

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 19 September 2013 at 2.00 pm

Present: Councillor AW Johnson (Chairman)

Councillors: H Bramer, RB Hamilton, PM Morgan, RJ Phillips, GJ Powell and PD Price

In attendance: Councillors JLS Bowen, A Seldon, JG Jarvis, TW James, ACR Chappell, J Hardwick, EPJ Harvey, MAF Hubbard, MD Lloyd-Hayes, AJ Powers, P Rone and DB Wilcox

Note: in order to further the efficient transaction of business, Cabinet considered the agenda items in the following order:

1. *Apologies for absence;*
2. *Declarations of interest;*
3. *Minutes;*
4. *Budget monitoring report: July 2013;*
10. *Herefordshire Safeguarding Children Board business plan and annual report;*
8. *Herefordshire Council safeguarding arrangements for children: six month review report for the Department for Education;*
9. *Post 16 learners with learning difficulties & disabilities (LLDD) review;*
11. *West Mercia adoption project;*
5. *Options for museums, customer services and libraries;*
6. *Devolved services;*
7. *Proposed Buttermarket refurbishment;*
12. *Date of next Cabinet meeting.*

24. APOLOGIES FOR ABSENCE

Apologies were received from Councillors JW Millar and JA Hyde.

25. DECLARATIONS OF INTEREST

There were no declarations of interest made.

26. MINUTES

RESOLVED: that the minutes of the meeting held on 25 July 2013 be approved as a correct record and signed by the Chairman.

27. BUDGET MONITORING REPORT: JULY 2013

The Cabinet Member Corporate Strategy and Finance presented the budget monitoring report, which gave the financial position for revenue and capital budgets to 31 July 2013, and also included a treasury management report. He drew members' attention to the projected

£4.22m overspend which, due to the cautious approach to savings delivery, had not included savings which were still subject to a Cabinet or Cabinet Member decision. Once those decisions were signed off, the projected overspend would be reduced to approximately £2.8m. He reported that a series of cross-party meetings had been scheduled on October, to discuss ways of further reducing the overspend by the end of the financial year.

In response to a question, the Cabinet Member Corporate Strategy and Finance confirmed that he was happy to provide further information after the meeting, on the budgetary changes that had been made to enhance economies and reduce costs, with a view to further reducing the overspend. In addition, Members asked various questions in relation to the following:

- The drop of £13.9m in income for Adult Social Care (the table on P 9 of the agenda) and what it relates to;
- Clarification on salary and recruiting (Para 11, P 10);
- The issues outlined in Paras 15 and 16, in respect of the Adult Social Care budget (P 11);
- The contractual savings referred to in Para 20, P 11);
- Further detail was required in relation to points A1-A3 (P 14);
- Further information was requested in relation of off-book borrowing (for Example, connected to Private Finance Initiatives) and the associated risks;
- Whether there would be sufficient contingency in future years for any
- potential spikes in the number of child protection cases, as per the trend in other areas of the country.

The Cabinet Member Corporate Strategy and Finance asked members to put their questions in writing after the meeting, and gave an assurance that they would be answered fully.

RESOLVED: that

- (a) the projected outturn for 2013/14 and the potential impact of levels of reserves unless the overall revenue position is balanced at year end, be noted; and**
- (b) the continuing action to deliver financial savings, be supported.**

28. OPTIONS FOR MUSEUMS, CUSTOMER SERVICES AND LIBRARIES

The Cabinet Members Corporate and Assets, and Enterprise and Culture, presented a report which outlined options for the future operation of museums, customer services and libraries. The report reflected the need to address both budget pressures and changing trends in accessing these services. It was recommended that savings were realised across all three services, taking account of the results of an equalities impact and needs assessment, customer feedback, and comments from stakeholder focus groups. It was emphasised that the recommendations sought approval for preliminary service changes, with the future levels of service being evaluated at a later stage when the budget for the entire Council was set.

Cabinet noted that two petitions had been received in respect of this agenda item, namely one in support of Leintwardine Library, and one from the 38 Degrees website, entitled "Save Herefordshire's Libraries". In accordance with the Council's petitions

scheme, the latter petition had been debated at full Council when submitted on the 24th May, in the context of the overall budget position.

Members thanked the petitioners and all those who had completed surveys and participated in the consultations. The Cabinet Member Enterprise and Culture said that the feedback had helped to provide a clear sense of direction for future service provision, and had highlighted the areas where it was important to maintain a service, albeit on reduced hours in some cases. He said that the recommendation allowed scope to consider the future of the smaller libraries in terms of what input could be provided by local communities. Similarly, the options for museums would need to be developed further over time, in discussion with stakeholders.

Members made the following additional points:

- Any decision made in respect of museums, customers services and libraries, would be made against a background of unprecedented financial difficulty, which mirrored the national, as well as the local situation. Members would continue to try to find the optimum solution which would preserve as many services as possible, whilst making the best use of resources in the challenging financial climate.
- In response to a question, the Head of Governance and Monitoring Officer confirmed that, in accordance with the constitution, the decision was the responsibility of the executive rather than full Council.
- The General Overview and Scrutiny Committee would conduct a very brief review – not a call-in - to ensure that the best options were being pursued, with the aim of reporting its findings by the end of November 2013.

RESOLVED: that

- (a) For Customer Services and Libraries, Option 2 (Core Service with Top Up) be implemented as a preliminary decision;**
- (b) For the Museum service, Option 2 (Reduced Service Option) as a preliminary option be implemented whilst Option 3 (discussions with existing trusts) be commenced; and**
- (c) The Director for Economy, Communities and Corporate services, in consultation with the Cabinet Members for Enterprise and Community and Corporate and Assets, be delegated to finalise details of the options to be implemented.**

29. DEVOLVED SERVICES

The Cabinet Member Corporate and Assets presented the report of the Director for Economy, Communities and Corporate Services, on the proposals to enable the local management of services by town councils and Hereford City Council. This would be achieved through a programme of devolving services and transferring appropriate assets. The move was reflective of the new way of working within local authorities, which sought to deliver services of value at community level. She said that there were already some good examples of devolved services being run effectively in the community, such as the youth service. The results of various consultations had indicated that the town councils were keen to manage services and assets directly, and

as a result, a series of packages had been developed with each of the town councils and the city council, to reflect their various interests.

The following principal points arose from the discussion:

- In respect of the transfer of assets, there needed to be clarity early in the discussions about all aspects of the transfer and how it would be funded, including which organisation would be responsible for legal and other fees.
- There was an initial risk that the change towards devolution would move at a slower pace than the need for services to be provided, due in part to a potential reluctance on the part of parish and town councils to attain funding through increasing their precepts, but also due to the fact that the resultant changes in responsibility would naturally take time to embed. It was anticipated that numerous organisations and community groups, in addition to parish and town councils, would also become involved in projects over time.

RESOLVED: that the Director for Economy, Communities and Corporate Services in consultation with the Cabinet Member for Corporate and Assets, Enterprise and Culture and relevant portfolio leads as appropriate, be authorised to conclude negotiations with the town councils and the city council on priority areas for the first phase of devolved services within a three month period.

30. PROPOSED BUTTERMARKE T REFURBISHMENT

Cabinet considered a report on the Hereford Buttermarket which proposed an asset transfer to the Hereford City Council and other interested parties, for the purpose of redeveloping and refurbishing it to secure its longer-term future.

The Assistant Director Economic, Environment & Cultural Services reported that he had attended a productive and informative meeting with the City Council, who would form a steering group to work directly with involved parties. Over an approximate six-week period, the steering group aimed to decide upon the viability of the project, and the best way forward. Cabinet agreed that there was merit in enabling all interested parties to be involved in the project, and amended the recommendation (a) so that the project could include organisations other than the City Council.

In addition, Members agreed that the recommendations (b) to (f) in the report, relating to the implementation of the project by Herefordshire Council, be deleted. This was because Members felt that there was far greater scope for redevelopment and long-term management to be delivered through another organisation, or group of organisations.

RESOLVED: that Herefordshire Council actively negotiates to transfer the ownership, operation and future redevelopment of the Buttermarket to Hereford City Council and/or other interested parties.

31. HEREFORDSHIRE COUNCIL SAFEGUARDING ARRANGEMENTS FOR CHILDREN: SIX MONTH REVIEW REPORT FOR THE DEPARTMENT FOR EDUCATION

Cabinet considered a progress report about improvement planning in Children's Safeguarding. The report was a result of the self-evaluation that had been undertaken by the Council in relation to the Herefordshire Safeguarding and Protecting Children Improvement Plan, following an Ofsted inspection in September 2012, and the subsequent issue of an Improvement Notice in March 2013. The report detailed the key measures that had been taken, both in relation to areas where specific progress had

been made, and areas that required further development. Issues were highlighted relating to leadership and governance, establishing effective safeguarding practices, recruitment and retention of staff, and establishing and maintaining effective and high-quality practice.

The Interim Head of improvement referred to the letter from the Department for Education (DfE) at Appendix 2 of the report, which gave feedback on the Council's progress with improvements. The DfE had listed the areas where positive improvements had been made, and those which required further improvement, and its overall conclusion was that satisfactory progress had been made over the first six months of the Improvement Notice.

The following principal points were made in discussion:

- Members had an improved understanding of safeguarding issues, following a series of seminars, and improvements to scrutiny arrangements which included task and finish group dedicated to developing Members' knowledge and enabling them to challenge aspects of safeguarding.
- Whilst challenges remained in relation to areas such as rates of progress, recruitment, and workloads, it was important note that the DfE feedback represented an important indicator that progress was being made as expected, and that the correct focus and support was being directed to areas requiring improvement.
- In respect of recruitment, there were particular challenges relating to management posts, and the Council had introduced market force supplements in order to compete more effectively.
- By the time of the next Ofsted inspection a new framework would be in place, focussing on vulnerable people, with the aim of providing sustainable safeguarding arrangements which would avoid any of the previous inadequate practices. Members noted that the realistic aim was for the Council to improve to a "Good" rating by 2015/2016.

RESOLVED: that

- (a) the report be noted; and**
- (b) a further update report be provided in three months' time.**

32. POST 16 LEARNERS WITH LEARNING DIFFICULTIES & DISABILITIES (LLDD) REVIEW

Members considered a report on the recent review of education services for young people aged over 16 with learning difficulties and /or disabilities (LDD). The review had considered what support and options should be available for young people with LDD in the 16-25 age group, with the aim of improving outcomes for them. The review had been guided by the strategic priorities of: (1) developing choice; (2) enabling professionals to work in partnership with families; and (3) helping young people with disabilities to live ordinary lives.

The review had taken account of a recent petition, the results and action plan of a review of support for children with LDD and their families (conducted in 2011), and recent

parliamentary changes, and had also consulted widely with parents and carers, support groups, education and training providers, appropriate services within the Council, and health and employment professionals.

In response to questions from Members, the Interim Head of Sufficiency and Capital commissioning affirmed the intention to provide an effective transition to adult services after the age of 25. The paid employment rate for young people with LDD was good, and it was envisaged that the Council, as the statutory agency, would continue to increase its involvement in helping them into employment, through working with employers and making the maximum use of apprenticeships.

RESOLVED: that

- (a) the findings of the Post 16 LLDD review, which includes the implementation of a revised Transitions Protocol for Children and Young People with Learning Difficulties and Disabilities to improve the experience of young and their families making the transition to adult services, be approved;**
- (b) the testing and developing of multi-agency joint commissioning and provider collaboration, a small pilot for further education, independent living and therapeutic services for up to 4 young people aged 19-25 who have learning difficulties and disabilities of a profound, multiple or severely complex nature, be undertaken from September 2013.**
- (c) the Cabinet Member for Children's Wellbeing receives monitoring reports and the conclusions of the pilot in July 2014 with a view to agreeing future provision.**

33. HEREFORDSHIRE SAFEGUARDING CHILDREN BOARD BUSINESS PLAN AND ANNUAL REPORT

Members were apprised of the Herefordshire Safeguarding Children Board (HSCB) business plan and annual report, which included its assessment of safeguarding in Herefordshire and the Board's own effectiveness to undertake a governance role. The report provided assurance that the Board was meeting its statutory functions, and set out the agreed priorities and action for the year. In particular, the report highlighted the four strategic priorities for the next three years, and the specific actions for 2014-14 within them, namely:

- Improving the experience of children, young people and families when they are supported in safeguarding systems;
- Improving multi-agency casework. This was now governed by new business processes, and a new quality assurance framework which would lead to improvements in practices;
- Tackling evidenced safeguarding issues in Herefordshire (for example, domestic abuse, sexual exploitation and trafficking). It was reported that a specific strategy had recently been launched in relation to sexual exploitation and trafficking, and that it had drawn positive comments from the Department for Education;
- Improving the functioning of Herefordshire's Safeguarding Boards.

Members noted that significant progress had been made towards achieving the Board's strategic priorities over recent months, and this would need to be sustained over time in order to improve safeguarding standards and the Council's overall rating for safeguarding.

RESOLVED: that

- (a) the views on the effectiveness of safeguarding arrangements in Herefordshire as assessed by HSCB, be noted;**
- (b) the priorities of HSCB in relation to specific safeguarding issues in Herefordshire be acknowledged;**
- (c) Consideration be given to how Herefordshire Council is contributing to service improvement through commissioning within Herefordshire with regard to these safeguarding issues; and**
- (d) Comments be made as appropriate to HSCB about its future work programme.**

34. WEST MERCIA ADOPTION PROJECT

Cabinet considered proposals to explore the potential for collaboration with the local authorities in the West Mercia region, to deliver adoption services in Herefordshire. The aim of the project was to develop a single West Mercia Adoption Service that would deliver a more efficient and effective service to a wider range of children. This was in line with central government's aims of reducing bureaucracy and the number of adoption agencies, increasing the number of adoptions and reducing the delay in children being adopted. It was noted that adoption services in Herefordshire were currently operating well, and were delivering good outcomes for children. It was a very small service however, and this limited its ability to make efficiency savings, and to develop more innovative approaches for those children who were hard to place, such as older children and larger sibling groups.

The report listed various options for delivering a collaborative service, and sought delegated approval to explore those options. During the ensuing discussion, both Members and officers recognised the importance of ensuring that Herefordshire's adoption service, currently rated as "good with outstanding features", would not be reduced in effectiveness, or compromised in any way through becoming a shared authority service. Members noted that the current adoption team was committed to providing a quality service which took account of the views of local adopters. Herefordshire was in a good position to promote high service standards across the region, due to its current strong performance. The collaboration would work on aspects which were more effective on a wider scale, such as advertising, and raising the profile of the service.

RESOLVED: that

- (a) the key objectives and outcomes of the project be approved;**
- (b) the potential options for the new service be noted; and**
- (c) delegated authority be given to the Director for Children's Wellbeing to explore the opportunity to establish a shared adoption service**

across Herefordshire, Telford and Wrekin, Worcestershire and Shropshire.

35. EXPRESSION OF THANKS

Members thanked Mr David Powell, Chief Officer Finance and Commercial, for his hard work and dedication over many years, and wished him every success in his new post at Powys.

Members also thanks Ms Kathy O'Mahoney, who was leaving her post as Assistant Director Children and Young People Provider Services for her exemplary service, and wished her every success in the future.

36. DATE OF NEXT CABINET MEETING

Thursday 24 October 2013 at 2.00 p.m. in the Council Chamber at Brockington.

The meeting ended at 4.47 pm

CHAIRMAN