

# Agenda

## Cabinet

Date: **Thursday 15 March 2018**

---

Time: **2.00 pm**

---

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

---

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

**Sarah Smith**

Tel: (01432) 260176

Email: [sarah.smith1@herefordshire.gov.uk](mailto:sarah.smith1@herefordshire.gov.uk)

---

If you would like help to understand this document, or would like it in another format, please call Sarah Smith on (01432) 260176 or e-mail [sarah.smith1@herefordshire.gov.uk](mailto:sarah.smith1@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the meeting of Cabinet**

## **Membership**

**Councillor H Bramer  
Councillor BA Durkin  
Councillor DG Harlow  
Councillor JG Lester  
Councillor PD Price  
Councillor P Rone  
Councillor NE Shaw**

## Agenda

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive any apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b> To approve and sign the minutes of the meeting held on 15 February 2018.	9 - 18
<b>4. QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive questions from members of the public. <i>Deadline for receipt of questions is 5:00pm on Monday 12 March 2018. Accepted questions will be published as a supplement prior to the meeting. Please see <a href="https://www.herefordshire.gov.uk/getinvolved">https://www.herefordshire.gov.uk/getinvolved</a> for information on how to submit a question.</i>	
<b>5. QUESTIONS FROM COUNCILLORS</b> To receive questions from councillors. <i>Deadline for receipt of questions is 5:00pm on Monday 12 March 2018. Accepted questions will be published as a supplement prior to the meeting.</i>	
<b>6. PROVISION OF YOUNG CARERS SERVICE</b> The purpose of this report is to seek approval for the council to directly provide a new assessment and support service for young carers.	19 - 34



## **The Public's Rights to Information and Attendance at Meetings**

### **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

### **Public Transport Links**

- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

## **RECORDING OF THIS MEETING**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

## **FIRE AND EMERGENCY EVACUATION PROCEDURE**

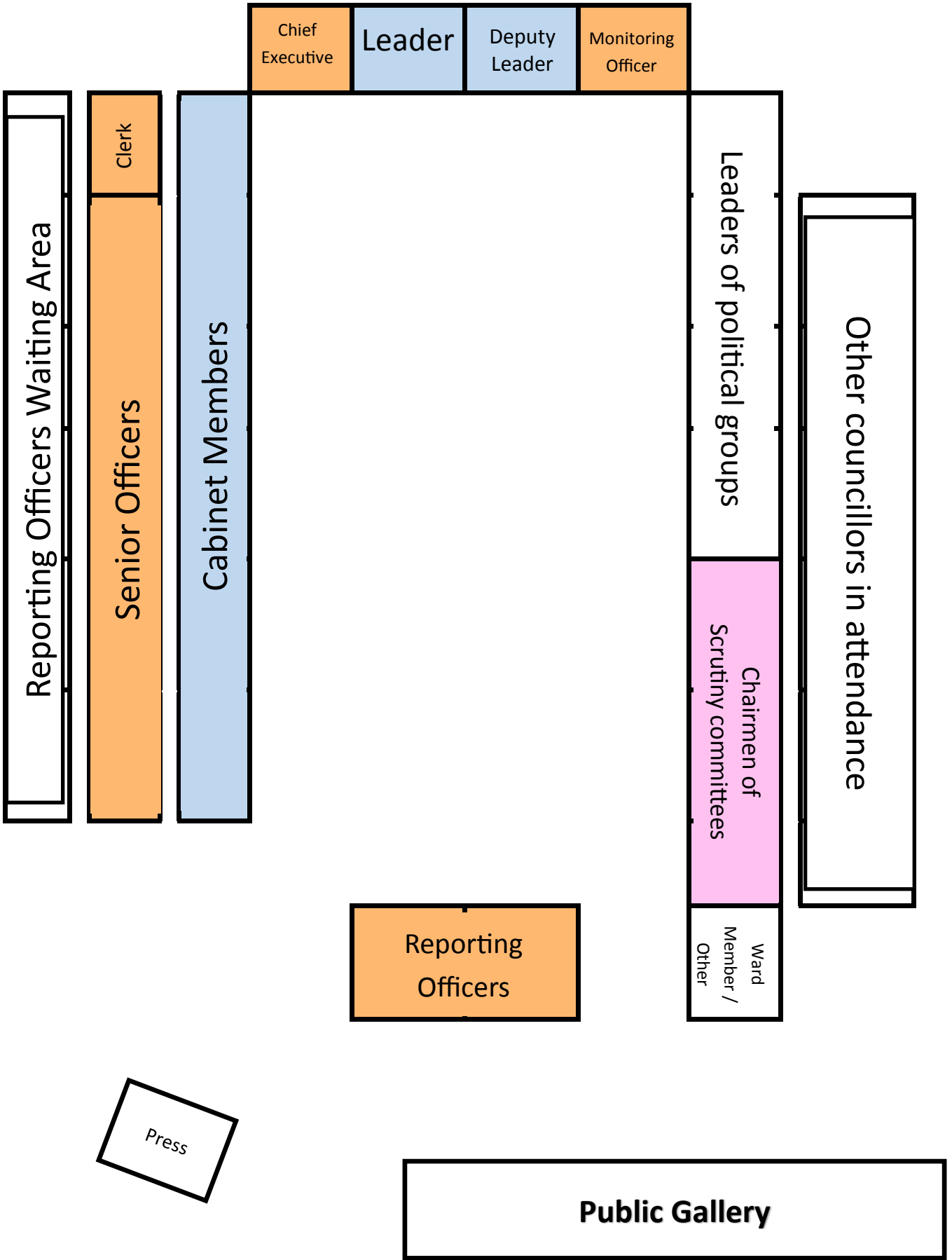
In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.







Herefordshire Council

**Minutes of the meeting of Cabinet held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Thursday 15 February 2018 at 2.00 pm**

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

Cabinet support members in attendance Councillors RJ Phillips

Group leaders in attendance Councillors JM Bartlett, RI Matthews and AJW Powers

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

Other councillors in attendance: Councillors PE Crockett, J Hardwick and D Summers

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

**92. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Price.

**93. DECLARATIONS OF INTEREST**

None.

**94. MINUTES**

It was agreed that the words 'active travel measures' be removed from minute 75 of the minutes of 12 January 2018.

**Resolved:** That with the above amendment, the minutes of the meetings held on 12 January 2018 and 18 January 2018 be approved as a correct record and signed by the Chairman.

**95. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 10)**

Questions received and responses given are attached as appendix 1 to the minutes.

**96. QUESTIONS FROM COUNCILLORS**

No questions were received from councillors.

**97. RESPONDING TO THE RECOMMENDATIONS OF THE TASK AND FINISH GROUP - DEVOLUTION.**

The chairman of the general scrutiny committee introduced the report. He thanked members of the task and finish group, and officers who had provided support. He noted that it had been a thorough investigation but that much had changed since it had been completed including a general election and election of the West Midlands mayor.

The programme director housing and growth summarised the key points of the report. He reminded members that the devolution agenda was continuing to develop nationally. The task and finish group had focused on the West Midlands Combined Authority (WMCA) but had also considered evidence from other areas of the country.

It was reported that the council was in discussion with other members and non-constituent members of the WMCA about the benefits of working towards non-constituent membership for Herefordshire as opposed to the current observer status. The council would not be able to apply for a change in membership until 2021, 4 years after the 2017 Order. Observer status came at a cost of £25k per year. The council was in discussion to establish if that cost could be reduced before making a decision on whether to continue as an observer.

The importance of being able to influence regional policy was noted. Other arrangements for doing this included working through the Local Enterprise Partnership (LEP) and through less formal partnerships with other councils.

It was noted although there was an aim for Herefordshire Council to be self-sustainable, the combined authority would be the conduit for significant future investment in the west midlands and that in order to influence the direction of this investment for the benefit of its residents Herefordshire Council would need to engage with the WMCA.

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

The leader of the green group stated that she agreed with a lot of the comments made but queried whether £100k to be an observer at the WMCA for four years represented value for money. She also highlighted the opportunities for working with welsh authorities.

The leader of the independent group commented that the report was very comprehensive and that his group supported the recommendations. He noted previous benefits of working with Hay-on-Wye in terms of tourism. He expressed concern that much of the investment through the WMCA was focussed on Birmingham and queried how much control the regional authority would have over the council if it joined the combined authority. The group leader also asked if it was possible the council would be pressed to join a combined authority in the future and if it was known how Worcestershire intended to proceed.

The programme director housing and growth explained that the council was exploring whether arrangements with the LEP were adequate to keep Herefordshire at the combined authority table rather than pay for observer status. While there was a political push towards combined authorities, it was proving difficult for the government to get the economies of scale it was looking for and other matters were higher priority at the current time. The future direction of national policy on combined authorities would be monitored.

The chairman of the general scrutiny committee stated that Worcestershire had been invited to give evidence to the task and finish group but had declined to do so.

The leader of the it's our county group stated that his group were broadly supportive of the recommendations but felt that conversations should also take place with other local authorities in a similar position to Herefordshire, not just those who were geographically nearby.

It was also explained that each member of the combined authority, which is the elected mayor as the chair of the combined authority and the leaders of the seven constituent members, had one vote. As a result the mayor and the leaders of the constituent member authorities had to work together to achieve their objectives.

**Resolved that:**

**(a) the proposed responses to the recommendations set out at appendix 2 are approved.**

## **98. VARIATION TO WEST MERCIA ENERGY JOINT AGREEMENT**

The cabinet member for finance, housing and corporate services introduced the report. The government opened up the non-domestic water supply market in England in April 2017. The market in Scotland had been deregulated since 2008 and this was felt to have been successful in improving customer satisfaction while delivering savings. The report proposed changes to the joint agreement for West Mercia Energy (WME) to allow it to supply utilities alongside energy.

It was noted that the market was currently quite small and WME had closely considered whether to enter the market. Not providing an offer for water was considered a risk as competitors might offer a whole package, leading existing WME customers to change providers.

It was anticipated that the market would grow as potential suppliers developed their offers and more customers became aware of the deregulation.

The leader of the it's our county group stated that WME should be looking to increase value in its core business rather than moving into the supply of water. He suggested that WME should explore options such as the supply of wood pellets which could be locally sourced and therefore support local businesses.

The cabinet member finance, housing and corporate services responded that expansion into the supply of water did not preclude exploring the options suggested but that WME had recommended expansion into water supply on the basis of approaches from current customers. WME could only supply to public sector bodies but was always looking at business possibilities. Installation of PV arrays on roof spaces was used to a small extent with industrial units. Changes in tariffs meant that this was only viable where the energy could be used close to the location it was generated. No customer demand for wood pellet supply had been registered but this could be explored.

The business risks of the new service were queried and it was explained that the risks referred to in the report related to the supply of water and related specifically to the decision at hand rather than a wider coverage for risk.

**Resolved that:**

**(a) the West Mercia Energy Joint Agreement be varied to include the provision to be able to broker and supply utilities; and**

- (b) the Director for Economy, Communities and Corporate be authorised, following consultation with the Solicitor to the Council, to finalise and execute the variation.**

## **99. END OF DECEMBER 2017 CORPORATE BUDGET AND PERFORMANCE REPORT**

The cabinet member finance, housing and corporate services introduced the report. The following key points were highlighted:

- the majority of projects were delivered to budget and schedule;
- the projected revenue outturn for 2017/18 was a £2m overspend, reduced from the previous quarterly report;
- timeliness of transfers of care from hospital had improved;
- pathway redesign had been successful in helping to clear the backlog of client assessments for care packages;
- reviews of long term care packages were progressing but there were challenges, particularly in relation to packages for learning difficulties;
- additional winter pressures had been experienced;
- there was concern regarding the low numbers of patients receiving continuing healthcare (CHC) funding from the NHS and it was reported there had been a dramatic reduction in CHC patients, causing a parallel increase in nursing care costs, it was hoped numbers of patients receiving CHC funding would increase in coming months;
- validated education results were positive, including for vulnerable groups;
- the number of looked after children remained higher than might be expected for Herefordshire. An action plan was in place to address this and was expected to start showing results soon;
- the new Colwall Primary school was due to open on time;
- the new city link road had opened in December and other transport packages were progressing;
- the regeneration partnership with Keepmoat was progressing;
- the new NMiTE university was expected to open its doors in 2020.

In response to queries it was stated that:

- the council was to receive a rural sparsity grant of £1m, it was intended that this sum be added to general reserves and the S151 officer make changes to the budget as per the delegated authority agreed at council;
- it was too early to say exactly what the rural sparsity grant would be spent on but points made on rural deprivation were noted and would be taken into consideration;
- the issue of the low conversion rate of referrals to assessments in children's safeguarding had been ongoing on for some time and continued to be raised with partners through the safeguarding board, although there was concern that the message did not appear to be resulting in a change of practice;
- although the number of looked after children remained relatively high, for the year to December 15 had been adopted and a further 14 had returned home;
- work was underway to achieve permanent family bases arrangements where appropriate for a number of children who are looked after in Herefordshire. Children would only be moved to other options where it was right for that child;
- schools received a certain amount in their delegated budgets for early intervention, assessment and support of children with less complex special education needs/disabilities, more severe needs would be assessed and supported through an Education Health and Care Plan (EHCP);
- all reserves were held as revenue, no capital reserves were held as such;
- the capital budget pertained to a single financial year, whereas the capital programme covered multiple years;

- the city link road had been delivered within the overall budget for the road element as approved by the Marches LEP in 2015, design work was underway for the active travel measures element and public consultation would take place before implementation;
- Model Farm was listed separately in the capital programme forecast as there was spend in respect of a reapplication of the planning permission and the project had been added to the programme some time ago, before the development partnership had been agreed;
- the S151 officer was seeking to produce separate reports on the capital programme and capital budget in the next financial year to bring greater clarity;
- additional resources had been allocated to the LEADER project since the date of the report and the council was now on track to draw down all of Herefordshire's share of the funds.

**Resolved that:**

- a) the projected revenue financial outturn and performance for the first nine months of 2017/18 be reviewed and any additional actions required to achieve improvement be determined;**
- b) the projected capital financial outturn and performance for the first nine months of 2017/18 be reviewed and any additional actions required to achieve improvement be determined; and**
- c) the chief finance officer be authorised to use reserves as set out below:**

	<b>Total £000s</b>
Schools Balances: scheme of delegation	(8,089)
Children's planned improvement	(109)
Waste: planned as part of the PFI contract	(204)
Legal – specialist interims	(100)
Broadband and digital planning	(126)
Severe Weather – for the Hereford Transport Package	(384)
Leominster landfill site	(15)
Hereford Relief Road	(308)
ECC	(600)
<b>Total Movements</b>	<b>(9,935)</b>

The meeting ended at 3.37 pm

**Chairman**



**PUBLIC QUESTIONS TO CABINET – 15 February 2018****Question 1**

Mr A Morawiecki, Breinton

The Hereford Transport Package in appendix B shows a cost of just £510,000 when the previous report to Cabinet showed that the spend on this project in 2017/18 was over £2.1million. If the council is seeking to capitalise interest on capital projects, why is it that money taken from revenue budgets and spent on capital projects is not capitalised and reflected in the total cost of the capital scheme?

**Response from Cabinet Member Finance, Housing and Corporate Services**

The requirements for council accounting allow for the costs in relation to schemes that have progressed to detailed options stage to be capitalised. The costs of developing options prior to this stage, including the costs of initial design and feasibility work, must be funded from revenue budgets – some of these costs may subsequently be recharged to capital in accordance with the accounting rules.

**Supplementary Question**

With over £5m planned to be spent on consultants for the bypass, how is this best use of tax payers' money compared to investment in sustainable transport measures?

**Response from Cabinet Member Finance, Housing and Corporate Services**

In any investment of this size and scale we would expect to spend at that level on consultants, taking it through to the best costed scheme.

**Question 2**

Ms K Poulter, Hereford

Many local residents directly affected by the Council's proposed Hereford Bypass were completely unaware of the Cabinet meeting in January 2018 as they never received any letters from the Council until a week prior to the consultation starting. How could the council or its consultants not know the addresses of all those directly affected by the proposed Bypass Routes?

**Response from Cabinet Member Infrastructure**

Notification of the intention to discuss route options within the approved core strategy corridor at the January meeting of Cabinet had been in the public domain for some months. However to ensure that those residents and businesses potentially affected were fully informed our contractor had been instructed to write to all landowners within the core strategy corridor at that time to advise them of the Cabinet meeting. Regrettably there was an administrative error in their mailing process. I am very sorry that this has happened and for any stress or upset this has caused. The matter has been investigated

and we have received the following apology and assurance from Balfour Beatty Living Places Managing Director Steve Helliwell:

“On behalf of BBLP I would like to offer my deepest apologies. A mistake was made during the mailing process which meant that a large proportion of the letters due to be mailed out were not. This was down to human error and I’d like to assure you that our processes have been reviewed and we have taken steps to ensure this does not happen again. It was a matter of importance to Herefordshire Council and councillors that you were informed before the information was in the public domain and if this was not the case, I’d like to sincerely apologise.”

### **Question 3**

Mrs V Wegg-Prosser, Breinton

The corporate budget report authorises the movement of £384,000 from the Severe Weather Reserve to the [City] Link Road which is to date exceeding its original £27m budget by £7m. One month ago, the Cabinet report stated that £383,582 of this reserve was being allocated to the Hereford Transport Package. Why is the £1.3 million Severe Weather Reserve being used to fund capital projects?

#### **Response from Cabinet Member Finance, Housing and Corporate Services**

You will note from the supplement to the agenda published on 13 February that reference to the city link road should have read the Hereford Transport Package.

The city link road is not exceeding its approved budget.

External funding sources are being pursued to support the costs of developing the Hereford Transport Package; the use of earmarked reserves such as the severe weather reserve pending the outcome of those reduced calls on the in-year revenue budget. Once the project reaches a particular point in development council accounting rules allow costs to be capitalised and the revenue budgets may be reimbursed accordingly.

### **Question 4**

Dr M Whalley, Hereford

The council’s vision for SEND schools (internally debated since June 2016) URGENTLY needs to be publicly disseminated.

Options 3 /5 propose the relocation of Barrs Court (with its inadequate and overcrowded site) onto the same campus as the new Free School SEN provision. Blackmarston could extend its early intervention and assessment provision for the most vulnerable and challenged children. When will the council consult with families on these critical issues?

#### **Response from Cabinet Member Young People and Children’s Wellbeing**

The council’s adopted Schools Capital Investment Strategy sets out our strategic approach and the principles that will underpin and guide our decision-making. This applies to special schools as well as maintained schools. Using these principles, the



council has been successful in drawing in funding to support the special school sector, with the 16-19 SEN free school.

We have been working with SEND schools and education settings to identify and prioritise need using the principles in the Schools Capital Investment Strategy. As these discussions progress and we bring forward individual priority projects we will consult with families to ensure the projects are developed with the benefit of their views. I will ensure that officers contact head teachers and chairs of governors of the special schools to make clear the next steps.

#### Supplementary Question

How will Herefordshire council ensure that families have an input and that views are taken into account?

#### **Response from cabinet member young people and children's wellbeing**

We understand, and when I say about the input process to the capital strategy it does mean all of those inputs. It is a discussion that needs to be between all stakeholders - governors, schools, families etc. I will be asking officers to make sure all involved are fully aware of what the next steps are.





<b>Decision maker:</b>	<b>Cabinet</b>
<b>Decision date:</b>	<b>Thursday 15 March 2018</b>
<b>Title of report:</b>	<b>Provision of young carers service</b>
<b>Report by:</b>	<b>Cabinet member health and wellbeing</b>

### **Classification**

Open

### **Decision type**

Non-key

### **Wards affected**

(All Wards);

### **Purpose and summary**

The purpose of this report is to seek approval for the council to directly provide a new assessment and support service for young carers.

The joint carers strategy 2017 – 2021 and associated commissioning intentions were approved by Cabinet in July 2017. That decision noted that a panel or focus group of carers, including young carers, would contribute to the final design of new services to be commissioned and participate in the procurement process. That work has concluded that a service for young carers should be commissioned separately from wider carers provision. There are numerous challenges currently to commissioning such a service for young carers to be delivered by an independent provider and it is therefore proposed that the council instead deliver it directly through its children's wellbeing directorate. This report seeks to approve the proposed new in-house service for young carers.

### **Recommendation(s)**

**That:**

- (a) the development and delivery of an in-house service to support young carers is approved; and**
- (b) authority is delegated to the director for adults and wellbeing, in consultation with the director for children's wellbeing, to approve the final service delivery model and its implementation from 1 April 2018, with a maximum service value of £65k per annum.**

## Alternative options

1. The option to include young carers services in a wider recommissioned service for carers generally. This option is not recommended as support for young carers requires a different model of delivery than other carer services. This includes assessing young carers within the context of their family and wider circumstances and building support plans which use the widest networks. External providers would not generally be in a position to discharge fully the council's statutory duties in this area.
2. The option to commission a separate young carers service via a competitive procurement process. This option is not recommended. Few providers are well placed to carry out assessment and support planning in pursuit of statutory duties and initial engagement with the market suggests that the potential contract value would be too small to attract bidders. There would be no competition on price as the contract value is fixed and would have to be published as part of the open tender process to avoid bidders quoting above the value. Additionally, developing a new service within the council delivers better value for money than securing an external service of this small scale, as the fixed costs of procurement would be disproportionate compared to the total contract value. A further consideration is that other related services for young carers are currently being provided by an independent provider not funded by the council and it is not clear how long these will continue. This is an unduly complex environment in which to commission an independent provider to operate.
3. The option not to have any service to support young carers. This option is not recommended. The council's duties regarding young carers derive from the Children Act 1989, the Children Act 2004, the Children and Families Act 2014 and the Young Carers (Needs Assessment) Regulations 2015. In summary, the council is obliged to do what it can to identify young carers and must assess their needs using a whole family approach, taking into account a range of different factors. Supporting and enabling carers to balance their caring role with their own aspirations is aligned to the council's wider strategic approach to prevention, promoting health and wellbeing and enabling those with health or social care needs to stay within their community for as long as possible. It is not sufficient for the council to rely on external bodies picking up some of these statutory functions, based on their own funding and prioritisation.

## Key considerations

4. Young carers can provide invaluable support to their family, but at the same time this can be detrimental to their own wellbeing and aspirations unless they receive adequate support. Therefore, early intervention and delivery of a pragmatic service to assist young carers to overcome such challenges is key.
5. The identification of unpaid, informal carers of any age is a key challenge across the wider public service system. Carers often do not identify themselves as a carer, but rather as a loving relative or friend. This is especially true of young carers, whose family environment often sets the benchmark for their perception of normality.
6. In July 2017, Cabinet adopted the joint carers strategy 2017-2021 along with the supporting commissioning intentions. The needs and interests of young carers are highlighted throughout the strategy. In relation to young carers, the commissioning intentions stated, "The provision of assessment and support planning for young carers,

including transition assessments, will be reviewed to ensure alignment to the needs of young people, continuity and best practice as services are re-commissioned.”

7. Elements of the service for young carers are currently being delivered by Herefordshire Carers Support (HCS) through that organisation’s own initiative rather than through a commission from the council. While the HCS service is of value, its scope is not sufficient to enable the council to discharge all its statutory duties in full. In particular, it is necessary to take further steps to ensure that assessments of young carers fulfil the requirement to take a whole family approach and consider all aspects of the young person’s life, beyond just their caring role and the wider family situation. It is also important to ensure that assessments lead to support which takes advantage of the most comprehensive networks and the broadest range of options. Services also need to ensure that they work effectively with all schools, GP practices and other sources of referrals and support for young carers.
8. Support for young carers must complement existing services as far as practicable, in order to ensure an integrated experience for service users and best use of the available resources. Commissioners and a focus group of carers have considered various options for linking young carers provision with wider services for carers, but further investigation has demonstrated that these were not deliverable in practice.
9. HCS has external funding currently to continue its existing support for young carers only until 2019 and it is not clear whether the service will be sustained beyond then. Therefore, once the proposed new service for young carers is established, the council will keep the overall picture under review, ensuring the offer from each organisation is complementary and clear. Bringing the new service into the council will not have any implications upon HCS’ existing funding.
10. Limited funding is available to the council from April 2018 to provide assessments and support for young carers. Therefore, any service would already require some infrastructure and experience in delivering for young people or young carers to effectively provide the service. The existing family support services provided by the children’s wellbeing directorate within the council present an opportunity and a model of delivery for providing effective assessment, networking and support planning for young carers.
11. The new service will be managed as part of the family support service within the children’s wellbeing directorate where the IT and infrastructure to support the service are already in place. It will encompass a number of key principles aligned to the joint carers strategy, including confidentiality, safeguarding and empowerment. It will focus on four main activities:
  - Young carer assessments following a whole family approach
  - Transition assessments for young carers
  - Wide ranging networking and signposting to offer diverse opportunities
  - Increasing the availability of online/digital opportunities and support

The service will adopt a wide range of ways of engaging and communicating with young carers and promote the voice of young carers in strategic contexts, including the implementation of the joint carers strategy.

12. Commissioners have prepared a specification for the service, which children’s wellbeing will work to and record the achievement of outcomes. There will be reviews every six months with commissioners and young carer representatives to monitor achievement of objectives. This will be reported through internal governance processes and to Cabinet

members. It is proposed to undertake a full review of support for young carers towards the end of 2020.

13. Communication about the new service will be delivered through various strategic meetings and forums and via the council's corporate communications channels.
14. Herefordshire Carers Support is not commissioned to provide a service for young carers and will continue to provide their existing service independently of the council. The recommended option is a new service which will be provided by officers currently employed within the family support team. Their roles will be back-filled through recruitment. As such, it is apparent that Transfer of Undertakings (Protection of Employment) Regulations 2006 ("the TUPE Regulations") will not apply.

## **Community impact**

15. The council's corporate plan includes a commitment to enabling people to live safe, healthy and independent lives. Many vulnerable people are dependent upon carers in order to do so. The new young carers service seeks to support that contribution and help to ensure that young carers themselves are safe, healthy and enabled to fulfil their aspirations. It will promote identification of young carers by universal services and will focus on connecting young carers to their community and other sources of support.
16. Enabling young carers to sustain their caring role while balancing their own needs was a key theme during engagement with young carers. Many stated that they felt constrained by their caring role and unable to access the same educational or social opportunities as their peers, demonstrating inequity. Measuring the impact of such early constraints is difficult but there is recognition that this impacts young carers in many ways, including emotionally and mentally. Herefordshire's health and wellbeing strategy identifies mental health and children as key priorities. Therefore, early identification of young carers and connecting them to sources of support are essential to promoting good physical, emotional and mental health.
17. The recommended decisions within this report are not anticipated to have any implications directly for looked after children. Some care leavers may be young carers. The proposed service within children's wellbeing is well placed to connect into other sources of support for care leavers who are also young carers and to understand the wider implications, including the council's legal responsibilities as a corporate parent.
18. The council is committed to providing a healthy and safe environment for all individuals affected by the council's activities. Therefore the council endeavours to ensure that the work it and its partners undertake does not adversely affect the health, safety or welfare of service users. As the service provider, the family support service within the children's wellbeing directorate would adhere to the health and safety standards and codes of practice required of the council.

## **Equality duty**

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

---

Further information on the subject of this report is available from  
Danni Mussell, Tel: 01432 260815815, email: Danielle.Mussell@herefordshire.gov.uk

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
21. Age and disability are protected characteristics under the Equality Act, although being a carer is not. National research shows that young carers are 1.5 times more likely than their peers to have a special educational need or a disability, yet there is no strong evidence that young carers are more likely than their peers to come into contact with support agencies, despite government recognition that this needs to happen. Additionally, young carers are less likely than their peers to achieve their full potential in education. The new service for young carers will work with strategic partners to address inequities. This is addressed in more detail in the equality impact assessment (see appendix 1).

## **Resource implications**

22. The recommended support service for young carers will be achieved within the commissioning budgets available. A core commissioning budget of £245k per annum, allocated to carers services from 2018/19, was approved by Cabinet in July 2017 along with the commissioning intentions and delegated authority to the Director for Adults and Wellbeing for the award of contracts. Of this budget, £65k per annum is allocated to the provision of a service for young carers.
23. Any support offered to young carers as a result of an assessment will be met through existing contracts or informal free community organisations or groups. Delivering the service in this way offers value for money as all of the spending will be directed to the cost of staffing and maximising delivery.

## **Legal implications**

24. The council has statutory duties to make provision to assess and provide support to meet the needs of young carers, as outlined in this report. Developing a service within the council will help ensure that the council's statutory duties are fully met.
25. The council has undertaken a consultation exercise on the available options which has informed the recommended course of action.
26. The support currently provided to young carers by HCS is not commissioned by the council.
27. There are not considered to be any procurement implications arising from the recommendation and as noted above, it is not considered that the TUPE Regulations will apply to the service being developed within the council.

## Risk management

28. If the recommended decision is approved, the risks are as follows:

Risk	Mitigation
The council's family support service are unable to fully deliver the specification.	The service will be reviewed every six months with opportunities for any concerns to be raised in the interim. The experience, of the family support service and its flexible delivery model help mitigate this risk. Should there be any challenges around delivery, stakeholders will meet to consider options and find solutions.
The Herefordshire Carers Support young carers service might close in 2019, leading to the loss of support for some young carers.	The council will remain in contact with HCS. If the funding for that organisation's service appears unlikely to continue, the council will provide support to those young carers with needs, which would no longer be met by HCS.

29. If the recommendations are not approved, the risks are as follows:

Risk	Mitigation
A service to support young carers would be delayed beyond April 2018, disrupting implementation of the joint carers strategy and the improvement of opportunities for carers, which may lead to additional costs. If this were to happen, the council may not be fulfilling its legal responsibilities around the identification of young carers, assessments for young carers and the provision of support.	Some services for young carers will still be provided by Herefordshire Carers Support. However, the service does not allow the council to discharge its duties in full and is only funded until 2019. It is not clear whether it will be sustained beyond then.

## Consultees

30. The council has undertaken in depth co-production work with around 160 carers during the period March to May 2017 to inform the joint carers strategy, including 17 young carers. The views and priorities of carers expressed through this activity form the core content and detail of the carers strategy, including the six priorities. Many ideas and views gathered during this process are consistent with, and built upon, consultation carried out with carers during 2015/16.



31. The council has consulted over the same period with various organisations, including current providers of contracted services for carers. They have contributed many thoughts, information and ideas, much of which has been incorporated into the young carers service specification.
32. Following approval of the carers strategy and commissioning intentions, further engagement was undertaken with carers to design services for both adult and young carers. Young carers were actively sought to engage in this process via stakeholders and other methods, with only one young carer being available despite various attempts to make engagement as flexible as possible. Two focus groups were undertaken to work through the priorities within the carers strategy and how they could reasonably be delivered within the resources available.

## **Appendices**

Appendix A – Equality Impact Assessment

## **Background papers**

None identified



# Equality Analysis (EIA) Form

## A) Description

**Name of service, function, policy (or other) being assessed**

Provision of a Young Carers Service

**Directorate or organisation responsible (and service, if it is a policy)**

Adults and Wellbeing Commissioning

**Date of assessment**

January 2018

**Names and job titles of people carrying out the assessment**

Danni Mussell – Senior Commissioning Officer

**Accountable person**

Martin Samuels, Director for Adults and Wellbeing

**What are the aims or main purpose of the service, function or policy? What does it provide and how does it provide it?**

The council's strategic approach to delivering health and wellbeing includes enabling people to stay well and live within their own community for as long as possible.

Unpaid carers, including young carers, play a key and valuable part in delivering this approach. Therefore, supporting carers to balance their caring role with their own needs and aspirations is crucial to ensure that the care they provide is sustainable.

The proposed young carers service has several functions which can be broken down as follows:

- Strategic
  - Working with partners across health and education as well as carer support services and the voluntary, charitable and faith sectors to encourage identification of young carers and the connection to early support, advice and signposting.
- Delivery
  - Assessing young carers in accordance with legislation using a whole family/holistic approach
  - Ensuring the care the young person provides is appropriate and will enable them to meet their own social, emotional and health needs, education and aspirations
  - Working with partners to deliver pragmatic solutions to connect children to opportunities to meet their needs, e.g. brownies, sports training, additional education
  - Stakeholder engagement to shape future services
  - Developing safe interactive/social media places for young carers to network and provide mutual support

The service will be delivered by the family support service within the council's Children's Wellbeing directorate, which already deliver a whole family assessment and support service and have experienced practitioners within this area of work.

### **Location or any other relevant information**

Countywide coverage

### **List any key policies or procedures to be reviewed as part of this assessment.**

The Joint Carers Strategy 2017-2021  
The Health and Wellbeing Strategy  
The Adults and Wellbeing Plan 2017-2020

### **Who is intended to benefit from the service, function or policy?**

- All young and young adult carers in Herefordshire

### **Who are the stakeholders? What is their interest?**

Young carers and young adult carers, which could be further defined as children under the age of 18 or young adults transitioning from school age to further education who are also caring for a relative.

Any care a young person provides needs to be safe and appropriate. Young carers need support to balance their needs and aspirations to ensure they are able to grow and develop in the same way as their peers. The service seeks to ensure young carers do not experience inequity due to their caring role.

## **B) Partnerships and Procurement**

If you commission services externally or works in partnership with other organisations, Herefordshire Council remains responsible for ensuring that the quality of provision/ delivery meets the requirements of the Equality Act 2010, i.e.

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity between different groups
- Fosters good relations between different groups

What information do you give to the partner/contractor in order to ensure that they meet the requirements of the Act? What information do you monitor from the partner/contractor in order to ensure that they meet the requirements of the Act?

Not applicable – the service will be delivered by Herefordshire Council employees.

**Are there any concerns at this stage that indicate the possibility of inequalities/negative impacts? For example: complaints, comments, research, and outcomes of a scrutiny review. Please describe:**

There are no concerns arising from stakeholder engagement which indicate the possibility of inequalities.

## C) Information

### **What information (monitoring or consultation data) have you got and what is it telling you?**

Monitoring data shows that up until December 2017, Herefordshire Carers Support had 247 young carers and 117 young adult carers registered with their service.

There is no precise data indicating the number of adult or young carers there are in Herefordshire, partly because many do not identify themselves as carers, seeing themselves more as a loving relative or friend. Estimates based on data from the 2011 census and the 2011 health and wellbeing survey provides figures of between 20,000 and 34,000 adult carers in Herefordshire. Local and national data supports that this number is increasing, aligned to an increasing aging population.

Additionally, the data shows that commissioned services are reaching about one quarter of the adult carer population, yet it is unknown how many young carers there are in Herefordshire, in order to understand how many young carers are receiving a service or not.

The Children's Society estimates there are 166,000 young carers in the UK.

In 2013, the Children's Society completed a study entitled '[Hidden from view: The experiences of young carers in England](#)'. Some of the findings were:

- One in 12 young carers are caring for more than 15 hours per week and around one in 20 misses school because of their caring responsibilities
- Young carers are 1.5 times more likely than their peers to be from black, Asian or minority ethnic communities and are twice as likely to not speak English as their first language
- Young carers are 1.5 times more likely than their peers to have a special educational need or a disability
- The average annual income for families with a young carer is £5,000 less than families who do not have a young carer
- There is no strong evidence that young carers are more likely than their peers to come into contact with support agencies, despite government recognition that this needs to happen
- Young carers have significantly lower educational attainment at GCSE level, the equivalent to nine grades lower overall than their peers. For example, the difference between nine Bs and nine Cs

- Young carers are more likely than the national average to not be in education, employment or training (NEET) between the ages of 16 and 19

**D) With regard to the stakeholders identified and the diversity groups set out below;**

	<i>Is there any potential for (positive or negative) differential impact?</i>	<i>Could this lead to adverse impact and if so what?</i>	<i>Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason?</i>	<i>Please detail what measures or changes you will put in place to remedy any identified adverse impact.</i>
<b>Disability</b>	The new service will offer a whole family, holistic assessment which identifies the strengths of the family and whether the young carer has any unmet needs. Should the young carer have any disabilities, the support worker will offer pragmatic solutions to assist them to stay well and meet their aspirations, as well as safely sustain their caring role. This is a positive impact.	There is no known adverse impact.	Not applicable	Not applicable
<b>Age</b>	For the reasons outlined above, the young carer's age will also be taken into account during any assessment and subsequent support planning. This is a positive impact.	There is no known adverse impact.	Not applicable	Not applicable
<b>Gender</b>	No specific issues identified	There is no known adverse impact	Not applicable	Not applicable

<b>Race</b>	The service aims to be more inclusive and extend services to meet the needs of Herefordshire residents of every race, with a particular focus on the Gypsy Roma and Traveller population, which is the largest minority group in Herefordshire. This is a positive impact.	There is no known adverse impact	Not applicable	Not applicable
<b>Sexual Orientation</b>	The service aims to be more inclusive and extend services to meet the needs of Herefordshire residents of every sexual orientation. This is a positive impact.	There is no known adverse impact	Not applicable	Not applicable
<b>Religion- belief/non belief</b>	The service aims to be more inclusive and extend services to meet the needs of Herefordshire residents of every religion/non-belief. This is a positive impact.	There is no known adverse impact	Not applicable	Not applicable
<b>Pregnancy/maternity</b>	Should a young carer become pregnant, their needs will be assessed holistically as would any child, with the additional consideration of their caring role and any impact.	There is no known adverse impact	Not applicable	Not applicable
<b>Gender reassignment</b>	The service aims to be more inclusive and extend services to meet the needs of Herefordshire residents of every gender . This is a positive impact.	There is no known adverse impact	Not applicable	Not applicable

## E) Consultation

Did you carry out any consultation?

Yes  No

### Who was consulted?

Current commissioned services – Herefordshire Carers Support  
Council members have been consulted, briefing to the Children and Young People's Scrutiny Committee  
Young carers at young carers clubs

### Describe other research, studies or information used to assist with the assessment and your key findings.

- Contract monitoring and support data
- The Herefordshire Joint Strategic Needs Assessment
- Carers UK website
- The Joint Carers Strategy for Herefordshire 2017-2021
- Herefordshire Council – Corporate Plan
- Health and Wellbeing Strategy
- Herefordshire Clinical Commissioning Group – 5 Year Strategic Plan
- The Care Act 2014
- Children & Families Act 2014
- The Young Carers (Needs Assessments) Regulations 2015

Do you use diversity monitoring categories? Yes  No

*(if No you should use this as an action as we are required by law to monitor diversity categories)*

**If yes, which categories?**

- X Age
- X Disability
- X Gender Reassignment
- X Marriage & Civil Partnership
- X Pregnancy & Maternity
- X Race
- X Religion & Belief
- X Sex
- X Sexual Orientation

**What do you do with the diversity monitoring data you gather? Is this information published? And if so, where?**

---



<https://factsandfigures.herefordshire.gov.uk/>

## F) Conclusions

	<b>Action/objective/target OR justification</b>	<b>Resources required</b>	<b>Timescale</b>	<b>I/R/S/J</b>
a)	Cabinet member approval of the decision to bring the young carers service back into the council	Staff time	February 2018	R
b)	Communication about the new young carers service	Staff time	April 2018 (ongoing)	S
c)				
d)				

**(I)** *Taking immediate effect.*

**(R)** *Recommended to Council/Directors through a Committee or other Report\*.*

**(S)** *Added to the Service Plan.*

**(J)** *To be brought to the attention of the Equality Manager.*

\*Summarise your findings in the report. Make the full assessment available for further information.

NB: Make sure your final document is suitable for publishing in the public domain.

