

MINUTES of a meeting of **CABINET** held on **21 January 2014** at County Hall Matlock

PRESENT

Councillor A Western (in the Chair)

Councillors D Allen, J Dixon, K Gillott, C Neill and B Ridgway

Councillor A I Lower also attended the meeting

Apologies for absence were submitted on behalf of Councillor K P Morgan.

1/14 QUESTIONS SUBMITTED BY MEMBERS OF THE PUBLIC

No questions had been submitted.

2/14 QUESTIONS SUBMITTED BY MINORITY GROUP LEADERS

Councillor A I Lower asked the following questions:

Agenda Item 7(a) Consultation on Proposed Changes to Eligibility for Adult Social Care and Increased Contributions for Non-Residential Care - The Cabinet report indicates the need to be mindful that raising eligibility criteria thresholds without a parallel investment in preventative strategies may lead to an increase in demand for services in the longer term. Given that George Osborne and Ed Miliband have both indicated that current local government spending is very unlikely to increase significantly for many years to come, is there a danger that short term savings will be more than wiped out by longer term increases in demand created by disinvestment in preventative strategies?

Agenda Item 7(d) Consultation and Engagement on Proposed Changes to Housing Related Support Services Programme - The previous administration made great efforts to protect preventative services in the face of large scale cuts, given the longer term savings that can accrue from such investment. Why is a different approach now being taken and what evidence is there in support of this change?

Agenda Item 7(g) Payment of the Living Wage - The report states that schools will be encouraged strongly to implement the Living Wage for their non-teaching staff and also that an extra £812k per annum in Traded Services costs will be recouped, presumably by price increases to schools who use those services. For schools to meet these extra costs, is there a danger of redundancies occurring among staff in some of our schools?

3/14 **MINUTES** **RESOLVED** that the non-exempt meeting of Cabinet held on 3 December 2013 be confirmed as a correct record and signed by the Chair.

4/14 **CABINET MEMBER MEETING MINUTES** **RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows;

- (a) Strategic Policy and Budget – 2 December 2013
- (b) Adult Social Care – 3 December 2013
- (c) Children and Young People – 3 December 2013
- (d) Health and Communities – 3 December 2013
- (e) Jobs, Economy and Transport – 3 December 2013
- (f) Council Services – 5 and 11 December 2013

5/14 **CONSULTATION ON PROPOSED CHANGES TO ELIGIBILITY FOR ADULT SOCIAL CARE AND INCREASED CONTRIBUTIONS FOR NON RESIDENTIAL CARE** (Adult Social Care) The Strategic Director – Adult Care sought Cabinet approval to commence consultations on increasing the level of Co-funding for Personal Budgets and a change in eligibility for Social Care (Personal Budgets) to be established at substantial needs and above.

The report detailed the legal framework underpinning Co-funding, current Co-funding policy and principles, Attendance Allowance/Disability Living Allowance (Care), Co-funding contributions from capital and national and local Co-funding policy safeguards. The following three proposals were put forward for consideration during the consultation process and following a further report, Cabinet would consider whether any or all of these proposals would be implemented.

Proposal 1: It was proposed that there was reduction in the income protection buffer. The current Co-funding policy had an additional 7% protection for clients' income over and above that required by the Fairer Charging and Fairer Contribution Guidance. By removing this additional protection and only applying a standard protection of 25% above basic benefit rates, this would reduce the protected thresholds to:

- Over pension age: from £191.93 to £181.75 (a reduction of £10.18 per week)
- Under pension age: from £160.58 to £152.06 (a reduction of £8.52 per week)

Proposal 2: It was proposed to increase the percentage contribution from 50% to either 60, 75 or 90% of low rate AA or middle rate DLA (care). The combined effect of proposals 1 and 2 would be as follows;

Level of AA/DLA	Standard Weekly Contribution	Annual Increase in Income
Current level (50%)	£26.50	£0
60%	£31.80	£0.869m
75%	£39.75	£1.773m
90%	£47.70	£2.367m

Proposal 3: It was proposed that clients with in excess of £50,000 capital become responsible for 100% of their care package costs. The current Co-funding policy had significantly more generous capital thresholds than the Department of Health Guidance required and did not require Local Authority's to provide financial assistance to a client where they had capital assets (as defined) in excess of those prescribed for care in a residential care home setting (CRAG) with this threshold for 2013/4 being £23,250. The introduction of this proposal was expected to affect up to approximately 640 people and generate income/savings of around £3.7m per annum.

If following consultation, Cabinet decided to implement any or all of these proposals, it would be necessary to establish more rigorous financial assessments to complete the full financial declaration which would be required, including evidence of clients' income and savings. It would therefore no longer be appropriate for social workers to undertake this work. This would free up social workers' capacity to deal with assessments, reviews and complex case work and would mitigate revisions in field work capacity, which might be required as a result of the proposals outlined in the report and the new financial plan generally. It would therefore also be necessary to establish a Financial Assessments team and additional Benefit, Information and Advice Officer's posts to support clients to maximise their income.

The current statutory guidance to local authorities on eligibility criteria for Adult Social Care was issued by the Department of Health in February 2010. Clause 13 of the Care Bill 2013, currently before Parliament, contained provision for regulations to set a national minimum threshold for eligibility and this was currently being consulted on by the Department of Health. It was anticipated that this would be set at "substantial" and that the implementation of the new national framework was expected to take effect from April 2016.

The County Council currently had its eligibility threshold set at "higher moderate and above", with this level being agreed by Cabinet on 29 March 2011, following a period of public consultation and the carrying out of an Equality Impact Assessment based on raising the eligibility threshold from

moderate to substantial. The higher moderate threshold was based on criteria established locally by the County Council with advice from Leading Counsel as detailed in Appendix 2 to the report.

It was proposed that, subject to full consultation, the threshold should now be raised to 'substantial' which would affect up to 2,700 people currently assisted by the Council who were assessed as having Fair Access to Care Services (FACS) eligible care needs below the substantial threshold. A reduction in the number of people eligible to receive Adult Care support would in turn affect workforce planning and would be a factor to be taken into account when deciding future requirements for the fieldwork service capacity. Under national guidance, the Council would need to exercise considerable caution and sensitivity when considering the withdrawal of support to clients who might fall below the substantial threshold. In some individual cases it may not be practicable or safe to withdraw support even though needs may initially appear to fall outside the eligibility criteria. The Council would also check any commitments they gave to service users or their carers at the outset about the longevity of support provided. If, following a review, the Council decided to withdraw the support from an individual, it would be essential to be certain that their needs were not likely to worsen or increase in the short-term and the individual become eligible for help again as independence or wellbeing was undermined.

The introduction of an increase in Co-funding contributions and proposals for a substantial FACS eligible care needs threshold, would potentially affect all people currently assisted by the Council with the provision of Adult Social Care community based services and would require a period of full public consultation prior to any decisions being made. The extent of the potential impact would be determined through a period of consultation and would be taken into consideration and reported to Cabinet as part of the final decision making on the proposal. The proposal would also be subject to a full Equality Impact Assessment. Details of the consultation process were set out in detail in the report.

The income/savings generated as a result of the proposals would amount to between £4.57m and £6.07m from increased contributions and a minimum of £4.5m for FACS. It should be recognised however that there would be an interplay between eligibility criteria and income from Co-funding, which would be refined and would draw on information arising from the consultation.

RESOLVED to (1) approve the commencement of a period of full public consultation on the proposals set out in the report on the introduction of an increase in the rate of Co-funding for Personal Budgets and a change in eligibility for Social Care (Personal Budgets) to be established at "substantial" needs and above; and

(2) that a further report be brought to Cabinet following a period of public consultation and an Equality Impact Assessment being carried out.

6/14 DIRECT CARE TRADING POLICY WITHIN ADULT CARE (Adult Social Care) Cabinet considered a report of the Strategic Director – Adult Care on proposals to allow citizens who wished to privately purchase day services, home care or other services from Derbyshire County Council Adult Care Direct Care Division to do so.

Feedback from Adult Care clients and their carers indicated that some individuals wished to privately purchase care services from the Authority to supplement their provision that was funded by Adult Care. At present, any client wishing to buy additional services needed to purchase these from the independent sector. Not only does this place the Council's in-house provision at a disadvantage, it also caused disruption for clients who would prefer to supplement their services using the provider they were familiar with. The Council was aware that some services provided in-house were not being fully utilised and as staff were already employed to provide these, it would be a financial benefit for the Authority to sell any unused capacity. In addition going forward, there was some evidence that clients would be interested in purchasing services that might not be currently offered by the Department raising the possibility that this new provision could be developed and made available. It was particularly relevant in Extra Care schemes, where staff were located on site but potentially could also be considered for people living independently in the community. The Council had recently received legal advice which confirmed that such a service could be legitimately provided by the department and that it could offer significant benefits to both Derbyshire citizens and the County Council. It was proposed that the service would cover the provision of County Council Direct Care Services and Home Care Services and it also considered the possibility of household services being made available.

To receive services under a trading policy, recipients in the vast majority of cases would need to be Derbyshire citizens and services for non-Derbyshire residents would be considered on a case by case basis. Service users would also need to have received a Community Care Assessment from Derbyshire Adult Care within the last eight weeks and fall into one of the eligible categories as detailed in the report.

It was considered important that "household services" for non-personal care were offered to meet ineligible needs, rather than eligible needs and as a person's circumstances would change over time, the Department would need to ensure through regular review, that their ineligible needs had not subsequently become eligible needs. Details were presented in respect of

new services, day care, home care, information for citizens about supplementary services, brokerage and growing the service.

The cost of the service purchased would be calculated by Adult Care and would be based upon the actual average cost of providing the service. For home care in Extra Care settings this currently stood at £13.68 per hour with the rate for community based clients being higher at £20.76, due to the additional costs such as travel. The day care charge would be based on the average daily care rate across all Council provision which currently stood at £36.26 in Older People's Services and in LD services at £47.52. A charge for the hourly provision of a household service would be determined if a decision was made to proceed to offer this service. Details of the charging policy were presented.

RESOLVED to (1) approve the proposal to pilot a Trading Policy for an initial period of six months facilitating Derbyshire citizens to purchase Derbyshire County Council Adult Care Direct Care Services;

(2) note that it was proposed that this service would cover the provision of Derbyshire County Council Direct Care Day Services and Home Care Services;

(3) note that following a six month pilot, Cabinet would receive an evaluation report prior to any potential roll out of the policy.

7/14 CONSULTATION ON THE INTRODUCTION OF AN ADULT SOCIAL CARE TRANSPORT POLICY (Adult Social Care) The Strategic Director – Adult Care sought Cabinet approval to commence a formal consultation process in respect of the proposal to introduce an Adult Social Care Transport Policy and the introduction of a charge for transport provided or arranged by the County Council.

In the current financial climate, the County Council aimed to focus its resources for social care on those people who needed them most, details of which were presented in the proposed Transport Policy which was attached at Appendix 1 to the report. The County Council was committed to promoting people's independence and every effort would be made to encourage people who access community services to travel as independently as possible. The proposed policy would need to be implemented appropriately and equitably to ensure that people did not become dependent on unsustainable travel arrangements as a means of accessing the support and services they needed. Carers' views and needs would be taken into account in determining travel arrangements and this would address the potential for negative impact on the sustainability of the caring role. Details of the purpose of the proposed Transport Policy the criteria and eligibility were presented.

The proposals had implications for people receiving services commissioned/funded by Adult Care and, as such, a twelve week consultation period was required. A communication plan would be required to make sure that all people who were potentially affected were fully aware of the proposals and had an opportunity to comment. It was estimated that approximately 1,150 people would be affected by this proposal, some of whom might be contacted as part of other consultation exercises being undertaken by Adult Care or other departments. The consultation would need to extend to include other stakeholders such as statutory agencies and appropriate independent sector groups. Particular consideration would be given to communicating with any 'hard to reach' groups who did not receive a service directly from Adult Care but rather through an organisation commissioned/funded by Adult Care. The results of the consultation would be subject to a report presented to Cabinet accompanied by an Equality Impact Assessment.

To avoid having to conduct a lengthy financial assessment, the charge for the provision of transport was proposed to be at a flat rate of £5.00 for each service, regardless of whether it be a single or return journey and not based on the journey time or mileage. If a client travelled to more than one service in the same day they would be charged a flat rate for each single or return journey per service. In most cases the charge would be in addition to the contribution clients were obliged to make under the Council's "Fairer Charging" policy. The assessment of the client Co-funding contribution would comply with Fairer Charging and would include the safeguard that the sum total of flat rate transport charges and any other disability related expenditure, in combination with any other care charges, would not reduce the clients' income below Income Support/the Guaranteed Credit element of Pension Credit plus 25%. Where transport was provided as a welfare service and not an eligible care service, the charging policy must not charge more than cost, overall, over the year. The total sum would be accounted for as "disability-related" expenditure for the purpose of charging for eligible care services.

RESOLVED that (1) approval be given to commence a formal consultation process in respect of the proposal to introduce an Adult Social Care Transport Policy and the introduction of a charge for transport provided and arranged by the County Council; and

(2) a further report be presented to Cabinet with the recommendations, following the consultation, accompanied by an Equality Impact Assessment.

8/14 CONSULTATION AND ENGAGEMENT ON PROPOSED CHANGES TO HOUSING RELATED SUPPORT SERVICES PROGRAMME

(Adult Social Care) The Strategic Director – Adult Care sought approval to commence a two-phased process of formal consultation and engagement with organisations and their clients on a proposal to make £9m savings in the

Housing Related Support (HRS) services programme, approximately £1m of which would be saved in 2014/15. The report outlined a range of proposed measures including efficiencies, service redesign, service reduction and decommissioning to deliver the savings. The plan would be phased over the two year period 2014/16 due to consultation, engagement, contractual arrangements and, where appropriate, the completion of Community Care Assessments. The Council proposed to implement the changes over two phases. The first phase would take effect in 2014/15 and it was this phase which the Council wished to consult on at this stage. Phase 2 would be subject to further discussions with all interested parties and a subsequent process of consultation.

The proposed decommissioning of services due to be the subject of formal consultation during phase 1 had been arrived at by using the following criteria:

- Maintain, so far as possible, services which complemented the Council's statutory responsibilities and delivered on the Council Plan.
- Decommission services that could be commissioned by other partners, for example, district and borough councils, local NHS and the National Offender Management Service.
- Where appropriate, identify services for client groups which could be redesigned as generic services for a wide range of vulnerable people to deliver best value.

If the proposals were agreed in phase 1 there would be a six month saving of £962,493 in 2014/15 followed by a further saving of £962,592 in 2015/16. Phase 1 was also dependent on ensuring that Community Care Assessments were completed for all relevant clients affected by these proposals and appropriate support plans were in place. It was proposed that phase 2 would achieve a further £7m of savings in addition to the £2m saved in phase 1. In order for the Council to finalise its proposal in respect of these further savings, it was necessary to carry out a period of engagement with clients, providers and other interested parties. These proposals would form a basis of discussions with clients and providers. Contractual negotiations would also take place with providers to remodel services to achieve targeted savings, including possible re-tendering of services. Proposals in phase 2 could involve: making reductions in the services commissioned and remodelling and re-procuring the services that would continue, further details of which were presented in the report.

The proposals had implications for organisations providing services and for people receiving services commissioned/funded by Adult Care and as such a period of consultation would be required which, in relation to phase 1, would be for twelve weeks. A communication plan would be required to make sure that all people and providers who were potentially affected were fully aware of

the proposals contained in the report and had an opportunity to comment. In some instances, this would involve engaging with 'hard to reach' groups and it was estimated that approximately 5,660 people would be affected by the two phases of this proposal. All of those affected by phase 1 would be contacted as part of the consultation exercises being run by Adult Care and providers of HRS services. The consultation would need to extend to include other stakeholders such as statutory agencies and appropriate independent sector groups and the public would be invited to suggest alternative ways of making additional savings. Particular consideration would be given to communicating with any 'hard to reach' groups who did not receive a service directly through Adult Care but rather through an organisation commissioned/funded by Adult Care. The proposals would be subject to an Equality Impact Assessment which would be linked to the Equality Impact Assessments for the other proposed changes, in order for Members to fully consider the impact of all the changes in the round. The assessment of impact on protected groups would include an assessment of any safeguarding issues arising.

RESOLVED that (1) the commencement of a period of full public consultation on phase 1 of the proposals and a period of engagement in respect of phase 2 as set out in the report be approved; and

(2) further reports be brought to Cabinet following the period of public consultation and engagement and Equality Impact Assessments were carried out.

9/14 PUBLIC HEALTH RESOURCE FUND – ADULT CARE PRIORITIES (Health and Communities) The Director of Public Health sought approval for funding identified programmes currently commissioned by Adult Care to be met from the Public Health Resource Fund.

Cabinet agreed in December 2013 to the creation of a Public Health Resource Fund to support preventative programmes across the Council with funding being set at £1m in 2013/14 and £2m recurrently in 2014/15 and 2015/16. Work was underway across the Council to identify priorities for consideration.

Adult Care had identified their initial funding priorities which were of a pressing nature for support as funding for those voluntary sector programmes was currently only agreed until March 2014 for the majority of services. The areas which aligned with the Public Health Outcomes Framework and with the conditions of the Public Health ring fenced grant were as follows:

Services for people at risk of domestic violence	£324,519
Substance misuse services	£147,260

Befriending services	£194,278
Exercise classes	£9,751
TOTAL	£675,808

A detailed breakdown of the specific areas were presented in the report and a majority of the specific programmes were jointly funded apart from those identified. £100k had already been recommended by Cabinet in July 2013 to enlarge the Befriending Service so it was proposed that this be used as partial support for the transitional position to maintain the services detailed in the report. The Bakewell and Tideswell exercise class would be supported from the strictly no falling allocation previously agreed by Cabinet. The remaining funding costs would be met from the Public Health Resource Fund in 2014/15 pending a fuller review of preventative programmes across the Council. The amount provided from the Fund would be £575,057.

RESOLVED that the use of Public Health Resources be approved as detailed in the report.

10/14 TREASURY AND MANAGEMENT (Council Services) The Director of Finance presented an interim report on Treasury Management activities for 2013/14. The report provided details on interest rates, borrowing, lending and Prudential Indicators.

RESOLVED that (1) the interim report on Treasury Management for 2013/14 be noted; and

(2) compliance with Prudential Indicators be noted as detailed in Appendix 1 to the report.

11/14 PAYMENT OF LIVING WAGE (Council Services) Cabinet considered a joint report of the Chief Executive and the Director of Human Resources seeking agreement to implement the Living Wage from 1 April 2014 to 31 March 2015 for employees directly employed by the Council and to encourage schools to adopt the Living Wage.

Cabinet agreed on 10 September 2013 to consider the implementation of the Living Wage for Council employees and a joint advisory group of Elected Members, trade union representatives and officers had been established to consider the issues in detail. The group had considered the implementation of the Living Wage in significant detail and the report set out proposals in light of the groups work.

The Living Wage had been defined as “the level of income needed to provide an acceptable standard of living in Britain to ensure good health, adequate child development and social inclusion”. The Living Wage (outside London) was calculated by the Department for Income Studies at Loughborough University on behalf of The Living Wage Foundation. The Living Wage was currently £7.65 per hour and, if Local Government Services employees received a 1% pay award in 2014/15, £7.65 would be equivalent to Derbyshire Pay Point 9 in Grade 4. The next increase in the Living Wage would be announced in November 2014. It had been estimated that if the three year pay freeze imposed by Local Government Employers had not been introduced, the bottom national spinal column point would have been £7.53 per hour.

Employers could opt to adopt payment of the Living Wage on a voluntary basis and many local authorities were already paying or had committed to paying it on this basis. An East Midlands Council Survey also confirmed that a number of councils in the region had implemented or had decided to implement the Living Wage, including Nottingham City, Nottinghamshire County and Derby City Council.

It was recommended that the payment of the Living Wage be introduced as an allowance on top of the existing rates rather than being consolidated into basic pay as detailed in Appendix 1 to the report. Over 3,000 employees would benefit from payment of the Living Wage, over 80% of whom are female. Payment by way of an allowance on a voluntary non-accredited basis did not require any change to the existing pay and grading structure on a permanent basis and the allowance would be the subject of a review by Cabinet, as detailed in the monitoring arrangements set out in Appendix 2 to the report. Individual employees would be advised that the Living Wage allowance would be subject to review and as appropriate changed by Cabinet. The majority of other councils that paid the Living Wage had introduced it as an allowance rather than changing their existing pay structures.

It was proposed that the Living Wage be implemented with effect from 1 April 2014 which was both the start of the financial year and the implementation of the national pay award, subject to the conclusion of the current national negotiations. The Living Wage would be paid to all eligible Council employees, including those on relief contracts. It would not apply to Agency employees, unless they were affected by Agency Workers Regulations 2010, which required that they were employed on the same rates of pay as Council employees after twelve weeks of employment.

Schools would be strongly encouraged by the Council to pay the Living Wage to their directly employed employees. The implementation of Single Status in schools would take place on 1 April 2014 and adopting a Living Wage from the same date would give eligible school employees a month to

understand their revised pay before their rate potentially changed to incorporate the Living Wage. Should schools opt in to the payment of the Living Wage, it was anticipated that arrangements would be in line with those agreed for Council employees. The position in relation to payment of the Living Wage to eligible employees in schools would be subject to further discussion at the Schools Forum.

The implementation of the Living Wage for Council budgets would cost £1.3m, with £0.812m funded from Traded Services. Funding for the £0.393m from Council budgets would be considered as part of the Revenue Budget setting process for 2014/15. Charges for Traded Services to schools would need to be reviewed to ensure that the additional labour costs were met.

RESOLVED to (1) have regard to the conclusions of the Equality Impact Assessment on the impact of the Living Wage as detailed at Appendix 3 to the report;

(2) approve the introduction of the Living Wage as an allowance to eligible employees from 1 April 2014 as detailed in Appendix 1 to the report;

(3) approve the on-going monitoring arrangements as set out in Appendix 2 to the report; and

(4) approve that the Schools Forum be engaged and individual school Governing Bodies be strongly encouraged to adopt the Living Wage.

12/14 **SOULBURY PAY AGREEMENT 2013/14** (Council Services) The Strategic Director – Children and Younger Adults and the Director of Human Resources reported on the Soulbury Pay Agreement for 2013/14, details of which were presented in the report.

RESOLVED that the application of the Soulbury Officer's 2013/14 pay award from 1 September 2013 be noted.

13/14 **HS2 – RESPONSE TO THE GOVERNMENT'S CONSULTATION ON HIGH SPEED RAIL** (Jobs, Economy and Transport) The Strategic Director – Economy, Transport and Environment reported on the County Council's response to the Government's proposals for high speed rail in Derbyshire. The report presented details of the Council's response in respect of the economic impact, the environmental impact, transport issues and health well-being and equalities issues.

RESOLVED that the response to the Government's HS2 proposals, as detailed in the report and supporting documents, be approved.

14/14 HIGHWAYS AND TRANSPORT CAPITAL PROGRAMMES

2014/15 (Jobs, Economy and Transport) The Strategic Director – Economy, Transport and Environment sought approval in principle to elements of the Highways and Transport Capital Programme for 2014/15 in order to allow design and preparation to take place and the required publication of notices. The proposed programme of schemes was detailed at Appendix 1 to the report with each scheme being assessed against the Local Transport Plans Investment Protocols in order to ensure that it complied with agreed priorities.

RESOLVED to approve in principle, the programme of schemes as detailed in Appendix 1 to the report in advance of the Economy, Transport and Environment Department's Service Plan Refresh 2014/15, in order to fulfil the County Council's obligations under the Traffic Management Act 2004 and to permit the commencement of preparation processes.

15/14 TECHNICAL APPROVAL OF MODIFIED BRIDGE STRUCTURE – PROPOSED DEVELOPMENT AT CHESTERFIELD WATERSIDE, BRIMINGTON ROAD, CHESTERFIELD

(Jobs, Economy and Transport) The Strategic Director – Economy, Transport and Environment sought approval to undertake technical approval of structural designs for the proposed modified bridge prior to the grant of detailed planning permission or preparation of highway works agreements and to obtain payment for these services.

RESOLVED that (1) the departure from the County Council's normal practice by allowing technical approval work to proceed in advance of the grant of detail planning consent and outside sections 38/278 agreements be approved; and

(2) the payment of fees to the County Council by the developer (Chesterfield Waterside Limited) be approved as detailed in the report.

16/14 REVISIONS TO DERBYSHIRE COUNTY COUNCILS FUNDING ARRANGEMENTS WITH CRESWELL HERITAGE TRUST FOR 2013/14

(Jobs, Economy and Transport) The Strategic Director – Economy, Transport and Environment sought approval to amend the conditions attached to an increase in Derbyshire County Council's core funding to Creswell Heritage Trust for 2013/14, agreed by Cabinet in April 2013 and to the use of the £40,000 reserve secured to develop the Creswell Crags World Heritage Site nomination submission independently of an equal contribution from Nottingham City Council.

In January 2012, Cabinet agreed £40,000 from departmental underspends to address a service pressure to contribute to the development of the Creswell Crags World Heritage Site submission to UNESCO. It was envisaged and agreed that Derbyshire County Council's £40,000 contribution

to the submission's development would be matched by Nottinghamshire County Council, although this was not a formal condition of the application. In a subsequent report from the Strategic Director – Environmental Services to Cabinet on 16 April 2013, approval was obtained to increase the County Council's core funding to Creswell Heritage Trust from £38,000 to £50,000 for just one financial year 2013/14. The increased contribution was made on the recommendation that Nottinghamshire County Council matched the increased contribution and confirmed it would match Derbyshire County Council's commitment of £40,000 already approved to support the bid for World Heritage Site status.

Nottinghamshire County Council had now confirmed it could not match the £40,000 that Derbyshire County Council allocated in January 2012, but it had agreed to the increase in revenue funding. The report sought to disentangle the County Council's £40,000 contribution to the World Heritage Site submission and the County Council's increased core funding for 2013/14 from the requirement of Nottinghamshire County Council to match the £40,000 secured in January 2012. Derbyshire County Council's £40,000 contribution could still make a considerable impact to the delivery of the submission document. The contribution could be used to support the Trust when it needed to appoint external consultants for the development of the submission material. Any amount surplus to these research activities could be used to help pay for any external consultant, for example graphic designers, that were needed to develop the domination document.

RESOLVED that (1) the requirement that the increased core funding to Creswell Heritage Trust for 2013, approved by Cabinet on 16 April 2013 was conditional on Nottinghamshire County Council providing match funding for the initial £40,000 secured in January 2012 be approved and it be noted that the increase in core funding for 2013/14 remained conditional on Nottinghamshire County Council matching the increased core funding;

(2) the £40,000 secured in January 2012 to be used to support Creswell Heritage Trust in developing the Creswell Crags World Heritage Site nomination submission be approved without the need for match funding from Nottinghamshire County Council and that it be used to offset external costs to Creswell Heritage Trust in developing Creswell Crags World Heritage Site nomination submission; and

(3) the progress outlined in the report made by Creswell Heritage Trust in developing the Creswell Crags World Heritage submission be noted.

17/14 SCHOOLS BLOCK DEDICATED SCHOOLS GRANT (DSG)
2014/15 – PROPOSALS (Children and Young People) The Strategic Director – Children and Younger Adults informed Cabinet of the dedicated Schools Grant Settlement 2014/15 and sought Cabinet approval for the basis for

determining schools block budgets, details of which were presented in the report.

RESOLVED that (1) the amounts detailed in Appendix 1 to the report be retained centrally;

(2) a further £0.15m be retained to fund the costs of licences as detailed in section 2.1 of the report;

(3) the 2014/15 formula and multipliers be amended as set out in section 2.2 of the report;

(4) the extra costs of the formula allocations for 2014/15 over and above the residual schools block DSG be funded by release of DSG underspend as set out in section 2.3 of the report;

(5) Governing Bodies of mainstream schools and academies be invited to re-pool the funding for teaching and learning consultants for 2014/15;

(6) the formula multipliers for 2014/15 be further increased to assist schools with the additional costs of single status in accordance with section 2.4 of the report;

(7) the additional costs identified in 6 above be funded from the DSG underspend;

(8) a further report on the funding implications of single status in schools for 2015/16 be considered later in the year; and

(9) any matters of detail relating to the schools dedicated budgets be resolved by the Strategic Director – Children and Younger Adults in consultation with the relevant Cabinet Member.

18/14 REPORT ON THE FINDINGS OF THE CONSULTATION UNDERTAKEN ON THE RECOMMISSIONING OF A FAMILY SUPPORT SERVICE (Children and Young People) The Strategic Director – Children and Younger Adults informed Cabinet of the results of the consultation on low to medium need family support services and the findings of the Equality Impact Assessment. In July 2013, Cabinet agreed to a period of formal consultation on the provision of family support services. This was not designed to be a consultation specifically about Home Start but the purpose was to inform Cabinet decision on whether to re-commission a low to medium need family support service when the existing Home Start contracts expired in March 2014. The report detailed the family support consultation content, the consultation process, focus groups and headline questionnaire findings.

Since the HomeStart contracts commenced in 2008, there had been a marked increase in the availability of multi-disciplinary support delivered through the County's network of Children's Centres, and a substantial increase in the range and availability of interventions delivered through trained personnel that were validated as "effective practice". Engaging families at Children's Centres opened up a range of opportunities to meet need through the knowledge, skills and resources held by the variety of multi-agency staff that comprised the "Children's Centre Offer".

The HomeStart service was a very small part of County family support provision, although it was accepted that the HomeStart model of service delivery made the adult recipient "feel better". The service had however, not been validated as "effective practice". Recent research had classified it at best as "promising practice" that required further and more vigorous research. Given the feel better impact of the HomeStart model, Children's Centres would offer outreach to existing HomeStart service users requesting a continuation of the HomeStart model of support. The additional commitment required from the internal resource had been committed to by senior officers, although it was anticipated that no additional funding would be required to deliver this service. Learning from the closure of the Bolsover HomeStart demonstrated that service users in receipt of the HomeStart service did not request alternative provision.

The combined funding of the four Derbyshire HomeStarts was £212,000 funded through the Children and Younger Adults budget. The reduction in budget allocation if this service ceased, would contribute to the budget reductions already allocated for the department for 2013/14. An Equality Impact Assessment had been undertaken details of which were attached as an Appendix to the report. Also presented were details of the additional target of the universal provision from the ante-natal period to age 5 had been introduced in Derbyshire to support children and parents of children under 5.

RESOLVED that Cabinet approve (1) low to medium need family support services for families with children aged 4 or under to continue to be commissioned through children's services and local health services;

(2) a new low to medium family support service be not re-commissioned from the market place through a competitive tendering process;

(3) the Council extend its contracts with Amber Valley, Erewash, High Peak and South Derbyshire HomeStarts to 31 July 2014, facilitating a four month notice period in which to prepare for change.

19/14 SUPPORTING FAMILIES SERVICES (Children and Young People) The Strategic Director – Children and Younger Adults informed Cabinet of a proposed review of Supporting Families' services and sought

approval to conduct the review and to develop revised structures and posts to meet future service needs. Approval was also sought for the proposed method of assessing the distribution of resources based on need.

The review would seek to develop a Supporting Families element of the Multi-Agency structure that would provide even better early help to children and families and that kept children and young people safe from abuse and or neglect, ensured all children started school healthy and ready to learn and that all our young people were ready for the world of work. Such a structure needed to be able to grow and shrink with changing resources, whilst continuing to deliver services that both helped change families and sustain those changes. It would need to fit in with the Early Help to Safeguarding review. The review would aim to produce a structure that reflected staff's ability, sets entry level requirements, described core skills required, provided training to equip staff with the skills within a culture that expected and facilitated the use of those skills and would be based on holding staff accountable and responsible for their work with support from managers who reinforced use of evidence based practice, monitored fidelity of the application of evidence based programmes and the outcomes achieved. The review would endeavour to create an improved career structure that included "entry level" posts, practitioner posts and senior practitioner posts. In considering the staff involved and skills required to provide family services, it would consider options for generic job descriptions and/or the need for specialist work. The review would look at those staff currently engaged in providing support to all families, make and sustain change details of which were presented at Appendix 1 to the report.

A key area of the review was to align resources more closely to need through a similar formula to that in the youth service review that used the numbers of 0-19 year olds linked to deprivation scores in a locality and this would be informed by recent and historic demands on service. Distribution of staff would also be influenced by the budget position pertaining at the time and the grading of new posts. The review would maintain close links with, and contribute to, other development work that was taking place to ensure consistency of approach. The outline timescale for the review was January 2014 – December 2014, details of which were presented in the report.

RESOLVED to approve (1) the commencement of a review of the Supporting Families' service to develop revised structures and posts to meet future needs;

(2) the proposed method of assessing distribution of resources based on need; and

(3) the submission of a further report in April 2014, outlining progress, identifying the next steps and agreeing formal consultation with staff and the trade unions.

20/14 CONSULTATION ON CHANGES TO POLICY FOR HOME TO SCHOOL TRANSPORT FOR CHILDREN AT SIXTH FORM AND PRE-SCHOOL AGE AND YOUNG ADULT SUBJECT TO A LEARNING DIFFICULTY ASSESSMENT (Children and Young People)

The Strategic Director – Children and Younger Adults sought Cabinet agreement to carry out a consultation on proposed changes to the County Council's education transport policy for children of sixth form and pre-school age with Special Educational Needs (SEN) and young adults subject to a learning difficulty assessment.

It was proposed that, from September 2014, sixth form pupils with learning difficulties or disabilities for whom transport arrangements were made by the Council, be subject to a charge at the same rate as other sixth form transport users, currently £349 per year. Young adults aged 19-25, including those subject to learning difficulties assessment, who began a particular course of education or training before the age of 19 and continued to attend that course, would be charged for transport arrangements made by the Council at the same rate as other persons of statutory sixth form age. Young adult learners would be expected to meet the cost of travel between home and the establishment at which they were receiving education or training except in the circumstances detailed in section 2.6.2 of the report. It was also proposed that the Council would provide free transport to young adult learners (not being persons of statutory sixth form age) only in certain circumstances as detailed in the report.

In respect of transport for pre-school age pupils, it was proposed to introduce a charge from September 2014 for families using transport arrangements for pre-school age pupils with a statement of SEN in line with the charge made to other non-entitled primary pupils, currently £316. Pupils of this age group were not entitled to free transport, but were entitled to free school meals, if they met the criteria and the pupil was in attendance during meal times. It was proposed to take these criteria into consideration and children from low income groups (defined as those who are entitled to free school meals or whose families were in receipt of maximum level of working tax credit) would be exempt from a charge.

Consultation on the proposed changes would be held for a six week period during term time and would include the opportunity to complete an on-line questionnaire, also available for completion by telephone and with paper copies available on request. Letters would also be written directly to stakeholders advising them of the consultation. Subject to the outcome of the consultation and to further consideration by Cabinet, the proposals would come into effect from September 2014.

The report detailed the financial savings that would be made by introducing the changes which totalled £191,500.

RESOLVED to consult on (1) the proposal to implement charges for transport to school or college for sixth form aged pupils with SEN;

(2) the proposal to implement charges for pre-school aged transport; and

(3) the proposal to limit provision for free transport for persons aged 19-25 to the circumstances set out in paragraph 2.6.2 of the report.

**21/14 CHILDREN AND YOUNGER ADULTS CAPITAL PROGRAMME
CAPITAL MAINTENANCE CONTINGENCY** (Children and Young People)

The Strategic Director – Children and Younger Adults sought approval for a list of schemes to be included in the Children and Younger Adults Capital Programme for 2013/14 to be funded from the Capital Maintenance Contingency. Details of the school kitchen upgrades were presented in the report with the works totalling £164,000.

In 2012/13, the Authority approved an allocation of £165,000 to provide a first phase of a roof replacement at South Wingfield Primary School. Work on this scheme had identified the significant presence of many different species of bats and phasing of the works would result in problematic detailing at roof junctions, greater disruption to the operation of the School over a longer period and increase costs as a result of the protected species licencing and construction operations. It was therefore proposed to undertake the works in a single construction phase and it was recommended that it would be good value for money to allocate an additional £90,000 to this scheme to allow the entire roof to be replaced in one operation.

RESOLVED that the allocations to the schemes be approved as detailed in the report.

**22/14 PROVISION OF A NEW PRIMARY SCHOOL TO SERVE
HILTON** (Children and Young People)

Cabinet considered a joint report of the Strategic Director – Children and Younger Adults and the Strategic Director – Economy Transport and the Environment to seek approval to commence the process leading to the establishment of a new primary school in Hilton. Hilton had grown significantly over recent years and was served by Hilton Primary School which had grown from 456 pupils in 2002 to 775 in October 2013 and was by far the largest primary school in Derbyshire with no further room for expansion. South Derbyshire District Council in its draft Local Plan had identified Hilton as a site for 425 new houses to be constructed which would generate, over time, around 90 primary aged pupils. The developer had discussed the educational requirements of this proposal with the County

Council who had identified the need for a new school and it was therefore proposed to build a new two form entry primary school as part of the development to be built in two phases with the first form of entry being available when the first houses started to be occupied and the second phase be brought in at a later date.

The Authority would be required to provide start up revenue funding from the Dedicated Schools Grant for the Academy to support it as its numbers increased and a further report would be presented to determine the amount of funding that would be required.

RESOLVED that (1) the Authority agrees to commence the process to establish a new school in Hilton;

(2) consultation be undertaken on the proposal for a new school, including the issues raised in paragraphs 2.8 – 2.10 in the report; and

(3) a further report on the future financial contribution required by the County Council be brought to Cabinet for consideration.

23/14 EDUCATION RESPONSE TO HOUSING GROWTH IN SOUTH DERBYSHIRE (Children and Young People) Cabinet considered a joint report of the Strategic Director - Children and Younger Adults and the Strategic Director – Economy, Transport and the Environment to seek approval to initiate planning for the expansion of the education service in South Derbyshire.

South Derbyshire District Council, Derby City Council and Amber Valley Borough Council, were working in partnership to prepare aligned Local Plans which would deliver 35,354 new dwellings across the Derby housing market area by 2028.

Housing growth would have a significant impact on infrastructure including education and officers had been liaising closely with planning officers at Derby City Council and South Derbyshire District Council in assessing the possible impact of this proposed housing growth. Details of the location and names of the proposed strategic housing sites in the Derby urban area was included at Appendix 1 to the report. A list of the developments in the Derby urban area showing their location, secondary normal area, number of dwellings and the number of primary and secondary pupils they were expected to produce was attached at Appendix 2 to the report. This showed that there would be a need for a number of new places to accommodate housing growth in the Derby urban area, details of which were presented in the report.

New education provision on this scale raised a number of issues around funding, timing and impact on existing provision. Not all questions could be answered currently as further development work and consultation was

required to bring forward detailed proposals. Government policy was that where there was new education places required as a consequence of housing development, this should be funded by the developers. Details of the provision in respect of secondary and primary education were presented in the report.

RESOLVED that (1) the requirement to expand primary and secondary education in the areas affected by the proposed housing development as detailed in the report be noted;

(2) officers be authorised to seek funding contributions from developers to meet capital costs that were required;

(3) feasibility studies be authorised along with informal consultations with schools on the potential changes detailed in the report;

(4) the requirement for new schools and the process involved be noted; and

(5) further reports be received relating to possible sites for new schools and funding options.

24/14 FIVE60 UNIVERSAL PRIMARAY SCHOOL PROGRAMMES

The Director of Public Health sought approval to continue the delivery of the Five60 Universal Primary School Programme across all Derbyshire primary and junior schools utilising Public Health funding.

The objectives of the Five60 Programme were to increase confidence and facilitate learning by encouraging pupil involvement in group activities, reduce sedentary lifestyle by increasing confidence and participation in physical activity through group activities, improve knowledge on the importance of good nutrition by providing information activities on healthy eating and a balanced diet, improve overall health and wellbeing of individuals and help pupils make informed choices about their own health and that of their family and friends.

The expected outcomes of the programme were to contribute to the reduction of childhood overweight and obesity, change attitudes towards uptake of physical activity and healthy food choices, increase physical activity within and beyond the school environment, increase fruit and vegetable consumption and eat a balanced diet and influence child and family lifestyle behaviour.

The annual contract value for the Five60 Programme was £103,500 to be funded from the Public Health budget. Appendix 1 to the report provided a financial breakdown for the programme by district.

RESOLVED that the proposed award of grant payments to the district and borough councils as set out in the report to continue the delivery of Five60 Universal School Programme for the three academic years to July 2017 be approved.

25/14 DERBYSHIRE ANNUAL SUICIDE AUDIT (Health and Communities) The Director of Public Health reported on the result of a review of the annual Derbyshire Suicide Audit which proposed to cease the production of an annual audit of suicide deaths in Derbyshire and instead use those resources to help tackle the regions suicide fatalities in alternative, more beneficial manner.

The Audit had been compiled on a yearly basis since 2008 by the Suicide Audit Group, to supplement work by the Suicide Prevention Strategy Group. The annual Audit was at the discretion of each area to assess whether or not it was a beneficial exercise for them. At present the completion of the audit showed Derbyshire's eagerness to comply with national recommendations alongside its suicide prevention strategy. However as part of the evaluation of Public Health resources, the audits have been analysed. Evidence of the effectiveness and limitations of local Suicide Audit had been sought from the literature which indicated that the process had significant limitations that affected the quality of the data collected and meant that more could be gained from an alternative approach. The individual analysis of each suicide death would not be lost by the termination of the Audit as these were conducted within Mental Health Trusts where appropriate, so that individual case by case lessons could be learnt by health professionals in direct contact with the at risk population. It was proposed therefore, that the annual Derbyshire Suicide Death Figures continue to be reported in the Joint Strategic Needs Assessment which would ensure that this important aspect of Public Health remained at the forefront of priorities.

RESOLVED that the proposal to cease the production of an annual Derbyshire Suicide report and instead make the figures part of the annual joint strategic needs assessment be approved.

26/14 REVIEW OF DERBYSHIRE SEXUAL HEALTH SERVICES (Health and Communities) The Director of Public Health sought approval to the proposed review of all sexual health services commissioned by the Council. Services were currently commissioned by various organisations inside and outside of Derbyshire as detailed at Appendix 1 to the report. The Derbyshire sexual health review had a clear aim to assess existing investment into current provision balanced against need, statutory responsibilities, national policy and guidance and ultimately to ensure best service options for Derbyshire residents.

The proposal to review sexual health services, which had a current value of £7.4m, was the start of a procurement process towards a newly procured integrated sexual health service for Derbyshire to commence in April 2015. As the report detailed, developing services to prevent sexual ill-health made sound economic sense and the review would address where efficiencies could be made towards a new service in April 2015, based on a 15% reduction on the current budget. The review exercise would not incur additional financial considerations and planning included maximising the Council's capacity to conduct the review through collaborative working with Derby City Council Public Health.

RESOLVED that (1) the proposal to conduct the review of Derbyshire sexual health services be approved; and

(2) a final review report be received in spring 2014 and further reports as necessary on the development towards a new sexual health service in Derbyshire.

27/14 EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

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

1. Confirmation of the exempt minutes of the meeting of Cabinet held on 3 December 2013.
2. Receipt of the exempt minutes of Cabinet Member meetings as follows:
 - (a) Adult Social Care – 3 December 2013
 - (b) Children and Young People – 3 December 2013
 - (c) Health and Communities – 3 December 2013
 - (d) Jobs, Economy and Transport – 3 December 2013
 - (e) Council Services – 5 & 11 December 2013
3. Consideration of the report of the Chief Executive on the Application of the Market Supplement (Council Services) (contains information relating to particular individuals).
4. Consideration of the report of the Chief Executive on Urgent Decisions taken by the Chief Executive (Strategic Policy and Budget) (contains information relating to the financial or business affairs of

- any particular person, including the Authority holding that information) (contains information likely to reveal the identity of an individual).
5. Consideration of the report of the Chief Executive on the Procurement of the New Corporate Performance Management software and Extension of the Existing Contract for the Current Corvu Performance Management Software (Strategic Policy and Budget) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
 6. Consideration of the joint report of the Director of Property, Director of Finance and the Director of Legal Services on Buxton Crescent and Thermal Spa project (Council Services) (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 Director of Property on the Draft Vision and Plan for the Future of Elvaston Castle and Estate (Council Services) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
 8. Consideration of the report of the Strategic Director – Economy, Transport and the Environment on the Addition to the 2013/14 Capital Programme – Purchase of Portakabin for Highways Training Unit (Jobs, Economy and Transport) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
 9. Consideration of the report of the Strategic Director – Economy, Transport and the Environment on the Derby and Derbyshire Road Safety Partnership: Safety Camera Digital Upgrade (Jobs, Economy and Transport) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
 10. Consideration of the report of the Strategic Director – Economy, Transport and the Environment on the Countywide Highway Culvert, CCTV Camera and Condition Surveys (Jobs, Economy and Transport) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
 11. Consideration of the report of the Strategic Director for Children and Younger Adults on Mr & Mrs R – Request for Financial Assistance

- With Adaptations to Home (Children and Young People) (contains information likely to reveal the identity of an individual).
12. Consideration of the report of the Director of Public Health on the Contract for an Advisory Service in GP Practices (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information)
 13. Consideration of the report of the Director of Public Health on the contract for the provision of Tier 2 and Tier 3 Alcohol Services (Health and Communities) (contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).