

**MINUTES of the meeting of Cabinet held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Thursday 15 September 2016 at 2.00 pm**

**Present:** Councillor AW Johnson (Chairman)  
Councillor PM Morgan (Vice-Chairman)  
  
Councillors H Bramer, DG Harlow, JG Lester and P Rone

Cabinet support members in attendance Councillors BA Durkin, NE Shaw and EJ Swinglehurst  
Group leaders in attendance Councillors JM Bartlett, TM James, RI Matthews and AJW Powers  
Scrutiny chairmen in attendance Councillors PA Andrews  
Other councillors in attendance: Councillors CR Butler, PE Crockett and D Summers  
Officers in attendance: A Neill, C Baird, A Brookes, J Davidson, G Hughes and M Samuels

**25. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor P Price.

**26. DECLARATIONS OF INTEREST**

None.

**27. MINUTES**

With reference to approval of the minutes of the meeting held on 21 July, item 15 relating to the disposal of all or part of Broad Street car park in Leominster the reference made by a group leader to consultation should have referred to forthcoming, rather than completed consultation. This clarification did not affect the decision taken.

**RESOLVED: That the minutes of the meeting held on 28 July 2016 be approved as a correct record and signed by the chairman.**

**28. RECOMMISSIONING SHORT BREAKS FOR DISABLED CHILDREN**

The cabinet member children's wellbeing presented a report on short breaks for disabled children and their carers, and the level of need for such services in Herefordshire. He pointed out that historically choice had been restricted and, combined with relaxed referral and assessment practices, this had meant that there had been a reliance on a single high-cost residential short breaks setting. Over the last three years, this culture had changed.

Within Herefordshire's Children and Young People's (CYP) Plan 2015/2018 the vision for disabled children was that they would be healthy, safe and lead happy and fulfilled lives with choice and control. Short breaks for disabled children were part of Herefordshire's

local offer for children and young people with special educational needs and disabilities and their families.

The assistant director commissioning and education outlined the proposed local short breaks offer, and the nature of the three tiers of service.

In the ensuing discussion, the following points were made:

- That the council was duty bound to offer any assessed families the option of direct payments, but that the choice around how such payments could be spent had historically been an issue. The assistant director commissioning and education undertook to provide members with the number of families that took up this option.
- That there were 4 approved specialist family based foster carers, and two further carers to be approved by the end of September. This would provide 500-600 nights of support per annum.
- The figures in the report were in line with the medium term financial strategy.

In reply to a number of questions from a group leader, the following points were made.

- That members had to allow professional officers to make the appropriate assessments in these cases. Children had been placed, in the past, on inappropriate short breaks.

The assistant director commissioning and education said that, with regard to emergency cover, the council had a duty to meet assessed needs, and would do so irrespective of cost. It would always be possible to spot purchase services, should this be necessary.

- That all families had been consulted with, and the council had asked them what services they would value most. The council would need to work closely with both existing and new providers in order to ensure needs were met.

The director of children's wellbeing added that the assessment process was open and fair, and there were checks and balances in the system. Families were able to request an SEN assessment where they felt that this was required. Families were being encouraged to access universal provision across the county.

## **Resolved**

**That:**

- (a) the commissioning plan and intentions at paragraphs 20-23 and Appendix B are agreed;**
- (b) funding up to £450,000 per year is allocated to Herefordshire's short breaks for disabled children programme for the three years 2017/18 to 2019//20**
- (c) procurement of the provision of short breaks services for three years from April 2017 be undertaken to the indicative timetable at paragraph 21; and;**
- (d) authority be delegated to the director for children's wellbeing, following consultation with the director of resources and cabinet member for young people and children's wellbeing, and subject to confirmation of funding from the clinical commissioning group (CCG) to finalise procurement documentation and award service contracts within the financial envelope as set out in this report.**

## 29. HEALTHY CHILD PROGRAMME 0-19 YEARS

Cabinet received a report to seek agreement to extend the current health visiting and school nursing contract whilst work was undertaken on options to secure a more integrated service model and approach to meeting the needs of children and young people from the ages of 0-19.

In the ensuing discussion, the following points were made:

- That the contract applied to all schools in the county, regardless of whether they were academies.
- That childhood obesity was a concern, and additional data on this area could be provided to members. It was important to ensure children got the best start in life to help prevent them from suffering health problems in later life.

### Resolved

#### That:

- a) agreement be given to extend the existing health visiting and school nursing (public health nursing) contracts for a period of up to one year from 1 April 2017 at an annual cost of £2.6m (service detailed in appendix 1);**
- b) an option appraisal be undertaken to inform a further decision about the provision of an integrated children's service by the end of March 2017; and**
- c) by virtue of this decision report an exemption to paragraph 4.6.13.2 of the council's contract procedure rules shall be granted to enable the extensions for the reasons as set out in paragraph 4 below and referred to throughout this document.**

## 30. SECTION 75 AGREEMENT

Cabinet received a report to agree variations to the Better Care Fund section 75 agreement (the BCF s75) effective from 1 October 2016. The section 75 arrangement entered into by the council and the Herefordshire Clinical Commissioning Group (HCCG) in 2013 would end on 30 September 2016. The principle of developing and implementing a single legally binding agreement had already been agreed by cabinet and the recommendations implement that decision.

In reply to questions from a group leader, the director for adults and wellbeing said:

- That the risk share agreement had been finalised by the HCCG and was significantly different to the one that the council had been subject to in previous years. Risks to the council were ring fenced to those associated with 27 named individuals in high cost placements, at maximum risk to the council of £185k, or 13% of the pooled costs.
- That the health and social care overview and scrutiny committee had not been included in the diagram of the governance structure as it was not a decision making body. It did play a part of the overall assurance of the agreement.

He went on to say that work was in hand with local communities to address the support aspect of care, as this helped to strengthen community cohesion, improve the health and wellbeing outcome of the individual and save money for the council.

**Resolved:**

**That:**

- (a) the variations to the BCF s75 set out at appendix one, be agreed effective from 1 October 2016; and**
- (b) authority is delegated to the director for adults and wellbeing to complete the varied section 75 agreement following legal review of the document**

The meeting ended at 2.49 pm

**CHAIRMAN**