

9. **Questions**

Questions to be asked by Members of the County Council of the Leader of the Council, a Cabinet Member, or a Chairman of a Committee. The question will be answered by the relevant Member and the Member asking the question may then ask a follow up question which will also be answered

- a) Question 1 from Susan Woodward (Pages 1 - 2)
- b) Question 2 from Alastair Little (Pages 3 - 4)
- c) Question 3 from Alastair Little (Pages 5 - 6)
- d) Question 4 from Kyle Robinson (Pages 7 - 8)
- e) Question 5 from Kyle Robinson (Pages 9 - 10)
- f) Question 6 from Dave Jones (Pages 11 - 12)
- g) Question 7 from Dave Jones (Pages 13 - 14)
- h) Question 8 from Charlotte Atkins (Pages 15 - 16)
- i) Question 9 from Charlotte Atkins (Pages 17 - 18)
- j) Question 10 from Syed Hussain (Pages 19 - 20)
- k) Question 11 from Syed Hussain (Pages 21 - 22)

John Henderson  
Chief Executive

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**QUESTION 1**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Philip Atkins OBE  
The Leader of the Council**

**By Susan Woodward**

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**Question**

The Leader will be aware of the impacts on the County Council's employees of the current public sector pay cap and the national campaign for it to be lifted. Specifically, he will aware of the following impacts of the cap:

- NJC basic pay has fallen by 21% since 2010 in real terms
- NJC workers had a three-year pay freeze from 2010-2012
- Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings
- NJC pay is the lowest in the public sector
- Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased National Living Wage and the Foundation Living Wage
- There are growing equal and fair pay risks resulting from this situation.

Will he undertake to meet with local NJC union representatives to discuss the pay claim and the pay spine review?

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**Reply**

Staffordshire County Council (SCC) acknowledges that NJC employees pay has been constrained for a number of years since the introduction of the pay freeze and subsequent public sector pay cap.

SCC is aware that nationally changes to terms and conditions are being made at a local level however; SCC has made no significant changes to its employee's terms and conditions aside from the collective agreement which amended essential car user eligibility.

SCC is also aware of the mounting national pressure regarding the public sector pay cap and has assumed 2% in its Medium Term Financial Strategy up to 2021 to accommodate potential pay increases.

SCC has responded to the NJC Employers side consultation with regards to the 2018/19 Trade Union pay claim and remains committed to the national NJC pay bargaining process.

SCC is actively supporting the national pay spine review, commissioned jointly by the NJC Employers and Trade Union sides, with its goal to achieve a revised pay spine that is capable of:

- Accommodating changes to the National Living Wage rate so that it is 'future proofed';
- reflecting differentials in levels of pay and responsibility;
- remaining compliant with the requirements of the Equality Act 2010;
- and remaining consistent with single status principles.

Should you wish to discuss the points you have raised further then I would recommend that the appropriate setting is at the Trade Union Consultative Committee Strategic Forum.

**QUESTION 2**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Helen Fisher  
Cabinet Support Member for Highways and Transport**

**By Alastair Little**

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**Question**

Could the portfolio holder please give the percentage of new category 3 highways issues identified and repaired within 60 days so far in the 2017/18 financial year compared to the same period in previous financial year

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**Reply**

The county council agreed to invest an extra £5million this financial year to help repair potholes across the county. Alongside this investment we were clear that the public wanted to see 'right first time' repairs and for crews to use 'common-sense' and fix multiple defects in a location if possible. I am pleased to say that up to date, the investment has helped increase the number of repairs significantly and we are now seeing our crews take a 'right first time' approach.

During the first 6 months of this extra investment we have already seen 80,000 m2 of pothole resurfacing work take place which is more than took place in the whole of the previous financial year. This extra investment has seen an improvement in the response time for completed category 3 issues from **55%** being completed within 60 days during 2016/17 to **78%** of completed category 3 being completed within 60 days so far in the 2017/18.



**QUESTION 3**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Philip Atkins OBE  
Leader of the Council**

**By Alastair Little**

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**Question**

Could the Leader please comment on what steps can be taken by the Cabinet in relation to the PCC's submission to the Home Office opposing the unanimous decision of the Council to propose the representation model in relation to the merger of the Fire and Police authorities?

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**Reply**

If the Secretary of State does decide to make an order to implement the governance model there is a requirement in the Policing and Crime Act 2017 for the County Council to be consulted and an opportunity for the Council to reiterate its views. These views, are clearly set out in the resolution of the Council at its last meeting, and are that:

(a) That the County Council submits the following response to the consultation on the Business Case:

- (i) Staffordshire County Council believes all emergency services should work more closely together to provide better public protection.
- (ii) Staffordshire County Council expresses its opposition to the recommendation in the Business Case that the Governance Model be adopted; and
- (iii) Staffordshire County Council expresses its support for the Representation Model.

(b) That delegated Authority be given to the Director of Strategy, Governance and Change, following consultation with the Leader of the Council, to prepare a full written response to the Police and Crime Commissioner for Staffordshire by the deadline of 4 September 2017.

(c) That delegated authority be given to the Chief Executive, following consultation with the Leader of the Council, in the preparation of a letter to the Minister responsible for emergency services, the PCC and the Chairmen of the Ambulance Trust and Fire Authority setting out this Council's view that a hub, based around the Fire and Ambulance service, is looked at in greater detail and the reasons behind this, including the clear and historical synergy between both of these important public services, and their impact on the wider public health and ongoing work of the county council.





**QUESTION 4**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White the Deputy Leader and  
Cabinet Member for Health, Care and Wellbeing**

**By Kyle Robinson**

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**Question**

What consultation has there been and what choice has been given to vulnerable home care service users following the roll out of the new home care contract?

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**Reply**

With existing contracts coming to an end the Council needed to reprocure home care. The current arrangements have a number of problems including shortage of supply, high staff turnover, and variation in quality and price, and are unsustainable. The new arrangements include 39 block contracts in defined geographical areas which will give providers a guaranteed number of hours and allow them to offer permanent contracts to staff as well as organise their operations more efficiently.

The reprocurement has been carried out through a competitive process in line with UK and EU procurement legislation. All providers have been given an opportunity to bid and have been kept informed throughout. Ten providers have been awarded the 39 block contracts and 65 providers have been awarded framework 'pay as you go' contracts.

The Council is now proceeding to mobilise the new contracts. This means transferring some people's care to the new block contract providers. People's care will not change and we have written to existing providers to remind them of the contractual position, which is for them to continue to provide care until it can be handed over to the new provider. The Council is in the process of writing a further communication to all clients to reassure them that this is the case.

People can exercise choice by taking a direct payment and purchasing their own care from a provider of their choice. Any requests for direct payments will be considered as we would at any other time.



**QUESTION 5**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White  
Deputy Leader and Cabinet Member for Health, Care and Wellbeing**

**By Kyle Robinson**

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**Question**

What consultation has there been with framework contract providers to ensure the safe transfer of care packages?

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**Reply**

The Council has written to all new and existing providers with the details of clients whose care will transfer to request that they co-ordinate a safe handover of packages over the next few weeks and months.

There has been detailed and extensive engagement with providers over the past year. This has included working with the home care provider network as a whole and a smaller group of providers who contributed to the design of the new specification, in particular in the development and modelling of the capacity blocks.

Two consultation sessions were held in January/February to which all providers currently providing home care in Staffordshire were invited where the council presented the principles and an outline of the specification and invited feedback. Responses received from both these events and the provider network directly influenced the design of the capacity blocks including the implementation of a guarantee of 600hrs for each block.



**QUESTION 6**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Gill Heath  
Cabinet Member for Communities**

**By Dave Jones**

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**Question**

Under section 53(5) of the Wildlife and Countryside Act 1981, the County Council is the responsible authority for the processing of Definitive Map Modification Orders (DMMO's). The County Council current has a backlog of 240 applications, which are being progressed at a rate of one per year. Could the Cabinet Member explain why the authority undertakes this statutory duty at such a slow pace?

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**Reply**

The amount of time taken to investigate a DMMO application varies depending on the complexity of the case and increases significantly if an application is appealed.

The Council's progress in determining DMMO applications, like most Surveying Authorities, is slow, but this is partly a reflection of the:

- Quasi-judicial nature of procedures, meaning that extensive investigations are required to determine whether a claim is justified.
- Evaluating historical evidence is complex and the data is not easily accessible.
- Difficult and lengthy negotiations between parties are required to reduce the likelihood of an application being appealed.
- Gathering user evidence and the requirement to interview people who claim to have used a route for 20+ years can be challenging.
- Size of Staffordshire's rights of way network (4,500km).
- Declining and now small resource dedicated to their processing.

The Council is facing real pressure, with its income reducing but demand for services such as adult social care increasing. The Council has decided to prioritise investment in these services in order to maintain care for the county's most vulnerable citizens. This means the rights of way service will need to change going forward, by focusing its limited resources on those routes and on those issues that deliver the greatest benefit to taxpayers. Additionally, it is right that the Council prioritises its spend to keep open those routes that already exist, rather than seeking to add new routes to the network. Staffordshire has 4,500km of rights of way and by determining the 240 applications in the backlog, it would add just 145km to the network.

In recognition of the risk the backlog poses to the Council, officers, cabinet members and the chairs of the Countryside and Rights of Way (CRoW) Panel, and the Staffordshire and Wolverhampton Joint Local Access Forum (JLAF), are working together to look at alternative ways to reduce the backlog.



**QUESTION 7**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Mark Sutton  
Cabinet Member for Children and Young People**

**By Dave Jones**

**Question**

Can the Cabinet Member update the Council on the number of SEND children across Staffordshire who are still waiting for the provision of school transport?

**Reply**

There are currently no outstanding statutory SEN entitled travel assistance requests that are waiting to be processed. However, there are a number of non-statutory vacant seat SEN applications in the system awaiting potential allocation. This will be subject to availability post the end of the statutory request allocation phase. The table below provides a breakdown of the non- statutory applications made by parents, seeking to access this service for their children.

<b>Category</b>	<b>No.</b>
Application allocated to services	15
Parents cancelled application	2
Application refused due to no capacity on the vehicle/route	3
Application being further assessed and/or allocated this month	24
<b>Total</b>	<b>44</b>





**QUESTION 8**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White  
Deputy Leader and Cabinet Member for Health, Care and Wellbeing**

**By Charlotte Atkins**

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**Question**

What has been done to ensure that home care staff who work under the current framework contract are retained within the service if their present employer loses existing clients and contract hours?

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**Reply**

The expectation is that staff as well as clients will transfer from existing to new block contract providers under TUPE legislation. The procurement process included a mandatory requirement for providers to submit TUPE data about staff who are working with clients who will transfer to the new block contract providers. The Council is now in the mobilisation phase and will monitor providers' compliance with their statutory responsibilities to consult with staff about TUPE transfer to the new providers.



**QUESTION 9**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White  
Deputy Leader and Cabinet Member for Health, Care and Wellbeing**

**By Charlotte Atkins**

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**Question**

If staff choose to remain caring for their existing home care service users but under direct payment arrangements, who will be responsible for meeting the pay gap of over £2.50 an hour?

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**Reply**

Under the new contract the Council will pay a standard rate of £16.10 per hour with an enhancement to £16.70 in rural areas. This allows providers to pay at least national Living Wage including for travel time. Where people choose to take a direct payment and buy care from an agency that charges higher rates they will be responsible for paying the difference.



**QUESTION 10**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White  
Deputy Leader and Cabinet Member for Health, Care and Wellbeing**

**By Syed Hussain**

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**Question**

With Derby merging with Burton hospital, how many services are going to be taken over by a private provider and how many jobs will be lost from Burton hospital since this is the largest employer in the town?

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**Reply**

I have been told by the Burton Hospitals Foundation Trust that: No services are planned to move to a private provider. We do not anticipate any job losses from the merger here in Burton. Any reductions will come from natural wastage and turnover. There are actually more clinical services planned for Burton and therefore there is likely to be an expansion rather than a loss of jobs for clinical staff.



**QUESTION 11**

**COUNTY COUNCIL MEETING – 12 OCTOBER 2017**

**Question to Alan White  
Deputy Leader and Cabinet Member for Health, Care and Wellbeing**

**By Syed Hussain**

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**Question**

With rough sleeping on the rise, what is the cause and what is the Council doing to tackle the issue?

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**Reply**

Rough sleeping is a matter for which the relevant Borough/District Council is responsible as the local housing authority. However, I am happy to write to the Borough and District Council's to pose this question on your behalf.

