

MINUTES of the meeting of Cabinet held at Shire Hall, St Peters Square, Hereford, HR1 2HX on Thursday 26 February 2015 at 2.00 pm

Present: Councillor PM Morgan (Chairman)

Councillors: H Bramer, JW Millar, GJ Powell, PD Price and P Rone

In attendance: Councillors CNH Attwood, WLS Bowen, ACR Chappell, EPJ Harvey, TM James, RI Matthews, FM Norman, AJW Powers, Mr A Neill, Norman, Robinson, Mrs J Davidson and Ms H Coombes

61. APOLOGIES FOR ABSENCE

Apologies were received from the Leader, Councillor AW Johnson.

62. DECLARATIONS OF INTEREST

There were no declarations of interest.

63. MINUTES

RESOLVED: That the Minutes of the meeting held on 22 January 2015 be approved as a correct record and signed by the Chairman.

64. CHILDREN'S SAFEGUARDING UPDATE

The Cabinet Member, Young People and Children's Services, introduced an update report on the outcomes of three inspections concerning safeguarding within Children's Services.

The Director of Children's Wellbeing and the Head of Safeguarding and Review presented the update.

It was noted that the Department for Education (DfE) review was positive and that steps are being taken to improve the areas that were identified as requiring further attention. The rate of progress is dependent upon sustaining stability and quality of the workforce which is being addressed through a range of recruitment activity with the intention of reducing the proportion of agency workers from 31%.

There is ongoing support from all agencies and progress is being made despite some issues with capacity, which is being addressed to ensure effective safeguarding.

It is hoped that the DfE will take the decision at the end of March 2015 to lift the intervention notice and this will enable transitional arrangements for effective safeguarding and for the service to then focus on continuous improvement. The appointment of a new Chair of the Herefordshire Safeguarding Children Board will be announced next week.

The Peer Diagnostic pilot scrutinised the functionality of the Safeguarding Board and informed the DfE review. It also recognised that better alignment of partnership working was

needed and that the voice of the child needed to be embedded. Both of these matters are being addressed. The review also noted improvements in multi-agency working and in business support and was positive about what has been achieved within the past twelve months.

Progress on the Ofsted action plan was noted; the Safeguarding Board is now responsible for assuring delivery of the plan and this will form the bench-mark for any future Ofsted inspection. Key evidence will be that there is a case by case difference reflected in feedback from families.

In answer to a member's question regarding sufficient resourcing of the business of the Safeguarding Children Board, the Director of Children's Wellbeing explained that there was support from partner agencies to enhance structures. A management of change process is underway and there is confidence that the structure will be fully staffed from April 2015. It was further clarified that there is work across the partnership to ensure that priorities are addressed through the Safeguarding Board.

The leader of the Independent Group asked about the scale of the concerns reported by staff feeling overwhelmed with administrative tasks. The Head of Safeguarding and Review confirmed that capacity in the business support function was being addressed to support the volume of calls to the service, further enhanced by improvements in telephony. The casework management system, Frameworki, is also being modernised to simplify processes.

The Chairman of the General Overview and Scrutiny Committee commented that there is more to be done to ensure stability and that there is an alarming volume of complex cases that remain unreported including those relating to child sexual exploitation.

The leader of the Green group asked for reassurance that there is now focus and strong leadership and that the service can be flexible to the nature of casework without the level of police resources as reported impeding the safeguarding process. The Director of Children's Wellbeing explained that the Safeguarding Board has identified priorities and will be held to account. The leadership role is key here in raising the profile of safeguarding across Herefordshire to ensure that children are protected from harm. She added that child sexual exploitation is both a national and county-wide issue for communities as well as for agencies. As regards police input, it is recognised that there is pressure on all agencies regarding participation in child protection conferences, making it harder to progress some cases. The involvement of Mental Health and General Practitioner services is also being addressed. The focus is on achieving an "outstanding" review to improve lives and to provide high quality work for every family.

A Member observed that, in the context of a forthcoming new administration, the report contained a high number of acronyms, and requested that this be addressed to ensure that reports are accessible. It was noted that a glossary is being developed and this matter will be taken into account in the induction programme for members.

The leader of the Liberal Democrats commented that the focus needs to be on having a strong workforce that is not distracted by process, and cited a social worker who left the service due to increasing administrative tasks. The Director for Children's Wellbeing explained that safeguarding relies on the judgement of all professionals and that it is governed by regulation and legal process. These factors were previously of poor quality at the time that the service was deemed "inadequate". A good process protects the interests of all and supports people to perform well and improve outcomes. The Head of Safeguarding and Review added that there is a long term plan underway to ensure a high quality workforce which will pay dividends over time.

The leader of It's Our County noted the encouraging messages although there is further work ahead and improvement needs to be maintained. He commented that each partner must meet its legal obligations under the Children Act to contribute fully alongside the council, and that the Safeguarding Board and the Scrutiny Committee be held to account. The Head of Safeguarding and Review confirmed that there is support and recognition from partners for growth and despite pressures on police resources, there is active commitment to the Multi-Agency Safeguarding Hub and to child sexual exploitation.

The Deputy Leader placed on record thanks to David McCallum for his work as the outgoing Chair of the Herefordshire Safeguarding Children Board.

RESOLVED:

- That**
- (a) the outcome of the Department for Education review conducted on 15 and 16 December 2014 be noted;**
 - (b) the outcome of the Herefordshire Safeguarding Children Board Local Government Association peer diagnostic conducted between 17-19 November 2014 be noted; and**
 - (c) progress to date on the Ofsted action plan be noted.**

65. DELIVERING THE STRATEGIC APPROACH FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES AND SPECIAL EDUCATIONAL NEEDS

The Cabinet Member, Young People and Children's Services, introduced the report in consideration of the transformation programme for children and young people with disabilities and special educational needs.

The Assistant Director, Children's Wellbeing, presented the strategy which has had extensive consultation with families. The strategy forms part of the Children and Young People plan and has been commended for developing good practice.

The key themes of the strategy are:

- enabling choice and empowerment in line with the Children and Families Act (2014) to meet aspirations to provide a high level of service to this group;
- Integrated pathways, which co-ordinate services and streamline the transition into adulthood by linking Children's and Adults' services in line with Department for Education recommendations;
- Advice and guidance for families to make choices around short breaks; and
- working with the Clinical Commissioning Group to consider needs to support children to remain at home rather than using distant residential accommodation

A Member welcomed the approach detailed in the report and commented on the reduction of "silos". In answer to his question regarding resources, the Assistant Director, Children's Wellbeing, confirmed that some areas are progressing well, whilst other areas such as personalisation, require further work. At this stage clarity is required regarding the Clinical Commissioning Group's priorities in order to meet families' complex needs and to enhance therapy services.

The Chair of the General Overview and Scrutiny Committee asked about the risk areas associated with the strategy. There is concern about avoiding overburdening families with consultation, instead focusing on positive change for the families affected.

The leader of the Independent group asked for confirmation that previous weaknesses in the partnership had been resolved. The Assistant Director, Children's Wellbeing, explained that the partnership could be stronger in some areas but it was important that it is held to account. It was noted that there is a strong partnership with Paediatrics.

The leader of the Liberal Democrats commented that there could be a significant financial impact from the Care Act which will need to be made clear to newly elected Members. This was noted for the attention of officers for inclusion in the induction programme for Members.

The leader of the Greens commented on the improvement programme's reporting to the Director and the Health and Wellbeing Board. She further commented that the detail of personalisation required development in order for implementation.

RESOLVED:

That (a) the 2015-2018 Children and young people with disabilities and special education needs services transformation programme be endorsed; and

(b) the approval of the detailed work packages be delegated to the Director of Children's Wellbeing

66. APPROVAL TO UNDERTAKE A PROCUREMENT EXERCISE IN RESPECT OF PUPIL REFERRAL SERVICES FOR HEREFORDSHIRE

The Cabinet Member, Young People and Children's Services, introduced the report. There has been a previous reorganisation of pupil referral services in Herefordshire, and now a more formal arrangement must be established to enable a clear plan to take the service forward and for an anticipated change in leadership in the next few years.

The Head of Additional Needs confirmed the success of the current arrangement. It is rated by Ofsted as "Good" and GCSE results have improved. There has also been a high success rate of the 25 hours' minimum attendance provision compared with other education providers. The governors have requested a more formalised arrangement to provide this service as the current arrangements are not sustainable.

In answer to a question from a Member about maintaining and improving outcomes, the Head of Additional Needs confirmed that referring schools value how the service is managed and work continues on improving long-term outcomes to reduce the risk of pupils becoming Not in Employment, Education or Training. The expected level of response to the tender is unknown.

The Director of Children's Wellbeing gave reassurance over concerns regarding continuous improvement, explaining that by undertaking a procurement exercise, it will allow the council to have more control over the outcome and future intervention to maintain the service. It is proposed to maintain the same level of service with the same resource available rather than for the purposes of efficiency.

RESOLVED:

That (a) The council undertake a procurement exercise with a view to identifying a preferred provider of pupil referral services following the recent amalgamation of pupil referral services into a single pupil referral unit (PRU); and

(b) Delegated authority is provided to enable the Director of Children's Wellbeing to conclude the procurement process and authorise award of the resulting contract on the basis it is within the financial envelope described in the report.

67. THE FUTURE OF COLWALL C OF E PRIMARY SCHOOL BUILDING

A revision to recommendation (b) of the report was noted, in recognition of the School Estate Strategy.

The Head of Education Development presented the report. The school building is in poor condition and pupils are in temporary accommodation due to flooding and damp which had affected the fabric of the building. The damp is due to the water table and the nature of the ground at the site and it was concluded that this was not a suitable site for a school. The temporary accommodation required upgrading and so it was necessary to explore the viability of a new school. A bid was submitted to the Government's School Building Programme and it was agreed that it required major investment. Colwall was the only Herefordshire school successful in the bidding process.

A Member asked for reassurance regarding the financial implications described in the report. The Head of Education Development confirmed that the intention was to look at a Value for Money solution.

Responding to a Member's concern over the provision of capital, the Assistant Director, Children's Wellbeing, explained that there was limited funding and other schools including academies were able to bid. The estates strategy is key in terms of local opportunities to change the financial position for the next 5-10 years, as in for example, the relocation of Broadlands School which released capital for other priorities.

The Chief Financial Officer explained that this formed part of the overall funding strategy. The school is in temporary accommodation with high rental costs and urgent action is required. The report shows that it would not be value for money to return to the original site, due to further flooding risk, and so the intention would be to look at alternative provision in relation to the overall strategy. The school is included in the capital programme for rebuild and it is anticipated that government funding would reduce council borrowing.

In response to a Member's question regarding ongoing work with academies, the Director of Children's Wellbeing confirmed the requirement to join funding streams and whilst the council is not responsible for all buildings, it has a responsibility to provide a place for children to attend school.

The leader of It's Our County asked about the consequences of other schools claiming through the strategy which would present high risk regarding future obligations. The Head of Education Development explained that this must be seen in the context of the estates strategy for the next 10-15 years and the release of capital and government grants and revenues.

A Member commented that the long-term solutions for the whole estate must be considered along with where the school places are and taking into account the needs of other schools.

The Chair of the General Overview and Scrutiny Committee confirmed that the estates strategy is scheduled for that Committee's agenda on 10 March 2015.

RESOLVED

- THAT:**
- (a) it be noted that the existing Colwall school is considered unsuitable for repair;**
 - (b) subject to development of a satisfactory business case, and having regard to the schools estate strategy scheduled for Cabinet consideration in July 2015, a new school is built in Colwall to replace it, either on the existing site or at an alternative location in the parish; and**
 - (c) delegated authority be given to the director for children's wellbeing to undertake all feasibility work necessary to develop a business case to inform a future decision, with a view to enabling a new school to be operational by September 2018.**

68. CORPORATE PERFORMANCE REPORT 2014/15: QUARTER 3

The Deputy Leader introduced the report which sets out the council's performance for the third quarter of 2014-15.

In response to a number of questions from the leader of It's Our County group, the Director of Adults Wellbeing confirmed that training has taken place for all frontline staff to improve ways of working. Secondment arrangements were changed in order to support provision of integrated care pathways for mental health in recognition of the differing criteria for providing mental health care between the different agencies.

In terms of nursing care, there are pressures through Accident and Emergency admissions and there was a surprising increase in nursing home admissions. The focus will be to ensure people are discharged to their own homes rather than to residential nursing care. The increase in admissions has peaked and is now stabilising. Should the needs change for an individual who initially had local authority funding, they would be assessed for continuing healthcare and then access free NHS care, for example, for dementia. It is therefore essential to ensure that people have access as soon as possible.

With regard to the Care Act, there is confidence that there will be implementation in some areas. The reaction from the public is yet unknown but if demand increases after 1 April 2015, there could be pressure on services. There has been training for staff. However, detailed guidance regarding the new duties is not yet available and so expectations are not clear at this stage. Despite this, Herefordshire is on par with other authorities and is on target.

With regard to affordable housing, there is confidence that the overall target will be met and exceeded, although this is dependent on planning decisions. The target was met last year.

The leader of the Green group asked about the implications of greater demand on support for troubled families. The Director of Children's Wellbeing confirmed that if there were more than the anticipated number of families, demand could be met.

An incorrect figure quoted in paragraph 22 of the report was noted for amendment.

The leader of the Green group commented on waste collection with regard to addressing issues with storage space for bins. She added that in regard to devolved services, that the change process had been slow.

The leader of It's Our County commented on the quality of jobs in the city centre and the risk of zero hours contracts and low pay. He added that the digital strategy was not mentioned in the report and the Deputy Leader confirmed that this strategy was on track.

The Chair of the General Overview and Scrutiny Committee expressed concern over the reliance upon on-line services. The Deputy Leader confirmed that whilst customers will still be able to contact the council by telephone, we will continue to encourage them to access services online wherever possible.

The Cabinet Member for Infrastructure responded to comment from the leader of It's Our County by clarifying the position of the core strategy following an examination which was completed on 25 February 2015. It was confirmed that the plan would be unaffected by the examination and further re-writing of policies is awaited, which would take place during the pre-election period. In response, concern was raised regarding the conditions of the pre-election period and that work would be taking place in relation to the core strategy during this time. It was confirmed that this exercise was at the behest of the inspector and that it would not be of a political nature nor have any impact on the Council's constitution.

RESOLVED

That the report be noted.

69. BUDGET MONITORING REPORT

The Chief Financial Officer provided an updated position on the projected outturn for 2014-2015. This reflects a more confident position as potential budget pressures have not materialised.

RESOLVED

That the report be noted.

The meeting ended at 3.57 pm

CHAIRMAN