

# Public Document Pack

## NOTICE OF MEETING

# CABINET

will meet on

**THURSDAY, 29TH OCTOBER, 2020**

**At 6.15 pm**

in the

**VIRTUAL MEETING - ONLINE ACCESS, RBWM YOUTUBE**

TO: MEMBERS OF CABINET

Councillor Johnson, Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property

Councillor Rayner, Deputy Leader of the Council, Resident & Leisure Services, HR, IT, Legal, Performance Management & Windsor

Councillor Carroll, Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health

Councillor Cannon, Public Protection and Parking

Councillor Clark, Transport and Infrastructure

Councillor Coppinger, Planning, Environmental Services and Maidenhead

Councillor Hilton, Finance and Ascot

Councillor McWilliams, Housing, Communications and Youth Engagement

Councillor Stimson, Climate Change, Sustainability, Parks and Countryside

Karen Shepherd – Head of Governance - Issued: Wednesday, 21 October 2020

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **David Cook** 01628 796560

**The Part I (public) section of this virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video you are giving consent to being recorded and acknowledge that the recording will be in the public domain.**

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## AGENDA

### PART I

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2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest	7 - 8
3.	<u>MINUTES</u>  To consider the Part I minutes of the meeting held on 24 September 2020  To note the Part I minutes of the meeting of the Cabinet - on the rising of Cabinet sitting as Trustees held on 27 <sup>th</sup> August 2020 and the Cabinet Transformation Sub Committee held on 22 September 2020.	9 - 20
4.	<u>APPOINTMENTS</u>	
5.	<u>FORWARD PLAN</u>  To consider the Forward Plan for the period November 2020 to February 2021	21 - 30
6.	<u>RESPONSE TO THE OMBUDSMAN PUBLIC INTEREST REPORT</u>  To note the draft section of the Adult Children and Health O&S Minutes relating to the response to the Ombudsman Public Interest Report. Report considered available at <a href="https://rbwm.moderngov.co.uk/ieListDocuments.aspx?CId=598&amp;MId=7640&amp;Ver=4">https://rbwm.moderngov.co.uk/ieListDocuments.aspx?CId=598&amp;MId=7640&amp;Ver=4</a>	31 - 38
7.	<u>CABINET MEMBERS' REPORTS</u>  Public Protection and Parking  i. Parking Strategy	
8.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u>  To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 9-10 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"	



## PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
9.	<u>MINUTES</u> To consider the Part II minutes of the meeting held on 24 September 2020  To note the Part II minutes of the meeting of the Cabinet - on the rising of Cabinet sitting as Trustees held on 27 <sup>th</sup> August 2020.  <b><i>(Not for publication by virtue of Paragraph 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b>	39 - 42
10.	<u>CABINET MEMBERS' REPORTS</u>  Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property	
	i. Communities Facilities Review	43 - 48



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## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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# Agenda Item 3

## CABINET

THURSDAY, 24 SEPTEMBER 2020

PRESENT: Councillors David Cannon, Andrew Johnson (Chairman), David Coppinger, Samantha Rayner, Stuart Carroll (Vice-Chairman), David Hilton, Gerry Clark, Donna Stimson and Ross McWilliams

Also in attendance: Councillors C Da Costa, Price, Hill, Bhangra, Bateson and Barbara Richardson (RBWM Property Company)

Officers: Duncan Sharkey, Kevin McDaniel, Adele Taylor, Andrew Vince, Chris Joyce, Louise Freeth, Russel O'Keefe, Hilary Hall, Nikki Craig, Louisa Dean, Mark Beeley and David Cook.

### APOLOGIES FOR ABSENCE

No apologies for absence were received.

### DECLARATIONS OF INTEREST

None received.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 27 August 2020 were approved.**

### APPOINTMENTS

None

### FORWARD PLAN

Cabinet considered the contents of the Forward Plan for the next four months and noted the changes made since last published, including:

- School places and projections report moving from October to November 2020.
- The following reports to be added to October 2020 Cabinet Parking Contract, Highways Contract, Communities Facilities Review, Windsor Neighbourhood Plan – Proceed to Referendum and the Housing Strategy and Housing Strategy.

### CABINET MEMBERS' REPORTS

#### A) FUTURE PUBLIC HEALTH ARRANGEMENTS FOR ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD, SLOUGH AND BRACKNELL FOREST COUNCILS

Cabinet considered the report regarding the rationale for altering the current arrangements for public health across Slough, RBWM and Bracknell-Forest.

Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health introduced the report and informed that the report sought new arrangements for the delivery of public health services and the statutory Director of Public Health (DPH) post. It

sought in principle the approval for the new collaborative arrangement and confirm indicative funding allocations subject to the 2021-22 Budget being approved.

Since 2013 the Berkshire Public Health System had operated on a hub and spoke model with Public Health teams within in each of the six unitary authorities supported by a Shared Strategic Director of Public Health and a Shared Team hosted by Bracknell Forest Council.

The overall aim of the Berkshire Public Health System is to deliver the core public health duty for local authorities which is to take steps to improve the health of residents and decrease health inequalities. During the current pandemic we have seen the importance of public health and associated strategic aims for delivery. There were also the associated work to deliver our public health strategy supported by the Health and Wellbeing Board. Public health had a wide remit and has been working collaboratively with a number of agencies. The strong relationship with the NHS has been important.

One of the challenges of the current arrangements is that the Director of Public Health has been supporting 6 local authorities and this reduces capacity due to responsibilities and demands. Recruitment to this type of roles has been challenging and the current post holder is leaving in the New Year. This provided a natural opportunity to change the role in Berkshire to make the system more efficient and attractive.

It was proposed is to dissolve the current arrangement between the six authorities and move to an arrangement between Slough Borough Council, RBWM and Bracknell Forest Council and the Frimley Integrated Care System. This would have a shared Director of Public Health role for East Berkshire to lead the public health system, working closely with the local authorities and partners across the integrated care partnership. There will also be a hub team providing health intelligence, health protection and commissioning support to support public health teams in each local authority. This would enable a lot more focus and insight locally.

The shared team commissioning function would sit within Bracknell Forest commissioning team with a view to individual authorities taking on the commissioning of particular services in the future.

The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor thanked officers for their hard work during the current pandemic crisis and said the proposals would strengthen public health. She asked if west Berkshire authorities would combine and thus be two directors of public health within Berkshire. She also asked if proposed changed to public health would impact on what we do. In response Cabinet were informed that yes there would be two Berkshire positions and that public health had not changed but the Government had formed the National Institute for Public Protection that would look nationally at issues, remaining functions of public health were currently under consultation. Some functions may be devolved to local authorities.

The Lead Member for Finance and Ascot supported the proposal and said that he had been a governor of Heatherwood Hospital when the new trust was formed with Frimley Health. This report made sense and locally there were proposals for two new GP hubs. He asked if the new proposals would help the council provide support for residents within the borough. Cabinet were informed that through the creation of the integrated care system there had been a communality of local planning and commissioning. We had greater purchasing power and an opportunity to improve services to areas such as mental health.

Cllr C Da Costa said she welcomed any ways of reducing inequalities and that the poorest in society were the ones who needed the services the most but still had the poorest outcomes. She raised concerns about the different needs of the three authorities and if they would be served appropriately. She was informed that at the highest level the proposal would provide more capacity to service our area and that each local authority received its own grant to use locally or collectively. There would also be a local focus via the Health and Wellbeing Board.

**Resolved unanimously: that Cabinet notes the report and:**

- i) Approves the creation of the post of Director of Public Health for East Berkshire in collaboration with East Berkshire Clinical Commissioning Group and Bracknell Forest and Slough Borough Councils.**
- ii) Delegates authority to the Managing Director in consultation with the Lead Member for Adult and Children's Service, Health and Mental Health and the Director of Adult, Health and Commissioning, to finalise and approve the partnership arrangements with relevant organisations.**
- iii) Notes the inclusion of an additional £65,000 per annum to fund the new arrangements is to be added to the 2021-22 base budget and funded from the public health grant.**

**B) FINANCE UPDATE: SEPTEMBER 2020**

Cabinet considered the latest Financial Update report.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property informed that the tough budget set by the administration would, had it not been for Covid-19, been paying dividends and stabilising the budget. It was clear that we would have been in a better financial position with an underspend, it was a difficult, tough but necessary budget that due to the pandemic has changed.

The Lead Member for Finance and Ascot informed that the report set out the financial position of the Council at the end of month 4, July and read out the recommendations.

He said that when setting this year's budget, they were very robust in checking all budget lines and savings so it was no surprise that the underlying budget was holding up well and, pleasingly since June reserves had increased by £900K to £2.7M. But for COVID they were managing services within budget with a reported pre-covid favourable variance of £2.8M which would have increased reserves to nearly £9M. But due to the pandemic a major issue was the loss of revenue in Parking, Leisure and commercial property amounting to £8.2M.

The Government had published Guidance on the recovery of lost income. This excluded commercial property and is on the basis of 75% of 95% of the loss where the losses were associated with fees and charges but there was some dispensation around leisure.

Finance was working to establish exactly what they can claim. This was not straightforward as any actions the Council had taken to mitigate costs cannot be claimed. All funds received will be added to general reserves.

The Lead Member provided some revenue budget headlines:

- A positive was the green waste take up had increased.
- The Adult Social Care budget, with a multitude of moving parts, reported a favourable variance of £1.3M.
- Children's services report an unfavourable variance of £1.27M in part because savings in Transforming youth and early years services had been delayed by Covid and they also had an additional high cost placement.
- Given the Covid crisis Council Tax and Business rate collection, which accounts for £88M of our revenues, were holding up well. Council tax was 0.48% behind target and Business rates were 1.7% ahead of target.
- The increased burden of managing business rate grant awards impacted on the Revenue and Benefits team's ability to meet Housing benefit response time targets. But the average time to process new Housing Benefit claims and change events were

5.7 and 2.9 days respectively, well below target and as low as they have ever been. He thanked the team.

- Planning were seeing signs of increased activity which he hoped was a lead indicator for economic growth.
- Borrowing was largely unchanged.

With regards to Capital the Lead Member informed that:

- There was one fully funded addition to the capital programme to resolve a safeguarding issue Larchfield School.
- In appendix F on page 76 members were now able to easily track movements in the capital programme.
- On Page 81 a draft timetable for the 2021/22 budget build had been included.

He informed that the report was due to be considered by the Corporate Overview and Scrutiny Panel. The Leader informed that the draft budget would go to Cabinet in December to allow consultation prior to Council in the new year.

The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor thanked the revenue and benefits team as they had administered £39.3 million worth of new business rate relief and £28 million of grants to businesses that had been funded by Government.

The Head of Finance informed that we would be making three returns to Government for lost revenue the first claim was expected to be about £2 million this was for the loss incurred for the first third of the year. It was expected that the total claimed for the year would be about £3 to £4 million.

**Resolved unanimously: that Cabinet notes thre report and:**

- i) Notes the Council's projected revenue & capital position for 2020/21.**
- ii) Notes the budget movements;**
- iii) Approves the capital variances and slippage.**
- iv) Approves a capital budget addition of £110,000 for Safeguarding works at Larchfield Primary School**

## **C) RBWM RECOVERY STRATEGY**

Cabinet considered the report that set out the approach to recovery at a Borough level to support our residents and businesses to empower communities to thrive, create great places and build lasting partnerships with our businesses during Covid-19 recovery.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property informed that it was strange introducing the recovery strategy when it seemed we were entering into phase two of the pandemic. He thanked officers and the cross party working group for the work on the important strategy. The strategy was aimed to mirror that of the national strategy and the Berkshire wide strategy.

He highlighted the four key pillars of the strategy:

- Health and wellbeing
- Direct hardship
- Structural economic impacts
- Building resilience and seizing the positives

There were three core objectives of his administration; public health obligations, delivery of a balanced budget and to support economic recovery and growth.

The Lead Member for Finance and Ascot said that this was a cross Berkshire strategy and asked who would be responsible for monitoring its success at Thames Valley level. Cabinet were informed that this strategy was our local strategy and the Berkshire level data hub would be monitored locally. There was also a weekly Berkshire recovery meeting.

The Lead Member for Transport and Infrastructure said that this fell into existing resources and that at times of adversity people came together and worked collaboratively to do everything possible for recovery.

The Lead Member for Climate Change, Sustainability, Parks and Countryside said that there had been a lot of new investment in the borough and that the recovery had started.

Cllr Price said it was an excellent paper that gave inspiration and hope. She asked if there was an equalities impact assessment and if it should have been brought to Cabinet, it was confirmed that there was and that individual projects would have one as they were developed. She also asked if this linked to the Transformation Strategy as they did not mention this. It was confirmed that they were linked.

Cllr Price also mentioned that the report did not mention the impact of Heathrow and she also raised the concept to the '20 minute village' in keeping things local. Cabinet were informed that there were action in place such as the Cycling Action Plan and encouraging the local economy. With regards to Heathrow this fitted with the broader economic recovery plans and we were working closely with Heathrow.

**Resolved unanimously: that Cabinet notes the report and:**

- iv) Approves the Royal Borough Support and Recovery Strategy to move into delivery phase.**

**D) LIBRARY STOCK PURCHASE CONTRACT**

Cabinet considered the report that dealt with the retendering of the Central Buying Consortium contract.

The Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor informed that the report asked for an extension of the contract at a cost of £70k per year to the council because it was offset by S106 funding and a grant from Ascot Durning. There was about 733, 000 book loans last year.

**Resolved unanimously: that That Cabinet:**

- v) Notes the report and retender for the supply of library stock by the Central Buying Consortium under the OJEU compliant process.**
- vi) Approves the Council continuing to remain an Associate Member of the Central Buying Consortium and utilising the new framework contract for the supply of library stock until 31 March 2022 with the option to extend for two years.**
- vii) Delegates authority to the Executive Director of Resources & the Corporate Leadership Team in consultation with the Leader, the Lead Member for Finance and the Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor; Armed Forces Champion to award the tender and exercise the optional extension of the new contract for up to two more years, until 31 March 2024, if the Central Buying Consortium decides to pursue the extension.**

- viii) To confirm the procurement process began prior to Lockdown with an effective contract start date of 01 April 2020. However, use was not made of this until the Library service re-opened in July. At that time, approval was sought from the Director of Resources, until such time as a paper could be brought before Cabinet.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY:** That under Section 100(A)(4) of the Local Government Act 1972, the public were excluded from the remainder of the meeting whilst discussion took place on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of part I of Schedule 12A of the Act.

(Cllr Carroll left the meeting)

The meeting, which began at 6.15 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....

CABINET - ON THE RISING OF CABINET SITTING AS TRUSTEES

THURSDAY, 27 AUGUST 2020

PRESENT: Councillors David Cannon, David Coppinger, Samantha Rayner, Stuart Carroll (Vice-Chairman), David Hilton, Gerry Clark, Donna Stimson and Ross McWilliams

Also in attendance: Councillors Baldwin, Brar, Tisi, Price, Bhangra, Singh and Walters

Officers: Duncan Sharkey, Russell O'Keefe, Kevin McDaniel, David Cook, Shilpa Manek and Louisa Dean

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Johnson.

DECLARATIONS OF INTEREST

None received.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY:** That under Section 100(A)(4) of the Local Government Act 1972, the public were excluded from the remainder of the meeting whilst discussion took place on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of part I of Schedule 12A of the Act.

The meeting, which began at 7.35 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....

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## CABINET TRANSFORMATION SUB COMMITTEE

TUESDAY, 22 SEPTEMBER 2020

PRESENT: Councillors Stuart Carroll (Chairman), Gerry Clark, David Hilton, Andrew Johnson, Ross McWilliams and Donna Stimson

Also in attendance: Councillors Davey, Price, Werner, Rayner, Bhangra, Singh, Cannon, and Taylor.

Officers: Duncan Sharkey, Hillary Hall, Louisa Dean, Dan Brookhman, Nikki Craig, Shilpa Manek and David Cook.

### APOLOGIES FOR ABSENCE

No apologies of absence received.

### DECLARATIONS OF INTEREST

None received.

### TERMS OF REFERENCE

The Chairman introduced the item and read out the terms of reference of the Cabinet Transformation Sub Committee.

Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property said that in his view transformation is the fundamental engine of innovation in terms of improving service deliver, engagement and given the current financial climate how further savings and commercial opportunities could be achieved. It was decided with the chairman of this subcommittee to get it established to provide focus on this work stream outside main Cabinet to provide a borough of opportunity and innovation. Looking to imbed excellent progress already made and see it accelerated. Looking how we deliver public services and also engage the 3<sup>rd</sup> sector.

The Chairman agreed with the vision and allow the subcommittee look at how we can deliver better outcomes, be more accessible and better use of technology.

Cllr Davey asked why a quorum of 2 had been chosen and was informed that given the size of the panel it was a standard number given it was a committee of five. It was also noted that it did not have to be politically balances as a committee of Cabinet and any Cabinet member could substitute.

The terms of reference were noted.

### CASE STUDY - ADULT SOCIAL CARE

The subcommittee received a presentation on the Adult Social Care Transformation Programme 2019-2024 as a case study of transformation within the Royal Borough.

The Director of Adults, Health and Commissioning gave an overview of the work undertaken and what was learnt via the process. When appointed she looked at what work was undertaken and what the authority wanted to deliver through adult social care, with the main driver was being able to allow residents to live independently with fulfilled lives. Promoting independence was core to the Care Act.

The national position was explained with savings being made and a reliance on grants. Locally services had been transferred to Optalis with improved service delivery and better joint working with Health and other partners. There had been real opportunities to deliver differently and focus on reablement and independence.

The Transformation Strategy was developed with underlying principals such as working with residents, staff and partners to deliver vision. The main focus was on outcomes and delivery. The 6 main objectives to the strategy were shown. Looked at what people could do rather than what they cannot do and there was more technology enabled care.

The impact of Covid-19 in March 202 resulted in the need for transformation now. We focused on community support volunteering and shielding. Work was done with 53 community groups, staff were enabled to work from home and a case management system and application was developed for the future. Examples of where we are now were given.

The final part of the picture was looking at what we have learnt so far. Such as having quick wins to help have a positive engagement, continued communication about the plan, staff engagement and being willing to try new things and being able to say it may not be working and move on.

The Chairman mentioned that the things they had been pushing in Adult Social Care was prevention, enablement and increased independence with compassion. Through the transformation they have had better delivery and innovation. Our strategic and operational partnership with the NHS was also important.

The Lead Member for Finance and Ascot said that he agreed that we do not celebrate success as much as we should especially for staff. He was also amazed at how many charitable organizations were there and willing to work with the community; it's important to help facilitate bringing them together.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property thanked the director and staff for their work on this especially front line staff and volunteers during the pandemic. He saw this work as a genuine empowerment of organisations and volunteers to have a greater role in shaping the services and benefits going forward.

The Lead Member for Climate Change, Sustainability, Parks and Countryside mentioned that when you volunteered it also made yourself feel better and your state of wellbeing improved. For her area of responsibility she would need community support to make climate changes.

Cllr Davey asked if the Lion 2.0 application was owned by RBWM, he was informed that the council did own the intellectual rights as we developed it ourselves.

Cllr Price said that as an exciting and challenging vision it important to take our residents with us. She asked if Cabinet had read the equalities impact assessment, which they confirmed they had. She also raised a concern about older residents who may not be as able to use modern technology and asked how we can make sure they are not left behind. She was informed that technology was to complement services and not replace them for example with dementia technology can be used to try and slow down dementia and help living from home longer. This would not replace personal care. Digital solutions would also free up resources to support the most vulnerable.

With regards to the process Cllr Price asked if Council and individual councillors would be involved in approving different projects. She was informed that the appropriate decision making route would be used for each project.

With regards to the third sector as they currently faced difficulties what would be the backstop if they were not able to support initiatives, for example the CAB were concerned about funding. It was agreed that we needed to support the 3<sup>rd</sup> sector by maximising funding streams that we have.

The presentation was noted.

## RBWM TRANSFORMATION STRATEGY 2020-25

The Cabinet Transformation Sub Committee considered the report regarding the RBWM Transformation Strategy 2020-25.

The Director of Adults, Health and Commissioning informed that the draft strategy built upon a lot of the principles presented in the case study and set out the long term vision of a borough of opportunity and innovation. It linked to existing strategies and three enablers; communities, resources and working in partnership. The strategy itself was built around seven elements. With community at the centre, they were finance; culture; environment, prevention; digital and process redesign. If approved a detailed action plan would be brought forward to deliver the Strategy.

For clarity on page three with regards to a CIPFA review of the RBWM Property Company this review would be undertaken but had not yet been done. This would be made clear in the strategy.

The Lead Member for Transport and Infrastructure said that this paper showed the tools required to undertake transformation discussed earlier. It identified the key drivers and factors to be considered and provide a framework for each directorate.

The Lead Member for Climate Change, Sustainability, Parks and Countryside said this paper proposed both opportunity and difficulties as we have to be careful to prioritise so things do not get lost. We need to look at how we enable people, look at skill sets and how others could be taught on a community level.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property reiterated that this was an opportunity to move away from the orthodox and gives a platform to build upon a borough of opportunity and innovation. This is about empowering communities and using all tools at our disposal and working in partnership. We need to deliver better outcomes, opportunities and the ability to help shape services.

Cllr Price mentioned that the report said that action plans would be completed in two months and asked if this was realistic. She also mentioned that it was a huge cultural change from having this done for residents to having them being the drivers and the challenge should not be underestimated with support required. In reply she was informed that it was important to have due consideration on any proposed changes and implementation for residents. The timescale for the action plan was reasonable as officers had already been working on it and was rooted in existing strategies. We will bring forward a detailed action plan for year one if not longer.

Cllr Davey questioned the quorum of two and that it said that wherever possible existing procurement process would be used. He supported the use of local companies. His questioned if it was right that a couple of Cabinet Members could potentially approve large contracts as part of the strategy. The Chairman said that this was a subcommittee of Cabinet and the larger decisions would be reported back to Cabinet this meeting was to be used as a focus point to dive forward the strategy. Formal decision making channels would be used.

The Lead Member for Finance and Ascot mentioned that page 24 showed a lot of things had changed for the better by doing things differently.

Cllr Davey mentioned that there was a lot of talk about data being critical to transformation and he asked if data would be sold to third parties. He was informed that we complied with data protection and GDPR and have strict controls and privacy notices.

The Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property reiterated that Cabinet and Council would be the authoritative decision making bodies and that due process would be followed.

(Cllr McWilliams had left the meeting and did not vote)

**Resolved unanimously: that Cabinet Transformation Sub Committee notes the report and:**

- i) Approves the RBWM Transformation Strategy 2020-25**
- ii) Requests officers to develop and bring forward an action plan to deliver the strategy.**

### INNOVATION MANDATE

The Cabinet Transformation Sub Committee considered the report regarding the proposed Innovation Mandate.

The Director of Adults, Health and Commissioning informed that the report requests agreement for Cabinet members and Directors to attend a series of three workshops led by iESE Ltd. The objective of the workshops will be to bring a common language and concepts for transformation against an established framework, to get a common view.

(Cllr McWilliams had left the meeting and did not vote)

**Resolved unanimously: that Cabinet Transformation sub-committee notes the report and:**

- iii) Approves for the Innovation Mandate to take place at the earliest opportunity.**

The meeting, which began at 6.15 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....

# Agenda Item 5

## CABINET

### FORWARD PLAN - CHANGES MADE SINCE LAST PUBLISHED:

ITEM	SCHEDULED CABINET DATE	NEW CABINET DATE	REASON FOR CHANGE
Housing Strategy	N/A	26/11/20	New Item
Development of a Youth Council	29/10/20	26/11/10	Further work required
Maidenhead Football Club - relocation	29/10/20	26/11/10	Further work required
Windsor NP - Referendum	29/10/20	26/11/10	Further work required

## FORWARD PLAN OF CABINET DECISIONS

NB: The Cabinet is comprised of the following Members: Councillor Johnson, Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property, Councillor Rayner, Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor, Councillor Carroll, Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health, Councillor Cannon, Public Protection and Parking, Councillor Clark, Transport and Infrastructure, Councillor Coppinger, Planning, Environmental Services and Maidenhead, Councillor Hilton, Finance and Ascot, Councillor McWilliams, Housing, Communications and Youth Engagement, Councillor Stimson, Climate Change, Sustainability, Parks and Countryside

The Council is comprised of all the elected Members

All enquiries, including representations, about any of the items listed below should be made in the first instance to Democratic Services, Town Hall, St Ives Road, Maidenhead. Tel (01628) 796560. Email: democratic.services@rbwm.gov.uk.uk

### FORWARD PLAN

ITEM	Private Meeting - contains exempt/confidential information? See categories below.	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings	Date and name of meeting	Date of Council decision (if required)
22	Open -	To seek agreement to establish a Youth Council to complement the existing governance committee structures of the Royal Borough of Windsor and Maidenhead (RBWM) Council.	No	Lead Member for Housing, Communications and Youth Engagement (Councillor Ross McWilliams), Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	Internal process	Cabinet 26 Nov 2020	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
Maidenhead United Football Club – Request for Relocation	Fully exempt - 3	Request for Land availability for the relocation of the club.	Yes	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property (Councillor Andrew Johnson)	Russell O'Keefe	Internal process	Cabinet 26 Nov 2020	
Windsor Neighbourhood Plan decision to proceed to referendum 23	Open -	The draft Windsor Neighbourhood Plan was formally examined by an independent examiner and a number of changes have been recommended by the examiner to ensure that the plan meets the basic conditions as specified in the Regulations. The Forum have now agreed the changes recommended by the examiner in discussion with policy officers. Cabinet approval is now sought for the Windsor neighbourhood plan to proceed to	Yes	Planning, Environmental Services and Maidenhead (Councillor David Coppinger)	Adrian Waite	Internal process	Cabinet 26 Nov 2020	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
		referendum at the earliest opportunity.						
Housing Strategy	Open -	To approve the strategy	No	Lead Member for Housing, Communications and Youth Engagement (Councillor Ross McWilliams)	Russell O'Keefe	Internal process	Cabinet 26 Nov 2020	
24 School places and projections	Open -	This report provides an update on projected demand for school places in the Royal Borough and may propose options for further development and consultation.	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	External	Cabinet 26 Nov 2020	
Financial Update	Open -	Latest financial update.	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor	Internal process	Cabinet 26 Nov 2020	
Q1 and Q2 Performance Report	Open -	Latest performance report.	No	Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor (Councillor Samantha Rayner)	Hilary Hall	Internal	Cabinet 26 Nov 2020	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet



ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
RBWM Property Company Ltd – Annual Report & Audited Accounts for 2019-2020	Open -	Annual report and accounts	No	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property (Councillor Andrew Johnson)	Russell O'Keefe	Internal process	Cabinet 26 Nov 2020	
25 Asset Disposal & Redevelopment	Fully exempt - 3	Disposal of Asset, and redevelopment of affordable housing and family services.	Yes	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property (Councillor Andrew Johnson)	Russell O'Keefe	Internal process	Cabinet 26 Nov 2020	
Developing Family Hubs across the Borough	Open -	Cabinet are asked to consider the results of two consultations and determine if the council should move ahead with a Family Hub model in place of the current individual services.	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Kevin McDaniel	Public consultation	Cabinet 26 Nov 2020	
Children's Services Capital Programme 2021-22	Open -	Report requests approval of the 2020-21 capital programme in Children's Services	Yes	Deputy Chairman of Cabinet, Adult Social Care, Children's Services, Health and Mental Health (Councillor Stuart Carroll)	Taylor	Internal process	Cabinet 17 Dec 2020	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
Council Tax Base Report	Open -	To approve the Council Tax Base to be used for 2021-22 budget	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Taylor	Internal process	Cabinet 17 Dec 2020	
26 Draft Budget 2021/22	Open -	Report which sets financial context within next year's budget is being set. The report includes a recommendation to Council of a Council Tax, it recommends a capital programme for the coming year and also confirms Financial Strategy and Treasury Management Policy.	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Taylor	Internal process	Cabinet 17 Dec 2020	
Compulsory Purchase Order – Nicholsons Walk Shopping Centre, Maidenhead	Fully exempt - 3	Land assembly for site known as Nicholsons Walk Shopping Centre, Maidenhead.	Yes	Leader of the Council and Chairman of Cabinet, Business, Economic Development and Property (Councillor Andrew Johnson)	Russell O'Keefe	Internal process	Cabinet 28 Jan 2021	
Financial Update	Open -	Latest financial update	No	Lead Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor	Internal process	Cabinet 28 Jan 2021	

**N.B. All documents to be used by the decision maker to be listed in the report to Cabinet**

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
27 Budget 2021/22	Open -	Report which sets financial context within next year's budget is being set. The report includes a recommendation to Council of a Council Tax, it recommends a capital programme for the coming year and also confirms Financial Strategy and Treasury Management Policy.	Yes	Lead Member for Finance and Ascot (Councillor David Hilton)	Adele Taylor	Internal process	Cabinet 4 Feb 2021	

N.B. All documents to be used by the decision maker to be listed in the report to Cabinet

ITEM	Private Meeting - contains exempt/confidential information? See categories below	Short Description	Key Decision, Council or other?	REPORTING MEMBER (to whom representations should be made)	REPORTING OFFICER / DIRECTOR (to whom representations should be made)	Consultation (please specify consultees, dates (to and from) and form of consultation), including other meetings.	Date and name of meeting	Date of Council decision (if required)
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#### DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1	Information relating to any individual.
2	Information which is likely to reveal the identity of an individual.
3	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6 28	<p>Information which reveals that the authority proposes</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment.</p>
7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.



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# Agenda Item 6

## ADULTS, CHILDREN AND HEALTH OVERVIEW AND SCRUTINY PANEL

WEDNESDAY, 30 SEPTEMBER 2020

PRESENT: Councillors Carole Da Costa, Maureen Hunt (Chair), Gary Muir, John Story and Amy Tisi

Also in attendance: Councillors John Baldwin, Clive Baskerville, Gurpreet Bhangra, David Coppinger, Andrew Johnson, Samantha Rayner, Gurch Singh and Simon Werner, Tony Wilson, Mark Jervis and Janet King

Officers: David Birch, Andy Carswell, Nikki Craig, Hilary Hall, Lynne Lidster, Kevin McDaniel, Michael Murphy, Fatima Rehman and Duncan Sharkey

### ELECTION OF VICE CHAIRMAN

Cllr da Costa nominated herself for the role of Vice Chairman, this was seconded by Cllr Tisi. A named vote was carried out; two members voted in favour of the motion and three members voted against.

Cllr Hunt nominated Cllr Story for the role of Vice Chairman, this was seconded by Cllr Muir. A named vote was carried out; three members voted in favour of the motion and two members voted against.

**RESOLVED: The Cllr Story by appointed Vice Chairman for the remainder of the 2020/21 municipal year.**

### APOLOGIES FOR ABSENCE

Apologies were received from Cllr Bateson. Cllr Muir was attending as a substitute.

### DECLARATIONS OF INTEREST

There were no declarations of interest.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on June 11 2020 be approved as an accurate record.**

### HEATHERWOOD HOSPITAL UPDATE

The Panel was reminded that a presentation had been given on the progress of the new Heatherwood Hospital last year and that Members had asked for an update. Janet King, Director of HR and Corporate Services and Deputy CEO of the Frimley Health NHS Foundation Trust, introduced herself and began by giving an overview of what was on each level of the hospital. Level four was the plant room, and level three was the inpatient ward containing private beds and external terraces for patients to use. Level two contained the theatres, which were laminar flow to ensure the maximum levels of flexibility in terms of what surgeries could be performed. Janet King explained that level two had been the most problematic to arrange and construct, as it was discovered during the building that the windows that had been designed would not afford patients with sufficient levels of privacy. Level one contained outpatient services and consulting rooms, along with a large radiology

department. Janet King said consideration was being given to having further specialist departments on this level.

Janet King said the project was due to be delivered on time and on budget. This was despite the social distancing rules needing to be observed by the contractors, which could have slowed down the construction work. Janet King said credit needed to be given to the contractor in ensuring the project was still on track to be delivered on time.

The Panel was shown a short video detailing the work that had been carried out.

Janet King said she was due to be given the keys to the hospital in July 2021. A period of five to six months had been set aside to complete the commissioning work, with a view to starting to open the hospital for some services in the winter. Construction work at the main roundabout was due to start in November 2020. Janet King acknowledged there had been delays due to technical problems during work at a smaller roundabout by the hospital. New infrastructure at the hospital included parking/charging for electric cars, a cycle rack and a bus stop.

Janet King said it was planned to have a longer working day, in order to allow for evening appointments and for theatres to be open for ten hours a day across a six hour and four hour shift. She explained this would allow for more efficient use of resources. This change was being implemented now so the new ways of working would already be established and in place before the hospital opened. Further changes may be implemented following a simulation study, although these would be established prior to opening.

The Forum was told the Trust had engaged with neighbouring residents to keep them updated on what was happening, and Janet King said she had received a letter from a resident thanking the Trust for being proactive in their communications. Consideration was now being given to green space surrounding the hospital and how this would look.

Cllr Story said this was an important project, not just for Ascot but for the Royal Borough and wider area. He asked if the hospital would be able to accept its first patients from March 2022 and for it to be fully operational by the end of the year, which was confirmed by Janet King. She also stated that the GP hub was due for completion in November and would be housed in an old mental health building on site, which had been modernised. It had been agreed that the hospital would share services with the GP hub. Regarding the main roundabout, Janet King said the work needed to be completed before the start of Royal Ascot in June 2021.

Responding to a question from Cllr da Costa, Janet King confirmed the theatres would be handling low risk and elective surgery online. Clinicians had asked for an HDU bed for treating slightly higher risk patients; however Janet King said that patients considered to be a full risk should be placed in care of acute wards elsewhere.

Janet King said the building, and in particular the laminar theatres and natural ventilation, had been designed with lower carbon emissions in mind. A green wall had not been considered at the planning and design stage, although consideration was being given to having a green space on the roof of the hospital.

Members of the Panel were offered the chance to go on a tour of the new building, which was an opportunity they unanimously agreed they would like to take up. It was hoped this could take place before winter. Members thanked Janet King for the presentation and said they were impressed at the standard of work that had been carried out.

## ANNUAL COMPLIMENTS AND COMPLAINTS REPORT

Nikki Craig, Head of HR, Corporate Projects and IT, introduced the item and outlined what was in the report. Members were told that a total of 400 complaints had been received by the Council in the 2019/20 municipal year. Of those 27 related to adult services and 54 related to children's services; of the children's services complaints 35 were corporate and the remaining



19 were statutory, which were complaints made by or on behalf of a child in care or a child in need. Nikki Craig said the most common complaints theme overall was over a lack of action. However for adult services the most common complaint related to not received the required help or intervention, and for children's services it was a failure to follow policy and failing to take enough information into account.

The Panel was told that 56 per cent of all adult and children's services complaints were responded to within the correct timescales. The overall figure across the Council was 59 per cent, compared to 64 per cent in 2018/19. Nikki Craig said 61 per cent of all complaints were either wholly or partially upheld; however this figure was 52 per cent for adult services and 63 per cent for children's services. Members were reminded that complainants could escalate their concerns to the Social Care Ombudsman and this had been done a total of 49 times. Of those, nine related to adult services; four were upheld, two were closed as they were incomplete and three were closed after initial enquiries. There were ten Ombudsman referrals relating to children's services; two were upheld, one was closed as it was incomplete, one was closed after initial enquiries and the remaining six were referred back to the Council for local resolution.

The Panel was told there had been 440 compliments received by the Compliments and Complaints team, of which 21 related to adult services and 63 related to children's services.

Cllr Story asked for further information on the reasons given for the complaints concerning a lack of response, after noting the report referred to the complexity of the complaint and officer resource pressure. The Panel was told this was partly attributable to the use of agency staff, whereas there was now less resource pressure and greater ability to meet capacity. Staff were now being challenged to gather as much information at the initial point of contact with a service user to understand the root issues and concerns, and in order to prevent any complaints being made in future. Michael Murphy, Director of Strategy Services and Deputy DASS, said the quality assurance process for adult services had been improved to ensure the right information was given at the right time, and if there was conflict then it could be resolved earlier. He said the benefits were already starting to be shown. Kevin McDaniel, Director of Children's Services, said there was a similar situation with children's services, particularly relating to the SEND team. Last year there had been 76 agency staff employed in children's services, which had now been reduced to 26. Permanent staff had been identified to replace the agency staff.

In terms of failing to respond to complaints in a timely manner, Nikki Craig, Kevin McDaniel and Hilary Hall, Director of Adults, Health and Commissioning, all said this was usually due to the complex nature of the issues involved and more time was often needed to gain a full and clear understanding. Face to face and virtual meetings with service users had been offered to help fully understand the nature of complaints, which had been useful for officers and complainants.

**RESOLVED UNANIMOUSLY: That the Panel noted the report and agreed that the report is published on the Council's website, and the annual report continues to be produced and presented at Overview and Scrutiny panels.**

## 2020/21 Q1 PERFORMANCE REPORT

Kevin McDaniel, Director of Children's Services, explained that this would be the last report referring to the performance indicators, as a new interim outbreak control plan had been introduced in July as a result of new ways of working brought in due to the Covid19 pandemic. The outbreak control plan was developed partially to enable services relating to family safeguarding to continue. The Panel was told that of the 14 old performance indicators referred to in the report, eight had met or exceeded targets, three had fallen just short but were within tolerance, and three were outside of tolerance and required improvement.

Cllr Story asked how people receiving care in their homes was being kept under review. He stated that keeping people in their own homes, while desirable, could lead to their needs becoming more complex and this could impact negatively on their wellbeing. Hilary Hall, Director of Adults, Health and Commissioning, said frequent reviews to ensure the right package of care was being delivered were taking place. A decision had to be made based on all the issues involved and there was no one size fits all approach. Feedback would be provided to the Council by either a social worker or domiciliary care worker. If it was felt a person's needs were changing then a more frequent review would be prompted.

Cllr Story asked about the status of family network meetings. Kevin McDaniel explained there was a requirement for the Council to bring extended families together to find solutions to young peoples' needs and support. Family group conferencing had been used for a number of years but these required a suitably qualified person and over time it had become increasingly difficult to find qualified people. The network meetings now made it possible to respond in a more timely manner.

Cllr Tisi noted that health visitors were able to continue with 6-8 week reviews in spite of Covid19, and asked for clarification on whether these were carried out to a suitable standard. Kevin McDaniel said reviews were undertaken using video calls; if any concerns were raised at that stage then arrangements would be made for a Covid secure visit to be made. For example as the weather was usually good it was possible for reviews to be done outside. Kevin McDaniel said there was a higher than usual level of engagement from families wanted to use the video calls. The majority of reviews were now able to be taken face to face again.

Regarding the measure of completing Education Health and Care Plans within 20 weeks, Kevin McDaniel explained this was a national measure. It was noted that 90 per cent of assessments in the Royal Borough were being completed within this timeframe. If there were delays it was often at the parents' request, to ensure the right information was collected. Kevin McDaniel told the Panel that across the 19 areas in the South East Group of Directors of Children's Services, which he chaired, performance in terms of meeting the target varied between 96 per cent and two per cent.

Cllr da Costa asked about the performance indicator relating to the percentage of carers assessed or reviewed in the last 12 months. Hilary Hall explained that this related to people providing care for family members and it had not been possible for formal reviews to be carried out during the pandemic. Informal contact had been made with carers during lockdown, with carers being invited to offer evidence. Now that restrictions were being eased a greater number of formal assessments were able to take place.

Regarding increased use in alcohol dependency services, Hilary Hall stated that although the increase had been noted it was not putting pressure on the high end of the support service. The public health team were doing more work on this, and this would ultimately influence the future strategy of the alcohol and drug services.

The Panel thanked Kevin McDaniel and Hilary Hall for the work their teams had done throughout the pandemic, particularly in terms of helping vulnerable residents during very difficult circumstances.

**RESOLVED UNANIMOUSLY: That the Panel noted the report and:**

- i. Noted the 2020/21 Adults, Children and Health Overview and Scrutiny Panel Q1 Performance Report in Appendix A.**
- ii. Noted that from Q2 onwards performance of measures relating to the Interim Council Strategy will be reported, along with the measures included in Appendix A which will be grouped by lead service.**
- iii. Requested relevant Lead Members, Directors and Heads of Service to maintain focus on improving performance.**

## RESPONSE TO THE OMBUDSMAN PUBLIC INTEREST REPORT

Hilary Hall, Director of Adults, Health and Commissioning, introduced the item and explained this was a public interest report regarding an adult social care case that was published by the Ombudsman on September 3. Hilary Hall stated that what had happened in this case had been unacceptable and she offered sincere, unreserved and heartfelt apologies to the family concerned.

Since this case, new methodologies and practices had been introduced to ensure members of the same family were assessed in the same way. These included new methods of monitoring, mandatory guidance to ensure managers had full oversight of performance, and the introduction of a quality assurance panel to provide oversight of packages of care. This panel was chaired by Michael Murphy, Director of Statutory Services and Deputy DASS. Hilary Hall explained the panel required suitable evidence on the recommendations that were proposed by the relevant practitioner or manager before any care package was approved.

Regarding domiciliary care, Hilary Hall told the Panel that an officer had been assigned to ensure the quality of provision and monitor performance. Part of this role entailed contacting families of those in domiciliary care to ensure their expectations were being met. Any complaints would be responded to by this officer.

In respect of the case that was reviewed by the Ombudsman, the Panel was told that there was no one point of contact who had retained overall management of the various strands of the complaint for the couple involved. The complexities of the case had also made it difficult to resolve. Practice had now changed to ensure one senior manager would oversee each complaint, particularly if there were multiple agencies involved.

It was confirmed the report, and the minutes of this Panel, would be considered at October's Cabinet meeting, where it was expected that the list of recommendations listed in the report would be agreed and actioned. Responding to a question from Cllr Story, Hilary Hall confirmed that one of the five care agencies the Council had a contract with was rated as requires improvement, and this agency had been involved in the case that was reviewed by the Ombudsman. Lynne Lidster, Head of Commissioning – People, told the Panel that at the time the complaints were first raised the agency was under a different ownership and management structure. The manager had not been able to recruit sufficient numbers of permanent members of staff and there had been a reliance on agency staff, which had led to inconsistencies in the levels of support provided and increased complaints. The Panel was told the company was under new management, the number of temporary agency staff used was now zero, and the quality assurance team at Optalis had been working closely with the agency about the level of care provided. The agency had been due an inspection in the spring but it was not possible for this to be undertaken due to Covid19. The CQC had said a re-inspection would not be possible this year. However the quality assurance team was satisfied that the agency's standards had improved sufficiently, and if the inspection had taken place then the expectation was it would have received a good rating rather than one of requiring improvement. The Care Quality Commission had recently told the agency that as they are not deemed to be "at risk" they would not be prioritised for an inspection. No complaints had been raised in the last two months.

Cllr Story asked if there had been any cases of couples in the care of the Local Authority, as the Ombudsman had recommended that any such cases should be reviewed. The Panel was told there were 27 such cases, which had all been reviewed by the Director of Statutory Services.

Cllr Story asked for an explanation as to how Mrs Y came to be a permanent resident of a care home when 12 days previously arrangements were being discussed over possible living at home arrangements. Hilary Hall said this would be done if it was decided after review that a care home was the most appropriate setting for ensuring a person's needs were met and were kept under constant review; similarly, a person's ability to be looked after in their own home

would also be kept under review. Michael Murphy said a care user would be considered as being a permanent resident of a care home after they had been there for at least six weeks; until then they would be classed as a temporary resident. Some care users would be put into a care home if it was considered an emergency matter, but generally any moves would only be made following recommendations that were put to the quality assurance panel from a social worker and senior social worker. Guidance in the Care Act around this was very robust and sufficient control levels were in place.

Cllr da Costa said the care agency concerned had been discussed at a previous Panel meeting in September 2019, and at the meeting it was stated that the agency was not to have their contract renewed. It was noted that the Lead Member had stated that they only wanted care providers who had been given a good or outstanding rating. Cllr da Costa said she accepted some of the reasons why this had not happened, but stated her belief that the Council needed to be more transparent in explaining the decision to renew this contract. She said it was essential that the agency have a CQC inspection review, but also congratulated the agency on now having no temporary staff involved in care. Lynne Lidster said the contract renewal had been done with good intentions as an inspection was planned and it had been anticipated that the agency would be given a good rating. He said the 'requires improvement' rating was not an accurate reflection of the levels of care the agency was able to provide. He also said the CQC was being pushed for as early an inspection as possible to be undertaken.

Responding to a question from Cllr Tisi, Michael Murphy stated that of the cases involving a couple to have been reviewed, no concerns had been raised about any harm to the relationship of those involved and there had been no reference to any negative consequences to one of the people in a couple having to be placed in an alternative setting due to an emergency. The new panel also meant that cases were being dealt with in a more timely manner. In addition risk assessments were being carried out at an earlier stage.

Cllr Tisi asked how other care providers, which had previously been given a good or outstanding rating, were being assessed to ensure standards were being maintained, particularly when it was not possible to carry out an inspection. Hilary Hall explained this was a focus of the care quality team at Optalis, which kept a detailed database of feedback and complaints, and there was a dedicated officer to oversee everything. The team would also perform regular enhanced visits of care providers to check standards. Lynne Lidster said contract monitoring had been continuing in spite of Covid19 and was still on schedule.

Cllr Carroll and Cllr Johnson both reiterated Hilary Hall's earlier remarks and offered heartfelt apologies for what had happened in this case, and stated that they did not want something like this to happen again and it was important that lessons were learned. Cllr Carroll said Cabinet was the most appropriate forum for the matter to be discussed further and encouraged all Members to attend if possible. He said an internal review had been undertaken and new protocols and quality assurance measures were now in place. Cllr Carroll said it was important that the Council took a proactive approach to all aspects of its work. He said he would write to the CQC to ask for an inspection of the care agency to take place as soon as possible, and ask for a timescale to be given. He said an inspection would provide maximum assurance to residents that standards of care were high.

Cllr Hunt said she wanted to receive quarterly updates on the actions that were recommended in the Ombudsman report. This was agreed by Members.

**RESOLVED UNANIMOUSLY: That Panel recommends that**

- i. Cabinet agrees to fulfil the recommendations made in the Ombudsman report**
- ii. The outcome of the scrutiny and a further report will be sent to the Ombudsman in three months' time updating on progress**
- iii. Quarterly updates on progress against the actions will be presented to the Adults, Children and Health Overview and Scrutiny Panel.**

WORK PROGRAMME

Cllr da Costa asked if a report could be produced regarding post-16 education, as it had been hard for youngsters to get places this year due to the Covid19 pandemic. Cllr Tisi suggested a report providing an update on high needs funding for children with special educational needs should be brought to Panel. Members agreed to add these two items to the work programme, in addition to receiving an update at the next meeting on the Ombudsman report discussed as the previous item.

The meeting, which began at 6.25 pm, finished at 8.50 pm

CHAIRMAN.....

DATE.....

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# Agenda Item 9

By virtue of paragraph(s) 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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