

Cabinet

A meeting of Cabinet was held on Thursday, 8th October, 2015.

Present: Cllr Robert Cook (Chair); Cllr Jim Beall, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr David Rose and Cllr Norma Wilburn.

Officers: N Schneider (CE), J Danks, B Brown, L King, (R); P Dobson, R Kench, J Nixon,(DNS); J Humphreys, D McConnell, S Willson, Liz Hanley, S McEneaney, S McLurg (CESC); P Kelly (PH) D E Bond, M Waggott, P J Mennear, P K Bell (LD).

Also in attendance: Cllr Mrs Jean O'Donnell (Chair of People Select Committee), Cllr Mrs Sylvia Walmsley and members of the public.

Apologies: Cllr Michael Smith.

CAB 43/15 **Declarations of Interest**

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 6 – Scrutiny Review of Choice Based Lettings as he was a member of Tristar Board.

Councillor Mrs Wilburn declared a personal non prejudicial interest in respect of agenda item 8 - School Performance 201415 for Vulnerable Pupils as her grandson had special educational needs.

CAB 44/15 **Minutes**

Consideration was given to the minutes of the meeting held on 10th September 2015.

RESOLVED that the minutes of the meeting held on 10th September 2015 were confirmed and signed as a correct record.

CAB 45/15 **The Care Act 2014 - Update**

Consideration was given to a report that gave an update on the Care Act 2014.

The Care Act 2014 (the Act) introduced major reforms to the legal framework for Adult Social Care. The implementation of the Act was originally to take place in two phases, taking effect in April 2015 and April 2016. However, in the summer of 2015, with the first phase having already taken effect on 1 April 2015 the Government changed plans for implementation of the remainder of the Act. It was planned that funding reforms would be implemented in 2020 and not April 2016. Proposals regarding the implementation of a new appeals system would be announced as part of the autumn Spending Review.

In terms of the implementation of the first phase of reforms the Council had progressed very well. In summary, the Council was well prepared for the first phase of the Care Act when it came into effect on 1 April 2015, with significant work having already been undertaken in implementing plans to ensure compliance. Since April 2015 work had continued to strengthen the arrangements with post-implementation reviews continuing to ensure the Council was well placed to continue to meet the requirements of the new

legislative framework.

The next steps was that the Adult Programme Board would continue to review post-implementation effectiveness, monitor the ongoing impact of the Act and await further Government announcements in the Spending Review regarding the appeals system.

A report to would be presented to Cabinet in December presenting the findings of the review adult social care charging policy within the context of the new powers under the Act and impact of the new duties and funding reform, making recommendations as appropriate.

RESOLVED that:-

1. The report be received.
2. The Officers, Members and Partners and all those involved be commended for the planning and proprietary work for ensuring that the Council was Care Act 2014 compliant within the legislative changes that came into effect on 1 April 2015.
3. The Government's intention to delay funding reform to 2020 and make a further announcement regarding a new appeals system in the autumn Spending Review be noted.
4. The intention to report to December Cabinet on the findings and recommendations regarding Charging Policy be noted.

**CAB
46/15**

Scrutiny Review of Choice Based Lettings

Consideration was given to a report on the Scrutiny Review of Choice Based Lettings.

The report outlined the findings of the review of choice based lettings (CBL). The review was undertaken by People Select Committee and considered the marketing and operation of the Tees Valley CBL scheme 'Compass', and the issues facing the local social housing sector.

RESOLVED that:-

1. a) The changes to the bidding process be supported (outlined at 4.32 in main report)

b) Enhanced auto-bidding be rolled out as soon as possible to ensure that those people without internet access are not disadvantaged
2. The Compass Partnership Steering Group should continually review the website and marketing of the Compass scheme, and in particular:
 - a) to improve the range of information provided with each property advert (for example, floor plans and greater use of photographs)

b) to ensure potential applicants are aware of the availability of social housing, and also the ability to 'under-occupy' (subject to housing needs of other applicants and individual financial assessment).

c) to ensure the bidding system remains user friendly and in line with customer needs and expectations

3. Thirteen Group as a key housing partner, continue to work to improve the attractiveness of the social housing offer. This should involve ensuring potential customers are aware of possible packages of support prior to bidding (for example, furniture or decoration incentives)

4. To continue to ensure an effective and transparent allocations process, the planned assurance work by SBC Housing Services be supported, and that People Committee receives a progress report within six months of the implementation of the new bidding process.

**CAB
47/15** **Minutes of Various Bodies**

In accordance with the Council's Constitution or previous practice the minutes of the meeting of the bodies indicated below were submitted to members for consideration:-

Teeswide Safeguarding Adults Board – 8th September 2015

SLSCB – 16th July 2015

Safer Stockton Partnership – 18th August 2015

RESOLVED that the minutes be received.

**CAB
48/15** **School Performance 2014-2015 for Vulnerable Pupils**

Consideration was given to a report that presented an analysis of school performance in the academic year 2014 – 2015 for vulnerable pupils including:-

- Pupils in receipt of Pupil Premium Funding;
- Pupils with Special Educational Needs (SEN);
- Performance of boys;
- Black and minority ethnic children;
- Looked After Children;
- Attendance and exclusion figures for Stockton.

Gaps between the attainment of disadvantaged pupils in comparison with their peers had improved for the expected level of attainment at the end of Key Stage 1 (level 2b+) in Reading and Writing. The gap in attainment had also improved at the higher level (3+) in Reading and Maths. However, the gap in attainment had widened in Maths (level 2b+) and Writing (level 3+).

At the end of Key Stage 2, most measures showed a narrowing of the gap in the attainment and progress of disadvantaged pupils compared to their peers, with specific reference to progress in Reading. Expected progress in Maths (2 levels of progress) and above expected progress in Writing (3 levels of progress) will be a focus of work in 2015/2016.

At Key Stage 4, the results for disadvantaged pupils showed improvement as gaps had narrowed. Whilst gaps had narrowed, it was possible they would still be more than the gaps nationally.

For the purposes of comparing the gap in attainment for pupils with SEN with that of their peers with no SEN it was important to note that there would be an expected gap and a slower rate of progress for pupils in Specialist Provision that had complex needs.

For those students without a Statement or EHCP the gap with their peers had improved in a number of areas at the end of KS1, however the gap had widened at the higher level (3+) in all areas. The gap in attainment for those with a Statement/EHCP in mainstream had been very positive upward trend in most areas. The gap had widened specifically at L3+ writing.

The actions that were planned in 2015-16 for the Schools and SEN Service and specifically the 0-25 SEN team in order to improve outcomes further were detailed within the report.

The performance of girls continued to outstrip boys except at the higher level for maths where boys outperform girls. Gaps between the attainment of boys and girls had improved for the expected level of attainment at the end of Key Stage 1 (level 2b+) in Reading and Writing. The gap in attainment had also improved at the higher level (3+) in Maths. However, the gap in attainment had widened in Reading and Writing (level 3+).

The report compared outcomes of children and young people who were White British (WBRI) and their BME Peers.

Attendance continued to be above the national averages for all primary and secondary schools. Persistent absence was aligned to all primary schools and significantly below all secondary schools. Exclusion figures continued to be significantly below the average for LACYP nationally. In 2015 there were 56.5 days of fixed term exclusion, 25 of these days were due to one child, the provision for this child which was challenged by the LA and VS and appropriate support was provided. Of the 12 pupils with Persistent Absence-, 5 were recent to care; 5 had placement issues; 1 went into secure accommodation and 1 had historical absences.

A table within the report showed the breakdown of secondary fixed term exclusions by year group, gender and SEN status. It illustrated that approximately three quarters (73.5%) of all fixed term exclusions were boys.

RESOLVED that the standards and achievement across the Borough be noted.

**CAB
49/15**

Children's Social Care Activity and Performance

Consideration was given to a report on Children's Social Care Activity and Performance.

In light of the Ofsted inspection of child protection in January 2013, it had been decided to review the content and format of future children's social care reports

to Cabinet.

In addition to a range of measures to illustrate the pressures experienced by the service, a number of performance indicators would also be included so that Cabinet could more closely monitor the impact of these pressures on performance and outcomes for children.

As a way of achieving this, the use of a 'process model' was approved by Cabinet on 13 June 2013.

This report was based on the available data at the end of quarter 1 (30 June 2015).

This revised format for reporting to Cabinet attempted to show the range of key factors that impacted on the levels of activity, workload pressures and performance in children's social care.

An attached template data was designed to illustrate the key elements.

A summary of the available data at the end of quarter 1 (30 June 2015), along with a brief commentary highlighting the main issues raised from analysis of the information was attached to the report. Also attached was the data which informed the report.

In summary, the overall picture reflected in the attached analysis was as follows:-

- Inputs - contacts and referrals to social care have reduced slightly during the quarter, although remain at relatively high levels compared to benchmark groups. The number of CAFs completed has increased but is short of the agreed 'stretched' target.
- Processes - good performance is being sustained with regard to the timeliness of assessments, initial child protection conferences and reviews which continues to indicate there is an efficient response to children in need of protection. The relatively high level of children at risk of significant harm continues to put pressure on support systems and services.
- Outputs - the number of children subject to a child protection plan and looked after remains high. The number of child protection plans lasting over two years remains adrift of the target and higher than the previous year so continues to be subject to close monitoring and scrutiny.

Performance continued to be monitored very closely via the monthly Children's Social Care Performance Clinic chaired by the Corporate Director and attended by the Head of Service and all senior managers with responsibility for children's social care. The meeting analysed a range of performance and activity data and agreed and monitored actions in response to any identified issues. This was underpinned by a range of performance clinics with operational managers across the service.

In addition there was a fortnightly Workload Pressures meeting chaired by the Corporate Director and attended by the Head of Service and key senior

managers in children's social care. This meeting closely monitored staffing and allocation issues and any associated pressures across the service.

The improvement plan arising from the Northumberland 'critical friend' review and the Local Government Association (LGA) safeguarding practice diagnostic continued to be overseen by Stockton-on-Tees Local Safeguarding Children Board (SLSCB).

The previous report to Cabinet highlighted the lack of progress in relation to Common Assessment Framework (CAF) performance, particularly within North Tees and Hartlepool Foundation Trust (NTHFT) and Children's Centres during 2014/15.

Following the subsequent discussions at Cabinet, the Chief Executive of Stockton-on-Tees Borough Council had written to the Chief Executive of NTHFT to express concerns regarding the decline in CAF completion by NTHFT staff. The Chief Executive of NTHFT had since responded, acknowledging these concerns and setting out the measures being taken in order to address this.

The Chair of Stockton-on-Tees Local Safeguarding Children Board (SLSCB) had also written to the Chief Executive of NTHFT expressing concerns about the decline in performance and requesting that this be given priority attention.

There had been an encouraging increase in CAF completion during Q1 by the Stockton-on-Tees run Children's Centres, although performance within the externally commissioned Children's Centres remained a significant concern. As a result of this, the Corporate Director, Children, Education and Social Care (CESC) had met with the Chief Executives of The Big Life Group and 4Children in order to raise these concerns and sought assurances that this issue would be addressed as a matter of urgency.

It was hoped that taken together, these actions would bring about the necessary improvement in performance but progress would continue to be closely monitored by the CAF Board and SLSCB and updates would be included in future reports to Cabinet.

The Corporate Director of Children and Education and Social Care updated Members that the situation regarding the CAF performance was still unacceptable and that further escalated discussions / meetings would be taking place in the near future.

Following the Task and Finish Review of Child Sexual Exploitation (CSE), it had been agreed to provide an update on activity within the Vulnerable, Exploited, Missing and Trafficked (VEMT) arrangements.

Between January and March 2015, there were 25 children considered under VEMT arrangements in Stockton-on-Tees. Of those, 23 were female and 2 were male and all were considered to be at risk of CSE. Of these, 9 were assessed as high risk and 16 medium risk.

There were no disclosures of CSE made by a child during the quarter.

These pressures had continued to have an impact on the Children, Education

and Social Care budget in a number of key areas as follows.

Firstly the independent fostering agency budget, which was set at £5.51m for 2015/16. The projected outturn was £4.69m i.e. a saving of £820k. However, this budget included a provision for growth which was previously held centrally but was not expected to be spent. The projected outturn also included discounts totalling approximately £113k received from independent fostering agencies under the terms of the contract arrangements.

Secondly the children's homes agency placements budget, which was set at £5.018m for 2015/16. The projected outturn was £5.425m i.e. an overspend of £407k. This budget also included a provision for growth which was previously held centrally.

Thirdly the social work staffing budget, which was set at £3.722m for 2015/16. There was no significant variance projected at year end.

These issues continued to be considered through the medium term financial plan (MTFP).

RESOLVED that:-

1. The continued workload pressures and associated activity in the children's social care system and the consequent impact this is having on both performance and budget be noted.
2. Further update reports be received on a quarterly basis in order to continue to monitor children's social care activity and performance.

**CAB
50/15**

Tees Valley Culture Task and Finish Group Report

Consideration was given to a report on the Tees Valley Culture Task and Finish Group Report

A seminar in June 2014, hosted by Teesside University and attended by business leaders, academics, local authority officers and representatives of the cultural sector, considered the potential contribution of culture to economic aspirations. A powerful consensus emerged; if the right companies, the right investment, the right labour force, top quality students, and visitors were to be recruited and retained, our image, reputation and cultural offer was critical.

Under the auspice of TVU, a Task and Finish Group was established, chaired by Professor Graham Henderson on behalf of the TVU Board, and co-chaired by Cllr David Budd, Co-Chair of the NE Cultural Partnership, to take forward the conclusions of the seminar.

The Task and Finish Group ran a number of stakeholder conversations, commissioned written contributions, and engaged a range of agencies and groups. Three themes for action emerged concerning place shaping, cultural business growth, and social inclusion.

In turn these gave rise to three goals for action:-

- To be a destination – a place people know about, like living in, want to move to or visit – because of its cultural assets, events, environment and lifestyle;
- To be a place of choice for artists and creative businesses to set up and grow – because of the support, spaces, and opportunities to network with other creative people;
- To be a place that understands and deploys arts and culture in sustaining inclusive and healthy communities, where arts interventions are actively used to support education, health and well-being, and skills for employment;

The final report of the Task and Finish Group was presented to a seminar in July 2015 and was presented to Cabinet for acknowledgement and endorsement.

RESOLVED that the Tees Valley Culture Task and Finish Group final report be acknowledged and endorsed.

CAB 51/15 Localism Act 2011 - Review of the Council's Local Standards Arrangements

Consideration was given to a report that provided details of the latest review of the Council's local standards arrangements.

The Council agreed new standards arrangements, as required by the Localism Act 2011, on 7 March 2012.

Subsequently, Council agreed a new code of conduct for Members on 18 July 2012.

Council agreed that these new arrangements should be reviewed after 12 months of operation.

A review was undertaken, and was the subject of a report to Cabinet and to Council in September 2013. One of the report's recommendations that was agreed by Council was that a further review of the standards arrangements should take place after a further 12 months operation, and that the outcome with any recommendations, should be reported to the Audit Committee, Cabinet and Council.

Details of the most recent review of the Council's standards arrangements were attached to the report.

Members were asked to consider the review report, and subject to such consideration, to recommend it to Council along with the recommendations specified within the covering report.

The Audit Committee considered a similar report at its meeting on the 28 September.

RECOMMENDED to Council that:-

- 1. The report regarding the review of the Council's local standards arrangements be considered; and as the report recommends that,**

- 2. No changes be made to the principles of conduct or the Council's code of conduct for Members;**
- 3. Awareness continues to be maintained, and that appropriate advice, guidance and training continues be provided, in connection with the general principles and the code;**
- 4. The Council's Confidential Information protocol be re-issued and re-circulated to all Members, in order to highlight the arrangements and requirements regarding exempt and confidential information;**
- 5. Copies of the letters (about standards of conduct) previously sent to the Planning Committee be re-circulated to all Members of the Council;**
- 6. Members continue to be reminded of the importance of complying with the law, and the significant risk of not doing so, when using social media, or any other forms of electronic communication.**
- 7. The arrangements for dealing with member misconduct complaints remain unchanged, and as originally approved by Council;**
- 8. All Council Members take appropriate action to ensure that their register of interests details have been submitted and are kept up to date;**
- 9. Regular reminders, advice and guidance continue to be provided to Stockton's Members and to the members of the borough's Town/Parish Councils, regarding the need to submit and keep their registerable interests up to date;**
- 10. The procedures relating to the disclosures of interests at, and withdrawal from the Council's meetings be reaffirmed;**
- 11. Appropriate and timely advice regarding those procedures be made available to all members when required;**
- 12. The documentation (protocol and application form) and procedure regarding dispensation applications and determinations be reaffirmed and re-circulated to all Members;**
- 13. Guidance and/or briefings regarding any aspects of the Council's standards arrangements be provided to individual Members or their Groups if required, on request;**
- 14. The guidance for Members regarding gifts and hospitality be reviewed and re-circulated; and that**
- 15. The Council's standards arrangements be reviewed again during the 2017/18 municipal year.**

**CAB
52/15**

Children & Young People's Plan (CYPP) 2015 - 18

Consideration was given to a report on the Children and Young People's Plan 2015 – 18.

The Children and Young People's Plan (CYPP) had been developed by the Children and Young People's Partnership in order to give clear strategic direction to the Council and partner agencies in their work to develop provision and improve outcomes for children and young people in Stockton-on-Tees.

The plan set out the key priorities over the 2015-18 period, how these had been identified, and how progress towards improved outcomes would be monitored. It formed a key part of the Council's agreed policy framework and of the Health & Wellbeing Board's governance framework.

The Children and Young People's Plan (CYPP) had been developed by the Children and Young People's Partnership which was established following a review of partnership structures within the overall remit of the Health and Wellbeing Board, as approved by Cabinet in July 2014.

The Children and Young People's Partnership was a multi-agency forum with senior representatives from member organisations. The agreed terms of reference for the Partnership state its aim as follows:-

"The Children & Young People's Partnership ('the Partnership') will provide strategic leadership and support to ensure healthy, happy and safe children and young people who are able to maximise their potential and are protected from harm. It will ensure this for all children and young people; and particularly for the most vulnerable children and young people.

The Partnership will support the vision of the Health and Wellbeing Board (HWB) and the Local Safeguarding Children's Board (LSCB) to protect our children and young people; to improve and protect their health and wellbeing; and to reduce inequality."

The terms of reference for the Partnership included the following objective:

"Produce and monitor the implementation of a Children and Young People's Plan (CYPP) and outcomes-based action plan, identifying strategic priorities for children and young people based on a robust assessment of need and evidence-based practice and other key multi-agency strategies e.g. the Joint Health and Wellbeing Strategy 2012-18."

Accordingly, the Children & Young People's Plan had been developed by the Partnership as a means of giving clear strategic direction to the work of the Council and partner agencies in the ambition to make Stockton-on-Tees an excellent place for children and young people to grow up in, particularly those whose circumstances make them more vulnerable to poor outcomes.

The plan had been developed as a reasonably brief, strategic document, focused on providing clarity about the Partnership's priorities, the rationale for these, and the way in which the Partnership would monitor delivery and achievement of actions required to achieve priorities. The plan had taken account of a wide range of evidence, for example: needs assessments; performance data; learning from reviews and inspections; listening to the views of children and young people. It had taken account of discussion with the Stockton-on-Tees Local Safeguarding Children's Board and the Health &

Wellbeing Board.

The Children & Young People Partnership would monitor delivery of the CYPP and would report on progress in line with the agreed performance frameworks of the Health & Wellbeing Board and Council.

Once the plan was approved, work would take place for the document to be formatted in an appropriate style for publication via the Council's website.

RECOMMENDED to Council that the Children and Young People's Plan 2015 – 18 be approved.

**CAB
53/15** **Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**CAB
54/15** **Tees Valley Devolution Deal**

The Chair agreed to consider this exempt item due to its urgent nature.

Consideration was given to a report on the Tees Valley Devolution Deal.

RECOMMENDED to Council that the Tees Valley Devolution Deal as detailed within the report be agreed.