

Minutes of the County Council Meeting held on 12 October 2017

Present:

Attendance		
Ben Adams	Michael Greatorex (Chair)	Natasha Pullen
Charlotte Atkins	Gill Heath	Kyle Robinson
Philip Atkins, OBE	Jill Hood	David Smith
Ann Beech	Syed Hussain	Paul Snape
David Brookes	Keith James	Mike Sutherland
Gill Burnett	Trevor Johnson	Mark Sutton
Ron Clarke	Bryan Jones	Stephen Sweeney
Maureen Compton	Dave Jones	Simon Tagg
John Cooper	Jason Jones	Martyn Tittley
Mike Davies	Ian Lawson	Carolyn Trowbridge
Derek Davis, OBE	Alastair Little	Ross Ward
Mark Deaville	Robert Marshall	Alan White
Alan Dudson	Johnny McMahon	Philip White
Janet Eagland	Paul Northcott	Conor Wileman
Ann Edgeller	Jeremy Oates	Bernard Williams
Helen Fisher	Kath Perry	David Williams
Keith Flunder	Jeremy Pert	Victoria Wilson
John Francis	Bernard Peters	Mike Worthington
Colin Greatorex	Jonathan Price	

Apologies for absence: Tina Clements, Phil Hewitt, Julia Jessel, Ian Parry, Mark Winnington and Susan Woodward.

PART ONE

38. Declarations of Interest under Standing Order 16

There were no declarations of interest on this occasion.

39. Confirmation of the minutes of the Council meeting:

RESOLVED – (a) That the minutes of the meeting of the County Council held on 20 July 2017 be confirmed and signed by the Chairman.

(b) That the minutes of the special meeting of the County Council held on 20 July 2017 be confirmed and signed by the Chairman.

(c) That the minutes of the special meeting of the County Council held on 31 August 2017 be confirmed and signed by the Chairman.

40. Chairman's Correspondence

By-election Results – Hednesford and Rawnsley

The Council were informed of the election, on 7 September 2017, of Mr Bryan Jones as Councillor for the Hednesford and Rawnsley (Cannock Chase) County Electoral Division. Members congratulated Mr Jones on his election and welcomed him to his first meeting of the County Council.

41. Statement of the Leader of the Council

The Leader of the Council presented a Statement outlining his recent work since the previous meeting of the Council. In introducing his Statement, the Leader circulated a supplement detailing the following issues:

6. £5m Pothole Investment - *Good roads are important for the county council, not just in terms of getting from A to B, but in supporting a growing economy.*

We therefore took the decision to invest an extra £5m this year, specifically to tackle potholes. We still repair those that pose the biggest risk as soon as possible, but we wanted to tackle more of the lower category ones which are important to communities.

As a result, in the past year we have completed more than 31,000 repairs – compared to around 20,000 in a typical year.

As well as fixing reported potholes, crews have taken the opportunity to fix any others they come across which may not have been identified. They have also carried out patching of wider areas. I would like to thank the highways crews for their continued hard work in delivering better roads for the people of Staffordshire.

7. Ofsted Inspection - *One area of the county council which, as leader I am particularly proud of is our children's services. Keeping the most vulnerable children safe is a huge responsibility and we are fortunate to have a really dedicated team running the service.*

We were of only a small number of councils which took part in a pilot for a new Ofsted inspection regime and I am pleased to say that all services supporting children in need of our help and protection were rated as "good".

I think we all recognise this is hugely challenging area and while this result is a testament to the fantastic work of the children's team, this is something we all continually strive to improve and will never be complacent about.

8. 30 Hours Childcare - *Another pilot scheme we took part in was the Government's pilot to offer qualifying working parents the chance to benefit from 30 hours funded childcare for 3 and 4 year olds.*

The scheme was rolled out nationally on September 1. In Staffordshire the latest figures show the families of around 3,900 children took up the 30 hours' offer, equating to almost 4.5 million hours of funded childcare in the county a year.

At the end of last month, Michelle Dyson, Director of Early Years and Childcare at the Department for Education found out more about the Staffordshire story when she came to Staffordshire Place. During the visit, Michelle met county councillors and officers, before talking to business representatives and visiting nurseries in Staffordshire.

9. Education - *Our local universities are hugely important to a thriving Staffordshire economy, with Staffordshire University, Keele University and the University of Wolverhampton all playing a key role in the county.*

In particular, I would like to note the success of Staffordshire University which was recently announced as the biggest climber in the Sunday Times Good University Guide, up a massive 29 places. So a well-deserved congratulations to them.

10. IC6 - *The county council has confirmed its commitment to invest in Innovation Centre No 6, or IC6, as part of the wider smart innovation hub at Keele University Science and Innovation Park.*

Our support is part of a total Investment of £17.5m in this flagship project, which will focus on delivering higher productivity and higher value jobs and employment.

11. Better Care Fund - *As we know, the Better Care Fund is designed to support more people in their homes and their communities, rather than in hospital, which in turn helps reduce the pressure on the NHS.*

Staffordshire's BCF plan had been agreed locally and recommended for approval by regional and national assurance panels. However, NHS England has not approved the plan as we were unable to meet new, unachievable targets set at extremely short notice to reduce the delays in moving people out of hospital.

We have managed to reduce delays to practically zero in the north of the county, but it takes time to safely replicate this across the county and is certainly not something which is achievable in a matter of weeks.

NHS England has indicated that it will withhold BCF funding from councils which fail to meet targets and we have now entered the escalation process.

We remain committed to working with the local NHS to achieve targets set by NHS England and we will continue to work with CCGs and do everything in our powers to ensure that essential services can be funded.

Quarter 1 2017/18 Performance Report (Paragraph 2 of the Statement)

In response to a question from Mr Davis in relation to infant mortality rates in Cannock Chase and the lack of County Council representation on the Staffordshire and Stoke-on-Trent Child Death Overview Panel, Mr Sutton indicated that there were many factors which impacted on infant mortality rates and that the County Council was working with partners to address this issue. He added that the Child Death Overview Panel was a sub-panel of the Children's Safeguarding Board and that he would look into the issue

raised by Mr Davis in relation the lack of County Council representation on the Panel. Mr Atkins added that there were a number of initiatives in place aimed at reducing infant mortality rates including maternity transformation, stop smoking campaigns and vaccination programmes.

Mrs Atkins referred to the low number of people claiming Job Seeker Allowance in Staffordshire and the need to create “quality jobs” in order not to hold-back the UK economy. Mr Brookes also referred to the national shortage of skilled labour in some sectors of the UK economy. In response, Mr Atkins indicated that the County Council was working with partners including schools, colleges and universities to ensure that young people were equipped with the skills which employers required. He also referred to the promotion of apprenticeships by companies such as JCB.

Mr Marshall indicated that he welcomed the announcement that 88% of Staffordshire schools were rated as “good” or “outstanding” by Ofsted. In response, Mr P. White indicated that the challenge was in improving secondary schools and that the focus going forward was on “inclusion”.

Public Analyst and Scientific Services

(Paragraph 5 of the Statement)

In response to questions from Members in relation to the future sourcing of Scientific Services, Mrs Heath indicate that the decision to discontinue with the Council’s in-house service was taken as a result of falling demand, the need for substantial capital investment in order to bring equipment up to date and the availability of external providers in both the public and private sectors.

£5m Pothole Investment

(Paragraph 6 of the Statement)

Members welcomed the news that the County Council’s additional investment in pothole repairs had resulted in the completion of over 31,000 repairs in the past year compared with around 20,000 in a typical year. They also asked that their thanks and appreciation be extended to the teams involved in undertaking the works.

Ofsted Inspection

(Paragraph 7 of the Statement)

Members welcomed the news that the County Council’s services supporting children in need of the Council’s help and protection had been rated as “good” in a recent Ofsted inspection and that Staffordshire was one of only eight authorities to achieve this rating. Mr Sutton extended his thanks and appreciation to the staff in Families First on this achievement.

30 Hours Childcare

(Paragraph 8 of the Statement)

Mr D Jones indicated that although the pilot scheme to offer 30 hours funded childcare had been welcomed by parents, it had created difficulties for some providers. In response, Mr Sutton indicated that the Council’s Early Years team had worked closely

with providers in order to understand their needs. He added that there was around 6,600 families across Staffordshire who were eligible to take part in the scheme, of these 4,487 had expressed an interest in participating, of which 3,909 had been validated to date.

Education

(Paragraph 9 of the Statement)

Members commended the joint initiative by Keele University and Harper Adams University to create a new veterinary school. Mr D Jones indicated that the initiative would require support from Central Government and asked whether the Leader of the Council would send a letter of support to the Government. In response, Mr Atkins indicated that he would be happy to send a letter of support if requested to do so by Keele University. He also indicated that the County Council was supportive of all of the Universities operating in Staffordshire.

IC6

(Paragraph 10 of the Statement)

Mr Tagg indicated that he welcomed the Council's commitment in investing in IC6 and expressed his disappointment that Newcastle Borough Council had decided not to allocate funding to support the development. Mr Atkins added that this project was another example of how the County Council was working with partners such as Keele University to benefit Staffordshire's economy.

Better Care Fund

(Paragraph 11 of the Statement)

In response to a question from Mrs Atkins regarding NHS England's threat to withhold Better Care Fund funding from councils which failed to meet targets, Mr A White indicated that the County Council would continue to fight to secure the funding and that he was to attend an escalation meeting which was to take place in Whitehall with senior civil servants and representative from NHS England and the Local Government Association. He also undertook to keep members informed of any developments in relation to this matter.

RESOLVED – That the Statement of the Leader of the Council be received.

42. Recommendations to the Council - Appointment of Independent Persons under Localism Act 2011 and Appointment of Independent Remuneration Panel (IRP) Members

Members were informed that the County Council's Code of Conduct for members was introduced in 2012 in accordance with the requirements of the Localism Act 2011. That Code required the involvement of Independent Persons in considering alleged breaches of the Code. An Independent Person had to be consulted by the Monitoring Officer at various stages of the complaint handling process. Separately, if the complaint was pursued, the Member complained about had the right to seek the views of an Independent Person.

Recently, legislative changes to the Employment Rules for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer required Independent Persons to be included in the membership of a special committee which had to make recommendations to Council on any disciplinary action against the holders of those posts.

For some time the County Council had appointed two Independent Persons; however the changes referred to above meant that a wider 'pool' of Independent Persons was advisable. To address this, the Audit and Standards Committee had recently carried out a recruitment exercise which resulted in five suitable applicants. Interviews were held by a Special Panel of the Audit and Standards Committee and the following two candidates were recommended to Council for appointment:

- Mr Tom Roach (A retired HR professional with experience in the education sector and in the private sector - UK and Europe)
- Mrs Christina Robotham (A retired Staffordshire Headteacher)

Members were also informed that the County Council was required to have an Independent Remuneration Panel comprising 3-5 members to consider and make recommendations to Council on a Members' Allowances Scheme. To date the County Council had sought to have Panels of five members however, recently, four vacancies had arisen due to varying circumstances. The Audit and Standards Committee therefore ran a recruitment campaign to coincide with that for the Independent Persons detailed above. Five suitable candidates were interviewed by a Special Panel with the following two recommended to Council for appointment:

- Mr Tom Roach
- Mrs Christina Robotham

Members noted that there were no Regulations precluding a person from carrying out more than one Independent role. The Special Panel felt that the wide variety of skills and knowledge held by Mr Roach and Mrs Robotham would be advantageous to both roles.

It was also recommended that the IRP progresses its work on the Allowances Scheme on the basis of 3 members with a further recruitment drive next year.

In response to a question from Mr Dudson, Mr Tittley undertook to provide him with details of the allowances paid to members of the Independent Remuneration Panel. He also confirmed that, even though the IRP Members' allowances were paid by the County Council, there was no conflict of interest.

RESOLVED – (a) That Mr Tom Roach and Mrs Christina Robotham be appointed as Independent Persons as required under the Localism Act 2011 and as members of the Independent Remuneration Panel, both appointments to be for a four year period.

(b) That the Audit and Standards Committee be requested to carry out a further recruitment exercise for IRP members in 2018.

43. Report of the Chairman of the Staffordshire Police and Crime Panel

In moving consideration of his report, Mr D. Williams indicated that the Panel had taken a different view to that of the County Council when considering the business case for the joint governance of the Police and Fire and Rescue Service in Staffordshire and had decided to support the “Governance” Model.

Mr Brookes referred to the Police and Crime Commissioner’s Annual Report and expressed his disappointment that Rural Crime was not listed as a priority. He also raised the issue of sentencing and indicated that in some cases, such as fly-tipping, the fines being imposed by the courts did not cover the cost of removing the materials which had been fly-tipped. In response, Mr D. Williams indicated that sentencing was a matter for the Courts, not the Police or Police and Crime Commissioner.

Mr Francis indicated that the Safe and Strong Communities Select Committee was to look into the issues of Domestic Violence and Modern Day Slavery and referred to the need for the Council to work closely with the Chief Constable and Police and Crime Commissioner to address these issues.

Several members discussed the differences between Modern Day Slavery and low pay.

RESOLVED – That the report be received.

44. Report of the Chairman of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority

In moving the consideration of his report, Mr Sweeney indicated that Her Majesty’s Inspector of Constabulary had recently become Her Majesty’s Inspector of Constabulary and Fire and Rescue Service as its remit had been extended to include Fire and Rescue Services.

Mr Tagg referred to the potential fire risk arising from the use of coiled extension leads and enquired whether the Service was proposing any publicity to raise awareness of this issue. In response, Mr Sweeney indicated that he would raise this issue with the Chief Fire Officer.

In response to a question from Mr Francis, Mr Sweeney indicated that the Police and Crime Commissioner was pressing forward with his proposals for the joint governance of the Police and Fire and Rescue Service despite the opposition from both the County Council and Stoke-on-Trent City Council.

RESOLVED – That the report be received.

45. Questions

Mrs Woodward asked the following question of the Leader of the Council whose reply is set out below the question:-

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?

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.

Mr Little asked the following question of the Cabinet Support Member for Highways and Transport whose reply is set out below the question:-

Question

Could the portfolio holder please give a breakdown per electoral division as to the number of outstanding category 3 Highways issues which are unresolved and the percentage of which per division which fall outside the 60 day target for repair?

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.

Supplementary Question

Could the Portfolio Holder give assurances that over the winter months, when the pace of pothole repairs will slow and additional defects will appear, road safety will be given paramount importance and that after winter, the pothole repair programme will continue?

Reply

Yes, the gritting season is almost upon us and the focus will shift towards keeping the County moving. As a consequence, the pace at which potholes are repaired will slow down. However, over last winter, crews still managed to repair over 2,000 potholes per month.

Mr Little asked the following question of the Leader of the Council whose reply is set out below the question:-

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?

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.

Supplementary Question

Would the Leader of the Council be willing to write to the Police and Crime Commissioner asking him to collaborate a bit more with unanimous decisions made by the elected representatives from this chamber and that the decision which was made here is honoured despite what comes out of the Secretary of State's office?

Reply

The Council has made its decision and will await the views of the Home Office and will, if necessary, reiterate our view.

Mr Robinson asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

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?

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.

Supplementary Question

Can the Cabinet Member assure me that he will take extra steps to ensure that our vulnerable and elderly service users receive much better communication in the future and are given the extra support if they wish to choose their own care providers via direct payments?

Reply

There is a transition period between the end of one contract and the start of the new one and the current providers have a legal obligation to continue that provision until its replacement is in place. We monitor the quality of care along with the Care Quality Commission and we will ensure that the quality of care is adequate across the County. I will of course seek to ensure that any future communication is better and we will be writing out to service users shortly and will make sure that we have

explained things in greater detail so that they can understand what the changes are and why they are taking place.

Mr Robinson asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

Question

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

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.

Supplementary Question

Information was not shared with some existing care providers until after service users had been written to which has led to a lot of confusion and upset. Can the Cabinet Member investigate why communication to some of the smaller providers has been so poor and can you consider looking at the option of allowing incumbent providers to retain the service users they have worked hard to care for over a number of years.

Reply

I will, of course, investigate the issue you have raised in relation to the communications with providers. Our role is to ensure that individuals have the packages of care they need and will employ providers to deliver those packages of care. I cannot dictate who will provide the care, and it would be wrong for me to do so. Part of the rationale behind reconfiguring the market is to try to address the rate of staff turnover in the homecare market which currently stands at 38% per annum. We are trying to bring some stability to the homecare market and create a system whereby staff can have meaningful career progression, training and appropriate remuneration for what they do.

Mr D Jones asked the following question of the Cabinet Member for Communities whose reply is set out below the question:-

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?

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.

Supplementary Question

Can the Cabinet Member assure me that the DMMO applications from Keele Parish Council are not at the bottom of the 240 applications and also inform me as to how the County Council can reduce the backlog of these applications?

Reply

The backlog of applications has existed for many years and we are looking at ways of addressing the issue. We have 4,500km of rights of way and the 240 outstanding applications would add just 145km to the network. I do not know where your Parish Council's applications fall within the backlog but I would be happy to speak to you about this.

Mr D Jones asked the following question of the Cabinet Member for Children and Young People whose reply is set out below the question:-

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.

Category	No.
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
Total	44

Supplementary Question

Can the Cabinet Member have a look at the number of applications which fall into the non-statutory travel assistance requests? I have one in my division which falls into this category due to a change in circumstances.

Reply

The County Council is committed to having a vacant seat policy as it allows an opportunity for young people with Special Educational Needs to use that transport. Many local authorities have chosen not to do so. I am happy to discuss with you the specifics of the case to which you have made reference.

Mrs Atkins asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

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?

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.

Supplementary Question

Do you recognise that many staff working for the smaller framework providers will not wish to transfer to large block contract providers? How many staff have the County Council estimated will vote with their feet and will be lost to this service sector.

Reply

I don't have the precise numbers as to the amount of staff who will be lost as a consequence of the new arrangements but we anticipate that a large number will TUPE over. We are trying to get to a position where we have a more stable and consolidated market place. I acknowledge that there will be difficulties over the transition period and that there will be some people who regret the loss of flexibility.

Mrs Atkins asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

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?

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.

Supplementary Question

I understand that direct payments are fixed at £14.42 per hour so, even on the County Council's figures of £16.10 or £16.70 per hour there is a gap of £2.28 and £1.68 per hour, yet it seems that the only choice that clients are going to be getting is whether to stay with the provider they have been allocated or go for direct payments. My concern is that the only people who will be able to have choices will be those who have the financial resources.

Reply

My understanding is that the amount an individual will receive in direct payments will be the same as it would have cost the County Council so people do have the choice.

Mr Hussain asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

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?

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.

Supplementary Question

Will the Cabinet Member be willing to write to the relevant authorities to clarify what new services we can expect?

Reply

We will be closely monitoring any proposals to modify services in order to ensure that any changes at Burton Hospital post-merger meet the needs of local residents.

Mr Hussain asked the following question of the Deputy Leader and Cabinet Member for Health, Care and Wellbeing whose reply is set out below the question:-

Question

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

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.

Supplementary Question

Can I ask the Cabinet Member to write to the relevant authorities?

Reply

This is an important matter and you are right to raise it. I will undertake to write to the district and borough councils in Staffordshire to find out what they are doing about the rough sleeping issue.

46. Petitions

(i) Resurfacing of Milton Crescent, Talke

Mr Robinson presented a petition from local residents calling on the County Council to resurface the footway along Milton Crescent, Talke.

(ii) "Save Staffordshire Bus Subsidies"

Mrs Atkins presented a petition calling on the County Council not to cut bus subsidies.

(iii) Request for Parking Restrictions along St Michael's Close, Penkridge

Mr D. Williams presented a petition from local residents calling on the County Council to introduce parking restrictions along St Michael's Close, Penkridge.

47. Changes to Committee Memberships

Note: At the request of the Leader of the Council, the Chairman agreed that this matter be added to the agenda for the meeting as an urgent item.

On the motion of the Leader of the Council it was:

RESOLVED – That the following recommendations of the Leader of the Council relating to changes in Committee membership be approved:

(a) Committee Membership –

- (i) That Ian Parry be appointed to the Corporate Review Committee in place of Simon Tagg.
- (ii) That Bryan Jones be appointed to the vacant seat on the Prosperous Staffordshire Select Committee.
- (iii) That Ian Parry be appointed to the Prosperous Staffordshire Select Committee in place of Jeremy Pert.

- (iv) That Jeremy Pert be appointed to the Healthy Staffordshire Select Committee in place of Gill Burnett.
- (v) That Paul Northcott be appointed to the vacant seat on the Audit and Standards Committee.
- (vi) That Bryan Jones be appointed to the Corporate Parenting Panel in place of Paul Northcott.

(b) Appointment of Chairmen/Vice-Chairmen –

- (i) That Ian Parry be appointed as Chairman of the Prosperous Staffordshire Select Committee.

(c) Cabinet Support Members to chair and lead the All Party Member Groups

- (i) That Simon Tagg be appointed to chair the Improvement APMG in place of Paul Northcott.

(d) Appointments to Outside Bodies -

- (i) That Simon Tagg be appointed to the vacant seat on the Stoke-on-Trent and Staffordshire Fire and Rescue Authority.

Chairman