

Appendix 1 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Leaton, Credenhill Parish Council	For what operational reason does the Council wait until December to publish the base rate? Why does Herefordshire Council not help Parish Council's by publishing the base rate earlier OR change the deadline for submission of the Gross Precept until after the Base Rate is published and Parish Council's have had time to meet and approve its budget and precept?	Cabinet member finance, corporate services and planning
<p>Response: Parishes determine their budgets requirements according to the ambition of their own work programmes, the needs of their communities and the operational cost of running the parish council itself. S50 of the Local Government Finance Act does not require Parish Councils to use the tax base to calculate their budget requirement.</p> <p>In order to calculate the council tax base, the County Council needs the most accurate information on new homes and any exemptions from council tax charges. All the information needed to make this calculation is not available to us until close to the end of the calendar year.</p> <p>The Council provides the tax base to all Parish Councils by 31 December in each financial year in sufficient time for parish council meetings in February/March which approve the precept calculations for the coming financial year.</p>			
PQ 2	Mr Kirwan, Bredenbury	<p>A council funded study foresees a footpath/cycle track/bridleway along the former Worcester Leominster railway. There is ambition to embed this proposal into the 2021-2041 Local Plan and Transport Plan.</p> <p>Bredenbury residents provided a corresponding report, highlighting shortfalls in the original report:</p> <p>Lack of consideration given to existing residences, businesses and heritage assets along the route; Lack of environmental assessment.</p> <p>Local examples:</p> <p>Our home, Rowden Mill Station, a privately maintained heritage asset, sits directly on the route and is key to our income.</p> <p>Noakes 'Riding School for the Disabled', one of few in the country, sits across the track. Neither are considered in the report.</p>	Cabinet member infrastructure and transport

		To protect property values and business investment confidence, can Cllr Harrington give assurance that this proposal will not be embedded in policy without the caveat that no PRow will be established without landowner agreement?	
<p>Response: The proposal for a greenway along the former Leominster-Worcester railway has been sponsored by the Worcester Bromyard Leominster (WBL) Greenway Community Interest Company (CIC). Herefordshire Council (HC), in response to the Hereford Transport Strategy Review in 2020, funded a number of community-led feasibility studies of active travel packages, including two other greenways projects that also seek to follow the alignment of former railways in the county.</p> <p>We have seen the reports prepared by the three sponsoring bodies' consultants and are aware that there are number of constraints and issues that would need to be explored further to understand the practicality and viability of such schemes.</p> <p>In 2023, HC will be developing a Local Cycling and Walking Infrastructure Plan (LCWIP) for the county. A large number of walking and cycling infrastructure schemes, that will likely include the three greenways, will be considered and reviewed as part of the development of the plan. Schemes will undergo an appraisal process that will consider their value for money and deliverability among other criteria, before being prioritised and ranked into a pipeline of schemes for delivery over the next 3,5 and 10 years. Clearly, issues such as land ownership, local support, economic and environmental considerations will play a key factor in that appraisal process.</p> <p>Draft proposals for the LCWIP will be subject to public consultation before the plan is finalised. In addition, the LCWIP will need to support the ambitions of the Hereford Masterplan, the Local Plan and the Local Transport Plan which will also provide opportunities for public engagement and consultation before they can be agreed by the council.</p> <p>In relation to the specific question around the potential creation of any Greenway, I can give assurance that no routes, or parts of that route, will be supported by this administration without landowner consent. Landowner engagement is crucial for any of the proposed routes to become viable. I will ask that that caveat is included in any and all policy documents related to Greenways.</p>			
PQ 3	Ms Chavez-Brandon, Bredenbury	<p>The WBL Greenway 'Feasibility Study-Implementation Plan' https://wblgreenway.org.uk/ (funded through cabinet portfolio for Infrastructure and Transport) does not contain within its terms of reference any consideration of tourism businesses already contributing to the visitor economy, nor its impact on historical assets (heritage sites at Fencote and Rowden Mill stations, destinations in their own right), nor the impact on private dwellings sitting across the railway alignment or depending on it for access.</p> <p>It does not consider existing business infrastructure (impact on farm access / biosecurity), nor include a whole-route ecological assessment (corridor disused for 70 years).</p> <p>All issues concern the Environment and Economy. Can Cllr Chowns assess this report from her portfolio perspective?</p>	Cabinet member environment and economy

		As it stands, any consideration of the proposal being adopted into council policies would have detrimental effects on property values, on business investment confidence, on existing ecology.	
<p>Response: Through the council's Covid Recovery Plan the council supported two local groups in the county to commission feasibility studies exploring the future potential development of greenways. As such Worcester, Bromyard, Leominster Greenway CIC commissioned and own the feasibility study and have shared the findings with the council. The feasibility study is not an adopted council policy document. The report highlights the significant potential benefits of greenways, improving active travel infrastructure and enhancing the county's tourism offer. However, there is no intention at this stage to make any commitment to implementing the greenway. Any future further development of the idea would be in full consultation with local businesses and landowners.</p>			
<p>Supplementary Question: As the original question is not specifically addressed in the answer provided:</p> <p>Within her response Cllr Chowns has referenced the WBL Greenway feasibility study: 'highlights the significant potential benefits of greenways' and states 'there is no intention at this stage to make any commitment to implementing the greenway'.</p> <p>However, this feasibility study may in the future become a component of a consultation process regarding this greenway proposal. It's terms of reference being limited to feasibility and benefits without consideration of negative impacts, should be fully understood in order to properly establish the value of this report in any future consultation.</p> <p>Does Cllr Chowns recognise that due to its limited terms of reference, this feasibility study does not provide a balanced view on potential benefits versus negative economic, heritage and ecological impacts that implementation of this greenway, as proposed, may impart?</p>			
<p>Response to supplementary question (cabinet member environment and economy) A written response would be provided after the meeting.</p> <p><u><i>Written response to supplementary question – sent on 23 December</i></u></p> <p><i>It is acknowledged that the report submitted to the Council regarding the WBL Greenway presents only one side of the case for the creation of a new route for a Greenway.</i></p> <p><i>Should the Council decide that the creation of a Greenway is desirable then any study undertaken will consider both the positive and negative impacts of any such scheme. Whilst the contents of the feasibility report will be considered as a part of that exercise, the team charged with progressing any further report will need to consider the full ramifications of any proposal and I can commit to ensuring that terms of reference for any future work will include a requirement to identify and address any potential negative effects in consultation with all relevant stakeholders.</i></p>			
PQ 4	Ms Currie, Hereford	Following the Panorama expose, OFSTED report, EGM (30.09.22) and the recent Scrutiny Management Board (28.11.22) I am disappointed at the apparent public denial still prevalent regarding the toxic culture within the council departments. The inability by scrutiny members to publically ask questions relating to the response rate of the employment survey (56%) or ask if open to non permanent members of staff (unconfirmed) leads me to conclude the committee has no grasp on what is important to residents or to deal with the pink elephant in the room	Cabinet member children and families

		when attempting to attract new permanent professionals. I suggest the employment of agency/fixed term staff is a DELIBERATE CHOICE to allow the council to avoid accountability when facing scrutiny and to ask it to confirm how many disciplinary/dismissal/termination actions have been taken in the directorate following the recent /ongoing Children's Services Scandal.	
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Response:

We are working hard to build an appropriately skilled, experienced, and permanent workforce to support children and families and we are actively recruiting. Our stated ambition is to become an employer of choice and have recently launched our new recruitment microsite ([Home - Spirit of Herefordshire](#)) and introduced a welcome payment for experienced social workers, to boost our efforts in a very challenging national recruitment market.

The reality is that at present we do not have sufficient permanent staff to effectively run our children's services and as such we have to also employ agency staff in the short term. Many of our agency colleagues bring significant skills and experience having worked for other authorities. Where possible we mitigate the impact of agency staff by being able to offer longer term contracts and the flexibility provided by agency social workers has been helpful in managing peaks and troughs in demand within our services.

The recent staff survey referred to in the question was open to agency as well as employed staff. The employment of agency or fixed term staff is unrelated to issues of accountability.

Since Jan 2021, 11 disciplinary, dismissal or termination actions have taken place in the directorate.

Supplementary Question

The toxic/corrupt culture isn't even addressed in the answer given by the cabinet member nor on your new website– so still the pink elephant is being ignored. No change. The recent HR focused scrutiny meeting is available to watch online and seems to be an extension to the sales pitch video by Paul Walker rather than dealing with what might deter people from applying to work for an organisation that is and remains in disrepute.

The welcome payment and relocation package seems to be a repackaging of the disastrous project to recruit Romanian social workers that not long ago was offered by the council. Your memories may be short but ours (your residents) is not.

Only in September the cabinet member was saying about the lack or limited powers the council has to take against agency workers and is now effectively trying to say this doesn't relate to accountability issues.

In terms of the new staff and agency workers in the past two months would the cabinet member like to comment on the use of Google translate by them in meetings with families and professionals? Or how they can record accurately in such important documentation? Is this really how low your recruitment standards are! You cannot say as members you are not aware of this unacceptable calibre of staff joining your work force. This is the reality at the coal face and gives you a clear understanding. Yet you would feed us lies from the tabletop.

There is no confidence in you now even after all this intervention from your residents. The lack of confidence extends much further than the children's directorate. You should be hanging your heads in shame!

Please confirm how many agency workers in the children's social care directorate left or had contracts terminated since 2021 and how many issues have been referred to social work England (or equivalent) and the police since 2021?

Response to supplementary question (cabinet member children and families)

A written response will be provided.

I would like to say that I think if you look back over what we have said over the past year there is no complacency at all about the work that we have to do. I invite anyone to get in contact with me directly if they would like to have a chat with me.

PQ 5	Mr Jones, Hereford	<p>Why are the Taxi policy/conditions on the agenda when it is full of flaws and legal errors?</p> <p>Conditions must be Reasonable and Necessary many of the conditions do not meet those criteria nor are they in accordance to the Regulatory Code that all councils should be adhering to.</p> <p>The licensing department has already conceded that there will be a need to make amendments for minor changes which they will have the authority to do but the changes are not minor and there are too many for it to be safe to vote on the present set of conditions/policy as they have been presented to you.</p> <p>Can this matter be deferred to prevent strike action that has been called for by the trade because of the cavalier attitude of the licensing department?</p>	Cabinet member housing, regulatory services and community
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Response:

The policy and conditions have been extensively consulted upon over two separate consultation exercises in December 2021 and latterly August 2022. In addition, the trade were written to only in October asking for any further details, such as mistakes or errors within the policy and its conditions in case these had been missed, but no responses were forthcoming. Both the local and national associations were then chased again only last month for any additional comments and although responses were received this time, the comments were considered minor and where at all possible the policy and its conditions were amended to accommodate them.

As opportunities had been given for responses beyond the second consultation deadline of 28th August, it was determined that no meeting with the Taxi Association was necessary. Likewise it was not considered appropriate to open up a third consultation stage to just part of the trade when the points your Taxi Association had raised had already been considered.

As the original draft of both the policy and its conditions were written by one of the UK's leading taxi licensing specialist lawyers, we are comfortable with its legality. That said and with such a large document, it is possible that there could be some typos and future minor amendments required as legislation alters. Therefore it is normal practice to allow such amendments and corrections to take place by delegated authority, which today's report recommends.

As to the Regulator's Code, having attended the many meetings I am confident that the consultation process was meaningful and transparent and that the second revision will support the trade with an even playing field, whilst also protect the public through a set of fair and risk based documents which follow statutory codes and best practice.

Supplementary question:

Why are you voting on something that has not been finalised? It is cheaper to apply for a judicial review of the policy than comply with the conditions in the policy.

There should have been a final meeting with the taxi association.

Response to supplementary question (cabinet member housing, regulatory services and community)

It is unfortunate that we did not have the final meeting. However there had been discussions with officers and legal services and it was felt at the time that a further meeting would cause problems, particularly in respect of judicial review, as everyone would not have been party to that negotiation. The Policy has been brought to this meeting of the full Council to discuss the issues you are raising. We have continually tried to talk with you and bring in the matters. I'm hoping we can amend or change things as we go through this process.

PQ 6	Ms Allen, Leominster	<p>At the moment there is an acute shortage of taxi drivers, and vehicle numbers are also declining. This is causing not only a problem because there are not enough vehicles to service the needs of School Contracts, but a public safety issue is also arising because of this.</p> <p>Are the council aware that if the Taxi policy that is presented to you today is voted through, there will be further loss in greater numbers? This policy will force more people to rethink their position, and viability of their business.</p>	Cabinet member housing, regulatory services and community
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Response:

Herefordshire Council is aware that that there has been reduction in the number of licensed drivers, although this mirrors the national trend for this area of employment. Nationally it has been widely accepted that this was inevitable after the many Covid lockdowns and business restrictions to the nighttime economy, as taxi drivers moved into alternative areas of employment, like parcel and supermarket deliveries and HGV driving, later choosing not to return to taxis. However, I am pleased to report that recently there are promising signs that this trend is changing as new applications are now above average for this time of year.

As a consequence of a second consultation of the conditions, the policy was significantly changed specifically to ensure that drivers are not discouraged from joining or remaining in the profession. Although the Council has had to retain a number of public safety and safeguarding obligations, most of these had previously existed in the present policy and the Council is reluctant to relax any conditions which would increase risk to passengers.

PQ 7	Mr Reynolds, Hereford	With the shortage of drivers causing safeguarding issues in Herefordshire, Do councillors believe this proposed policy reduces red tape effectively enough, to encourage new drivers and owners?	Cabinet member housing, regulatory services and community
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Response:

The Council must consider its public safety and safeguarding responsibilities above all other considerations. It is not the intention of any policy or condition to fetter this responsibility by reducing the mandatory checks required by legislation and its statutory guidance. That said, some elements of the policy and conditions were altered after the second consultation exercise to ensure that existing and new drivers would not be disadvantaged. For example, the requirement for existing drivers to sit a knowledge test has reverted to only new drivers and sat navs are now recognised as being appropriate tools to assist drivers in their duties.

PQ 8	Mr Rudge, Hereford	<p>Why in the proposed conditions is it worried about servicing regime of vehicles when we already have strict testing?</p> <p>It is stated that a vehicle should pass a test at any point. Any vehicle will suffer a break down at some point in its life including minor issues that would fail a test and yet a driver may be unaware of until checked.</p> <p>Similarly it is stated that Service history must be present.</p> <p>We already undergo tests up to three times a year to check actual vehicle roadworthiness and these are far more important as they check many parts of the vehicle not checked at a service interval. This could cause loss of vehicles that are perfectly safe and cause a further public safety issue.</p>	Cabinet member housing, regulatory services and community
<p>Response: Appropriate maintenance and recording of works is essential to ensure that vehicles remain safe for use as licensed vehicles. When a vehicle is being used as a licensed vehicle it must be safe, so that any licensed vehicle that breaks down or requires repair cannot be dangerously used. This is the reason for the testing regime and why tests have been increased for older vehicles, to ensure that any faults or safety issues can be discovered and rectified. A service history has to be required to provide evidence of this.</p>			
PQ 9	Mrs Reynolds, Hereford	<p>How can the council pass conditions that include CCTV conditions that licensing staff say will only need the existing systems to be slightly modified when in fact they will all have to be scrapped because according to the Operational Technical Specifications Ref Specification Details as published on the agenda “SD cards will not be acceptable” The specification also records that the systems must incorporate the following “Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and selfcheck file writing system.”</p> <p>Our current systems operate by SD cards and do not have hard drives.</p> <p>Also I can't seem to find where the CCTV conditions have a lead up period before it comes into force.</p> <p>Warrington council found themselves in much the same situation as Hereford and they had to pay for the replacements.</p>	Cabinet member housing, regulatory services and community
<p>Response: It is correct that the conditions state that an SD card cannot be used. This is because new systems have to rely upon a flash based SSD (100% industrial grade) as well as a hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self check file writing system, as the technology used these past 10 years has now moved on, hence the higher standard. Consultation with the National Private Hire and Taxi Association has also confirmed this to be the acceptable national standard.</p>			

As it is recognised that this will place a burden upon those already with CCTV, it has been recommended that there will be a lead in time of 12 months which the condition will reflect as and when the policy is presumably adopted later today.

The case concerning Warrington Council concerned the manner in which the CCTV was required to be used when the cabs were not in public use and was not about the technology. Our policy clarifies and therefore overcomes this.

PQ 10

Ms Portman-Lewis,
Hereford

The PR messaging from the Council sits in stark contrast to the lived experience of families affected by the historic and ongoing inadequacy of Children's Services.

Families contacting the **careconcerns** helpline have still not had responses and for most there is no sign of the apologies promised on TV.

Families affected by historic and ongoing failings in Children's Services still experience a toxic culture of parent blame and the characteristic delay and denial. Families still struggle to be heard and to have issues dealt with properly and swiftly enough to prevent harm.

The needs of those affected by historic failure are being overlooked in the quest to set up a safe service for the future. Is it not time for an independent body to be set up to deal fairly, competently and urgently with the families affected by historic inadequacy?

Cabinet member
children and
families

Response:

Our response to the Panorama programme included an apology by The Chief Executive, the Corporate Director for Children and Young People, the Leader of Herefordshire Council and the Cabinet member for Children's and Family Services. This apology was shared with the media and published on our [website](#).

We believe that all families who have contacted Care Concerns who provided their contact details have been responded. A number of families did not identify themselves and as such a response was not possible. Cases raised were reviewed by independent reviewers and these reviews informed the Local Authority's response. At present we are not aware of any families for whom a response has not been forthcoming but anyone who believes that a response is still owed to them is welcome to contact myself or the Corporate Director for Children and Young People, and we will look into this.

Gladys Rhodes White OBE has been appointed as Herefordshire's Improvement Adviser and the Secretary of State has appointed Eleanor Brazil as the Commissioner for Children's Services in Herefordshire. Both are independent to the Local Authority.

Supplementary question:

I contacted the care concern helpline myself on 28/4/22 - no acknowledgment or response. I followed this up several weeks later, still no response. Your answer seeks to locate the blame onto the public in cases where there was no response, by suggesting the public did not leave their details. This is not a plausible suggestion: you cannot email the care concerns line without leaving a contact email address. If anyone wanted to respond to my care concerns email, they simply had to press "reply".

When I had no response, I brought my case again to my MP, Sir Bill Wiggin. He wrote directly to the Chief Executive on 18 May 2022. Still no response. In October I emailed Darryl Freeman and Paul Walker directly – no substantive response. I have copied Cllr Toynbee in several times no response at all. I have added in desperation Eleanor Brazil after approaching her directly at the Public meeting held by “ A Common Bond “ Protest group where Ms Eleanor Brazil on hearing my raised concerns advised me to email so I dutifully did just this making contacted yet again with the LA & copied her in where she did in fact informed me she would not be responding directly to my email . It was further explained to myself that it is not her remit, nor that of Gladys Rhodes White, to deal with families directly.

I can evidence all of the above with an email trail.

After the Ofsted report was published it was stated on the BBC Midlands news that families impacted by the inadequate Children’s Services would receive a written apology. To date I know of no family who has received a written apology. Through A Common Bond, I know many other families who are still struggling to have their concerns dealt with.

So, since it is not the job of either Eleanor Brazil or Gladys Rhodes White to deal with the legacy of historic failure, my original question is unanswered. Let me repeat it.

Is it not time for an independent body to be set up to deal fairly, competently and urgently with the families affected by historic inadequacy?

Response to supplementary question (cabinet member children and families);

I can’t speculate on any recommendations that Eleanor Brazil might make and I can’t comment on particular cases. The Director of Children’s Services is following up on this case and it’s important that our complaints procedures are made clear to everyone. I am happy to meet with members of the public to chat.

PQ 11	Mr Lane, Weobley	The current licensing policy has decimated the licensed industry though-out the rural areas and market towns of Herefordshire. Could it please be explained how this new policy will benefit rural Herefordshire and help elderly or less mobile residents?	Cabinet member housing, regulatory services and community
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Response:

The current taxi licensing policy has been in place since 2019 and a notable reduction in drivers had not been observed until the recent pandemic lockdowns. So I differ on your view that our current policy decimated the licensed industry, as we believe it was the impact of Covid on both retail and the night time economy which then brought numbers down. This was a phenomenon mirrored nationally.

If the taxi policy put before members today is adopted then this shortage in drivers should not be worsened, as the latest revision has overcome the majority of issues which the trade perceived to be burdensome in the first draft. For example, the requirement for existing drivers to sit a knowledge test has reverted to only new drivers, sat navs are now recognised as being appropriate and most other requirements have returned to the level previously required rather than elevated.

Since 2002 no new Hackney Carriages have been issued to non-wheel chair access vehicles and as a consequence we have seen a steady increase in vehicles which the elderly and our less mobile residents can use. At about this time, the council also implemented government guidance to de-zone the county so that drivers can operate all over the county rather than in their former district council areas. As a consequence, some drivers inevitably

choose not to routinely operate in the more rural areas due to travelling times, selecting instead to start or finish their journeys in the city where there is more trade. Whilst we licence all taxi drivers and their vehicles, the Council cannot control how the businesses operate in terms of area – to do so would conflict with statutory guidance.

PQ 12	Ms Gallagher, Hereford	<p>The council has been criticised for the lack of support available to families on the edge of care work or in proceedings. The employment of locums/newly qualified social workers appear to be pertinent for the poor understanding of options available to sign post families to. During COVID many options offered by the council e.g. parenting courses did not run and it took 12 months to offer an online covid compatible option (too late if in proceedings). There are delays accessing as parents can only be referred for these by a professionals and not proactively.</p> <p>What budget is there for early intervention/early help, given there is limited statutory obligations to provide these solutions. And when will there be an option for families to refer themselves directly cutting out the middleman that cannot be called disguised compliance by children's services.</p>	Cabinet member children and families
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Response:
The evidence is clear that a strong early help offer can contribute significantly to health and wellbeing, aspirations and educational attainment, and enabling families to contribute to and feel supported by their local communities. Much of the early help provision in any local authority should be provided by universal services (such as schools, nurseries, children’s centres, community, voluntary and faith sector organisations etc) with more targeted support provided by the local authority and other agencies (such as health services, for example). At the moment a significant proportion of early help support offered is council led. We are working with our partners to strengthen early help provision where a partner agency is the lead.

Earlier this year we undertook significant work and “Talk Community” are bringing Herefordshire together, by connecting people to services, groups, community hubs, events, and information to help them stay well. The Talk Community [website](#) is available resource which includes relevant links and signposts for families to self-refer and seek help and support without necessarily the involvement of services if required.

The budget for Early Help for 2022/23 is £1,170,596; in addition to this the budget to commission services within the Early Help arena is £166,000. The budget for 2023/24 is currently being reviewed and will be submitted to the Council early in the New Year.

Supplementary question:
During Covid families that had accessed support via universal services and were due to attend courses were advised the same courses had been cancelled. During a time of lockdowns and limited support network access universal services stopped. Your response accepts this service is council led and yet you left us abandoned as no alternative was offered. To this date the organisations that cancelled have not attempted to try contacting the families to offer the first spaces, this is significant failures to the families affected. The courses offered was the responsibility of the council, the council that took 12 months to offer an online alternative in March 2021. During this covid period the families were still expected by children’s services to achieve the same outcomes pre-covid, showing a lack of humanity.

Talk community has never been mentioned by a midwife, GP services during pregnancy or MH appointments or by any social worker before adoption was pursued for my son. Nor has it been offered during my son’s placement with a prospective adopter. The truth is there is still a lack of understanding by the council and failure to recognise its own missed opportunities even in recent months

Given the social stigma attached following losing a child via forced adoption or having a child removed has the council considered the likelihood of birth families retreating from going to any of the aforementioned group/hub places etc? Have you even asked if any would? Do you agree that you missed opportunities to have had a person from talk community at the EGM or the public meeting to help raise awareness and offer support to families? Can you tell the public how many times children's services has used parents attending course as disguised compliance since 2018?

Response to supplementary question (cabinet member children and families)

I empathise with the frustration behind the question and it was frustrating that services were disrupted during covid. It's important that we get back to maximum face to face work. As far as Talk Community is concerned I agree with the need to be clear about what support is available in communities whether it is NHS, Home-Start and other services. Talk Community is making progress on that and we need to continue particularly with Partners, Herefordshire Community Partnership is always keen to hear from people about what they need, please get in touch with them and me about the services you need. A written response would be provided.

PQ 13

Name and address supplied

On the Council's website <https://www.herefordshire.gov.uk/social-care-support/protect-someone> it says:

If your family has been affected by peer-on-peer abuse, there is local support available. [Children First Family Mediation](#) is an independent family mediation service who offer confidential, sensitive support to Herefordshire families and individuals who have been affected by peer-on-peer abuse. To access the service please contact Sheena Adam by email admin@childrenfirstfamilymediation.org.uk ... and quote "Herefordshire".

Children First Family Mediation (CFFM) does not offer support for families dealing with peer-on-peer sexual abuse. This was pointed out to Council in July. CFFM have since offered to mediate between the Council and families affected by peer-on-peer abuse failings, but officers have not been willing to come to the table.

Why is this misleading message still on the Council's website? It puts the Council in a good light at the expense of the truth and families.

Cabinet member children and families

Response:

Children First Family Mediation is a charity based in the North of England whose core offering is mediation where parents have separated. They were engaged some time ago by the then Director of Education, Skills and Learning.

Since this time, Children First Family Mediation have been approached once in respect of Herefordshire; this contact did not result in a service being offered. The information on the website was out of date and we apologise for this.

Our website has since been amended, removing the paragraph referencing Children First Family Mediation. The website will shortly be updated with other available support options.

Supplementary Question

I asked my question about the mediation service to find out whether there is any substance to the claims in the draft improvement plan for Children's Services about a new era of openness and accountability. What I have learnt from the partial truths in the written answer is that sadly, there is no new era of openness or accountability.

In July's Full Council I raised concerns that the careconcerns helpline was not working. I also pointed out that the mediation service for families - promised back in 2020 - did not exist. After that meeting, the Chief Executive wrote to you all to reassure you that the mediation service was in place.

It isn't. Why? Because Council officers will not come to the table. The mediation service manager asked Council officers to arrange a mediation session, but she, like the public, was left dangling. There is no mediation service because officers are not interested in mediation with the public. Since 2020 when the promise of mediation was first made, the public, and Councillors, have been led a merry dance, which once again has resulted in unfulfilled commitments. Once again, the blame is dumped on an officer who has left and no apology is forthcoming.

It is not the job of Gladys Rhodes White or Eleanor Brazil to deal with the legacy of harmful practice. You, our elected representatives, need to decide if you want this Council to meet the needs of the families already harmed.

Alongside the draft improvement plan, an action plan is needed to show how and when the needs of the families harmed by long years of inadequate practice will be met, and to bring to an end the ongoing hostility to families who raise concerns.

Will Councillors please insist that alongside the draft improvement plan, there is a coherent and funded plan for dealing with the enormous and tragic legacy of years of inadequate services, and that responsibility for this is removed from the current leadership who have lost the trust of the families harmed?

Response to supplementary question (cabinet member children and families)

A written response would be provided.

PQ 14	Mr Starling, Weobley	<p>Regarding the new taxi licensing conditions...</p> <p>It appears the new age restrictions on minibuses / Wheelchair accessible vehicles that can carry multiple wheelchairs could drastically impact the fulfilment of home to school transport for SEN service users. These are specialist vehicles and lessening the lifespan of this vehicle type will make it financially unviable to operate them. How does the council propose to ensure their service users will not be unfairly impacted and will still be able to access the appropriate transport they are entitled to?</p>	Cabinet member housing, regulatory services and community
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Response:

The age for wheelchair access vehicles is 15 and there is also condition 41 for Hackneys which allows for vehicles in good condition to be considered for an extension of this age. This is because both safeguarding and public safety are considered priorities to the Council and the age ranges of vehicles are therefore considered to be key to this aim as older vehicles can be more unreliable and need more checks.

PQ 15	Mr Rowe, Hereford	<p>It is obvious to the families who have come together raising concerns to the council and central government about the underhanded and dodgy practices going on in Herefords Children services, the same names keep coming up again and again.</p> <p>There was a lot of finger pointing at the EGM and councillors claiming they understood how we feel. You cannot understand how we feel you have never been through it. Anyone who has in</p>	Cabinet member children and families
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	<p>the past, held the position currently held by Toynbee or feels an apology is sufficient clearly needs to resign.</p> <p>Are the omissions of key information isolated to practices within the children's services directorate or have the legal team been complicit given Keehans judgement. Is anyone asking this about legal and is legal advice being supplied by external resources given the known potential for incorrect advice.</p>	
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Response:

The level of openness and engagement on matters of practice, performance and our efforts to improve services are greater now than at any time in our past. Councillors resigning for acknowledging longstanding shortcomings is not necessarily helpful to children and families. What we need now is stability, solidity, commitment, and long-term thinking

Legal Services act on the direct instruction of Children’s Services. The evidence in care proceedings is always presented to the court and families through their lawyers and all parties have the opportunity to challenge that evidence and present their own evidence. It is the court that makes decisions in respect of children, based on the evidence and information presented.

This year we’ve done a lot of work to improve these relationships, training and communication, and the creation of a further layer of management within the Children’s Legal Team has brought greater levels of support and supervision to lawyers in the team.

Social workers at Herefordshire Council have access to expert legal advice at all times (including through the provision of an out-of-hours service). The capacity, structure, and management oversight of the legal team, and legal advice (which is mostly provided internally other than where particularly specialist advice is required) was reviewed following the 2021 High Court Judgement, and through the activity of the Corporate Leadership Team and the Improvement Board will be kept under review, alongside other services working together to safeguard children and young people.

Supplementary Question

As someone named as needing to go I hardly expected support for my question and statement.

We as families do not agree with your reasoning here, if applying the rationale used in children’s court, the risk of future or emotional harm is probable, families would permanently loose their children even though they can offer stability, solidity, commitment, and long-term thinking. Why are you special enough to think the same shouldn’t apply to you!

In care proceedings/ family court the restrictions on legal aid mean that the local authority has the upper hand. From a humane level the LA is not emotionally involved and suffering the afflictions families do. The final hearing is the only time families can truly be considered to have a voice. This is in turn dictated by the hearing length given by the judge and availability of the court and the questions asked and can take placed in that time allotted. The majority of time in care proceedings is granted to the professionals brought in who are briefed by the children’s services of their version of events meaning they get to paint a first impression.

Please be advised that social worker opinion even in the face of contradictory evidence is still held in high regard by the judiciary and parents can be told they are too intelligent to be truthful with professionals. Opinions offered by social workers that ignore evidence in the formation of that opinion are shared with psychologists, legal guardians, medical experts and more. It is clear the social workers at Hereford take a heavy handed approach and leave things out that don’t suit their narrative. This must be a decision made outside of legal advice as any solicitors obligation is to the court first. This means that they have a duty to disclose information that may not fit the children’s services narrative. Do not be fooled this is a deliberate choice by the directorate to not consult legal professionals.

In the spirit of openness please confirm how many members of your legal team have left or been dismissed since Keehans judgement in 2018 to date and if any members of staff have cited issues with children's services not consulting them as reasons for leaving.

Response to supplementary question (cabinet member children and families)

A written response would be provided.

PQ 16	Ms Anstey, Hereford	<p>Following the public meeting with families relating to the inadequately assessed Children's Services department (20.10.22), a common theme emerged that the complaint process is not fit for purpose. Complaints are often brushed off, concerns about staff ignored, complaints not being fully responded to or prolonged. There was also a pattern raised that the council fails to accept accountability especially if there is an issue of liability involved. This lead commissioner Eleanor Brazil committed to look into the complaint process within the council as part of her assessment.</p> <p>Given the experiences of members of the public have those effected come to the correct conclusion, this is a deliberate tactic to indirectly hope we go away quietly/arrogance the council cannot get anything wrong, and if not what assurances can be given that action is being taken to tackle the above issues/concerns?</p>	Cabinet member children and families
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Response:

Families having to wait too long for responses is not acceptable, and improving our complaints procedures, and making them clear to everyone, is one of our top priorities.

Increased management oversight has now been added to our structures, and a new, permanent Complaints Manager is now in post. Managers are also receiving more complete training and guidance in order to be able to resolve issues sooner and more effectively.

We have expanded the Complaints Team, and will soon be signing off renewed and reviewed policies (for Corporate and Statutory Children's processes). We are confident that these changes will contribute to better quality responses, and that, as we continue to do better in our work alongside families, fewer causes for complaint will arise.

Supplementary Question

My question concerns the complaints procedure. Having worked for the local authority I would just like to ask if all staff are being fully trained and the tag line 'you hatch we snatch' is no longer used in the social care offices?

Response to supplementary question (cabinet member children and families)

It was important that the right training was provided. A written response would be provided.

PQ 17	Mr Castledine, Hereford	<p>Can I ask who wrote condition number 46?</p> <p>'There are 2 types of vehicles that can be licensed as Hackney carriages, those that are wheelchair friendly and those that are not.'</p> <p>This, to my mind is a ridiculous statement.</p>	Cabinet member housing, regulatory
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			services and community
<p>Response: Your version of the condition is actually slightly different to that stated in your question, in that the proposed version of condition 46 presented to members today reads “<i>There are 2 different types of vehicle that can be licensed as hackney carriages: those which are Wheelchair Accessible Vehicles (WAVs) and those which are not</i>”.</p> <p>This condition was drafted for us by one of the UK’s leading lawyers on taxi licensing to explain the reasoning behind why some saloon cars have remained in the hackney fleet whereas all new hackneys have to be wheelchair accessible. This condition has remained in the final version as it was considered to be informative.</p>			
<p>Supplementary Question: In addition to my first question regarding section 46 of the proposed new terms and conditions for the taxi trade, if the councillors deem this as a badly written statement do they perhaps agree the whole document is flawed and needs more time to correct such points?</p>			
<p>Response to supplementary question (cabinet member housing, regulatory services and community) If the Policy is adopted today we would like to think that taxi trade and officers will continue to communicate if it becomes obvious that this is leading to a significant shortage of taxi drivers. Policy would not be undone however as the head of public protection and director of environment and economy may consider options to amend any conditions that might be thought to be unreasonable restricting potential license applications providing that this does not impact negatively on public safety. However I have every belief that the proposed Policy offers a clear, transparent and robust licensing regime to encourage new applications to the profession whilst keeping our public safe at all times.</p>			
PQ 18	Ms Reid, Hereford	<p>At 30 September 2022, there is forecast <u>overspend of £5.2 million</u> for Looked After Children (LAC). In 2020-21 the rate of LAC (per 10,000 children) was 87.0 (109 in October 2022), Statistical Neighbours rate was 60.2. The rate of babies taken into care in Herefordshire was 6.7 (2021-22) compared to Statistical Neighbour rate of 4.6 (2020-21), <u>nearly 50% more</u>. No data was provided for Herefordshire in 2020-21. Children unnecessarily in care is very expensive compared with much cheaper family support, is detrimental to children and results in bad publicity (eg <i>Panorama</i>). Sufficiency Strategy (sufficient foster and children’s home placements) is a Corporate Risk and reducing LAC would mitigate this risk plus that of “losing” Children’s Services.</p> <p>What was the average cost to Herefordshire Council of each Looked-After Child in 2021-22 and for Q1 and Q2 of 2022-23 (explain how calculated)?</p>	Cabinet member children and families
<p>Response: The average cost per child/young person in Q1/Q2 was £21,870 – this equates to an average cost per young person of £841 per week. Please see below how this cost has been arrived at:</p> <p><u>2022/23 Q1 & Q2</u></p>			

In-House Fostering & Staying**Put**

Amount	No of Children
1,360,261	177

External Fostering

Amount	No of Children
2,077,181	107

Residential

Amount	No of Children
4,223,305	50

Supported Accommodation

Amount	No of Children
1,133,140	56

External Staying Put

Amount	No of Children
19,520	5

In-House Supported Lodgings

Amount	No of Children
109,740	13

Total Average cost

8,923,147	408
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Average Cost for Q1 & 2**21,870****Average Weekly Cost****841**

Improved leadership and management oversight is already reducing drift or delay in respect of families subject to the Public Law Outline (pre-proceedings), and to ensure families are effectively engaged and supported where there are concerns that may lead to court proceedings. The rate at which children come into our care has been reducing over the past year and we are developing a reunification framework to assess and support children and young people who are able to return home to the care of their parents/families when it is safe and in their best interest to do so.

Supplementary Question

I'm afraid that yet again a public question has not been fully answered. I asked for data relating to 2021-22 to show the trend. Please disclose it. The average cost for each child was £21,870 for Q1 and Q2, therefore, for one year would be about £43,740 which could provide support for many families. I consider this understates as it's assumed that each child would be eg fostered continuously and "Staying Put" is included but is for adults not children.

The draft Improvement Plan states about reunification:

"Scoping of framework underway with draft due February 2023"

In view of the high costs and rate of LAC do you consider this is acting at pace?

Also I consider plans for Family Group Conferences and family support are not at pace and latter is not a Measure that Matters (targeted).

Response to supplementary question (cabinet member children and families)

We are moving forward as fast as we can to put family group conferences in place. I agree that they are very positive but it does require a lot of work and preparation. A written response would be provided.

Written response to supplementary question – sent on 20 December:

Please find below the placement costings which now include data for 2021/22 as requested

In respect the development of a reunification framework, we need to ensure that this work is robust and aligns well with our other processes and procedures such as our Permanence Policy and Procedures. Producing a draft of the framework by February 2023 is seen as a realistic timeframe to achieve this.

Regarding your question about Family Group Conferences. There are a number of different models and approaches to address this and these need to be explored to ensure that the most appropriate approach for Herefordshire is progressed. The Measures that Matter were designed as a broad set of indicators to provide a high level overview of the progression of the Improvement Plan. The exclusion of any area of the Improvement Plan from the Measures that Matter does not indicate that this area receives less attention or is not progressed with vigour.

2021/22

In-House Fostering & Staying Put

Amount	No of Children
2,375,418	199

External Fostering

Amount	No of Children
3,818,968	128

Residential

Amount	No of Children
7,265,637	61

Supported Accommodation

Amount	No of Children
1,831,615	52

External Staying Put

Amount	No of Children
117,337	7

In-House Supported Lodgings

Amount	No of Children
319,341	24

Total Average cost

15,728,316	471
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Average Yearly Cost 33,393

Average Weekly Cost 642

2022/23 Q1 & Q2

In-House Fostering & Staying Put

Amount	No of Children
1,360,261	177

External Fostering

Amount	No of Children
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	2,077,181	107
Residential		
Amount		No of Children
	4,223,305	50
Supported Accommodation		
Amount		No of Children
	1,133,140	56
External Staying Put		
Amount		No of Children
	19,520	5
In-House Supported Lodgings		
Amount		No of Children
	109,740	13
Total Average cost		
	8,923,147	408
Average Cost for Q1 & 2		21,870
Average Weekly Cost		841

PQ 19	Mr Barnett-Jones, Hereford	With the new regulations that are coming in are there any exceptions for SEN school transport 8 seaters? With the new rules it would take almost of the school busses off the road and won't be financially viable to replace as that's all they get used for.	Cabinet member housing, regulatory services and community
Response:			

There are no exceptions. Unless the vehicles meet the licence conditions they cannot be licensed. This is because the vehicles used for school contract work must meet the same high safety standards as required for all other licensed vehicles.

PQ 20	Mr Jukes, Hereford	<p>Are Council aware that the national Taxi and private hire association have found dozens of errors/flaws with the Taxis policy being voted upon?</p> <p>I've been a taxi driver in Hereford for the past 24 years and yet over recent years it's been increasingly difficult to deal with the licensing department and their draconian attitude. I and many others are trying to do a job and provide a public service.</p> <p>Are Council aware that the policy, as it currently stands, will make not only myself but a great number of drivers and operators reconsider their position causing a far greater public safety issue than we are already faced with?</p> <p>Furthermore it needs mentioning that we drivers and operators rely on our jobs to survive! We've already lost a number of drivers because of the prospect of this policy coming into force.</p>	Cabinet member housing, regulatory services and community
<p>Response:</p> <p>I am aware that a number of corrections were made to the external solicitor's first draft following over 80 people commenting in the first consultation round. I am also aware that the officers proposed around 50 key changes in the second draft, which were all to the betterment of the trade. It is worth noting that following the second consultation round only two people responded and therefore only a few minor changes were needed – this is all documented in the appendices to the report and shows that we listened and took note. If there are any further minor amendments later found to be needed then the report recommends that the Head of Service has delegated authority to make these.</p> <p>I really do appreciate how the trade needs our support which is why I have taken such a close and personal role in the two consultation processes as well as the various meetings with the Taxi Association. However, the licensing team's role is to regulate and administer the licensing functions and the legislation and its statutory guidance provides the remit within which they can operate. To help ease the burden on drivers further, the Council is now looking at how improvements can be made for applications to be made electronically which may assist in the future in speed by modernising how contact is made with the Council.</p> <p>However, I cannot stress enough that public safety and safeguarding are the priority for the Council, although due to our recent changes I anticipate that the policy will not be over burdensome. I am also pleased to report that the number of new driver applications currently appears to be increasing.</p> <p>I accept that there is a national shortage within many employment sectors, including the taxi and private hire trade. However, it is fair to say that many drivers left the profession to take up other employment as a consequence of the Covid emergency which effectively shut down the night time economy and therefore their business – but this was a national phenomenon, not a local one.</p>			
PQ 21	Mr N Maddy, Hereford	Apparently, I am only able to ask one question, so this is my one question. In light of the fact that the changes to Taxi licensing terms and conditions will reduce the amount of taxi's available in Hereford and will certainly reduce wheelchair accessible taxi's as they are far more expensive to replace and will cause school transport to pay parents to take their children to	Cabinet member housing, regulatory

		school increasing the need for the family car also it means that less taxi's mean vulnerable people are more at risk at night as they will be unable to get a taxi home. Are the councillor's fully aware of the negative impact to the public and the increase of the carbon footprint that these terms and conditions will lead to?	services and community
<p>Response: The change in policy is intended to protect the public and our most vulnerable members of society, balancing this with the need for the trade to operate as a business. It is not expected that this policy and its conditions will increase the carbon footprint or reduce the number of licensed vehicles. However, the situation will be monitored to ensure any changes are reported upon.</p>			
<p>Supplementary Question: When/if it is proven that the number of taxes are reduced and the general public are more at risk and the carbon footprint does increase which it will. Will the council immediately undo the damage they have done in these terms and conditions?</p>			
<p>Response to supplementary question (cabinet member housing, regulatory services and community) I'm hoping this does not cause anymore damage to what we are doing and I do hope that we encourage more applications for the profession.</p>			
PQ 22	Mr Davies, Hereford	<p>Could the cabinet member please explain how less abled and SEN service users will continue to access mandatory council supplied transport? Unfortunately the current and proposed licensing conditions could result with no financially viable options for replacing specialist wheelchair accessible vehicles especially minibuses. We are a Local Business and this is greatly concerning. We have already had no option but to give notice on one SEN contract operated for Herefordshire council, due to this. I have numerous taxi plates and drivers licensed with the authority. However unless we can make it easier to license specialist wheelchair vehicles I will eventually have no choice to surrender all my plates and terminate further contracts.</p>	Cabinet member housing, regulatory services and community
<p>Response: The age for wheelchair access vehicles is 15 although there is also a condition which allows for vehicles in good condition to be considered for extending this age. However, safeguarding and public safety remains a priority for the Council and the age ranges of vehicles are considered to be a big part of this responsibility.</p>			
PQ 23	Mr T Maddy, Hereford	<p>Due to the inconvenience the licensing authority have given to all operators that own a taxi in Herefordshire. Should we not receive some type of compensation from the council that have caused us to spend thousands, on fitting CCTV systems into each vehicle? Which turned out to not even meet the legal requirements at the time.</p>	Cabinet member housing, regulatory services and community

		With this new proposed taxi policy this will cause even more of an upset to operators in Herefordshire. Even potentially closing down parts of the private sector due to these on going unnecessary expenses.	
Response: Possible grant funding options were explored but were unsuccessful. The implementation of CCTV will allow a period of 12 months to enable the costs to be planned and accounted for as a business cost. The quotes received for adaption or for new units are well below the figure mentioned in your question.			

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