

MINUTES of a meeting of the **CABINET MEMBER FOR HEALTH AND COMMUNITIES** held on 22 September 2015 at County Hall, Matlock

PRESENT

Councillor D Allen – Cabinet Member

Also in Attendance – Councillor E S Wilcox

An apology for absence was submitted on behalf of Councillor C A Hart

95/15 **MINUTES RESOLVED** that the minutes of the meeting of the Cabinet Member for Health and Communities held on 1 September 2015 be confirmed as a correct record and signed by the Cabinet Member.

96/15 **BUDGET MONITORING MONTH 3 2015/16** The gross budget for the Health and Communities portfolio was approximately £56m, and the budget monitoring was projecting an underspend for the year of £2.586m, £2.703m of which related to the Public Health function. This included the effect of an in-year cut in the Ring-fenced Public Health grant. Subject to consultation, the Department of Health's preferred option was to reduce every Local Authority's 2015/16 allocation by 6.2% - the impact for Derbyshire was a reduction of £2.524m. This left a projected overspend for the remaining portfolio of £0.117m..

The key variances were reported, and included an underspend in Public Health and a projected overspend in Libraries and Heritage. The Department's Earmarked Reserves totalled £8.682m, and budget reductions totalling £1.291m had been agreed by Full Council as part of the approval of the 2015/16 budget.

RESOLVED to note the position on the 2015/16 Revenue Budget.

97/15 **CONSUMER RIGHTS ACT 2015** The new Consumer Rights Act 2015, which was due to be enacted on 1 October 2015, consolidated the main legal provisions covering consumer contracts for goods and services, and also extended the provision of the law to the internet by including 'digital content'. The Act introduced new powers to seek redress for consumers who had been disadvantaged by breaches of consumer law, and to seek remedies from traders to improve compliance and reduce the likelihood of future breaches.

The main change to the law was that it clearly set out the time frame in which consumers could act if wishing to make a claim. A summary was given of the main points of the new Act relating to goods bought in a shop, services paid for in a shop, goods bought at home, services paid for at home, and digital content. These varied depending on the type of product and the

circumstances of the sale, and it also included recent changes as a result of the Consumer Contract Regulations 2013. The new law also consolidated the law with regard to what might constitute an 'unfair term' in a consumer contract and extended the list of what was considered to be unfair.

The Consumer Rights Act imposed a duty on letting agencies to publicise fees and to say whether or not they were a member of a money protection scheme, and which redress scheme they had joined. There were also new requirements for the resale of tickets for recreational, sporting and cultural events.

RESOLVED to note the report.

98/15 FOOD AND FEED PRODUCTS ENFORCEMENT ACTIVITY
FIRST QUARTER 2015/16 Details were provided of activity undertaken by the Trading Standards Division to ensure compliance with food and feed product composition labelling and safety requirements. The theme of the most recent food sampling projects were manuka honey to check the authenticity of the pollen; alcopops to ensure that any preservatives and sweeteners were within permitted tolerances; and dried fruits and nuts to check for the presence of toxins. A summary of each of the projects and the results of analysis together with the action taken was provided.

In total, 68 food or feed products had been submitted for analysis and of those, 23 were reported as being unsatisfactory in some regards. The Division had a range of sanctions available to seek compliance with legal requirements, and the main activity was to provide advice and information to the relevant businesses. An advisory approach was generally adopted where there had been a recent change in legislation, and only where there was evidence of deliberate or negligent criminal behaviour would a more formal enforcement approach be adopted.

RESOLVED to note the outcome of recent food sampling activity.

99/15 PHILANTHROPIC GIVING AT THE DERBYSHIRE RECORD
OFFICE Derbyshire Record Office was seeking to diversify its income streams to help address the impact of any future budget reductions and to help offset the increased revenue costs resulting from the extension of the building in 2013. The business rates had increased, putting further pressure on the Record Office budget, and consequently, it wished to explore the potential offered by philanthropic giving to supplement its existing revenue streams.

A small number of Record Office customers already offered financial donations, and most donors expected their donations to be reserved for specific uses. Currently, however, all donations went into the Record Office's general revenue budget and were absorbed into the general running costs of

the service. Building on the wish among some customers to donate money, there was potential for the Record Office to actively fundraise through philanthropic giving by encouraging certain depositors to offer a financial donation with their archive, using crowdfunding websites to raise specific sums of money, and displaying a donations box in the building to encourage donations from visitors.

Under the provisions of the Local Government Act 1972, the Record Office could not charge private depositors for packaging, conserving, documenting, storing or providing public access to their archive collections. To help cover the cost of managing collections on behalf of private depositors, the Record Office proposed to offer the option for depositors to give a monetary donation with their archives. No pressure would be placed on non-commercial organisations to make a donation, but in exceptional circumstances, the Record Office may refuse to accept a collection if the depositor was not prepared to make a financial donation. This would only occur when the financial burden of accepting the deposit was deemed to be greater than the overall benefit to Derbyshire residents.

In order to gain grant funding, funders expected proportionate match funding to be offered. The current and anticipated pressures on the Record Office budget would limit the ability to provide match funding and could jeopardise future funding bids. The Record Office proposed to work with Derby University History Department to explore options for crowdfunding for a cataloguing project, and for the 2015 autumn semester, it was proposed that students investigated options for crowdfunding as part of the cost of cataloguing the archive of Bryan Donkin Ltd of Chesterfield. The students would be tasked with raising the match funding through philanthropic donations, and the archive offered the opportunity to fundraise among ex-employees as well as enthusiasts. If the model of fundraising proved successful, it could be used in the future to help fund other projects. The Record Office also proposed installing a donations box within the building to allow customers to donate money if they wished.

In order for the Record Office to retain all financial donations for their specified purpose, permission was sought for any monies that had not been spent by the end of the financial year to be transferred to a dedicated reserve so that they could be used at a later date. Any donations would be credited to an earmarked reserve and would only be used in line with the aims and objectives of the Record Office.

RESOLVED to approve (1) the Record Office to solicit and receive financial donations;

(2) the Record Office, working with Derby University History Department, to explore options for crowdfunding for an archives cataloguing project; and

(3) that any unspent donations be transferred to a dedicated reserve at the end of each financial year.

100/15 ARCHIVE SERVICE ACCREDITATION DOCUMENTATION

Derbyshire Record Office was a recognised 'Place of Deposit' for Public Records, and as such, it was subject to monitoring by The National Archives (TNA) to ensure that it cared for, and provided access to, Public Records in compliance with appropriate standards. In 2013, TNA had developed Archive Service Accreditation, and Derbyshire Record Office was required to achieve this by 2017.

The Record Office intended to apply for Archive Service Accreditation in 2015/16. In order to prepare, the Record Office had been carrying out a review of its policies, plans and procedures. The existing policies had been updated and streamlined into one management policy, and this would be reviewed every five years and covered access, collections development, collections information and collections care. The majority of the policy confirmed existing practice at the Record Office, in accordance with previous policies and procedures. A revised mission statement had been prepared for the Record Office, and a series of aims and objectives had been created to give overarching direction to the Record Office's work over the next five years.

RESOLVED to approve the Record Office revised mission statement, aims and objectives, and Archives and Local Studies Management Policy.

101/15 GRANT FOR COMMUNITY SPECIALIST NURSE FOR HOMELESS PEOPLE

Pathways had been operating in Chesterfield since 2007 and was the only agency of its kind providing help and support to homeless and vulnerably housed individuals in Chesterfield and the surrounding area. Individuals registered with Pathways presented a range of health and social care problems linked to their homeless status. Many homeless people had complex health needs that impacted on their daily functioning, wellbeing and life expectancy, and homeless people were arguably the group most likely to experience the worst inequality in health. For some homeless people, difficulties in accessing integrated care meant that they presented late in the pattern of illness.

In December 2013, the County Council had agreed to provide grant funding for the provision of a community nurse specialist to provide healthcare to Pathways' clients. The service was hosted by the Avenue House Medical Centre, and the post holders worked out of Pathways and provided specialist clinical support to enable clients to understand and manage their health

condition. Liaison with other health and social care organisations and voluntary agencies was a key aspect of the role, and details were provided of the work that had taken place over the last year to help facilitate a more co-ordinated approach in supporting homeless people.

The addition of the services helped in the delivery of a more holistic, robust service to Pathways clients. The team had held various weeks focussing on a range of issues aimed at providing information and raising awareness. Work continued to ensure that some of the most vulnerable members of the community received a high standard of health care. The nurses working at Pathways had developed great skills and expertise in engaging with and treating homeless people, and it was recommended that the Council ensured that this group of vulnerable people received high quality health care by confirming its funding for the next three years. £42,500 a year had been allocated recurrently in the Public Health budget for the provision of the service.

RESOLVED to approve the provision of grant funding of £42,500 to Pathways for the provision of a Community Nurse Specialist post for the homeless for the 2016/17 financial year.

102/15 **EXCLUSION OF THE PUBLIC** **RESOLVED** to exclude the public from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 1 September 2015

103/15 **EXEMPT MINUTES** **RESOLVED** that the exempt minutes of the meeting of the Cabinet Member for Health and Communities held on 1 September 2015 be confirmed as a correct record and signed by the Cabinet Member.