

MINUTES of a meeting of **CABINET** held on 12 June 2012 at County Hall, Matlock.

PRESENT

Councillor A I Lewer (in the Chair)

Councillors J A Allsop, J P Harrison, Mrs C A Hart, C W Jones, B Lewis, K L Parkinson, and S A Spencer.

Apologies for absence were submitted on behalf of Councillor M V Longden.

160/12 ISSUES RAISED BY THE MINORITY GROUPS

Councillor S Flitter raised the following:

Agenda Item 6(a) Matlock-Buxton Cycle Trail – The idea of the cycle trail is supported. (a) What timescales for the project are envisaged? (b) Are any insurmountable problems anticipated?

Agenda Item 6(d) The New Youth Offer – (a) How will community groups succeed in improving attendance where the Council has failed? (b) Why has the Council failed? (c) How can the Council go ahead with the aim of not providing directly run services when 76% of respondents tell the Council it is a bad idea? (d) How can community groups continue to provide the high quality service expected after it has taken so many years of dedication by trained staff? (e) Can Councillors be assured that Ward Members will be consulted at every stage of the process? (f) Can Councillors also be assured that all political leaders and all Members will be made aware of the process and reasoning of decisions made on each and every youth club or mobile service?

Agenda Item 6(e) A New Systemic Approach to Social Work for Children and Families – (a) With the continuing rise of Looked After Children in care, how will this impact on future budgets? (b) Could an explanation of the staff turnover of 10% be explained?

Agenda Item 6(g) Replacement of the Derbyshire Schools Administration System (DSAS) with the SAP System – (a) What problems with the SAP System still exist? (b) If suitable contractors cannot be found under the existing contract, how will the delays affect roll-out and the continued reliance on DSAS?

161/12 MINUTES RESOLVED that the non-exempt Minutes of the meetings of Cabinet held on 15 and 29 May 2012 be confirmed as correct records and signed by the Chairman.

162/12 CABINET MEMBER MEETINGS RESOLVED to receive the non-exempt Minutes of Cabinet Member meetings as follows:

- (a) Technology and Recycling – 26 April 2012
- (b) Highways and Transport – 1 & 15 May 2012
- (c) Leadership and Culture – 2 May 2012
- (d) Finance & Management – 18 May 2012
- (e) Public Health – 13 May 2012
- (f) Young People – 16 May 2012
- (g) Regeneration – 21 May 2012

163/12 MATLOCK – BUXTON CYCLE TRAIL The Strategic Director - Environmental Services updated Cabinet on discussions with partners over the delivery of a network of trails linking Matlock and Buxton which also sought approval to the priorities for investment.

Following previous reports to Cabinet, a project board had been established for the Peak District network of trails. Partners confirmed a shared aspiration to deliver an improved cycling network and had established a clear understanding of the priorities for intervention. The network which made use of several established routes had recently been termed the White Peak Group. A number of sections of the network required intervention before it would be fully available for use, details of which were presented.

It was possible that some elements of the project delivery could be assisted by Peak Cycle Links, a charity set up to assist with the delivery and marketing of cycling trails in the area. Peak Cycle Links had secured routes on some potential sections of the trail and it was possible that the County Council could help facilitate an on-going role for Peak Cycle Links where appropriate and it was therefore recommended that the Cabinet Member – Highways and Transport be authorised to consider specific proposals where this support might be offered for work which fell within the agreed project plan. The Cabinet Member in doing so, would have to take into account the need to ensure that any routes supported through public funding but leased and maintained by others, would remain available for public use and in good repair. It was anticipated that Cabinet in due course would receive proposals for capital funding for trails linking Matlock and Buxton as part of the Environmental Services Departmental funds.

RESOLVED that (1) progress made to date on the coordination of activities to deliver a network of trails suitable for a cycling link between Matlock and Buxton be noted; and

(2) the Cabinet Member - Highways and Transport be authorised to consider specific proposals for ways in which the County Council might help to facilitate the delivery of trails, with priority given to the eastern portion of the proposed network.

164/12 REFORMING OUR RAILWAYS The Strategic Director - Environmental Services sought agreement on the County Council's response to the Government's consultation on railway fares and railway de-

centralisation and updated Cabinet on re-franchising proposals for Northern Rail and Trans-Pennine Express services.

Following the 2011 study by Sir Roy McNulty into Rail Value For Money, the Government had produced its response as a Command Paper entitled “Reforming our Railways : Putting the Customer First”. Details of the response to the consultation were attached at Appendix 1 to the report.

RESOLVED that (1) the Cabinet Member – Highways and Transport be authorised to approve the full response to consultation on the Rail Fares and Ticketing Review, taking into account the key principles detailed in the report;

(2) the County Council’s response to the consultation on Rail De-centralisation be approved as detailed in the report; and

(3) to note that discussions were continuing on the organisation of the future Northern and Trans-Pennine rail franchises and that a further report be presented as appropriate.

165/12 HARASSMENT AND BULLYING – REVISED PROCEDURE

The Director of Human Resources sought Cabinet approval of a draft revised Harassment and Bullying Procedure which had been developed to complement the Employee Performance Management Framework. A copy of the revised policy, currently the subject of consultations with staff and trade unions, was attached at Appendix 1 of the report. It was noted that an Equality Impact Analysis had been produced and a copy was attached at Appendix 2 to the report.

RESOLVED(1) that the revised Harassment and Bullying Procedure as detailed at Appendix 1 of the report be approved subject to the conclusion of consultations with staff and the trade unions;

(2) to note the consideration of the Equality Impact Analysis attached at Appendix 2 to the report; and

(3) that the revised procedure and completed Equality Impact Analysis be considered by the Cabinet Member for Finance and Management following final consultation.

166/12 THE NEW YOUTH OFFER Councillor Lewer reported that he had received a communication from Councillor Murray, in his capacity of Chairman of the Resources Improvement and Scrutiny Committee, requesting that Cabinet defer any decision on the Youth Service until the conclusion of the investigation being undertaken by this Committee. Councillor Lewer indicated that Cabinet would need to consider this request as part of its decision.

Councillor Lewer confirmed with Cabinet Members that they had received a copy of an extract from the verbatim record of the Council meeting

of 18 April 2012 referred to in Appendix 1, section 3 of the report at page 10 sent by the Director of Legal Services on 7 June.

The Strategic Director – Children and Young Adults sought Cabinet approval for the development of the New Youth Offer. The New Youth Offer would provide more extensive and effective youth services which offered what young people wanted. It related to a range of services for young people aged 13-19 and up to 24 for those with learning difficulties to help them through the transition to adulthood and which met the Council's statutory duty to young people.

The Offer would be the biggest transformation in Derbyshire Youth Services for many years and would mean that more young people would be involved in more youth activities at more venues. More youth activities would be available when young people wanted them, at weekends and school holidays, as well as during the week. Better and fairer opportunities for young people would be provided resulting in improved outcomes such as fewer young people not in education, employment and training and reduced anti-social behaviour. The services to be delivered as part of the New Youth Offer would be grouped under four headings namely; Educational Provision, Youth Activities, Personal Support and Information and Advice.

Arrangements would be put in place to establish young people as co-producers of these services, working with the Youth Council so that young people would be involved in designing the services they wanted. It was also proposed that a youth scrutiny committee be established, to evaluate and scrutinise services for young people.

A new annual Youth Activities Grant Fund of £250k would be created to support the development of youth activities by the Voluntary, Community and Independent (VCI) sector and others, to extend work with the sector and build on the 70% of youth services that they already provided in Derbyshire. Ways to attract additional resources from the private sector, such as the TSB fund, would be sought. Resources would be better targeted and lead to future efficiency savings which would then be used to ensure the Youth Activities Grant Fund could continue, whilst at the same time ensuring the focus and delivery of provision was matched as closely as possible to young peoples' needs.

The allocation of resources for youth activities across the County would be reviewed to extend and improve provision, in consultation with local stakeholders. Activities would be in the right place at the right time and deliver good outcomes for young people better reflecting areas of disadvantage whilst maintaining existing levels of investment. The Offer would take account of activities provided by the VCI sector and others in a coordinated, strategic approach.

Mobile units of qualified youth workers would provide flexibility to be able to respond to local pockets of need and complement existing effective VCI provision. New flexible youth worker contracts would help avoid the need for compulsory redundancies and employees would be trained, if necessary, to meet the requirements of the New Youth Offer. Within the Multi-Agency Teams (MATs), approximately 40 full-time equivalent youth worker posts would be maintained to support vulnerable young people.

A new commissioning framework for the New Youth Offer would be developed and arrangements for working with the VCI and others put in place. The new framework would ensure quality provision and that outcomes continued to be delivered. Opportunities for changes to, or transfers of, Youth Service properties would be identified and acted upon. No youth centres or activities would be closed without suitable alternatives being provided.

In order that young people benefitted fully from these services, the Council committed to the following principles in all aspects of the Youth Offer:

- It would work as a co-producer with young people in order to deliver what they needed. Co-production meant involving young people in the process of planning, delivery and quality assuring services;
- It would recognise that it was not the only provider of services and that young people could often get what they needed from other sources. Recognition meant understanding what different providers had to offer;
- It would publicise information about the services which were available from the Council, VCI and others;
- It would focus on resources and on early intervention so that all young people could make a successful transition to adulthood;
- It would use its resources as fair and effectively as possible in order to maximise service delivery and quality.

The new guidance removed the previous OfSTED inspection framework for the youth service and previous performance indicators. In future, local authorities would be assessed against their new role of working in partnership with the VCI and others to provide a sufficient local offer which resulted in positive feedback from young people on the adequacy and quality of local provision. It would also result in positive trends in young peoples' well-being. The Council would continue to develop new ways of evaluating the efficiency and effectiveness of what it does. Advice on this would be published by the Youth Sector Improvement Panel of the Local Government Association.

The creation of the MATs in April 2011 delivered management savings of £1m, whilst maintaining provision for targeted youth support. During the financial year 2011-12 expenditure on open access youth clubs, premises, mobile units and creative arts was reduced from a budget of £2.2m to £1.4 million. This was achieved through efficiency savings which allowed the number of sessions and the number of participants to be maintained throughout the year.

The savings achieved during the last financial year meant that;

- The budget for these services could be maintained at £1.4m for 2012-13;
- A significant investment of more than £10m a year in services for young people remained which included approximately 40 full-time equivalent youth worker posts;
- No further reduction was expected to youth activity budgets in the foreseeable future.

There are approximately 41.3 full-time equivalent workers employed as youth support staff within the open access youth service. To meet the needs of young people, a re-structure of the workforce would be necessary to ensure that staff were deployed at the right locations at the right time. Any opportunities arising from such a review would be ring-fenced to the existing staff in order to reasonably re-deploy workers across the localities and to ensure the Council retained the skills of the existing workforce. Consultation exercises and formal discussions would be held with individuals and the appropriate Trade Unions as necessary. Given that the staff and budget would be retained at existing levels for 2012/13, it was anticipated that job losses would be kept to a minimum and might only occur as a consequence of an inability to match individual preferences against service requirements. A copy of the current structure was attached at Appendix 4 to the report.

Cabinet at its meeting on 13 December 2011 approved consultation on the New Youth Offer. Two petitions were also received opposing the proposals. Details of the consultations and its outcomes were presented at Appendix 1 to the report.

RESOLVED that (1) the request to delay the decision on the New Youth Offer report pending the outcome of the Improvement and Scrutiny review as to how the Save our Youth Services petition was dealt with be declined

(2) the New Youth Offer to develop services for young people aged 13-19 years and up to 24 years for those with learning difficulties be adopted;

(3) the Council uses the principles of the New Youth Offer to promote the development of youth activities across the County, targeting its resources for youth activities in areas of greatest disadvantage;

(4) arrangements be put in place for youth activities to be planned, delivered and promoted by the VCI and others and the Council working together in each Children and Young Adults locality;

(5) in implementing recommendation (2) above, the Derbyshire Youth Council be invited from the very beginning to advise on how young people should be involved in the planning, delivery and quality assurance processes for youth activities;

(6) a Youth Activities Grant Fund of £250k be established to support the voluntary youth activities by the VCI and others;

(7) a programme of service improvements be developed for Council run youth activities based on the new statutory guidance with full attention being given to the requirements of a commissioning process;

(8) the arrangements for running a commissioning process for open access youth activities be put in place by the Strategic Director - Children and Younger Adults;

(9) wherever possible the Council transfers responsibility for buildings used for Council run youth work to a local VCI organisation, retaining use of the premises for youth activity where necessary and as a default position, the Council retains responsibility for the building if a transfer could not be achieved; and

(10) the implementation plan for the New Youth Offer be approved as set out in Appendix 5 to the report.

167/12 A NEW SYSTEMIC APPROACH TO SOCIAL WORK FOR CHILDREN AND FAMILIES

Cabinet considered a report of the Strategic Director - Children and Younger Adults which outlined steps to reduce the number of children in care. It was intended that the reduction would be achieved by:

- (1) commissioning child protection and children in care focussed systemic training for social workers in Derbyshire;
- (2) appointing additional staff on a temporary basis to backfill time to enable Social Workers to do the training;
- (3) appointing a Principal Social Worker to support and sustain new ways of working.

It was also intended to create an earmarked reserve in the sum of £750,000 identified from Children and Younger Adults underspends to fund the approach in the future. Further details on the actions to reduce the number of children in care were presented in the report.

RESOLVED that (1) the steps being taken to reduce the number of children in care be noted including to:

(a) commission child protection and children in care focussed systemic training for Social Workers in Derbyshire;

(b) appoint additional staff on a temporary basis to backfill time to enable Social Workers to be released for training; and

(c) appoint a Principal Social Worker to support new ways of working.

and

- (2) the creation of an earmarked reserve of £750,000 be approved.

168/12 EXTRA CARE PROCUREMENT SSD10 10 AWARD OF CONTRACT AND FINANCIAL CLOSE

The Strategic Director – Adult Care sought approval to enter into various legal documents with Chevin Housing (part of the Together Housing Group) for the provision of Extra Care facilities in order to reach financial close on the Extra Care procurement. At the Cabinet meeting on 31 January 2012, approval was given to appoint Chevin Housing as preferred bidder for the provision of Extra Care facilities. In order to satisfy the due diligence process of Chevin Housing, a specific resolution from Cabinet was required to enter into the necessary legal documents.

RESOLVED that (1) the report be noted; and

(2) approval be given to the Director of Legal Services to execute the following documents and any other relevant documents required in order for the Authority to achieve financial close (subject to planning approval) in respect of the three sites at Clay Cross, Chesterfield and Alfreton and other sites covered by the Extra Care facilities procurement reference SSD10 10;

- (1) Project Development Agreement
- (2) Agreement for Lease
- (3) Lease Agreement
- (4) Service Delivery Agreement
- (5) Nomination and Allocation Agreement
- (6) Day Care Sub-Lease Agreement

169/12 REPLACEMENT OF THE DERBYSHIRE SCHOOLS ADMINISTRATION SYSTEM WITH THE SAP SYSTEM

Cabinet considered the joint report of Strategic Director – Children and Younger Adults, the Director of Transformation, the Director of Finance and the Director of Human Resources which sought approval to pilot the replacement of the Derbyshire Schools Administration System (DSAS) with the SAP system.

The DSAS system had provided administrative, finance, payroll and reporting services in the County Council and Derbyshire schools for over 20 years. The system was written in-house and depended on database software and operating systems which were no longer supported and programming skills which were increasingly rare. This made maintenance and further development of the system very difficult and risk of failure was increasing sharply and therefore the system needed to be replaced. Now that the SAP system was stable and the majority of teething problems had been resolved, attention had returned to the project to migrate the DSAS system to SAP. A significant school stakeholder consultation had recently concluded, details of which were presented at Appendix 1 to the report. The findings indicated a strong preparedness to proceed with the migration. The showcase event

confirmed that almost all of the DSAS functionality could be provided by SAP and that missing functions could be delivered successfully by other means.

The pilot was likely to require external technical support, particularly regarding the reconfiguration of SAP. The actual cost of this support would be difficult to estimate precisely, although an allocation of £150k was considered a reasonable estimate. If Capgemini were unable to supply suitably experienced contractors under the existing contract, an appropriate procurement process would be undertaken. In addition, there would be a need to release staff from the pilot schools to work on this project and a further one-off budget of £10k was therefore sought to support any supply cover requirements and to meet any other incidental expenses.

RESOLVED that the proposed pilot be approved and £160k be allocated for this purpose, costs to be met from the Schools Accounting System Replacement Reserve.

170/12 TIBSHELF COMMUNITY SCHOOL – REPLACEMENT SCHOOL PROJECT Cabinet considered a joint report of the Strategic Director - Children and Young Adults and the Director of Property which sought approval to enter into a contract to replace Tibshelf Community School as part of the Children and Younger Adults Capital Programme 2011/12.

At its meeting of 11 October 2011, Cabinet decided to allocate £14.5m to the project to form part of the 2011/12 Capital Programme to replace Tibshelf School. The report indicated that the Derbyshire Local Educational Partnership stated it could provide a school of the required size for that amount. At a subsequent meeting on 23 November 2011, Cabinet agreed to an additional allocation of £400,000 for the project to allow the provision of an Enhanced Resource School facility at Tibshelf to provide for students with Autism. This was a proposal that had been agreed as part of the original Building Schools for the Future plans for the School.

On 30 April 2012, planning approval for the project was received. The budget for the project totals £14.9m and details of the proposal submitted by the Local Education Partnership and developed by its construction partner Tomlinsons, were presented in the report. The Director of Property had agreed to a package of enabling work on the contract on 18 May 2012 at a value of £1,399,555 under his delegated authority. This enabled a smooth start to the works which ensured that the project could be delivered by October 2013.

RESOLVED that the Director of Legal Services be authorised to execute the Design and Build contract with the Local Education Partnership and also to execute any other relevant documents in order to achieve financial close on the project to replace Tibshelf Community School.

171/12 **EXCLUSION OF THE PUBLIC****RESOLVED**to exclude the public from the meeting during the consideration of the following items to avoid the disclosure of exempt information

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

- (1) Confirmation of the Exempt Minutes of the Meeting of Cabinet held on 15 May 2012.
- (2) Receipt of Exempt Minutes of Cabinet Member Meetings as follows:
 - (a) Technology and Recycling – 26 April 2012
 - (b) Highways and Transport – 15 May 2012
 - (c) Young People – 16 May 2012
 - (d) Finance and Management – 18 May 2012
- (3) Consideration of the Report of the Strategic Director - Children and Younger Adults on Re-Tendering the Framework Agreement to Secure Alternative Learning for Young People Permanently Excluded from School (Contains information relating to the financial or business affairs of any particular person, including the Authority holding the information).
- (4) Consideration of the Report of the Strategic Director - Children and Younger Adults on a Compulsory Redundancy (Contains information likely to reveal the identity of any individual).
- (5) Consideration of the Report of the Strategic Director - Children and Younger Adults on Sport, Outdoor and Residential Education – Requests for Voluntary Redundancy (Contains information likely to reveal the identity of any individual).
- (6) Consideration of the Report of the Strategic Director - Children and Younger Adults on the Supply and Delivery of Frozen Food EPD 22 (Schools & Homes) (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (7) Consideration of the Report of the Strategic Director – Children and Younger Adults on Buxton St Thomas More RC School - Proposed Capital Project (Contains information likely to reveal the identity of any individual).
- (8) Consideration of the Joint Report of Strategic Director – Children and Younger Adults and the Director of Property on the Schools Access Initiative 2012/13 (Contains information likely to reveal the identity of any individual).