

Corporate, Adult Services & Social Inclusion Select Committee

A meeting of Corporate, Adult Services & Social Inclusion Select Committee was held on Tuesday, 13th September, 2011.

Present: Cllr Mick Stoker (Chairman), Cllr Derrick Brown, Cllr Michael Clark, Cllr Eileen Johnson, Cllr Terry Laing, Cllr Mrs Maureen Rigg, Cllr Tracey Stott, Cllr Norma Wilburn

Officers: Mrs J Murphy (R); Mrs E Boal, T Beckwith (CESC); G Birtle, Mrs J Grant, Mrs T Harrison (LD)

Also in attendance: No other persons were present

Apologies: Cllr Julia Cherrett

1 **Declarations of Interest**

There were no declarations of interest.

2 **Draft Minutes of 28th June 2011**

Consideration was given to the draft minutes of the meeting held on 28th June 2011.

AGREED that the minutes be approved.

3 **Draft Minutes of 12th July 2011**

Consideration was given to the draft minutes of the meeting held on 12th July 2011.

AGREED that the minutes be approved.

4 **Legal Services Overview**

Members were presented with an overview of Legal Services. The key achievements of the service were highlighted together with emerging issues as follows:

KEY ACHIEVEMENTS

- Successfully completed the Housing Stock Transfer.
- Successfully completed the Mandale Phase 2 Compulsory Purchase Order.
- Purchased properties in the Housing Regeneration Areas.
- Took legal action to carry out works in default to demolish Billingham House.
- Increased capacity in-house to provide cover for local land charges.
- Completed the Traffic Regulation Orders necessary to implement the first phase of the Major Bus Scheme.
- Recovered over £200,000 in debts.
- Completed £18.5 million completion agreement for Billingham Forum.
- Agreed terms for the major refurbishment of the Globe Theatre.
- Prepared a Judicial Review test case in the Administrative Court on the use of out of area hackney carriages being used as private hire vehicles in areas remote from their licensable area. A case of national importance which was now quoted in national training and text books and had led to the Government

setting up a Select Committee to consider the implications and whether the law should be changed.

- Successfully challenged the Department for Communities and Local Government (CLG) to obtain the payment of Local Area Agreement (LAA) Performance Reward Grant of £1,885,551.

EMERGING ISSUES

- Complete the Legal Services Efficiency, Improvement and Transformation (EIT) review and identify further efficiency savings.
- Safeguard both adult and children services and continue to deliver regeneration projects.
- Transformation of the Adult Social Care Legislation. A proposal for a new safeguarding board for adults was likely to increase the need for legal services in a rather complex area of law in 2012.
- The School Capital Programme and the potential for a Private Finance Initiative (PFI) would place further demands on the in house team and emphasise the need to minimise spend on external legal services.
- The proposed abolition of the current standards arrangements, including the mandatory code of conduct for Members and the requirement to have a Standards Committee was being considered. It had been agreed that in advance of the Localism Bill becoming law, there would be a report to Cabinet regarding the options available to the Council for introducing a new local standards framework including the adoption of a voluntary code of conduct, once the Bill had been enacted.
- There had been an increased demand for legal advice from a number of service areas, particularly in areas where experienced long serving officers had retired from service or where reorganisations had taken place. It would appear that legal services were being called upon to bridge the gap whilst knowledge and experience was built up by other officers.
- New duties in relation to the promotion of Equality and Equality Impact Assessments could result in the Councils decisions being challenged. This was likely to increase the reliance on legal advice during the decision making process to minimise the risks of challenge.

AGREED that the report be noted.

5 Monitoring Officer Overview

Members were presented with an overview of the Monitoring Officer.

The following work was undertaken in 2010/11:-

- The Constitution was reviewed, revised and published.
- A draft Licensing Protocol was reported to and agreed by the Licensing Committee.
- The effectiveness of the Council's complaints handling procedures was monitored and specific advice provided in relation to various complaints.
- The scrutiny function and arrangements were reviewed as part of the Democratic Services review.
- The Regulation of Investigatory Powers Act (RIPA) policy and procedures were reviewed and updated after external inspection.
- The Members' Learning and Development Strategy was reviewed and an

Induction programme prepared for post May, 2011.

- The Standards Committee's work continued to be publicised.
- The process of introducing new executive arrangements was completed. The Council Leader and Cabinet model would be operative from 8 May, 2011 with the Leader being appointed for a four year term by Council at the Annual Meeting on 25 May.

The following work was proposed for 2011/12:-

- Publish a revised Constitution incorporating the agreed new executive arrangements and other revisions and oversee its operation.
- Continue to monitor the effectiveness of the Council's complaints handling and provide advice on specific complaints where needed.
- Ensure appropriate advice and support was provided regarding the Council's EIT programme, and related initiatives.
- Provide oversight regarding the Authority's response to the Localism Bill and other key legislative proposals.
- Update the Council's RIPA procedures in accordance with the proposed additional statutory requirements and oversee the new arrangements.
- Contribute to the delivery of Members' Induction programme following the May 2011 Local Elections and continue to provide guidance on constitutional and governance issues.
- Provide advice and guidance regarding new ethical governance arrangements following the implementation of the Localism Bill, particularly Members' interests and the proposed criminal sanctions.

AGREED that the report be noted.

6 EIT Review of Commissioned Carers and Independent Living Services

Members received an update regarding Commissioning of Carers and Independent Living Services from the Head of Support Services, which included:

- Work being undertaken to determine whether contracts met strategic relevance framework. This work would confirm whether the aims of facilitating independence were met and helped in developing longer term commissioning intentions.
- An analysis of self assessments undertaken by providers into the value for money that each contract gave.
- A similar analysis of the self assessment be undertaken by providers into the quality of services provided.
- Visits by Members to various providers together with presentations to Members by other providers allowing Members to draw conclusions about the nature and value of current contracts.

The main issues were discussed:

- There could already be some contracts that were not a close fit to the criteria relating to prevention and independence and the long term future of those contracts should be considered.
- The nature of the grant regime, that had recently ceased, meant that often contracts were set for short periods of time giving providers little certainty of

funding in the long term. It was now possible to consider setting up longer-term contracts.

- Splitting funding into separate categories was also considered unhelpful and it could be that creating one overarching budget that concentrated on prevention and facilitating independence would give greater flexibility.

- If such changes were made it was also possible to create a single commissioning plan within which the commissioning of both generic and specialist services could be more focused.

- The range in values was considerable across the 100 contracts and it could be that seeking savings was best concentrated on the larger contracts. The range of contracts were from £650 to over £650,000.

- There were examples of a single provider holding a number of contracts. When linked with proposals to lengthen contract periods it could be that a single lower value contract could be either sought or negotiated.

- Equally it could be that further reduction in the number of contracts could be achieved by amalgamation of the funding and the commissioning of a single provider instead of numerous providers.

Discussion took place regarding how Stockton Shopmobility could be helped to provide support to people with disabilities to attend events run by Stockton Council on Sundays.

The Chair requested that in future contract amounts to the Hindu Cultural Centre end with a '1' as this was culturally and religiously auspicious.

AGREED that:

1. The report be noted.
2. Further information be provided as requested.

7 Quarterly Progress Updates on Previously Agreed Recommendations

Consideration was given to progress of the implementation of previously agreed recommendations. There were outstanding recommendations from the reviews of:

School Catering

Members requested savings figures up to 1st September to monitor whether saving were on track. It would be monitored in December.

Older Peoples Strategy

It was observed that recommendation 29 could no longer be achieved due to uncertainty of the provision of a new hospital.

Meeting Venues

Discussion took place regarding passing the outstanding recommendations on to Environment Select Committee to link in with their review.

The remaining monitoring updates were accepted:

Task and Finish - Customer Services and Taxation
Task and Finish - Human Resources
Voluntary and Community Sector

AGREED that:

1. The progress updates be noted and the assessments of progress be confirmed subject to the amendments outlined above.
2. The Scrutiny Officer to arrange for the transfer of the outstanding Meeting Venue recommendation to the Environment Select Committee.

8 Work Programme

The Committee was informed that an additional meeting would be held on 4 October 2011. Members were advised that the Head of Community Protection and a member of the PCT would be attending.

The Scrutiny Officer would make enquiries as to who would be replacing the existing Head of Support Services and would report to Members at the next meeting.

AGREED that an additional meeting be held on 4 October 2011.

9 Chair's Update

The Chair had nothing to report.