTIONS FROM COUNCILLORS

Question from Councillor JM Bartlett

Contracts for care packages and commissioned services

Across both the adult and children's wellbeing directorates, in the last two years how many contracts for care packages and commissioned services have been adversely impacted by provider availability (whether arising from early termination by a provider, no provider submitting a tender or submitted tenders not meeting the required level of service)?

Response from Councillor AW Johnson, Leader of the Council

I am pleased to report there have been no such cases in the past two years in relation to children's social care.

In relation to adult social care:

- one procurement exercise, in relation to establishing a zoned model of home care, was unsuccessful due to an insufficient number of tenders meeting the specification; this has not affected service delivery as the existing contract framework continues to be used;
- one contract in relation to day opportunities has been terminated early; service continuity is being maintained through other contractual arrangements and we are working with providers and service users to ensure their eligible needs will continue to be met;
- since April 2016 112 individual care packages were 'returned' (terminated early) by the provider; in all cases alternative arrangements were made and service users' eligible needs continued to be met. This should be viewed in the context of there being some 1,200 home care packages provided each year;
- there have been some occasions when there have been delays in securing a provider from our approved framework for a particular package, usually in rural areas; on such occasions the council can commission an alternative provider as a bespoke arrangement so that the care may be delivered. It is not possible in the time available to provide this figure but I will ask officers to confirm this to you in writing.

Supplementary Question

What arrangements and budgetary resources are in place to assess the risks of further contracts being returned?

Answer from Director for Adults and Wellbeing

The quality assurance team has regular engagement with all providers so that the council has a clear understanding of whether providers are likely to fail and can put alternative arrangements in place.

Where individual packages are returned the council can call upon other providers, sometimes at a slightly higher rate, or on the council's own rapid response service. The financial impact tends to be really quite small, across the course of the year a few thousand pounds. It is not a significant cost pressure for the council.

15. CARERS STRATEGY FOR HEREFORDSHIRE

The cabinet member for young people and children's wellbeing introduced the item.

He thanked all those who had contributed to the strategy and noted the following points:

- there were barriers to the way in which carers could maintain their own wellbeing and that of the individuals they cared for;
- in view of resources the council had to deploy smarter ways of working, enhance what it had and promote greater awareness;
- the strategy recognised the massive contribution made by carers;
- the strategy included a focus on young carers;
- the council was proposing to invest in the carers strategy to ensure that carers had access to the best services;
- there was a focus on strategic change rather than specialist services, due to the high number of carers – estimated to be about 34,000 in Herefordshire.

The strategic wellbeing and housing manager set out further detail on the report. He explained that:

- the strategy had been prepared in consultation with the clinical commissioning group (CCG) and other partners;
- the carers strategy formed part of an emerging wider strategic approach to wellbeing and prevention;
- carers played a key role in preventing and delaying the onset of significant health and care need by supporting the most vulnerable people in society;
- there had been engagement with carers during production of the draft strategy which would continue during the implementation and commissioning phases;
- the carers strategy was a medium to long term document which set out the broad direction of travel, vision and priorities and the headline outcomes which were being pursued; details of how outcomes would be achieved, over what timescale and by what means would be set out in the implementation plan;
- with limited and reducing financial resource to invest in services for carers the council could not focus on providing and funding specialist services for individual carers, the focus had to be on strategic change such as making universal services more effective and accessible and helping carers navigate the system;
- consultation had highlighted that the most important thing for carers was that the person they were caring for got the services they needed at the right time and in the right way;
- need to recognise that carers are individuals with many other roles who may not choose to be defined primarily as carers, the strategy seeks to take a whole person and whole system approach;
- carers may themselves be vulnerable being either older people or young carers, or have other needs;
- the strategy focussed on six priorities, some were ongoing from previous strategies, others were new or had new emphasis such as the focus on universal services, information advice and mutual support and networking;
- there were now statutory duties to assess the needs of carers;
- needs would be assessed on a strengths basis by identifying what the carer could do, what the person they were caring for could do and what support was available in the local community;
- there was a need to re-commission and re-procure services for carers from April 2018, the fine details of what was to be commissioned were being worked through with a focus group of 10 carers with the competitive tendering process due to begin in mid September 2017.

Group leaders were asked to make comments on behalf of their group.

The representative of the Herefordshire Independent's group welcomed the document as comprehensive and the result of a great deal of work that had been carried out in the previous few years. He stressed the importance of identifying young carers and making sure that carers were known to their GPs.

The leader of the Liberal Democrat group queried what the definition of a carer was. He noted that many people would provide some measure of care or support to another person but that resources needed to be focussed on those most in need of support.

The strategic wellbeing and housing manager responded that there were various definitions of carer but no particular definition was used in the strategy. The number of people undertaking substantial caring duties would be smaller than the 34,000 figure referred to but an individual's need for support as a carer may not correlate with the amount or complexity of care they provide. The fact remained that even if the council could clearly define a narrower group providing a high level of care resources would be insufficient to provide individual support to all of those people, the strategic approach would still be required.

The leader of the It's Our County! group welcomed the draft strategy. He thanked the strategic wellbeing and housing manager for considering the proposals put forward by his group as set out in paragraph 32 of the report. He noted the value of unpaid work done by carers and stated that it should be recognised and rewarded. He asked that the voucher and/or discount scheme proposed by his group be fully explored and reported on.

The strategic wellbeing and housing manager responded that voucher and discount would be considered as part of the implementation of the strategy but that the possible financial implications for the council and partner organisations would have to be carefully reviewed.

The group leader asked if the 34,200 carers identified in the strategy included young carers and whether the figure was in line with national norms and expectations for Herefordshire as a county.

The manager confirmed that the estimates did include young carers in principle but the council could not be certain that the estimates accurately captured the number of carers in the county. Certain groups such as young carers were particularly likely not to recognise themselves to be carers.

The group leader asked when the figures on places and spend on short breaks and respite as mentioned in paragraph 2.4 of the strategy would be available.

The strategic wellbeing and housing manager responded that these figures were being finalised and would be added before the strategy was published. There was a difficulty in that children's social care, adult's social care and health used different terminology. The manager offered to write to the group leader when these figures were available.

The leader of the green group noted that respite and short breaks services were seen as support for the cared for person and not the carer. She stated that the worth to the carer of respite and short breaks should be captured.

The group leader commented on the pressure on community based services and concerns that providers were increasing prices which led to those funding their own care being unable to access the services. Lower take up of these services might then lead to them being seen as failing. The group leader asked what monitoring would be undertaken to ensure that community based services were able to meet the needs of carers and that individuals were not falling through the gaps.

The strategic wellbeing and housing manager acknowledged that with reducing resources there was a shift toward neighbourhood and family support. The council was investing a lot of time and some resource to build community capacity to support vulnerable people and to prevent and delay the onset of more significant needs. There had been a shift nationally over the previous few years for respite and short break services to be seen as services for those being cared for. There was inevitably a benefit for carers as well but the focus was on meeting the needs of the person being cared for.

The cabinet member for young people and children's wellbeing stated that statistics prepared for a speech in January 2017 referenced 700,000 young carers nationally which equated to 1 in every 12 secondary age pupils. This would give an idea of the potential number of young carers in the county.

The vice chairman of the adults and wellbeing scrutiny committee welcomed the new strategy. He asked what part WISH would be playing. He noted that recent outreach sessions in market towns had been successful and asked if this could be expanded to more rural areas through village halls etc.

The strategic wellbeing and housing manager responded that WISH was seen as essential in the provision of information and advice for carers and that plans were being finalised to commission some additional focussed information for carers which would be integral with the WISH service. The manager reported that take up of outreach support information and advice had been limited where it had been operating in village halls and the like. As part of the new adult social care pathway a new service called 'let's talk community' would be introduced in the autumn where members of the public, including carers, could talk to a member of adult social care staff with an in-depth knowledge of community and neighbourhood services in that area.

It was resolved that:

- (a) the draft joint carers strategy for Herefordshire be approved;**
- (b) the commissioning intentions at appendix 2 and the timetable for procurement of services for carers set out in paragraph 13 be approved; and**
- (c) the director for adults and wellbeing be authorised to award contracts for carers services for a period of up to five years and a maximum combined value not exceeding £1.23m**

16. CORPORATE PARENTING STRATEGY 2017-2020

The cabinet member for young people and children's wellbeing introduced the report and thanked officers for their hard work in putting the new corporate parenting strategy together. He noted that the strategy was the result of consultation with a wide range of partners and members and that the strategy had been the first item on the agenda of the new children and young people scrutiny committee. He reported that it had been a good meeting with two care leavers in attendance to give an account of their experiences.

The chairman of the corporate parenting panel had asked the cabinet member to pass on her view that the input of the panel and of foster carers had been really helpful in producing the draft strategy.

The cabinet member explained that the strategy set out how the council was going to put its Looked After Children (LAC) at the heart of all that it did. The priorities were straightforward and encapsulated why the council should give LAC the best start in life. He highlighted the foreword to the strategy, which noted that our society could not

always predict the challenges that a child may face but how society reacted would be a key measure of how well it was functioning.

The cabinet member stated that one of the most important roles the council could play was to provide the best outcomes for vulnerable and disadvantaged children and there was no greater reward than achieving the best for our children who need our help.

The head of looked after children summarised the report. She noted that one of the challenges was in defining what corporate parenting meant. The strategy was intended to ensure that the quality of care and services that LAC received were of a standard that would be good enough if these were our own children.

The head of LAC noted that LAC and care leavers did not achieve as well as their peers in many situations and that they faced many inequalities. The council would seek to remove barriers and give LAC and care leavers opportunities.

The strategy was a refresh of the previous strategy and had been developed in consultation with the corporate parenting panel, officers, members, foster carers and young people themselves. The goal was to challenge the council in how it fulfilled its responsibilities as a corporate parent and to improve outcomes for children and young people. The strategy set out 7 priorities which led onto an action plan with specific areas to be changed, improved and developed. These were informed by the needs analysis which was attached as an appendix to the report.

The cabinet member for financial management and ICT asked how the council would go about reducing the number of LAC to a level below the national average.

The assistant director safeguarding and early help responded that the council had put a series of appropriate steps into place to seek to reduce the number of LAC to a figure more in line with statistical neighbours, which would reflect the lower deprivation in Herefordshire and that this would result in a figure below the national average. The council needed to ensure that the children it looked after were only those who met the criteria and were at risk of harm if they remained with their families. It also needed to make plans for LAC to return to their families if safe for them to do so or explore options for longer term arrangements such as special guardianship orders which did not require the council to be so fully involved.

The assistant director reported that a new process had been implemented in September 2016 for admissions into the LAC system. The new LAC rate on a quarterly basis was now one of the lowest in the region. What the council had been struggling to do was ensure that those children currently looked after needed to remain in the council's care. Work was ongoing to develop Herefordshire's approach for LAC.

Group leaders were asked to make comments on behalf of their group.

The leader of the It's Our County! group welcomed the report. He noted that priority 5 of the strategy highlighted that there were no mental health services commissioned for children under the age of 10 beyond universal services. The group leader asked why this was not addressed in the section on 'what we will improve' and whether the universal service was sufficient and adequate for the need. He requested that the action plan explicitly state that both mental and physical health needs of LAC would be met.

The head of LAC responded that this need was an issue for the CCG and had also been identified within the Herefordshire children and young people's plan. It was being looked at across multi agency partners. She acknowledged that the action plan did not set out that the council would use its influence within partnership arrangements to encourage

those services to be improved. The head of LAC agreed to amend the action plan to reference both mental and physical health needs of LAC.

The group leader stated that there was also a gap in priority 8 where a shortage of affordable housing was identified and the corresponding section on what we will improve identified increasing supported housing. He queried whether the additional supported housing would meet the affordable housing need.

The head of LAC responded that the young people's accommodation strategy would seek to address the needs of care leavers. The council recognised that there were not enough available options for young people. Some of those young people need supported accommodation, some just need independent accommodation that they can afford. The council was looking at options for shared housing which would address affordability and also provide social support by living with others.

The group leader queried the action to provide training on mental health issues to social care staff but not to LAC themselves. The head of LAC explained that this action was about developing the skills of the council's workforce and again related to action that the council could take itself rather than action that partner agencies might take.

The cabinet member for young people and children's wellbeing commented that the reference to health needs should always be read as being both physical and mental health needs.

The assistant director safeguarding and early help stated that once approved, the strategy would be considered by the governance board of the CCG and that he expected them to focus on those areas for improvement that were within their gift.

The leader of the It's Our County! group proposed that the strategy and action plan be amended for the avoidance of misunderstanding to clarify the role of partners and to explicitly refer to both physical and mental health needs.

The amendment was unanimously supported

The representative of the Herefordshire Independents group asked if the council could ensure that the use of the pupil premium delivered outcomes for LAC.

The head of LAC explained that every LAC had a personal education plan which was reviewed termly. The use of pupil premium was considered as part of that review and monitored through the virtual school. Schools were challenged on the appropriate use of the pupil premium.

The representative of the Herefordshire Independents spoke about the challenges faced in supporting unaccompanied asylum seekers, particularly in meeting their cultural and social needs. The cabinet member responded that Herefordshire had risen to the challenge to take its share of these vulnerable children who had come from very difficult circumstances. Work was ongoing to address issues.

The chairman of the children and young people's scrutiny committee confirmed that the strategy had been considered by the committee and thanked officers for their work. She reported that the committee had welcomed the strategy and had put forward a number of recommendations which the cabinet member was aware of. She highlighted the need for all members of the council to understand their role as a corporate parent and stated that she would like to see mandatory training for all members. The scrutiny chairman also requested that all reports on key decisions should include explicit reference in the equality section to the potential impact on LAC.

The scrutiny chairman reported that the committee would review the action plan in 12 months' time and noted that there were no baseline figures in the action plan at present. She asked that baseline figures be provided to the committee as and when they were available so that there would be something to compare to when the action plan was reviewed.

The leader of the council responded that he could not see any reason why these figures should not be provided to the scrutiny committee when they were available.

The scrutiny chair was asked to provide details of her proposals on training for councillors on corporate parenting responsibilities in writing to the cabinet member for young people and children's wellbeing and copied to the leader of the council. The cabinet member noted that corporate parenting training sessions would be held on the 6 and 10 October and that these were intended for all members and he encouraged all members to attend.

It was resolved that:

(a) the Corporate Parenting strategy and action plan at appendix A, as amended, are approved.

17. ADOPTION SERVICE ANNUAL REPORT 2016-17

The cabinet member for young people and children's wellbeing introduced the report. He noted that there were good results highlighted in the report and drew particular attention to the upcoming change to regional adoption agencies. Herefordshire Council was in discussion about joining Adopt Central England (ACE) a combined service with Warwickshire, Coventry, Solihull and Worcestershire. A report on this would be presented to cabinet in due course but it was important to bear in mind that this change would have ramifications for the service.

The head of LAC confirmed that this was a statutory annual report which outlined the functions of the adoption service and the establishment and performance of the adoption team in 2016-17. The adoption service was performing well, with a stable and experience workforce. Some of the key performance indicators in the report related to the time taken for children to be placed for adoption after they became looked after and the time taken to match children with adopters once permission to place was granted. There was a three year average rolling target which was reducing year on year. The head of LAC noted that the council had made progress but was still above the target. She explained that this was partly due to circumstances such as a sibling group who were in the system for a long time before the right placement for them was found.

The head of LAC noted some of the key achievements of the service in 2016-17:

- placement of some older children and sibling groups which was more challenging;
- 18 children were placed for adoption;
- a further 24 placement orders were granted;
- 3 very small babies were placed in fostering to adopt places, this was an area the service was seeking to expand on in 2017-18; and
- the service had worked with adopters and therapeutic services to access the adoption support fund and secure over £25,000 worth of grants.

Priorities for 2017-18 included acceptance into the ACE regional agency and improving the timeliness of children being placed with adopters and adoption orders being achieved.

The leader of the council asked how long a child had to wait on average to be placed for adoption. The head of LAC explained that the report set out the three year average for children waiting less than 16 months between becoming looked after to moving in with their adoptive family. The three year average at 2016-17 was 56% compared to an England average of 55%. The actual number of days for each child varied greatly depending on the circumstances.

Groups leaders were invited to give the views of their group.

The leader of the green group asked if being part of a regional adoption agency would increase the movement of children out of the county and see other children move into the county.

The head of LAC explained that the council already regularly sold and bought adoption placements as it was not always appropriate for children to be adopted in the area of their birth. It was also sometimes necessary to look across a wider area to find adopters for children of particular cultural or ethnic backgrounds or those with complex needs. It was likely that working as part of a regional agency would see more children would be placed outside the county but this was seen as a positive thing as it would indicate increased access to suitable adopters.

The leader of the Liberal Democrat group asked if the figures were typical for a county like Herefordshire and if the council was falling further behind due to having more children identified for adoption during the year than were placed with adopters.

The assistant director safeguarding and early help explained that being adopted meant having an adoption order granted by the court and that the order was usually made some 3-6 months after being placed with an adopter. When a child was identified as needing a plan for adoption the courts could take up to 6 months to make a placement order. Once that was in place the council could place the child with the adopters. The assistant director stated that the council did not generally struggle to recruit adopters but the length of time for the courts to make decisions was an issue.

It was resolved that:

- (a) the performance of the adoption service as outlined at appendix a to this report be reviewed, any risks to achievement of objectives noted and relevant mitigating actions approved;**
- (b) that the statement of purpose attached at appendix b to this report be approved; and**
- (c) that the children's guides attached at appendix c to this report be approved.**

18. FOSTERING SERVICE ANNUAL REPORT 2016-17

The cabinet member for young people and children's wellbeing introduced the report. He noted a 15% overall growth in foster carers in Herefordshire which was significantly better than national figures. He stated that this was a sign that the proactive approach taken by the council was very successful. The cabinet member noted that the fostering service had also developed the residential respite. The council was now providing up to 238 nights per year of respite in a residential setting.

The head of LAC commented that this was a statutory annual report. She highlighted that the service had continued to grow with targeted recruitment for areas of need including the overnight short break service, supported lodgings for older young people and care leavers and to meet the needs of unaccompanied asylum seekers. Despite this there was still a need for more foster carers. There had also been a focus on placement stability. The council did well when compared with statistical neighbours but it was a priority for 2017-18 to improve this still further.

The representative of the Herefordshire Independents group stated that he had been impressed with the care and devotion shown by foster carers and praised the work of the fostering team.

The vice chair of the adults and wellbeing scrutiny committee spoke on the improvement in the service. He explained that he had been the chair of the task and finish group on 1 Ledbury Road 18 months ago. Since then the fostering service had seen a turnaround as a result of the work of the fostering team and the cabinet member. Even though 1 Ledbury Road had now closed there were now many more foster carers in place to help the young people who previously depended on that centre.

The leader of the council commented on the good performance and commended the work of the fostering service.

It was resolved that:

- (a) the performance of the fostering service as outlined at appendix a to this report be reviewed, any risks to achievement of objectives noted and relevant mitigating actions approved;**
- (b) the guide for young people that are looked after (appendix b) be approved;**
and
- (c) the statement of purpose (appendix c) be approved.**

The meeting ended at 3.44 pm

Chairman