

Minutes



Cabinet

Date: 11 July 2016

Time: 11.00 am

Present: Councillors D Wilcox (Chair), P Cockeram, G Giles, D Harvey, R Jeavons, R Poole, J Richards, R Truman and M Whitcutt

In Attendance: Mr W Godfrey (Chief Executive); Mr M Nicholson (Strategic Director); Mr R Cornwall (Head of People and Business Change); and Mr O James (Assistant Head of Finance)

1 **Declarations of Interest**

Councillors Harvey and Jeavons declared an interest in Item No 4: Updated Commissioning agreement for the Education Achievement Service (EAS)

2 **Minutes**

The minutes of the meetings of the Cabinet held on 24 May and 6 June 2016 were confirmed as a true record by the Cabinet

3 **Annual Report by the Director of Social Services**

The Director of Social Services presented his annual report

He informed Cabinet that 2015/16 had been a period of great challenge and also opportunity for Social Services staff and for people who have been receiving our services.

He referred to the significant impact of the Social Services and Wellbeing Act 2014 and the need for partners to work together and to focus upon delaying and preventing the need for care and/or support to stop people's needs from escalating. Local authorities must promote co-operation' across its services and with, 'relevant partners and must empower people to seek, 'innovative solutions and ensure that people have greater voice and control over the care and/or support they receive.

The Director mentioned the requirement for Local Authorities and Health Boards to establish a Regional Partnership Board that will aim to improve outcomes and well-being of people, as well as improving the efficiency and effectiveness of service delivery. He informed Cabinet that Newport is already the lead agency for a number of regional services including the Integrated Family Support Team (IFST), the Area Planning Board (APB) for substance misuse and the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) co-ordinating team.

In response to the Act, action was being taken to integrate population assessments from the Future Generations and Social Services + Wellbeing Act and Violence against Women, Domestic Abuse and Sexual Violence Act; provide information, advice and assistance; enhance preventative services and early intervention; and to develop the workforce further

The Director informed Members that performance during 2015/16 was mixed with notable improvements for Adult Services but for Children's Services the year on year trajectory of improvement has dropped and we only achieved out target performance on 60% of indicators. Targets were set at or above the last recorded Wales performance and compared to the previous year 2014/15 Children's Services dropped from 85% better than Wales average to 60% and compared to our benchmark group from 77% in 2014/15 to 70% in 2015/16.

Performance outcomes for children in care and young offenders had not hit target for educational outcomes and for those in appropriate education, training or employment when they leave school or leave care. As a result Education colleagues had agreed to provide joint leadership in these areas in order to see improved performance.

The Director stated that some measures are counter – intuitive and ironically we can get a “red” for what is essentially ‘good news’.

Adult services had improved significantly and the misreporting by the Health Board of some statistics made a real impact which means we would have been able to report even better performance if they had reported more accurately. Delayed Transfer of Care issues had improved significantly.

Members were informed that despite the disappointment in performance in relation to some indicators, there was a much better story to tell in relation to inspection reports of the quality of services which show good performance across the board with particularly good performance in relation to services that were seen as poor in 2014/15 in particular the Youth Offending Service and the Adult Residential Services.

He stated the challenges of significant budget reductions at a time of increasing need had been faced The City's population continues to grow quickly and indicators for deprivation in Newport show some of the highest rates of vulnerable children and adults in Wales. It was becoming harder to manage within budgets

The Director described improvements in safeguarding and reports a reduction in the number of children on the Register He referred to toll out of training; an increase in referrals to the Adult protection Service brought about by better reporting; the establishment leadership and a review of policies and procedures in relation to sexual exploitation of children

The Director went on to describe how we listen and respond to people receiving services, referring to consultation and participation groups; individual surveys of users; complaints monitoring and reviews where outcomes were most important.

Members were informed of the benefits of the thriving Carer's Forum and the Director referred to the updated Newport Carers' Handbook. The Carers forum has good attendance and engagement from the Cabinet member and they have created a smaller community based drop in service. We have a Carers Champion in 17 GP surgeries and we have developed a new carer's assessment which is compliant with the Social Services and Wellbeing Act 2014

As to staff, the Director stated that the workforce indicates that they are settled and positive about their experience at work with a clear sense of purpose. He stated that more is being

done to engage citizens in the design and delivery of our services and we have designed our, 'stay well' plans for older people based on feedback from users of the service.

The Director informed Cabinet that there was much to do to be compliant with Welsh Language Standards and this will be an area of significant activity in 2016/17.

In conclusion the Director stated:

- 2015/16 has been a year where we have focussed upon strengthening the quality of our services and preparation for the Social Services and Wellbeing Act 2014.
- We have done less well on our performance indicators but all the evidence indicates a big step forward in service quality as seen by inspectors and independent reviewers.
- We have managed a real terms reduction of between 15 and 20% in our base budgets from 2013/14 and signs of strain are showing in some overspending for the year 2015/16
- We have set out a vision to develop more integrated services and shared assets with the Health Board as we roll out the Older Persons Prevention Pathway, create integrated teams based on the three Neighbourhood Care Networks (NCNs).
- In 2016/17 will see closer links particularly in NCNs with adult community and primary care health services, team around the school clusters, community hubs for anti-poverty services and libraries and community centres

In response to the Chair of the Cabinet, the Director explained the move towards consortia that work together and that can reallocate resources as they are needed. The Voluntary Sector was supported in creating its consortium. It is important for the Voluntary sector to concentrate on outcomes and work in an integrated way. We will have one entry point for voluntary sector services. Every individual currently receiving services will be reassessed and everything will be done to meet identified needs.

The Cabinet Member for Education & Young People welcomed the report stating that whilst we had to recognise that not all targets were met there were underlying reasons that had been explained. The quality of services was continuing to improve and the improvement in the Youth Offending Service was significant and very pleasing. The Cabinet member stated that the impact on budgets of out of area placements needed to be recognised and that a single case could impact considerably. She mentioned the successful link with Barnardo's and the success of the carers Forum. The counter – intuitive nature of some targets was recognised.

The Cabinet Member for Adult Social Services & Housing referred to the significant support provided by carers and the consequent savings to the public purse. The new Act foresaw more people receiving care at home. It needed to be recognised that this was not an inexpensive option. It was unlikely; however, that Welsh Government would provide sufficient funding. The Director's report drew out positives showing improvements in sickness absence and delayed transfer of care is improving. The increase in complaints showed that people are better informed and the Cabinet Member considered outcomes are very important. He mentioned that the relationship with the Health Authority is good and he welcomed the good feedback from Scrutiny on the report.

The Cabinet Member for Finance and Resources welcomed the recognition of the important role of carers who often were unpaid. He offered congratulations to the Cabinet Members and to the previous Cabinet Member for Education & Young People.

The Deputy Leader stated that those who set budgets need to recognise increasing demands in this service area.

Decisions:

To receive the Director's report and refer it to the Council

4 Updated Commissioning agreement for the Education Achievement Service (EAS)

(Councillors Harvey and Jeavons each declared non-pecuniary interest in this item)

The Cabinet Member for Education and Young people presented a report which asked Cabinet to consider the Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS)

The Cabinet was informed that a series of proposed changes to the original agreement have been outlined in the updated agreement including changes to:

- Governance arrangements that ensure the LAs and the EAS are complying with requirements of the National Model for Regional Working.
- The way grants can be dealt with by the EAS is changed – the first change being that all grants will now be channelled through the Directors group in first instance. There is a detailed process that explains how this will work in practice. The EAS will report on this regularly to both the directors/heads of education and the Executive Members for Education in each of the LAs.
- The EAS ability to provide services to other customers other than the SEWC LAs for a fee and subject to scrutiny and approval from the Joint Executive Group. The EAS may proceed with such a commission without prior JEG consent when:
 - The contract is valued at up to £50k but carries no risk/will have no impact on agreed delivery outcomes
 - The contract is valued up to £15k and may/will have an impact on agreed delivery outcomes
 - The EAS has taken appropriate advice on any VAT liabilities that entering into such a contract may give rise to and these are factored into the detail of the contract.
 - The EAS has taken appropriate legal advice in drawing up the contract.
 - The EAS will inform the next JEG meeting of all new contracts that exceed £10,000 over a financial year.
- In the event the EAS core service costs more than predicted, in line with prior JEG approval, each LA will pay its proportional share on this overspend. However, the EAS in negotiation with the LAs will repay this "loan" over an agreed period through reducing the core service charge each LA pays for an agreed period.

The report stated that any overspend in relation to the delivery of core services will be recharged proportionately to each of the councils and then repaid as a "loan" over a period of time through reduced service charges. Potential overspending could also be at the request of Councils through JEG to increase the delivery of services Cabinet Members considered the Local Authorities needed greater control over this and were informed by the Chief Education Officer that the JEG and the EAS Board would ensure safeguards were in place.

The EAS Board has delegated powers to agree to enter into contracts with third parties for the delivery of services, in order to generate additional income. Members considered that this should not impact on the organisation's core business which remains the provision of school improvement services to the councils.

The Chief Education Officer stated that contracted work over specified thresholds or values will require the consent of the JEG. However, provided the value of the contracted work is below the threshold, then the EAS Board can agree this even if it may have an impact on agreed service delivery outcomes for the council work. The Chief Education Officer stated that the JEG and the Director's Group meet regularly and whilst these clauses would rarely be used those groups would provide a process for monitoring.

The report also suggests that this contracted work could give rise to risks of liabilities which the local authorities would become responsible for. The Cabinet considered that local authorities should not be liable for the financial risks of any contracted work for third parties. The tax issues of any contracted third party work would also need to be carefully considered. The Chief Education Officer stated that arrangements were in place for independent VAT and Tax advice to be provided on each contract, and this is EAS's responsibility.

The Chief Education Officer stated that he would raise these issues with the EAS and provide a statement from the Company

The Cabinet agreed to adopt the Agreement in principle but wanted to ensure safeguards were in place in relation to the issues members had raised in relation to VAT advice, continual dialogue with Directors, the EAS Company Board and JEG about delivery, contracts and any potential liabilities.

Decision:

To agree in principle to the adoption of the Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS) April 2016 as explained in this report, subject to the safeguards discussed by Cabinet being confirmed in writing.

5 Certificate of Compliance

The Chair of the Cabinet informed Members that as part of the programme of regulatory activity the Auditor General has issued the Council with a Certificate of Compliance following an audit of the Improvement Plan 2016-18.

This is the first of two certificates that the authority will aim to achieve in each financial year, the second certificate will be as part of the Assessment of Performance Audit and the council's arrangements to secure continuous improvement.

Decision:

To note the receipt of the Certificate

6 Work programme

The Corporate Assessment suggested to the Council that it should consider strengthening committee work programming arrangements to ensure they are timely, meaningful, informative, and transparent, balanced, monitored, and joined up.

In response to that suggestion, Cabinet had previously agreed that the Head of Democratic Services will regularly ask Chief Officers to update the Cabinet work programme and an update will be reported to Cabinet each month.

An updated work programme suggested by Chief Officers was discussed. This was, of course, a working document and will be subject to change.

Decision:

To adopt the suggested programme and provide an update at the next meeting

The meeting terminated at 12:55 pm