

Cabinet

A meeting of Cabinet was held on Thursday, 11th March, 2010.

Present: Cllr Ken Lupton (Chairman), Cllr Mrs Jennie Beaumont, Cllr Alex Cunningham, Cllr Terry Laing, Cllr Mrs Ann McCoy, Cllr Steve Nelson and Cllr Mrs Mary Womphrey.

Officers: N.Schneider (CE); Ms J.Humphreys, T.Beckwith, Ms L.Hanley, Ms B.Johns, S.McLurg, S.McEneaney (CESC); P.Dobson, G.Clingan, P.Diggins, J.McCann, R.McGuckin, R.Poundford, Ms C.Straughan (DNS); D.E.Bond, G.Birtle, N.Hart, P.Mennear, Ms J.Trainer, Ms M.Waggott (LD); Ms J.Danks, G.Cummings, Ms D.Hurwood, Ms J.Spittle (R).

Also in attendance: Councillors Beall, Mrs Cains, Cherrett, Eddy, Harrington and Mrs O'Donnell.

Apologies: Submitted on behalf of Councillors Coleman and Cook.

CAB 181/09 Declarations of Interest

Councillor Mrs Womphrey declared a personal, non-prejudicial interest in respect of the item entitled EIT Review of Child Placements-Report of Children & Young People Select Committee as a result of her role as a member on the Child Placements Panel.

Councillors Mrs McCoy and Nelson each declared a personal, prejudicial interest in respect of the item entitled EIT Review of Advice and Information Services as a result of their membership of Stockton District Advice & Information Service. Councillor Mrs McCoy made representations under paragraph 12(2) of the Code of Conduct, and both members then left the meeting room.

Councillor Cunningham declared a personal, non-prejudicial interest in respect of the item entitled Wind Energy Generation-Capacity Study as a result of his employment within the energy field.

CAB 182/09 Minutes of the meetings held on 11th and 18th February 2010

The Minutes of the Meetings held on 11th and 18th February 2010 were signed by the Chairman as a correct record.

CAB 183/09 EIT Review of Child Placements - Report of Children & Young People Select Committee

Consideration was given to the Children and Young People Select Committee report of their Efficiency, Improvement and Transformation (EIT) Review of Child Placements, the first in a three year programme of efficiency and improvement reviews. It explored whether the Borough was meeting the assessed needs of looked after children, i.e. was the available provision (either in-house or purchased) sufficient, was the Council getting value for money, and was there potential for commissioning the services in a more cost effective way without compromising the focus on achieving the five "Every Child Matters" outcomes.

In order to provide some structure the review was divided into separate, but linked, workstreams. They were: fostering and adoption services; residential placements; complex needs; and placements with family and friends.

It was identified that the Council's fostering service needed to be able to meet the current and future demand for placements, as well as recruiting more foster carers who were able to take placements of sibling groups, teenagers and who were able to commit to children in the long term. An increase in the number of adopted children being referred to Social Care and the Children and Mental Health Service (CAMHS) was being experienced. Increasingly children were being diagnosed with attachment disorders or difficulties, which in turn could place considerable pressure upon the adoptive family. The expected challenge was to develop a coordinated response to adoption support from all of the agencies who may come into contact with the children.

Stockton Council placed some young people out of borough in variety of settings and for a number of reasons. This time last year, the Authority had 33 looked after children placed out of the area, of these, 15 were placed within external residential placements at an annual cost in excess of £2.5 million. The placement costs were high in comparison with in-house provision due partly to capacity with only 6 long-term residential placements within Stockton and also due to the complexity of some of the placements.

A number of challenges were recognised to exist within the provision of services for children with complex needs. These included an increase in the number of secondary aged students with increasingly complex mental health needs being referred which was putting pressure on the provision at Redhill; providing for an increasingly diverse and personalised curriculum in a range of settings and across a wide range of ages; the development of a new single hospital with increased emphasis on community based services; and the building at Redhill not being wholly fit for purpose.

Private Fostering Arrangements existed for parents, (or persons with parental responsibility) and the carer without the involvement of the local authority. The Committee was alerted to the tension between the legislation, which promotes family and friends wherever possible, as giving preference over 'stranger' foster carers. Fostering service regulations and standards required that family and friends foster carers be assessed in the same way as 'stranger' foster carers. If a number of family members came forward all were required to be assessed which could be time consuming for social care staff as well as delaying the placement.

RESOLVED that:-

- 1.The work the Corporate Director for Children, Education, Social Care is doing with the Regional, Improvement and Efficiency Partnership and the work with the Director colleagues in the sub-region continues.
- 2.The creation of a specific full time officer post be approved to deliver the marketing of the fostering service on a 2 year fixed term contract; the location of the officer to be determined as this post could be part of the Council's centralised Communications team or be located within the Children's Services department.
- 3.The Council develop a kinship care policy which will identify the levels of advice, information and support that would be available in differing

circumstances, with any developments within the policy being subject to available finances.

4.To increase availability of sub-regional provision for "hard to place" children / young people with Complex Needs officers be given the flexibility to develop the appropriate provision on a Borough-wide basis should this be necessary and that the Children & Young People Select Committee's support and encouragement for the continuing work of the Tees Valley Directors' Group in this regard, be noted.

5.Subject to further appraisal of the financial implications, Stockton Borough Council develop additional local authority residential provision for looked-after children.

6.The Council look to explore with Children's Trust partners opportunities to commission therapeutic interventions for children who have been adopted.

7.The Council and its partners in the Children's Trust explore ways of raising awareness of adoption issues and the role of agencies within the Children's Trust.

CAB 184/09 EIT Review of Regulatory Services - Report of Housing and Community Safety Select Committee

Consideration was given to a report that presented Cabinet with the outcomes of the Efficiency, Improvement and Transformation (EIT) Review of Regulatory Services undertaken by the Housing and Community Safety Select Committee. Council services covered within the review were: Environmental Health, Trading Standards, Licensing, Development Services, Building Control, and the mandatory licensing of houses of multiple occupation (HMOs).

The review formed part of a three year programme of EIT reviews covering all services provided by the Council. The programme aimed to ensure that all services were reviewed in a systematic way to ensure that they were provided in the most efficient manner, provided value for money and identified opportunities for service improvements and transformation.

Following consideration by Cabinet an action plan would be submitted to the Select Committee setting out how approved recommendations would be implemented, detailing officers responsible for action and timescales.

RESOLVED that:-

1.Trading Standards develop additional resources to enable residents to contact organisations direct when they seek redress as consumers, and that this should include the development of internet, leaflet and letter template provision.

2. Following notification to service users/customers, the Council introduce the schedule of fees for the mandatory licensing of houses of multiple occupation that is set out at Appendix 1 of the Committee's report.

3. The Council works in conjunction with partner authorities to undertake a

review of the operation and arrangements of the River Tees Port Health Authority in order to achieve associated savings.

4. The Council undertakes to examine the opportunities for partnering with other local authorities in relation to all regulatory functions covered within this review.

5. Increased co-operation should take place between the Building Control and Planning Enforcement sections in order to take advantage of the similar nature of service provision in each.

6. The following options should be considered for implementation if appropriate:

- a) the introduction of fees for pre-application planning advice, in response to potential recommendations in the Killian Pretty Review of Planning;
- b) the opportunity to provide specific regulatory services on behalf of other authorities and that this should be reviewed annually.

7. If further savings need to be achieved in future, the following options should be considered and prioritised by Cabinet against other service efficiencies:

- a) introduction of fees for the treatment of public health pests;
- b) outsourcing of services to other providers;
- c) discontinuation of the out of hours noise service;
- d) discontinuation of the enhanced animal welfare services;
- e) discontinuation of the food advisory service;
- f) discontinuation of the pest treatment service (NB. 7a or 7f – not both);
- g) reduction of the service provided by the Consumer Advice Centre or discontinuation of the Centre.

8. That the issues raised by the taxi trade in relation to the value for money of the taxi licensing function be considered at a future meeting of the Committee.

CAB 185/09 Efficiency, Improvement & Transformation (EIT) Review - Commercial Trading Services

Cabinet considered a report that presented findings from the Efficiency, Improvement and Transformation (EIT) Review of Commercial Trading Services, which was undertaken from May 2009 to January 2010 by a Project Team reporting to the Executive Scrutiny Select Committee.

The overall aim of the EIT review was to investigate options for the future strategy and business development of the Commercial Trading Services. This would help to ensure that these services are commercially focused and at least maintain their market share and profitability during the economic downturn and were fully prepared to take advantage of the opportunities for appropriate growth afforded by economic recovery. Services included were:

Heating, Ventilation and Electrical works
Civic Catering
Fleet Management
Vehicle Maintenance
Highway Schemes and Improvements

Commercial Trade Waste collections

Cabinet noted the work undertaken by the Project Team and the reviews findings.

As a result of the EIT Review a number of proposals had been developed which were likely to lead to significant efficiencies. These proposals were detailed for Cabinet although it was accepted that further work would be required to fully appraise the financial benefits to the Council, as well as the impact on the service provided.

In addition to these key proposals, which were suitable for implementation in 2010/11, there were several other opportunities available, which could deliver additional efficiencies and/or generate additional income over the medium term.

Partnering with one or more Tees Valley authority may be a viable option for some of the Commercial Trading Services, delivering savings through economies of scale and additional purchasing power. More detailed work is required to ensure that available efficiencies are achieved through these delivery vehicles.

Provision of additional services – options were discussed for expanding the Vehicle Maintenance Service to offer vehicle checks to members of staff who use their vehicles on Council business. This service could clearly link with the Council's plans to reduce carbon emissions, as well as producing benefits in reducing accidents and increased income to the service. However, given the current issues regarding the changes to car mileage allowances, it would be more appropriate to analyse this option at a later date.

Further work will be undertaken on these issues as the EIT Review enters its implementation phase.

The Executive Scrutiny Select Committee considered the draft report and proposals at its meeting on 16th February 2010. The comments from the Select Committee were provided to Members.

RESOLVED that:-

- 1.The Commercial Trading Services be utilised as the first choice provider by other services within the authority, with external providers used only in circumstances where the Commercial Trading Services were unable to effectively deliver that service due to capacity or other specific issues.
- 2.The appointment of a dedicated procurement/contracts officer to generate savings through improved buying of materials and negotiation of contracts be endorsed.
- 3.Use of re-useable green waste sacks rather than disposable sacks be agreed.
- 4.Increase in charges for bulky household waste collection service from £10 to £15 for the removal of up to six items be agreed
- 5.Expansion of the customer base for commercial waste collection services be

agreed

6. Retention of electrical works currently provided by external providers in-house be agreed

7. Improved partnership working with Technical Services on Highways Improvement Schemes, reducing non-value adding processes and associated costs (proposal shared with EIT Review of Highways, Lighting and Network Management) be agreed

8. The rationalisation of catering provision in administrative buildings be agreed.

CAB 186/09 Efficiency, Improvement and Transformation (EIT) Review of Advice and Information Services

Consideration was given to a report on the findings of the EIT review of Advice and Information. This review was a "reporting-in" review to the Executive Scrutiny Committee and a summary of the findings presented to the Executive Scrutiny Committee and the Committee's response was attached to the report.

The review included advice and information services that were provided directly by Council officers and by external advice agencies. The objectives of the review were to ensure that those who needed advice and information had access to suitable services and that available resources were targeted so that these services were delivered in a way that was of value to customers and best met their needs and expectations.

RESOLVED that:-

1. The five separate contracts described in paragraph (66) of the report at Appendix 1 and their associated budgets be pooled, and the Council develop a new specification for advice and information services that meet residents' needs and the Council's strategic priorities, particularly around financial inclusion and takes account of the current economic climate, and the Council embark on a tendering exercise for a three-year contract, with option to extend for a further two years, with a contract start date of 1st April 2011.

2. The availability of free, independent legal advice and information via the Community Legal Advice telephone helpline and website for people who are entitled to Legal Aid be promoted more widely across the Council by displaying posters and leaflets and raising staff awareness of the service so that more signposting takes place.

3. The temporary post of ILFO (Independent Living Fund Officer) transfer from the in-house Welfare Rights team to the temporary Personalisation Support Team, followed by a further review to consider the optimum place within the organisation for this role, when the work of the Personalisation Support Team concludes.

4. Subject to consultation with staff and unions, an organisation restructure be undertaken within CESC to merge the rest of the in-house Welfare Rights team

with the CESC Client Financial Services team and that the focus of the Welfare Rights team within this new structure be on (but not exclusively):-

- i. supporting social care clients to maximise their income and access other services that might enhance their wellbeing (thereby bringing in additional income for the Council)
- ii. undertaking specific projects linked to other Council services and key Council agendas, particularly how to make use of internal information and customer insight to target campaign work
- iii acting as a reference point for advice and referrals from Social Care staff
- iv co-ordinating Advice and Information provision across the borough
- v developing referral protocols with the external provider selected to deliver the contract for advice and information services described in Recommendation (1) above in an attempt to cut down some of the task duplication and enable a more specialist approach to certain tasks (such as representation at Tribunals)

5. The Welfare Rights service enter into discussions with the PCT to seek to draw in funding by delivering advice sessions at GP practices, similar to models adopted by other local authorities.

6. The Web Development Team, part of the new Communications Team, develop a specification and work with Xentrall ICT to create a directory of Advice and Information providers across the borough.

7. Customer Services and the Library Service promote the availability of the new directory and become points of contact for customers seeking sources of advice and information in face-to-face situations and over the telephone.

8. An advice providers' network be created, with responsibility for setting up and leading this network sitting within the restructured Welfare Rights team recommended at (4) above.

9. The newly formed advice providers' network explore options of bidding for Big Lottery grant to support the activities of the network.

CAB
187/09 **EIT Review of Adult Operational Services**

Consideration was given to the outcome of the EIT Gateway Review of Adult Operational Services, incorporating the views of the Arts, Leisure & Culture Select Committee.

The overall objectives/aims of the review were to identify options for future strategy, policy, and/or service provision that would deliver efficiency savings while sustaining or improving quality outcomes for Stockton Borough Clients

and their Carers within the Adult Operational Services of Children Education & Social Care. The Select Committee had also specifically requested to see the results of any consultation carried out ahead of their return to Cabinet.

The review encompassed the Day Care services provided by the Council for older people at the Alma Centre in Stockton, Halcyon Centre at Thornaby, Parkside at Billingham, as well as the services provided by STEPS at Tithebarn. It also contained Care Home service provision at Blenheim House at Thornaby and Rosedal at Bishopsgarth and In-House Home Care services provided by the Council. A comparator of performance of service in each area against neighbouring/regional authorities and the national average, was provided.

RESOLVED that:-

Day Care Services

1. Cabinet approve the re-provision of services currently delivered at Alma Centre, to the Halcyon Centre in line with the authorisation by Cabinet for the sale of the Alma site on 5 November 2009.

2. Officers be authorised to enter consultation with clients and staff of Parkside Day Centre regarding the development of services for the future

STEPS at Tithebarn Service

3. Officers be authorised to enter consultation regarding the direction of travel of services provided to current clients in order to address more appropriately each client's assessed needs.

Blenheim House

4. Officers be authorised to enter consultation regarding the most appropriate future services for current long term clients.

5. Officers be authorised to review the provision of services for adults with physical disabilities who require medium term or respite care services

Rosedale

6. Officers be authorised to continue to develop Rosedale as an integrated Intermediate Care Centre. (Enablement)

7. Cabinet authorise Commissioners to explore the concept of increased financial support from Health in order to provide alternative services under the Momentum strategy.

In-House Home Care Service:

8. Officers be authorised to undertake development of the service to an enabling model with specialist In House Home Care support for specific client groups.

9 Cabinet authorise Officers to consider and review, on an individual basis, the most appropriate delivery of Home Care for existing clients whose requirements

do not meet the criteria of the new service provision.

**CAB
188/09** **LA nominations**

In accordance with the procedure for the appointment of school governors, approved at Minute 84 of the Cabinet (11th May 2000), Cabinet were requested to approve the nominations to school Governing Bodies as detailed within the report.

RESOLVED that appointments be made to the vacant Governorships subject to successful List 99 check and Personal Disclosure, as follows:-

Billingham South Primary School - Margaret Stirman (Lab)
Frederick Nattrass Primary School - Mrs D McLean (School nomination)
Holy Trinity Rosehill CE VA Primary School - Mr J Britton
St Joseph's RC VA Primary School Billingham - Margaret Stirman (Lab)
William Cassidi CE Primary School - Mrs V Fletcher
Wolviston Primary School - Mr C Mullen, Mr G McGregor

**CAB
189/09** **Admission Arrangements for September 2011**

Members were provided with a report that outlined the admission arrangements the Local Authority (LA) was proposing for primary and secondary schools in September 2011. In order to comply with legislation for admissions in 2011, the report included the full Co-ordinated Admission Arrangements for Primary and Secondary Schools for that year. The Co-ordinated admission arrangements also included in year applications for schools which the LA now has to administrate from September 2010.

RESOLVED that the Admission Policy for 2011 be approved, including the proposed changes outlined within the report, for oversubscribed schools and the Co-ordinated Admission Arrangements for 2011/12, including:-

1. Moving the 'sibling' criterion above applications from people living in the admission zone;
2. Removing option zones and incorporating permanent admission zones for The Links, Eggescliffe CE, St. John's CE, Whitehouse and The Oak Tree;
3. Amending admission zones for Thornaby CE, Bader and Harewood;
4. Admission numbers for schools in September 2011 which included reducing admission numbers in secondary schools in line with Building Schools for the Future (BSF) and the proposed amalgamation of Bewley Infant and Junior Schools to make one primary school;
5. In Year transfer procedures.

**CAB
190/09** **Progress Report on the Strategy for Change, Primary Capital Programme and the Programme Itself**

In February 2009 Cabinet approved for consultation a revised Strategy for Change relating to the Primary School Capital Programme. This was subsequently approved and implemented by Cabinet Member and Corporate Director. It was explained that the first year of the Programme had been completed and Cabinet considered a report that outlined progress on those projects included in that year.

Cabinet noted that, in May 2009 the DCSF approved the Council's Strategy for Change and the first two years of the Programme. Allocations were for £3m in 2009/10 and £5.4m in 2010/11. Subject to approval by DCSF it was envisaged that there would be an allocation of £2.5 million each year for 12 further years.

The programme for Year 1, 2009/10 included the following schemes :-

High Clarence, new hall and other internal changes
Levendale, permanent nursery building
Preston, new nursery/foundation stage accommodation
Thornaby C of E, new nursery/foundation stage accommodation
Wolviston, new nursery/foundation stage accommodation
Mill Lane, internal adaptations.

All these schemes had completed within 2009/10 with the exception of Preston and Thornaby C of E, which would complete in August 2010 and April 2010 respectively.

Members were provided with an outline of proposed changes to the Programme for year 2 and beyond. Such changes arose as a result of feasibility studies undertaken on some of the proposed projects and unexpected variations in the demographic projections for the Borough.

Taking account of the changes, Cabinet noted the programme for years 2 and 3. It was explained that the changed proposals had been discussed with the four Diocese and Primary Headteachers and there had been general support for them.

RESOLVED that:-

- 1.The progress on those schemes identified for implementation in 2009/10 be noted.
- 2.The revised Programme for Years 2 and 3 as outlined above and in paragraph 13 of the report be approved.

CAB **Children's Social Care Workload Pressures**
191/09

Further to the last update received on 14th January 2010, Cabinet was advised of the latest position with regard to the recent growth in the number of social care referrals being received by the Council.

The number of referrals had risen significantly in November and December, in sharp contrast to what had previously appeared to be the beginning of a levelling off of these pressures. The numbers of initial and core assessments had also substantially increased as a result of the rise in referrals experienced.

An initial analysis had been conducted of the nature and source of these referrals and there was no clear observable trend at this stage. This would continue to be monitored closely.

The overall number of children who were subject to a child protection plan had further increased to a peak of 281. The increase in referrals and assessments experienced through November and December had resulted in a corresponding increase in the number of child protection conferences and children becoming subject to a child protection plan, with December being a particularly busy month. The 'conversion rate' ie the percentage of referrals that subsequently led to a child protection plan in November and December was 4.9%, compared with 3.9% in August, September and October. It was noted that the overall conversion rate for the first 3 quarters of 2009/10 was 8.5%, which was significantly lower than the same period for 2008/9 (13.1%).

The overall number of looked after children remained at 245 at the end of December, the same as the end of October. The 'conversion rate' ie the percentage of referrals that subsequently led to a child becoming looked after in November and December was 1.2%, compared with 1.4% in August, September and October. Overall, the conversion rate for the first 3 quarters of 2009/10 was 3.2%, slightly lower than the same period for 2008/09 (5.1%).

Of the management posts previously vacant, the Local Authority Designated Officer (LADO) post had been appointed to, with the Duty Team Manager and one Independent Reviewing Officer post remained vacant. Following the restructuring of the Operational Management Group (third tier management team) and one manager leaving the Authority, there were two vacancies; Service Manager, Referral and Assessment (this replaces the previously vacant Operational Safeguarding Manager post) and Service Manager, Fieldwork which would be advertised.

In terms of social work posts, the situation had deteriorated further from the 5 vacancies at the end of October to 6 posts, although 2 of these posts were being covered by agency staff. This situation was exacerbated by a further 5 very experienced staff being absent for a variety of reasons such as maternity leave, secondment and sickness. At the end of December, there were 2 children in need and 6 child protection cases which were unallocated.

The relative costs of using agency staff as opposed to substantive post holders was highlighted resulting in a substantial additional cost incurred to the Local Authority. In order to address this, a review of Stockton Borough Council's 'Grow our Own' strategy was underway and proposals would be brought back to a future Cabinet meeting. Given this was a longer term strategy, there was an immediate need to improve our ability to recruit and retain qualified social work staff and both practitioner and management levels. It was therefore proposed to establish retention payments for specific 'hard to fill' posts over a two year period where it could be demonstrated that attempts to recruit at the standard salary level had not been successful due to the particular recruitment market. The retention payments would be applied to key posts where at least two unsuccessful attempts had been made to recruit on an external basis. The amount paid would be calculated on a pro rata basis according to the post salary and would be weighted towards the second year so as to reward the loyalty of staff who remained with Stockton Borough Council. The average

payment for year 1 would be £1,500 and year 2 £2,500.

Based on the groups included in the initial assessment the overall financial costs were as follows:-

Year 1	£102,759
Year 2	£196,318
Total	£299,072

The introduction of this scheme was considered crucial in order to fill the key posts identified above, which remained vacant despite having been advertised on a number of occasions.

The above pressures continued to have an impact on the Children, Education and Social Care budget for 2009/10 in a number of key areas. This was being considered as part of the overall Medium Term Financial Plan position.

Firstly the independent fostering agency budget, which was £2,079,874 for 2009/10. The current spend (to 31 December 2009) was £1,749,503. On that basis, the projected expenditure for the year (based on a further 3 placements) was £2,267,612 ie an overspend of £187,738. The second area which could potentially be affected was the children's homes agency placements budget, which was set at £1,776,897 for 2009/10. The current spend (to 31 December 2009) is £1,458,075. On that basis, the projected expenditure for the year (based on no additional placements) was £1,746,385 ie an underspend of £30,512. The third area related to the social work staffing budget, which was £2,614,699 for 2009/10 (adjusted). The current spend (to 31 December 2009) was £2,126,757. On that basis, the projected expenditure for the year was £2,902,814 ie an overspend of £288,115.

Whilst the introduction of the retention payment would result in a further budget pressure in 2010/11, the impact of this would be offset to a significant degree by a reduction in the overspend on the social work staffing budget, although the impact of this would not be realised until 2011/12.

Further to the previous report, an unannounced inspection of contact, referral and assessment arrangements was conducted by Ofsted on 5 and 6 January 2010. A copy of the letter detailing the outcome of the inspection was attached to the report.

Whilst the inspection highlighted a number of strengths in this service area, it also outlined some significant challenges for Stockton-on-Tees Borough Council and partner agencies. A number of these had been previously identified by the mock inspection carried out by external consultants in November 2009 and were already in the process of being addressed, as acknowledged by the inspection letter. A robust and comprehensive action plan had been developed and agreed with partner agencies.

It was noted that the Integrated Service Area (ISA) structure was well intentioned and introduced with a clear rationale to further integrate services in line with Every Child Matters agenda. Whilst it had been successful in terms of bringing staff from a range of different professional backgrounds together, it had also resulted in a lack of clarity in relation to management accountability. Whilst

the primary motivation for a review of this structure stemmed from concerns relating to social care, it was also noted that similar concerns were expressed from a health and youth perspective.

Following a formal consultation period, it had been agreed to move to a new structure based on functional management accountability with effect from 1 April 2010. A copy of the high level structure chart was attached to the report. It was important to stress that the new structure would still be based on the principle of establishing co-located locality based teams and integrated service delivery. Given the previously unsuccessful attempt to recruit to the post of Operational Safeguarding Manager, the approval of the retention payment scheme would be particularly important in order to attract high quality candidates to the posts of Service Manager, Referral and Assessment and Service Manager, Fieldwork which were integral to the success of the new organisational structure.

RESOLVED that:-

1. The continued workload pressures within the social care system and the associated impact this is having on caseloads, performance and budget be noted.
2. Further update reports on a quarterly basis in order to continue to monitor the impact of these workload pressures be received.
3. The introduction of a retention payment in order to recruit and retain staff in 'hard to fill' key social work posts be endorsed.
4. The attached action plan as the response of Stockton Borough Council and partner agencies to the unannounced inspection of contact, referral and assessment arrangements in Stockton which took place on 5 and 6 January 2010 be noted.

**CAB
192/09 Economic Climate Update Report**

Cabinet considered a monthly update report providing members with an overview of the current economic climate, outlining the effects that this was having on Stockton Borough, and the mitigations already in place and those being developed.

RESOLVED that the content of the report be noted and the work being undertaken supported.

**CAB
193/09 Social Housing Development**

Cabinet considered a report that sought approval to dispose of part of the former Redbrook Primary School site, Stockton (a plan showing the site edged in red was provided) for less than best consideration in order to assist in the provision of 28 units of much needed affordable housing accommodation (20 for social rent and 8 for intermediate rent) to be developed by Housing Hartlepool, a local registered social landlord. The report also advised members of the Council's proposals for the former playing fields.

Members were reminded that the demand for affordable housing was significant across the Borough. The Strategic Housing Market Assessment completed early 2009, identified an annual shortfall of in excess of 800 units. In order to address this shortfall, the Council was committed to working in partnership with registered social landlords and private developers. In the summer of 2009, the Homes and Communities Agency (the agency responsible for funding the development of new affordable housing social housing nationally) announced a bidding round for Registered Social Landlords to bid for funding to develop new housing that met housing need across the North East region.

The Council's Housing Service had therefore been working with a number of Registered Social Landlords to identify potential 'bids' at various sites across the Borough. A scheme to provide 28 units of accommodation was developed with Housing Hartlepool on the site of the former Redbrook School. This was one of the few sites available and could be brought forward to meet funding timescales. Following a successful bid Housing Hartlepool had secured in excess of £1.3million from the HCA to enable the provision of:

- a. 20 units of social rented housing (8 x 3 bed houses, 4 x 2 bed houses and 8 x 2 bed bungalows)
- b. 8 units for intermediate rent (4 x 2 bed houses and 4 x 3 bed houses).

It was explained that these additional units of accommodation would address housing need for both families and older/vulnerable residents in a popular area of the Borough.

Whilst the site had an unrestricted development value of approximately £350,000, the relatively high development costs of the housing proposed for the site and the restrictions on the availability of funds meant that, based on this valuation, Housing Hartlepool were not able to make the scheme financially viable.

Negotiations had taken place with Hartlepool Housing and terms had been provisionally agreed for the Council to transfer the freehold interest in the site for an initial payment of £1. The site would then be developed and the costs associated with this would be monitored on an "open book" basis. Any savings made during construction (over and above the agreed estimated construction costs) would be passed to the Council as an additional consideration when the development was completed. In addition to the above the site would be sold with a restriction to social housing use only and Hartlepool Housing would reimburse the Council's reasonable surveyors and legal fees.

Given the Council's commitment to the provision of social housing and the current none availability of alternative Council owned sites it was recommended that Cabinet agreed to a sale on the terms outlined above.

The playing fields were not included in the sale. The Open Space Recreation and Landscaping SPD indicated that there was an additional requirement for amenity open space/play space/ sport provision in this locality. Therefore, this area was to be developed into a community multi use open space, including an informal kickabout area and play provision. Exact details of what was proposed were being drawn up for consultation purposes.

Cabinet was informed that the Council had a duty, under Section 123 of the Local Government Act 1972, to obtain the best consideration for the freehold disposal of land unless the Secretary of State's consent was obtained to sell for less than best consideration. The General Disposal Consent (England) 2003 provided the Secretary of State's consent for disposals for less than best consideration if the local authority considered that the disposal was likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the borough or residents or persons present in the borough and the difference between the unrestricted value and the consideration did not exceed £2million. The sale to assist to achieve the Council's desire for the provision of social housing would come within the General Consent and would therefore be lawful.

The land and Property Manager considered that the school buildings site had an unrestricted development value of approximately £350,000 in its current condition. A sale on the terms as detailed in this report will result potentially forgoing the majority of this sum.

As the designs for the playing field site were still to be drawn up and had not gone to consultation, it was not yet known the full funding implications to realise the project in full. However, the funds required to bring forward a possible first phase of improvements would be met from a secured section 106 contribution from the Harpers Garden Centre development site and provisional play builder funding, subject to satisfactory consultation and the first phase being realised prior to the end of March 2011.

RESOLVED that:-

1. Disposal of the Council's freehold interest in the 0.8 ha site of the former school buildings (as shown edged red on the attached plan to the report) be agreed.

2. The position regarding the improvement of the former school playing fields (as shown edged green on the attached plan to the report) be noted.

CAB **Tees Heritage Park**
194/09

Cabinet was invited to lend its support to Phase project proposals for the development of a Tees Heritage within the Borough. This followed evidence of strong local community support for the development of such a park, with the concept now firmly embedded within the Borough's Local Development Framework Core Strategy and draft Green Infrastructure Strategy.

Through the Stockton River Corridors Project and the River Users Group, and in liaison with the Friends of Tees Heritage Park, Phase 1 project proposals for the Heritage Park had been developed. These proposals included a series of projects to improve public access, create attractive 'gateway features' and 'rest areas', and interpret the landscape and heritage of the park. These projects would be delivered largely on Council-owned sites which comprise a 'core area' within the wider park boundary. These include existing greenspaces such as Preston Park, Black Bobbies Field, The Holmes, Bassleton Wood, Bassleton Beck / Thornaby Woods and land adjacent to Queen Elizabeth Way.

With the support of Stockton Borough Council and Groundwork North East, the Friends of Tees Heritage Park had submitted a funding application to the BIG Lottery Community Spaces Programme, seeking a 'Flagship Grant' of £450,000 to fund delivery of these projects. The outcome of this funding application would be known in April 2010. If successful, the grant would be paid to Groundwork North East, who in turn would be responsible for delivering the projects between June 2010 and October 2011, with a high level of local community involvement.

RESOLVED that:-

1. Cabinet notes and supports the Phase 1 project proposals for the Tees Heritage Park and the funding application to the BIG Lottery Community Spaces programme.
2. Delegated authority be given to the Principal Solicitor, in consultation with the Cabinet Member for Arts, Leisure and Culture, to enter into any legal agreements required to ensure successful delivery of the Phase 1 project proposals outlined in the report.
3. Subject to funding and further local consultation the Phase 1 project proposals for the Heritage Park be implemented.
4. Plans be developed for future phases of the Heritage Park and these be brought to Cabinet for consideration at a later stage, as and when funding was identified.

CAB **Personal Care at Home**
195/09

The Personal Care at Home Bill aims to help around 280,000 people nationally with the highest care needs by guaranteeing free personal care at home. This is being promoted as the first step towards setting up a new National Care Service.

The principle of helping more people with care needs to stay in their own homes for as long as possible is an extension of Government policy the Council has been working towards for a number of years.

However, there are a number of key concerns about the Government's proposals in the Bill, including:

- * The robustness of the Bill Impact Assessment;
- * The feasibility of achieving the proposed local government efficiencies;
- * The creation of perverse incentives that disadvantage already strongly performing councils, and;
- * Implementation pressures and workforce issues.

The Government introduced their proposals for free personal care at home in the Queen's Speech on 18 November 2009. This follows the announcement in the Green Paper Shaping the future of Care Together, that care for people with the highest level of need living in their own home would be free from 1st October 2010, (subject to the passage of parliamentary and legislative

processes).

The move followed growing concern that many older people were being forced to spend all their savings and sell property in order to fund care.

The Main points of the bill were:-

- Guarantees free personal care for people with the highest needs (suggested critical FACS banding) who also need substantial help with 4 or more activities of daily living. This includes current clients assessed as critical in receipt of personal care support and those who self fund their care.
- Local authorities have the option to require a period of free re-ablement in advance of assessing for a community care service. Refusal to participate in this process (if the council decides it is a criterion) could result in a potentially eligible person not qualifying for free personal care.
- A focus on intensive assistance or "re-ablement" reflects the need to help people to regain their independence and prevent ill health. Helping people to stay in their own homes could involve installing new equipment in people's homes and use of telecare.
- No charge will be raised for intensive support and re-ablement services (consistent with Stockton's current policy).
- To be eligible, the client must be in receipt of "personal care" in their own home; specifically requiring significant help with 4 or more activities of daily living.
- To ensure personal care needs are assessed consistently, the DoH intends to develop a standardised assessment tool for all councils to use (summer 2010).
- Councils will have to ensure local flexibility where assessed care costs exceed any amount identified through the Resource Allocation System (RAS).

The Government believed the main benefits of the proposals were as follows:

- Guarantee free personal care for the 280,000 people, including those with serious dementia or Parkinson's disease, with the highest needs.
- Protect the savings of the 166,000 people who currently get free care from future charges.
- Help around 130,000 people who need home care for the first time to regain their independence.
- Where home adaptations or technology can increase a person's independence and reduce care needs, these would be offered.
- It would allow £130 million to be invested in re-ablement and prevention to help people to maintain their dignity and rebuild their confidence so that they can live at home for longer.
- This would put prevention at the heart of the system, improving quality, empowering people, and saving the NHS and social care money.

There was the potential for the Bill to have significant implications for the Council. Already organisations had begun to assess the impact of these proposals. ADASS had formally presented their concerns over the Bill highlighting a number of common reservations:-

The financial burden to councils to meet the "efficiency gap":-

In terms of finance in 2010/11, funding for Free Personal Care would be issued

as part of the Area Based Grant from October 2010 onwards. The grant related to the extra costs to councils of implementing free personal care at home for those with the highest need. This extra cost had two elements, firstly lost council income from user contributions to personal care at home for those with the highest needs. Secondly, the majority of the additional cost would be for people who were not current users of publicly funded care and who were likely to be currently purchasing care privately.

In the first half year, £210m would be made available from central resources and the estimated remainder of the funding required, £125m, was to be found from local government efficiency savings. £670m was expected to be required in the first full year of operation, made up of £420m central funding and £250m which was to be found from local government efficiency savings. The Government was clear that there was a finite amount of money available for the policy and so the offer would be targeted at those with highest needs.

In local terms, this meant, depending upon which of the 3 funding models the government choose, the Council would get a full year grant allocation of either £652k, £701k or 746k. Across all Councils, there were winners and losers over the 3 models, so no one solution was guaranteed.

For Stockton this was estimated to be approx £248k of client contribution income would be lost per annum based on information used in the FACS EIT review for personal care and direct payment clients in the critical banding between October 2008 and March 2009. However, there were difficulties in modelling the impact based not only on estimates of loss of income, but estimates of numbers of self-funders, and number of "switchers" from informal care and residential care. Although the efficiency saving was not additional to that already expected by the Government, as it had not been fully factored into the current MTFP it did in reality represent an unfunded pressure.

Interestingly, an assessment of Free Personal Care introduced in Scotland in 2002 by the Joseph Rowntree Foundation, found that between 2002 and 2005, the overall number of local authority home care clients rose by 10 per cent. Within this group, 62 per cent more received personal care. If this pattern were replicated in Stockton, the financial burden would be significantly worse.

The increased administrative burden to councils:-

The impact assessment identified the proposed additional £29m cost of administering the bill had been factored into the costing for the grant and efficiency savings. However, as the Government believed that there should be a set period, from 1st October 2010 to 31st December 2010, during which applications for free personal care should be considered retrospectively from the date of they were received plus a concerted effort by all local authorities to promote free personal care to all in the 3 months leading up to its implementation, the view of many councils was that this was insufficient.

At the very least, the Council would also have to undertake: the additional assessments of self-funders; re-assessments for some clients currently assessed at substantial; appeals activity where a banding was challenged; additional activity through intermediate care; and potential training required too deliver the new assessment tool. It was also noted that as the majority of people

that meet the criteria for free personal care would also receive other services, they would still have to be assessed for charging, and so there would be no reduction in administrative costs.

Public confusion for free personal care:-

The draft guidance proposed that free personal care should be available to those in the highest need (FACS critical). The assessment of any client as "critical" was known to be variable based on their very unique circumstances of individual clients. People would also need to meet the criteria of requiring assistance with four Activities of Daily Living and new systems would have to be set up to assess this.

The Joseph Rowntree study in Scotland of free personal care, found that after 3 years of operation, there remained issues around the lack of understanding of free personal care by the general public, with many people surprised that they may still be required to pay for some aspects of care.

Timetable for implementation:-

This was a challenging timescale, which was not aided by the Government's intention to provide a national assessment tool in the summer of 2010. If the delivery of this tool was not timely then councils would struggle to deliver a working system for the expected start date of 1 October 2010.

RESOLVED that:-

1. The main elements of the new Bill be noted;
2. Further work be undertaken to estimate the potential financial impact (loss of income) by assessing the number of individuals who are assessed as receiving personal care (as per the definition/qualifying criteria) and who have been assessed as critical in terms of the Fair Access to Care Services (FACS) eligibility criteria;
3. How many self-funders, or those who have resisted services because of charging but would possibly qualify be assessed;
4. How the Council will adapt our Resource Allocation System for Personal Budgets be considered.
5. Appendix A to the report be used as the basis for a Stockton Council response to this consultation exercise.

CAB **Wind Energy Generation - Capacity Study**
196/09

Cabinet considered a report that presented the results of recent studies commissioned to determine the contribution that renewable energy generation from wind could make to both Regional and National targets for renewable energy. The three studies concerned were:

- Wind Farm Development and Landscape Capacity Studies: East Durham Limestone and Tees Plain (2008);

- Wind Farm Development and Landscape Capacity Studies: East Durham Limestone & Tees Plain addendum study (2009);
- Stockton Renewables Study: Wind Study (2009), commissioned by Stockton Borough Council. Members were provided with the results of the studies and noted that they were intended to be an objective technical assessment of capacity of each identified area to accommodate wind energy development. It was intended that the studies would be used as a tool to assess planning applications and to inform the development of the Local Development Framework. The studies should therefore assist in securing a more planned, consistent and coherent approach to the decisions taken on onshore wind applications.

It was clear that wind energy alone could not deliver sufficient renewable energy for the needs for the borough or for the region and other new and existing technologies would need to be developed and delivered to meet current and future needs.

RESOLVED that:-

1.The content of the Wind Farm Development and Landscape Capacity Studies: East Durham Limestone and Tees Plain (2008); Wind Farm Development and Landscape Capacity Studies: East Durham Limestone & Tees Plain addendum study (2009); and Stockton Renewables Study : Wind Study (2009) be noted.

2.The results of the above studies be considered when developing planning policies in relation to the delivery of renewable energy generation targets.

CAB 197/09 Revised Human Resources Policies in Respect of the Management of Organisational Change

Consideration was given to proposed revised policies for the Council in respect of the Management of Organisational Change and Equal Opportunities following a review of current policies to ensure that they took account of changes to legislation and also that they continued to meet the needs of both managers and employees.

It was noted that as the Council was undertaking a number of organisational changes at present, not least of which those associated with the Efficiency, Improvement and Transformation Programme, it was likely that organisational change would continue and it was therefore essential that effective policies and procedures were in place to support the process. The new Management of Organisational Change Policy was a comprehensive document designed to guide and support managers through the process of organisational change and ensure the involvement of employees and Trades Unions at all stages in the process. The policy, which now also incorporated the handling of redundancies, gave a clear and transparent stage-by-stage process for handling reviews. The aim of this policy was to:

- enable employees and Trades Unions to influence the shape of changes which affect them at any early stage
- ensure a consistent approach to managing change, incorporating lessons learned from previous reviews and ensuring a transparent and fair process.

This includes the handling of redundancies.

- minimise disruption to services
- set out an appeals process for dealing with personal applications for regrading following the completion of the Job Evaluation Review process
- wherever possible to maintain continuity of employment and stability of the workforce through the active use of redeployment and retraining. This policy would be supported by the Redeployment Policy which was currently being finalised.

Equality and Diversity was everyone's responsibility and was already mainstreamed across the Council and embedded within the Customer First programme, thus ensuring that it was an integral part of providing excellent customer service. This policy re-states the Council's commitment to the workforce in terms of diversity, ensures legal changes are up to date and supports the Council's Single Equality Scheme. The Policy was also supportive of the work of the Recruitment and Engagement Action Plan which had been developed in conjunction with local community leaders with the primary aim of increasing the diversity of the workforce.

The Equality Policy aims were to:

- promote equality of opportunity
- promote equality of access
- promote good relations between diverse communities.

The policy focused mainly on employment related issues, the main objectives of which were:

- to set out the Council's approach to equality
- ensure that recruitment and selection procedures are fair and equitable
- ensure equality of access to development opportunities for all employees and that the principles of equality are embedded in the Council's training programmes
- ensure that all policies and procedures within the Council are free from discrimination by conducting equality impact assessments
- gather and analyse workforce data in relation to equalities
- support the provision of a working environment where unacceptable behaviour will be challenged e.g. bullying and/or harassment
- ensure equality of pay through a fair and transparent job evaluation process
- provide links to related policies and procedures.

RESOLVED that:-

- 1)The revised Management of Organisational Change Policy and Procedure, as detailed at Appendix A of the report, be approved.
- 2)The revised Equal Opportunities Policy , as detailed at Appendix B of the report, be approved.

CAB **Freedom of Information Requests**
198/09

Members considered a report that provided a summary of the procedures currently in place across the Council for the receipt of, and replying to Freedom

of Information (FOI) requests. The reports also outlined the implications arising from those procedures and indicated how it was proposed to address them.

The Council's culture was one of openness and transparency, and being customer focused. This often involved officers doing everything that they could to ensure that requests were replied to as fully and efficiently as possible, often "going the extra mile" to do so, by compiling information that was not readily available, or spending time confirming that the information requested was not held.

Clearly, there was a real risk, if not properly managed that this approach could become disproportionate and could constitute an inefficient use of resources, at a time when currently they were in short supply and needed to be focused on key priorities.

Recent concerns in this respect had been specifically expressed by officers in CESC, particularly in relation to requests around safeguarding, the obvious risk being that operational officers may become distracted from their key priority work.

Each Corporate Director/Director of Service had sight of all requests for their service area when they were received, as well as the proposed replies before they were sent. The Chief Executive/Corporate Management Team/Communications' Team were also informed of any requests of note because of their sensitivity (requests regarding Members' Allowances and officers salaries for example).

In addition, the FOI Officers met regularly as a sub-group of the Officer Corporate Governance Group, to discuss requests received and the effectiveness of the procedures for handling them and ways in which they could be refined and become more efficient.

In this way, it was intended that decisions could be taken about how best to handle particular requests, taking into account the nature of the information required, officer availability, operational workloads and other priorities. The procedure should also assist in avoiding duplication of effort across the organization, achieving consistency of approach to the same or similar requests and maximizing available knowledge and resources. In particular, these arrangements would assist in spotting trends within service areas and across the organization, so that steps could be taken, for instance, to share information about responses already provided, and to publicise relevant information on the website and in other ways, in order to minimise the work and costs associated with the same or similar future requests.

To supplement this approach, it had also been agreed that information regarding the number and nature of FOI requests being received by Services would be reported to the Corporate Management Team Performance Clinics. This information would in turn be reported to the Executive Scrutiny Committee and Cabinet, along with the existing information relating to Complaints, Compliments, Commendations and Comments.

Members were provided with details of requests received during 2008/09 by service area. Similar details for requests received during the period 1 April 2009

to 31 December 2009 were also provided.

Details of costs involved in dealing with requests were also provided. These had been estimated on a standard basis for each Service and related only to the Officers who dealt directly with the administration of requests. They did not include the time spent by other Officers in relation to FOI (eg Heads of Service, Corporate Directors). In future FOI Officers would record and cost the total time spent on FOI requests specific to their own service area. This would provide a much more analytical picture of the resources which were being used.

An assessment of requests by type over the period October to December 2009 was also provided and gave specific details of where the requests had come from and what topics were asked about in each service area.

.An FOI charging policy had recently been drafted by the FOI Officers Group and a draft copy was provided to members. This would be finalized by the Group together with appropriate guidance following which charging would take place in appropriate cases.

Cabinet noted the next steps:-

- extend and improve the FOI Officer Group's data gathering, sharing and statistical analysis processes
- review and refine the procedures for dealing with requests
- finalise the charging policy and related guidance
- subject to this, to ensure that, wherever appropriate, the charging policy is applied and costs are recouped
- become more effective in minimizing the time and costs expended on dealing with requests, by information sharing and more extensive publication
- embed the reporting arrangements regarding requests.

RESOLVED that the content of the report be noted/ratified.

**CAB
199/09** **Minutes of Various Bodies**

Consideration was given to the minutes of the meetings of various bodies.

RESOLVED that the minutes of the following meetings be received/approved, as appropriate:-

- Safer Stockton Partnership-15th December 2009
- Health & Wellbeing Partnership-25th January 2010
- Housing & Neighbourhood Partnership-26th January 2010
- Central Area Partnership-28th January 2010
- Environment Partnership-28th January 2010
- Stockton Renaissance-2nd February 2010

**CAB
200/09** **Leaders and Elected Mayors Board**

Consideration was given to proposals for establishing a Leaders' Board under the Local Democracy, Economic Development and Construction Act 2009 ("the Act") for the purpose of exercising the functions prescribed in the Act regarding

the preparation and revision of the regional strategy for the North East. Subject to this, Cabinet was also invited to confirm the Leader of the Council, and his nominated substitute, as the Authority's representatives on the Board and recommend to Council that it agrees to the Leader and his nominated representative having the necessary decision-making powers relating to the aforementioned functions.

The Act gave participating authorities a key role in the development, implementation and monitoring of the strategy, working in tandem with the regional development agency. This role was to be undertaken in a number of ways, but importantly through the establishment of a Leaders' and Elected Mayors' Board ("the Board") for the North East region, which would be one of two "Responsible Regional Authorities", along with ONE North East. The "participating authorities", which in the North East's case were the 12 unitary authorities in the region, plus the Northumberland National Park Authority, must prepare a scheme setting out how they intend the Board to work, consult on it and submit it to the Secretary of State for approval. The Association of North East Councils (ANEC) had, in consultation with each of the 12 unitary authorities in the region, prepared a draft scheme for a leaders Board for the North East, a copy of which was submitted.

RESOLVED that:-

- 1.The proposals for establishing a Leaders and Elected Mayors Board for the North East region be approved;
- 2.The Leader of the Council be confirmed as the Authority's representative on the Board;
- 3.The Leader's nominated representative on the Board be Councillor Bob Cook.

RECOMMENDED TO COUNCIL that-

- 4.The Leader and his nominated representative be granted all necessary decision-making powers on behalf of the Authority regarding the functions prescribed in the Act in relation to the preparation and revision of the regional strategy for the North East; and that**
- 5.Subject to this, the Constitution be amended accordingly.**