

Agenda

Cabinet

Thursday, 20 July 2017, 10.00 am
County Hall, Worcester

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اردو۔ اگر آپ اس دستاویز کی مشمولات کو سمجھنے سے قاصر ہیں اور کسی ایسے شخص تک آپ کی رسائی نہیں ہے جو آپ کے لئے اس کا ترجمہ کر سکے تو، براہ کرم مدد کے لئے 01905 765765 پر رابطہ کریں۔ (Urdu)

کوردی سۆزانی، ننگێر ناتوانی تێبگهی له ناوهرۆکی نهم بێلگهی و دهستت به هیچ کس ناگات که و هههنگهه یهتوه بۆت، تکلیه تملظون بکه بۆ ژمارهی 01905 765765 و داوای رهنۆینی بکه. (Kurdish)

ਪੰਜਾਬੀ। ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਮਸ਼ਹੂਰ ਸਮਝ ਨਹੀਂ ਸਕਦੇ ਅਤੇ ਕਿਸੇ ਅਜਿਹੇ ਵਿਅਕਤੀ ਤੱਕ ਪਹੁੰਚ ਨਹੀਂ ਹੈ, ਜੋ ਇਸਦਾ ਤਰਜਮਾ ਲਈ ਅਨੁਭਵ ਕਰ ਸਕੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਮਦਦ ਲਈ 01905 765765 'ਤੇ ਫ਼ੋਨ ਕਰੋ। (Punjabi)

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Cabinet

Thursday, 20 July 2017, 10.00 am, County Hall, Worcester

Membership: Mr S E Geraghty (Chairman), Mr A T Amos, Mr A I Hardman, Mr M J Hart, Mrs L C Hodgson, Ms K J May, Mr A P Miller, Dr K A Pollock, Mr A C Roberts and Mr J H Smith

Agenda

Item No	Subject	Page No
1	Apologies and Declarations of Interest	
2	Public Participation Members of the public wishing to take part should notify the Head of Legal and Democratic Services in writing or by e-mail indicating both the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case 19 July 2017). Further details are available on the Council's website. Enquiries can also be made through the telephone number/e-mail address listed below.	
3	Confirmation of the Minutes of the previous meeting The Minutes of the meeting of 29 June 2017 have been previously circulated.	
4	Worcestershire Children and Young People Plan	1 - 18
5	Emergency Preparedness, Resilience, Response and Recovery	19 - 28
6	Balanced Scorecard report Quarter 4 2016/17	29 - 48
7	Update of Minerals and Waste Development Framework Local Development Scheme	49 - 74
8	Ombudsman Report - Adult Social Care	75 - 78

Agenda produced and published by Simon Mallinson, Head of Legal and Democratic Services, County Hall, Spetchley Road, Worcester WR5 2NP

To obtain further information or a copy of this agenda contact Nichola Garner, Committee & Appellate Officer on Worcester (01905) 843579 or email: ngarner2@worcestershire.gov.uk

All the above reports and supporting information can be accessed via the Council's website.

Date of Issue: Tuesday, 11 July 2017

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NOTES

- **Webcasting**

Members of the Cabinet are reminded that meetings of the Cabinet are Webcast on the Internet and will be stored electronically and accessible through the Council's Website. Members of the public are informed that if they attend this meeting their images and speech may be captured by the recording equipment used for the Webcast and may also be stored electronically and accessible through the Council's Website.

CABINET
20 JULY 2017**CHILDREN AND YOUNG PEOPLE'S PLAN 2017-2021**

Relevant Cabinet Member

Mr A C Roberts

Relevant Officer

Catherine Driscoll, Director of Children, Families and Communities

Recommendation

- 1. The Cabinet Member with Responsibility for Children and Families recommends that Cabinet:**
 - a) notes the views of children, young people, parents/carers and practitioners and Scrutiny summarised in the report;**
 - b) recommends that Council adopts the new Children and Young People's Plan (CYPP) 2017-2021, set out at Appendix 1 as approved by the Health and Wellbeing Board, as part of the Council's Policy framework for a whole-system response to improving outcomes for children, young people and their families;**
 - c) authorises the Director of Children, Families and Communities to work with all agencies and organisations to draw up an action plan to put the CYPP into effect; and**
 - d) notes the important link between the CYPP and the Safeguarding Service Improvement Plan as outlined in paragraph 22 and authorises the Director of Children, Families and Communities to engage appropriate improvement partners.**

Background

2. In February 2017, the Health and Wellbeing Board approved the development of the new Children and Young People's Plan (CYPP) for all children and young people in Worcestershire. It also agreed to strengthen the already well-established Connecting Families Strategic Group as the key partnership group to take responsibility for developing and implementing the CYPP and for this Strategic Group to be a formal sub-group of the Health and Wellbeing Board.

3. In April 2017, the Health and Wellbeing Board received an update on the progress in developing the new CYPP and noted the emerging priorities and content. It also approved the look and feel of the new CYPP and the consultation and engagement plan.

4. The Connecting Families Strategic Group has now met in its new format three times, and has actively led on the development of the CYPP. The Strategic Group formally recommended to the Health and Wellbeing Board to approve the new CYPP on the 11 July 2017. This recommendation was based on recognising that the new CYPP is the start of a journey, it simply sets out the overarching vision and ambition for all children and young people and as such will be refreshed/challenged on a regular basis.

5. As the new CYPP needs to be owned by all agencies, the Connecting Families Strategic Group is also recommending that all agencies adopt the plan within their individual agency policy frameworks.

Case for change

6. The development of the new CYPP is informed by both demographic and outcome challenges (data) as well the views of children, young people, parents/carers and practitioners. The case for change from a data perspective is informed by the Joint Strategic Needs Assessment and ongoing performance information. This information will be reviewed quarterly and the detail behind the Plan will be adapted in response.

7. As an overarching summary, the data currently highlights a number of potential issues and areas of concern which has informed the development of the new CYPP. These include:-

- The number of children and young people aged 19 or under in Worcestershire is projected to be 131,800 by 2025. This is an increase of 3,600 from 2015
- Birth rate is declining but is on the rise among disadvantaged families which could lead to additional demand challenges on public services
- Over 15,800 children across Worcestershire live in low income households
- The broad range of health inequalities for the under 5s
- Key Stage 2 results continue to be below expectations
- Too many children are not receiving a quality education and this is leading to poor outcomes and growing impact on wider public services
- Growing prevalence of children diagnosed with special education needs and disabilities and understanding what support may be needed to meet their needs
- Education attainment of vulnerable pupils including those eligible for free school meals, looked after children and children with special education needs and disabilities. The gap is still too big between these vulnerable groups and their peers
- Progress of Care Leavers into suitable accommodation and education, employment and/or training. 48% of care leavers are currently not in education, employment or training
- Emotional wellbeing and mental health needs of children and young people
- Demand on social care at every level (Children in Need, Child Protection and Looked After Children) and the capacity, capability and quality of social care practice.

Consultation and engagement

8. A wide ranging consultation and engagement plan was drawn up which included engagement with children, young people, parents, carers and staff who work with them including:

- Social Care Teams
- CCGs
- Health Visitors
- Police
- Schools
- Family Support
- CAMHs
- Speech and Language
- Voluntary Sector
- Districts
- Parenting
- Housing Providers
- Sexual Health team

9. A variety of consultation methods were used to maximise the level of engagement.

Survey: An online survey was created which was shared widely via a variety of networks.

The same 5 questions were asked of 4 groups so that responses could be analysed in the same way. The 4 groups were:

- Children (0-12)
- Young People (13 – 24)
- Parents/Carers of children and young people
- Practitioners who work with children, young people and families.

Respondents who fitted in more than one group were able to give their answer from more than one perspective e.g. a 23 year old parent. An easy read version was also made available via the website.

Social media: There was full social media communication plan raising the awareness of the survey and that a new Worcestershire Children's and Young People's plan is being developed. This included messages on Twitter, LinkedIn, Facebook and Yammer (internal and external networks). All of the six districts and County Hall had displays on their plasma screen and their own social media channels.

Engagement packs: An engagement pack was created and shared with partner agencies via a variety of networks.

Schools: Several schools used the recent elections for discussions with children and supported them to complete the survey in lessons.

The children of Franche Primary school created several videos which we used in our social media posts

<https://www.youtube.com/watch?v=O58AwnLY5OA>

<https://www.youtube.com/watch?v=sW99BHgxRtU&>

<https://www.youtube.com/watch?v=tLzmmS0uOk8>

<https://www.youtube.com/watch?v=skj8VI7OK74&>

<https://www.youtube.com/watch?v=Gg6aUPBMJw8&>

School Council were also invited to get involved by discussing and responding to the five questions in their meetings this term.

Libraries: Engagement Trees were placed in all 21 libraries, the same questions were asked at all 21 libraries each week for 5 weeks. A total of c.1450 face-to-face responses were received, the vast majority of which were from libraries.

Partners: A workshop was held for partners on 15th June to agree the priorities for Worcestershire prior to finalising the content. A wide range of partners attended and discussions have been fed into the final document.

Youth Cabinet: Have been briefed and we are working with them on the next steps to ensure they are fully involved.

Parents' Voice: Ran their own social media campaign promoting the survey and also ran two focus groups with invited parents (invited through social media) to have round table discussions about the plan. Their responses have been fed into the survey responses.

Survey Results

10. Over 2600 responses received (as of 30 June 2017)

- 1144 online survey
- c. 1450 face to face (final data is still being submitted)

11. A breakdown of respondent type and district area can be seen in the tables below. *(please note numbers will change again in final report as some data is still being submitted).*

Respondent types		District	
Children (12 or under)	735	Bromsgrove	607
Young People (13-24)	207	Malvern Hills	311
Parents/Carers	963	Redditch	129
Practitioners	575	Worcester City	560
Other	164	Wychavon	448
Note: there is some overlap between Young People/Parent and practitioner categories and respondents can be more than one (and answer from each perspective)		Wyre Forest	345
		Outside Worcestershire	31

Gender		Disability	
Male	372	Yes	129
Female	1010	No	961

Note: Demographic data was not captured for face-to-face respondents. Sexual orientation and ethnicity data is included in the full analysis along with cross-tabs of demographic data.

12. Full analysis of the consultation and engagement will be published by the end of July As a summary views were captured from 5 different viewpoints – those aged 12 and under, young people aged 13 to 24, parents/carers, practitioners and other interested citizens. Respondents were asked what was important to children in Worcestershire and what the main challenges they face were.

13. Children and young people tended to respond to these questions in a more simplistic fashion. For instance, they would focus on issues of 'happiness', 'family' and 'friends' which all could be described as outcomes. Adults, whilst still touching on these outcomes, gave much more detailed answers that focus on **how** these outcomes might be achieved. For example, they commonly call for well-funded and easily accessible family support service to help families that need additional support. This family support is not an outcome in itself but could be seen as a mechanism to achieve outcomes for children such as happiness and having a loving and supporting family.

14. A summary of the responses and respondent type can be seen in the tables below. *(Note: the views of other interested citizens have not been included in the initial summary as priority has been given to analysing feedback from the four main groups. This detail will be provided in the full report)*

Question: What is most important to children and young people?

Answer	Children	Young People	Parent / Carers	Practitioners
Family	✓	✓		
Friends	✓	✓		
Pets	✓			
Sports and physical activity	✓		✓	✓
Education		✓	✓	✓
Employment opportunities		✓	✓	✓
Safety - family environment and having safe places to go		✓	✓	✓
Activities		✓	✓	✓
Support services - early years, family, mental health, relationships and sexual health			✓	✓

Question: What are the main issues and challenges for children and young people?

Answer	Children	Young People	Parent / Carers	Practitioners
Education and school - pressure and provision	✓	✓	✓	✓
Lack of safe and affordable places to go outside of school			✓	✓
Learning to get along with other people	✓	✓	✓	✓
Cuts in services that offer support to children and young people			✓	✓
Mental health and wellbeing		✓	✓	✓
Lack of safe, local and affordable activities	✓	✓	✓	✓
Use of social media for bullying			✓	✓

Question: How could the lives of children and young people be improved?

Answer	Children	Young People
More <i>affordable</i> and <i>available</i> activities	✓	✓
More time with friends and family	✓	
Less bullying and/or more friends	✓	✓

NB: analysis is ongoing for responses from parents/carers and practitioners

Worcestershire's Children and Young People's Plan: 2017 – 2021

15. The Children and Young People's Plan is a partnership plan and, as such, should be owned by all agencies working with children, young people and families in Worcestershire. The purpose of the plan is to:

- Set expectations around the way we work defining shared values and culture
- Clarify our collective ambition and aspirations for all children and young people in Worcestershire
- Focus on key priorities and success measures
- Provide a framework for all agencies and organisations working with children, young people and families to make the necessary impact to improve lives
- Build on and add value to existing plans.

As previously stated, it also needs to be flexible and change in accordance to need.

16. The CYPP is attached as Appendix 1. It has been designed to be a 'plan on a page' to set the framework and intent for further work. More detail and information will be included on the website www.worcestershire.gov.uk/cypp.

17. As set out above, the CYPP will set the expectation around the way all agencies will work and will need to be actively embedded across the system. The plan states that agencies will:

- Listen to, hear and understand children, young people and families
- Find strengths and build on positives to help people help themselves
- Prioritise partnerships to improve outcomes - doing things with people, instead of to them, for them or doing nothing
- Focus on adding value and keep asking: Is anyone better off? Is anyone worse off?
- Be brave enough to always do the right thing for children and young people.

18. In addition to clarifying the shared values and expectations around the way agencies work, the plan follows a logic model of five key steps

- The overarching vision for all children and young people
- The ultimate outcomes
- The key priorities
- The areas of work/activity that need to be implemented?
- The measurements of success?

Our vision is for

Worcestershire to be a wonderful place for all children and young people to grow up

We believe it is important that children and young people:-

- Are safe from harm
- Reach their full potential
- Make a positive contribution in their communities
- Live healthy, happy and fun filled lives

We will effect change by working together to:-

- Help children live in safe and supportive families and communities (homes and places)
- Promote safe, healthy and positive relationships
- Support children to have the best start in life and be ready for learning
- Provide access to a quality and appropriate education / learning experience for all
- Prepare young people for adult life
- Improve outcomes for our vulnerable children and young people
- Increasing young people's voice in community life, participation and engagement in developing services
- Increase access to safe and affordable activities and places to go outside of school
- Encourage physical activity and healthy eating
- Improve access to social, emotional mental health and well-being services
- Support young people, parents and carers to overcome the barriers to

- sustained employment

We will work together to:-

- Actively embed the children and young people plan's shared values within all agencies
- Improve safeguarding services
- Reform services for children with special education needs and disabilities
- Break the cycle of families continuing to need/rely on specialist services
- Tackle the gaps in education system/provision that prevent children and young people from accessing full time education
- Develop and implement a prevention and early help strategy
- Strengthen the social, emotional and mental health offer
- Secure partnerships that support delivery of our priorities and use public money wisely

We will know if the plan is working by the:-

- Decrease in the number of children and young people with a repeat child protection plan
- Increase in the percentage and timeliness of children who are looked after that are in permanent homes (placements)
- Increase in the percentage of children with a good level of development in early years
- Improvement in educational outcomes and positive destinations for all children and young people
- Decrease in achievement gaps at all stages
- Surveys of children and young people's views: are they having fun and having a positive influence in their communities?
- Decrease in the number of first time entrants into the youth justice system
- Increase in children, young people and parental satisfaction with emotional wellbeing or mental health services
- Improvement of health outcomes and closing of inequalities gap.

Children and Families Scrutiny Panel

19. The draft CYPP was shared with the Children and Families Overview and Scrutiny Panel on 21 June. During the discussion, the following main points were made:

- Although the Plan was good, the Panel would like to see the detail about implementation, how the outcomes would be measured and how it fitted with issues raised in the Ofsted Inspection Report published 24 January 2017. The Panel were advised that that the Plan was a 5 year Strategic Plan and this was a start of the journey to build the wider delivery plan, but there would be definite links to the safeguarding issues identified by Ofsted and performance measures put in place
- The Panel were keen to see a gap analysis early on in the process to establish whether improvements relating to some of the key issues such as obesity, mental health, child poverty were showing significant improvements early on in the process

- Although there were links to the safeguarding work, it was important to remember that the Plan was about all children and young people not just the vulnerable
- The Panel raised concerns around the pace of change and the risk around actions not being delivered.
- Working with partners was a key theme underpinning the Plan; it would be important when working out the detail for the County Council not to assume too sole responsibility for delivery given that this was being shared with partners and therefore, a mutual responsibility
- It was suggested that in order to ensure a commitment to mutual partnership working and responsibility, consideration should be given to formalising the agreement to the responsibilities. It was however, felt that as there was no formal legislation, the County Council could only try to influence not insist on formalising the responsibility
- Partners pledging to be brave enough to always do the right thing for children and young people was a very good value to have in the Plan
- Derek Benson, Independent Chairman of the Worcestershire Children Safeguarding Board (WSCB) confirmed that the WSCB had had sight of the Plan and that partners pledging to be brave enough to always do the right thing for children and young people were to be applauded.

Implementing the Plan and links with the Safeguarding Improvement Plan

20. Approving the CYPP is the start of a journey, as the CYPP simply sets out the vision and values to put children and young people at the heart of everything we do (far more than what happens now). There is more work to be done to set out an action plan of what is going to be delivered as individual organisations, and together as partners, to improve the lives of children and young people. The Plan in its current form sets out initial intentions and all partners are being asked to endorse and adopt the Plan and actively embed the shared values into their culture.

21. To develop the action plan there is more work to do and Cabinet are asked to authorise the Director of Children, Families and Communities to work with all agencies and organisations to draw up an action plan to put the CYPP into effect. This action will provide clarity on what work is currently in progress and how the CYPP can add value to this. It will also identify and address gaps of activity and focus. Initial work has highlighted that the detailed action plan needs to build on the following areas:-

- Prevention Strategy – Sustainability Transformation and Partnership (STP) Prevention Board
- Workforce Strategy – STP Organisational Development Workstream
- West Mercia Police Children and Young People's Strategy
- Worcestershire County Council's Safeguarding Service Improvement Plan
- Worcestershire Safeguarding Children's Board Business Plan

- Transformation Plan for Children and Young People – Mental Health and wellbeing
- Earlier access to services – i.e. more lower level services and quicker access to acute
- Financial Plans
- Housing Plan – Worcestershire-wide
- District Councils and their work on sport and leisure and play.

22. Cabinet are asked to note the links between the CYPP and the Safeguarding Service Improvement Plan. Whilst the CYPP is focused on all children and young people in Worcestershire, there is a specific focus within the plan on children and young people being safe from harm and partners working together to improve safeguarding services. The detail of this work is being driven by an eight-point Improvement Plan which is being closely monitored by an Improvement Board. The membership of this Board includes the Chief Executive, Independent Chair of Worcestershire's Children Safeguarding Board, Senior Ofsted Inspector and cross-party Elected Members. Given the severity and size of the challenge, Worcestershire County Council are also working with the Department of Education to seek additional capacity to support the improvement work from a 'Good' (as judged by Ofsted) Local Authority with track record of improvement. This work will also include identifying potential different models of delivery that would drive the improvement work further and faster.

23. Work is also in progress to develop a performance dashboard to demonstrate progress. This will flow from the overarching success measures outlined in the CYPP and will the necessary level of detail around performance progress. It is intended to build this detail on the www.worcestershire.gov.uk/cypp website pages along with links to the range of plans and programmes of work that support the implementation of the CYPP.

24. Further work is also already planned to maintain the momentum of engaging with children, young people and parents. The new CYPP will feature in the eight Worcestershire County Council summer roadshows and will give children, young people and families the opportunity to tell us more on what is important to them. As a way of celebrating the children and young people of Worcestershire, plans are in place to host the first Children and Young People Awards (15 November 2017). We will be working with our partners to shape the event and local business for sponsorship.

25. Worcestershire County Council will take the lead on co-ordinating the implementation of the whole plan, as this is central part of the statutory functions of the Director of Children's Services and Lead Member. However, it is a plan for all agencies and through the appropriate partnership and governance arrangements organisations will be asked to outline what is already in place to improve outcomes for children and young people and how they can contribute to the priorities within the CYPP.

26. The implementation of the CYPP will feature as a standard agenda item at each Connecting Families Strategic Group (meets monthly). There will also be a quarterly review of progress which will feed into the Health and Wellbeing Board meeting schedule.

Legal, Financial and HR Implications

27. The CYPP forms part of the Council's Budget and Policy Framework and therefore is to be adopted by full Council on the consideration of recommendations from the Cabinet. There are no particular financial or HR implications arising directly from the report. However, throughout the implementation of the CYPP consideration will need to be given to any legal, financial and HR implications.

Privacy and Public Health Impact Assessments

28. There are no particular privacy or public health impacts arising directly from this report. However, throughout the implementation of the CYPP consideration will need to be given to privacy and public health implications.

Equality and Diversity Implications

29. There are no particular equality and diversity implications arising directly from this report. However, throughout the implementation of the CYPP consideration will need to be given to subsequent strategies and plans being screened for equality relevance, and where appropriate, that more rigorous equality analysis should be undertaken.

Supporting Information

- Appendix 1 – CYPP 2017-2021

Contact Points

County Council Contact Points

County Council: 01905 763763

Specific Contact Points for this report

Hannah Needham, Assistant Director CFC

Tel: 01905 843658

Email: HNeedham@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Director of Children's Services) there are no background papers relating to the subject matter of this report.

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What you told us is important?

Sleep because I dream

Being good and staying out of trouble

Just had a baby girl, she is the most important thing in my life

People being less harsh and

Being appreciated and having an equal opportunity

That I'm able to access support and a club that supports my needs

Being given the opportunities to achieve the same as everyone else, not being defined by my post code

If learning is more fun

My family as they are everything

Family, friends, phone, PS4, cricket bat and ball, hockey ball and stick

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At the heart of everything we do



Worcestershire's Children and Young People's Plan

2017 - 2021

Find out more online:
www.worcestershire.gov.uk/CYPP

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This plan is owned by all agencies working with children, young people and families in Worcestershire

We will:

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The plan will set expectations around the way all agencies will work

Build on and add value to existing plans and will change over time to respond to need

Focus on key priorities and success measures

Clarify our collective ambition and aspirations for all children and young people

Provides a framework for all agencies and organisations working with children, young people and families to make the necessary impact to improve lives

Listen to, hear and understand children, young people and families

Find strengths and build on positives to help people help themselves





Prioritise partnerships - to improve outcomes, doing things with people, instead of to them, for them or doing nothing

Focus on adding value, Keep asking is anyone better off? Is anyone worse off?

Be brave enough to always right thing for children and young people

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Our vision is for Worcestershire to be a wonderful place for all children and young people to grow up

Ultimate Outcomes	Our Priorities	What are we going to do?	How we'll know if we've made a difference
 <p>Are safe from harm</p>	<ol style="list-style-type: none"> 1. Help children live in safe and supportive families and communities (homes and places) 2. Promote safe, healthy and positive relationships 	<ul style="list-style-type: none"> • Actively embed the children and young people plan's shared values within all agencies • Improve safeguarding services • Reform services for children with special education needs and disabilities • Break the cycle of families continuing to need/rely on specialist services • Tackle the gaps in education system/provision that prevent children and young people from accessing full time education • Develop and implement a prevention and early help strategy • Strengthen the social, emotional and mental health offer • Secure partnerships that support delivery of our priorities and use public money wisely 	<p>Decrease in the number of children and young people with a repeat child protection plan</p> <p>Increase in the percentage and timeliness of children who are looked after that are in permanent homes (placements)</p>
 <p>Reach their full potential</p>	<ol style="list-style-type: none"> 3. Support children to have the best start in life and be ready for learning 4. Provide access to a quality and appropriate education/learning experience for all 5. Prepare young people for adult life 6. Improve outcomes for our most vulnerable children and young people 		<p>Increase in the percentage of children with a good level of development in early years</p> <p>Improve educational outcomes and positive destinations for all children and young people</p> <p>Decrease in achievement gaps at all stages</p>
 <p>Make a positive contribution in their communities</p>	<ol style="list-style-type: none"> 7. Increase young people's voice in community life, participation and engagement in developing services 8. Increase access to safe and affordable activities and places to go outside of school 		<p>Surveys of children and young people's views: are they having fun and having a positive influence in their communities?</p> <p>Decrease in the number of first time entrants into the youth justice system</p>
 <p>Live healthy, happy and fun filled lives</p>	<ol style="list-style-type: none"> 9. Encourage physical activity and healthy eating 10. Improve access to social, emotional mental health and well-being services 11. Support young people, parents and carers to overcome the barriers to sustained employment 		<p>Increase in children, young people and parental satisfaction with emotional well-being or mental health services</p> <p>Improvement of health outcomes and closing of inequalities gap</p>

Working in Partnership with:

Bromsgrove District Council | Clinical Commissioning Groups | Department of Work and Pensions (West Mercia District) | Early Years Settings, Schools and Colleges | Hereford and Worcester Fire and Rescue Service | Local Enterprise Board (Business and Skills Sector) | Malvern Hills District Council | Public Health | Redditch Borough Council | Voluntary and Community Sector | West Mercia Police | Worcester City Council | Worcestershire Acute Hospital Trust | Worcestershire Children's Safeguarding Board | Worcestershire County Council | Worcestershire Health and Care Trust | Wychavon District Council | Wyre Forest District Council

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CABINET
20 JULY 2017**EMERGENCY PREPAREDNESS, RESILIENCE, RESPONSE
AND RECOVERY**

Relevant Cabinet Member

Mr J H Smith, CMR for Health and Wellbeing

Relevant Officer

Dr Frances Howie, Director of Public Health

Recommendation

- 1. The Cabinet Member with Responsibility for Health and Wellbeing recommends that Cabinet:**
 - (a) notes the structures of the West Mercia Local Resilience Forum (LRF) and County Council representation and participation;**
 - (b) notes the multi-agency suite of emergency plans for responding to emergencies;**
 - (c) endorses the arrangements for humanitarian assistance;**
 - (d) notes the Emergency Planning service level arrangements that the Council has in place with the southern District Councils;**
 - (e) notes the regular training of County Council staff and exercising of plans; and**
 - (f) notes the Emergency Planning Critical Incident in Schools provision.**

Background

2. Following the recent tragic fire in the Grenfell Tower high rise block of flats in Kensington and Chelsea Borough, London, the role and response of local authorities to such major emergencies has been brought into sharp focus. As the investigation continues into determining the details behind the emergency response at Grenfell it is not appropriate to comment on the potential failures that led to this tragedy. However, this incident does provide an opportune and timely reminder that a local authority such as the Council has very clearly defined statutory duties and responsibilities in responding to civil emergencies such as the Grenfell tower fire.

3. Cabinet members attention is drawn to the Local Government Association's document 'A Councillors Guide to Civil Emergencies' (May 2016) which explains and details the expectations placed on all local authorities in meeting their responsibilities for statutory duties under the Civil Contingencies Act 2004 (CCA) available at <https://www.local.gov.uk/sites/default/files/documents/councillors-guide-civil-e-745.pdf>

4. Risk management and resilience including response to an emergency is governed by the CCA. The CCA confers legal duties on a range of organisations including Police, Fire, Ambulance, Environment Agency, NHS and Local Authorities (both the County Council and District Councils), and these agencies are collectively referred to as Category 1 Responders.

West Mercia LRF

5. To further support and embed multi-agency cooperation, partnership and interoperability, the CCA mandated the creation of Local Resilience Forums. Based on Police Force areas, the West Mercia Local Resilience Forum covers the Herefordshire, Shropshire, Telford & Wrekin and Worcestershire administrative areas.

6. The County Council recognises the statutory requirement to have in place adequate emergency response arrangements to civil emergencies, and works closely with its partners in the West Mercia LRF through contributing as following to its work:

- Chief Officer Group attended by the Chief Executive or his nominee, the Director of Public Health
- Business Management Group attended by the Emergency Planning Manager
- Tactical Co-ordinating (Planning) Group attended by the Emergency Planning Manager and Heads of Service and
- A sub-group structure to develop and deliver specific work streams such as Risk Assessment and Media Communications.

7. Through this structure the Council works closely with partner organisations in the drafting of multi-agency plans and procedures. As a key member of the WMLRF the Council delivers its duties through partnership, as opposed to individual duplication.

Statutory Duties

8. As a Category 1 responder the Council has statutory responsibilities to:

- Assess the risk of an emergency occurring in Worcestershire,
- Maintain plans to ensure that in the event of an emergency, or the likelihood of an emergency, the Council is able to:
 - i. Prevent the emergency
 - ii. Reduce, control or mitigates its effects, or
 - iii. Take other action in connection with it
- Maintain business continuity plans to ensure the continuity of the Council's critical services should an emergency to occur that impacts on service delivery

- Maintain arrangements to warn the public, and to provide information if an emergency is likely to occur or has occurred
- Cooperate and share information with other responders
- Promote business continuity management to the local business community and voluntary sector.

9. The Council's Directorate of Public Health Emergency Planning Unit provides the focal point for emergency preparedness planning, ensuring that the Council is ready to meet its commitments, via a single or multi-agency response, to any emergency that could occur within the County and impact on the citizens of Worcestershire.

10. The Council must therefore ensure its organisational preparedness to deal effectively with the full range of emergency situations from localised incidents such as flooding of property through to catastrophic emergencies such as a major industrial incident.

11. The Council meets this obligation through its Corporate Emergency Response Framework, which details a structured approach to enable the Council to prepare for and respond to an emergency situation.

12. The measures that the Council sets in place to be ready to respond to an emergency may be summarised as:

- Maintaining a single point of contact for fellow responding agencies to contact the Council 24/7 through the Emergency Planning duty officer
- Maintaining an on call rota of trained and knowledgeable senior staff at Strategic (Gold) and Tactical (Silver) levels ensuring that the Council is able to respond to an emergency 24/7
- Maintaining its statutory and critical services during an emergency
- Supporting the emergency services and other organisations involved in the immediate response. This would typically involve:
 - Identification and collation of vulnerable people data
 - Management and restoration of highways incl. emergency signage and road closures
 - Assistance in the evacuation of displaced communities
 - Co-ordination of premises for the provision of an emergency mortuary, and family and friends reception centres
- Providing support services for the community and others affected by the emergency including:
 - Support for emergency rest centres set up by a District Council
 - Provision of Crisis Support services
 - Provision of a Humanitarian Assistance Centre
 - Taking an overview of NHS measures to control the spread of disease
 - Provision of an emergency help line facility
- Establishing Community Information Points for the dissemination of information for those affected by the emergency.
- Co-ordinating the contribution of the Voluntary sector and their range of services
- Co-ordinating the Recovery process to enable the impacted community to return to a new normality as soon as possible.

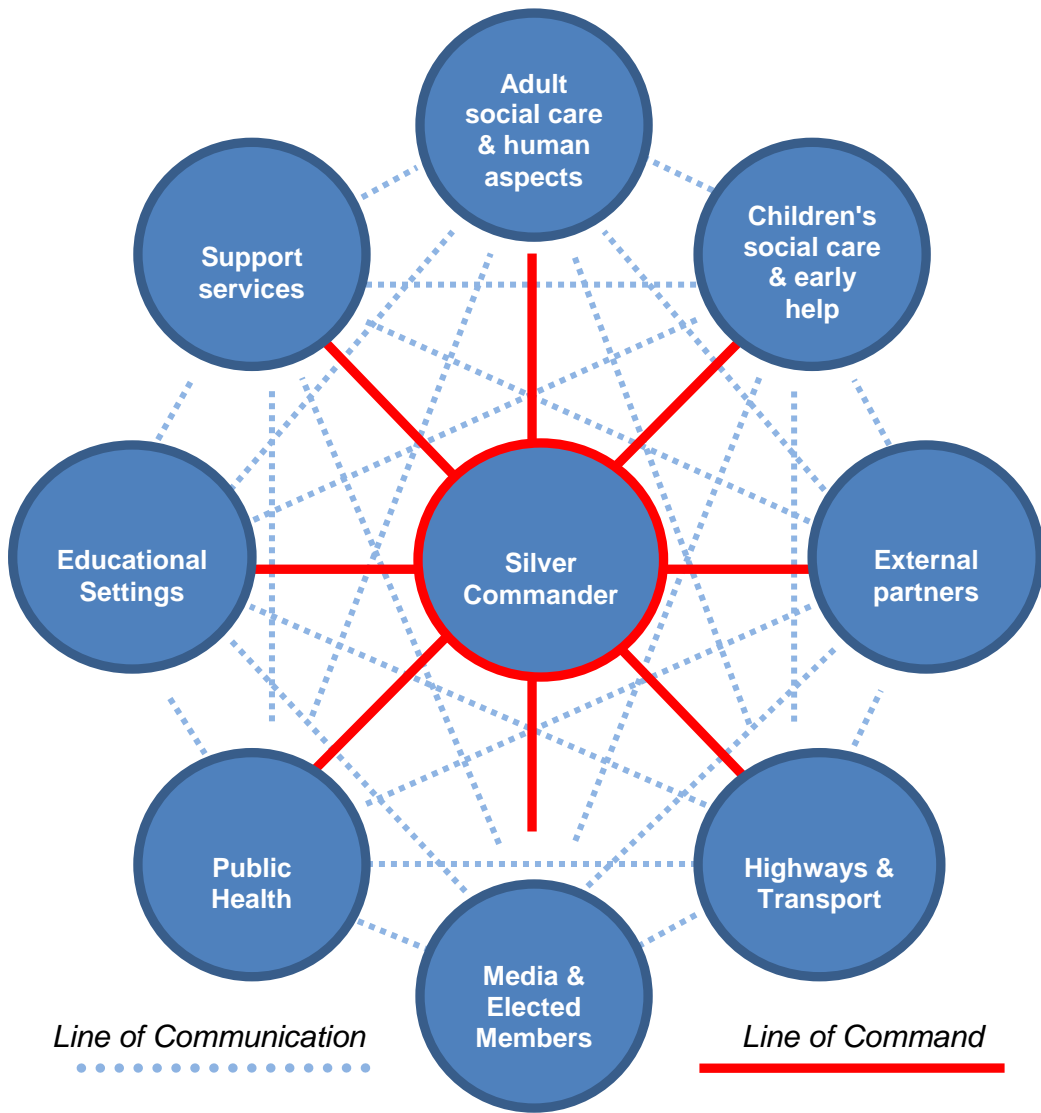
12. Worcestershire is two tier and in places a three tier local governance area with County, District, Parish and Town councils. Consequently, some responsibilities including re-housing of those made homeless, the inspection of and carrying out emergency repairs to housing and Environmental Health are delivered by the six District Councils:

- Bromsgrove District Council
- **Malvern Hills District Council***
- Redditch Borough Council
- **Worcester City Council***
- **Wychavon District Council***
- Wyre Forest District Council.

(*Emergency Planning Service Level Agreement Members)

The highlighted District Councils have signed a Service Level Agreement with the County Council for the provision of an emergency planning advisory service. This service is contracted to support the planning, training and exercising functions of the Districts, and the County Council also provides specialist advice and support to SLA members. The 3 northern District Councils operate a shared service arrangement for the provision of their emergency planning function.

13. The Corporate Emergency Response Framework adopts a matrix functional team response structure to deal with a major emergency as follows:



Humanitarian Assistance

13. Appendix 1 details the response structures that would be set in place in response to an emergency similar to that experienced with the Grenfell tower fire. The Police, local authorities and voluntary agencies all have important roles in providing help and support to victims caught up in an emergency.

14. 'Human Aspects' refers to the impacts on individuals during and after an emergency. It may also refer to the activities carried out to support those affected.

15. Addressing Human Aspects in any emergency will comprise a broad range of activities, some of which may continue long after the incident occurred. These may include:

- emotional support
- first aid
- shelter, food, clothing
- information updates about the incident and individuals directly involved
- advice and support on financial, legal and insurance issues
- support to restore social networks
- opportunities for remembrance/memorials
- input into any evaluation process following the emergency (for example a public inquiry).

16. The provision of multi-agency support to a local community is managed through several defined plans and processes depending on the emergency in hand. This may include Rest Centre, Humanitarian Assistance Centre, Friends and Family Reception Centre and Crisis Support service. Appendix A outlines the timeline for key plans and processes set up in response to an emergency under the responsibility of key agencies including a local authority (Human Aspects in Emergency Management, Cabinet Office, October 2016).

Training and Exercising of key staff members

17. Staff training and exercising is provided for Council staff expected to contribute towards an emergency response including Gold and Silver Commander roles. The Gold and Silver cadre is trained on a rolling programme to ensure that appropriate skills and knowledge is maintained.

18. All Council-trained staff are encouraged to participate in the LRF training and exercising programme and a major LRF wide Animal Health exercise is scheduled to take place in March 2018.

Critical Incident in Schools

19. The Emergency Planning team offers a specialist support service to schools for coping with a critical incident / an emergency. The Critical Incident Response Service Level Agreement is marketed to all schools and to date over 60 have signed up to receive the service. The service provides schools with a 24/7 advisory service and response, provision of psychological support, advice on preparing an emergency plan, service continuity and training and exercising of response arrangements.

Legal, Financial and HR Implications

20. In the event of a major emergency incident the government has discretion under the Bellwin scheme to provide financial assistance to public agencies. Bellwin grant reimburses local authorities for most costs incurred on, or in connection with, their immediate actions to safeguard life and property or to prevent suffering or severe inconvenience as a result of a disaster or emergency in their area.

21. The standard Bellwin scheme provides for reimbursement of eligible costs at 85% above a threshold of 0.2% of the authority's net revenue budget. The threshold recognises that councils have a long-established responsibility to prepare cover for unforeseen events. However, beyond that level, the Government may implement the Bellwin scheme. Cabinet Members will recall that the Council benefited from this scheme following the severe flooding of summer 2007.

Privacy and Public Health Impact Assessments

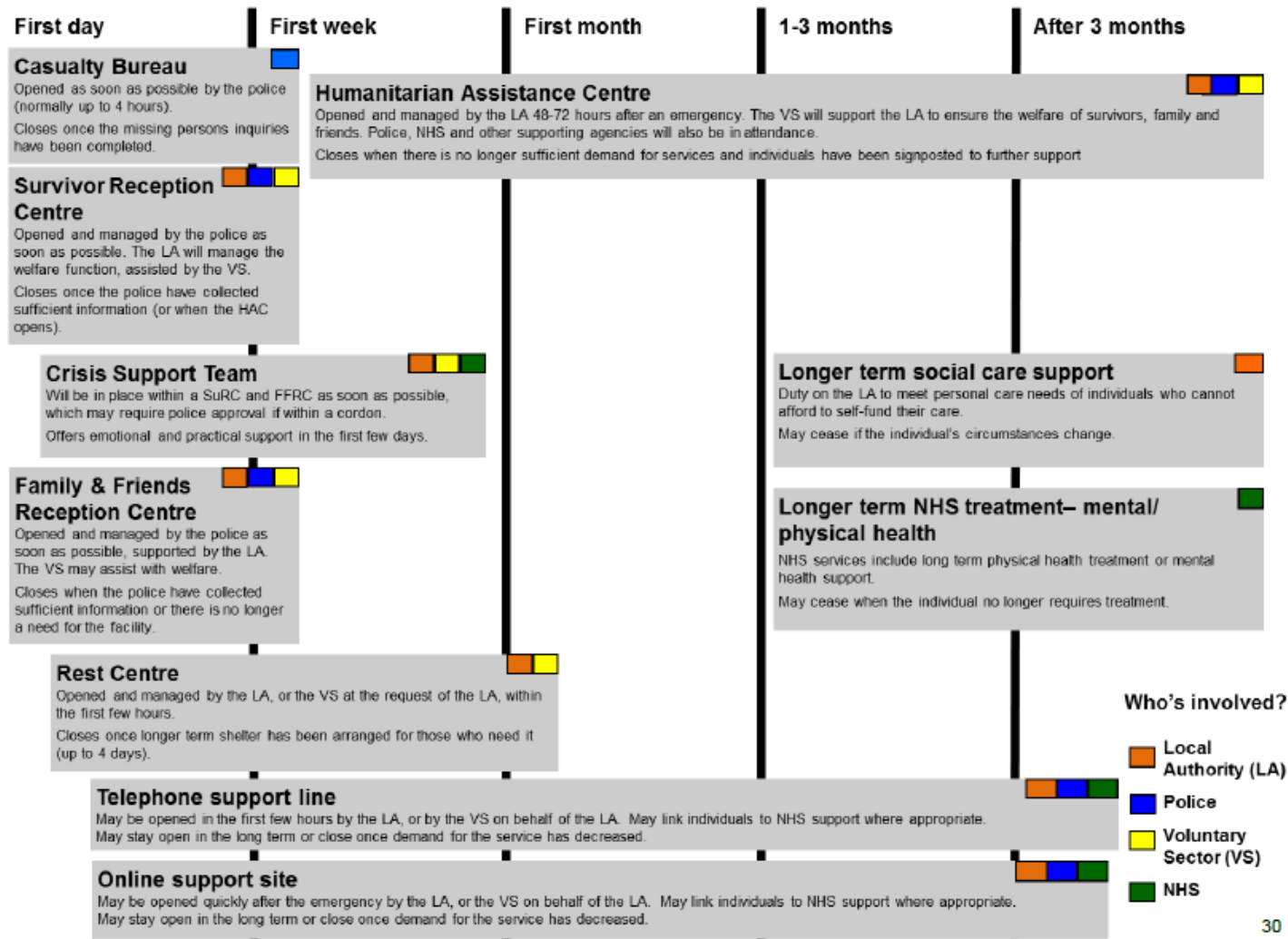
22. The emergency planning arrangements detailed above are in place to mitigate the Public Health impact of emergency events. If these robust systems were not in place, the risk of significant public health harm would be unmanaged and real. In particular arrangements for identifying vulnerable people and managing displaced people should be noted in this regard.

Equality and Diversity Implications

An Equality Relevance Screening has been carried out in respect of these recommendations. It identified that further equality impact analysis may be required in respect of Rest Centre arrangements and the provision of religious and faith requirements of the local community impacted by an emergency.

Supporting Information - Appendix A

Human Aspects in Emergency Management



Contact PointsCounty Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Public Health) the following are the background papers relating to the subject matter of this report:

- WCC Corporate Emergency Response Framework V.3 (2014)
- LGA A Councillors Guide to Civil Emergencies (May 2016)
- Cabinet Office Human Aspects in Emergency Management, (October 2016).

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CABINET
20 July 2017**BALANCED SCORECARD PERFORMANCE AND
CORPORATE RISK UPDATE**

Relevant Cabinet Member

Mrs K May

Relevant Officer

Director of Economy and Infrastructure

Recommendation

- 1. The Cabinet Member with Responsibility for Transformation and Commissioning recommends that Cabinet:**
 - (a) receives the latest update of the Corporate Balanced Scorecard for Quarter Four 2016/17, noting the 17 indicators rated as 'green' and considers actions being taken to improve performance for the 5 indicators rated 'red' where there has been an update in Quarter Four 2016/17;**
 - (b) notes the latest refresh of the Corporate Risk Register including actions to mitigate the two risks that are rated 'red'; and**
 - (c) supports the refresh of the balanced scorecard to reflect the new Corporate Plan.**

Corporate Balanced Scorecard

2. The Corporate Balanced Scorecard is the means of understanding progress against the Council's Corporate Plan. The Scorecard contains a range of indicators linked to key priorities and themes. Many measures are long-term and may be affected by a wide range of factors, some of which are outside the direct control of the Council.
3. The attached Appendix contains an overview of performance for Quarter Four 2016/17. Currently there are 46 indicators reported in the Scorecard. 17 of these are rated 'green' representing good performance or progress, and 10 are rated as 'red'.
4. Out of the 10 performance indicators that are currently assessed as 'red', 5 have had a performance update in Quarter Four 2016/17, and are detailed within the attached Appendix. The 5 indicators and the actions that are being taken to address their performance are listed below:

- **Looked After Children**

- The rate of looked after children has increased to 66.3 per 10,000 children. It was 60.6 per 10,000 at the end of the previous quarter
- This is above the national average which was 60 per 10,000 at 31/03/2016
- Since the Ofsted inspection, Children's services have put in place new processes to improve senior managerial oversight and decision-making for children coming into the care system. A weekly resources panel monitors effective use of resources allocated
- The service is developing its Edge of Care strategy and the support offer to children and families to prevent children coming into the care system where it is safe and in their interest to support them to remain in their parental /family care
- Children's Social Care services are working to a comprehensive service improvement plan. The plan sets out eight key priorities that collectively will improve the quality of services offered to children and families which will ultimately improve outcomes for children.

- **Children with a Child Protection Plan**

- There were 43.2 children per 10,000 on a child protection plan. This is an increase from 38.1 at the end of the previous quarter
- There has been a significant increase in numbers since the end of June. The current rate is above the national average which was 43.1 per 10,000 at 31/03/2016
- We are reviewing our thresholds for holding an Initial Child Protection Conference and making sure the right children are subject to plans. There is also a concerted effort to scrutinise Child Protection plans where children have been subject to plans for more than 12 months
- Independent Consultants have recently been invited to look at our decision-making going to Initial Child Protection Conference and the outcome of conferences as part of our improvement journey
- It is hoped that the number of children on Child Protection Plans will stabilise and reduce over next 9 months and there will be more of a balance between Children in Need and Child Protection Plans.

- **Older People Funded in Permanent Care Home placements**

- At the end of March 2017 there were just over 1300 older people in permanent placements, which is above the target of 1198. This was an improvement from 1360 at the end of December 2016
- Nursing home placements have remained static but residential admissions have fallen
- Extra Care continues to be developed as an alternative to residential care. Numbers are going up and have increased by 20 in the last month
- However, the number of compulsory situations, where the Council has to take on responsibility for funding existing placements, has increased over the last year.
- The Three Conversations model will provide a new approach and we will analyse the data for this during the first quarter of 2017/18 to see what impact it has on admissions.

- **Sickness Rates**
 - There was an average of 8.92 days sick per person during the year, compared with a target of 7 days
 - This was an improvement from the previous quarter where the predicted year end result was 9.11 days. The Directorate with the highest levels of sickness was Adult Services, with 13.36 average days sick per person
 - The HR service is taking a number of steps to address this including
 - Improving the sickness absence report and challenging managers earlier to take action
 - Engaging with our occupational health provider to improve the service to support managers more effectively
 - Targeting support to managers in areas of the business with highest levels of sickness absence
 - Undertaking a review of absence trends
 - Delivering training to managers.

- **Staff who feel the Council has a clear vision for the future**
 - As part of the staff survey, 46% of staff strongly or moderately agreed that the Council had a clear vision for the future. This is down from 60% at the last staff survey (2015)
 - During the first quarter of 2017/18, the Council will be running a number of sessions at various locations to understand what is behind this decline and what can be done to improve the clarity of our vision. Future activity will be informed by the feedback received from staff but is likely to include revisiting how we communicate our Corporate Plan.

Corporate Risk Register

5. The Corporate Risk Register provides a mechanism for collating and reporting strategic risks that could affect the delivery of corporate objectives. Each risk listed on the Corporate Risk Register is monitored by Directorates and reported through the corporate process to provide assurance on the adequacy of arrangements to mitigate the risks.

6. The Appendix provides an overview of the Corporate Risk Register for Quarter Four 2016/17 including the status of individual risks. Two risks are rated as 'red':

- Serious harm or death due to a failure on the part of the Council
- Demographic changes lead to changed demand for services.

The changed rating of the first reflects the recent identification of issues with Children's safeguarding services. The second is a Council-wide risk but with particular significance because of the increasing older population and its impact on Council services. Detail about the actions to address these risks is contained in the Appendix.

Legal, Financial and HR Implications

7. Any Legal, Financial or HR implications arising from the performance reported here will be addressed as part of the programme of work on those specific areas. The Council's risk management processes include a focus on specific Legal,

Financial and HR risks arising from its work. These risks and the action to address them are detailed in risk registers held across the organisation.

Privacy and Public Health Impact Assessments

8. There are no Privacy or Public Health implications from this report. Where performance data indicates there may be Public Health implications these will be reviewed as part of the performance monitoring cycle.

Equality and Diversity Implications

9. Any Equality and Diversity implications arising from the performance reported here will be addressed as part of the programme of work on those specific areas.

Supporting Information

- Appendix - Quarter Four 2016/17 Balanced Scorecard Performance Summary Dashboard Report and Corporate Risk Dashboard

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Director of Economy and Infrastructure) there are no background papers relating to the subject matter of this report.

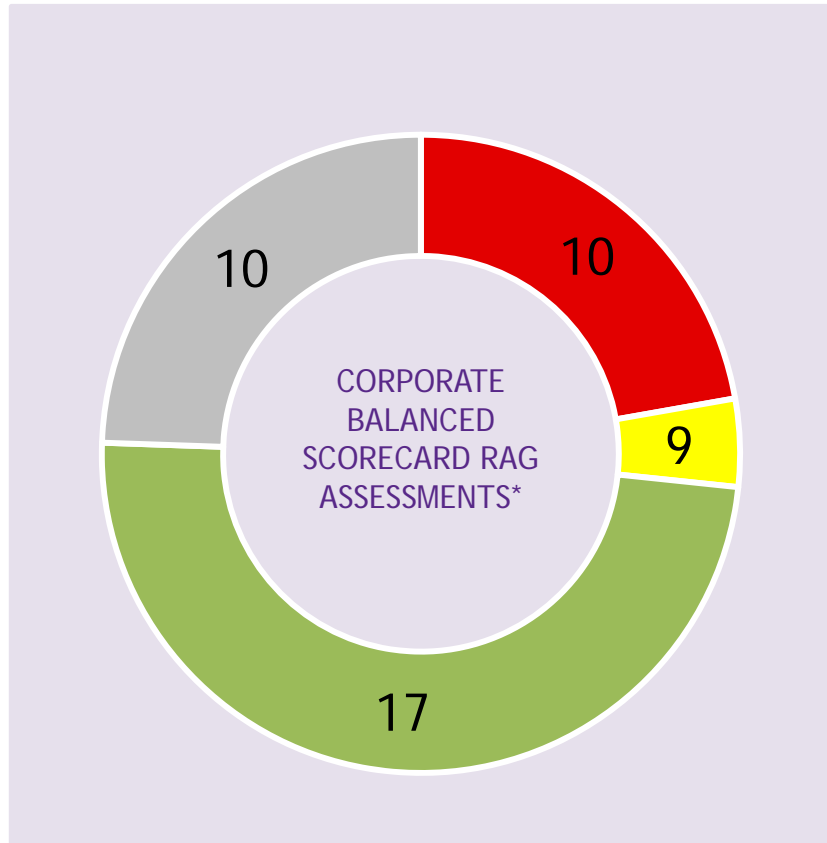
CABINET BALANCED SCORECARD FUTURE FIT UPDATE

Performance Summary

Q4 2016/17

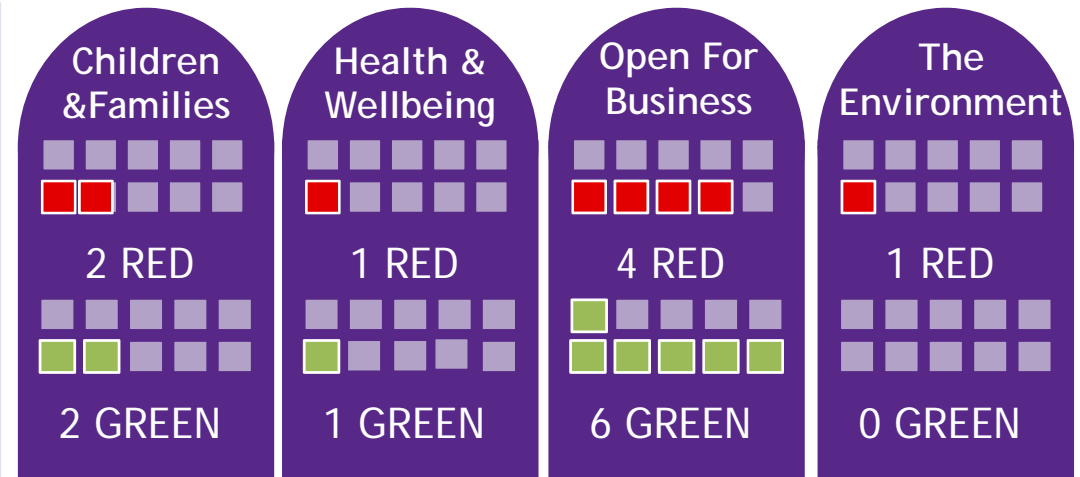
From July 2017, the performance indicators within the Balanced Scorecard will be refreshed to align it to the new 2017-2022 Corporate Plan.

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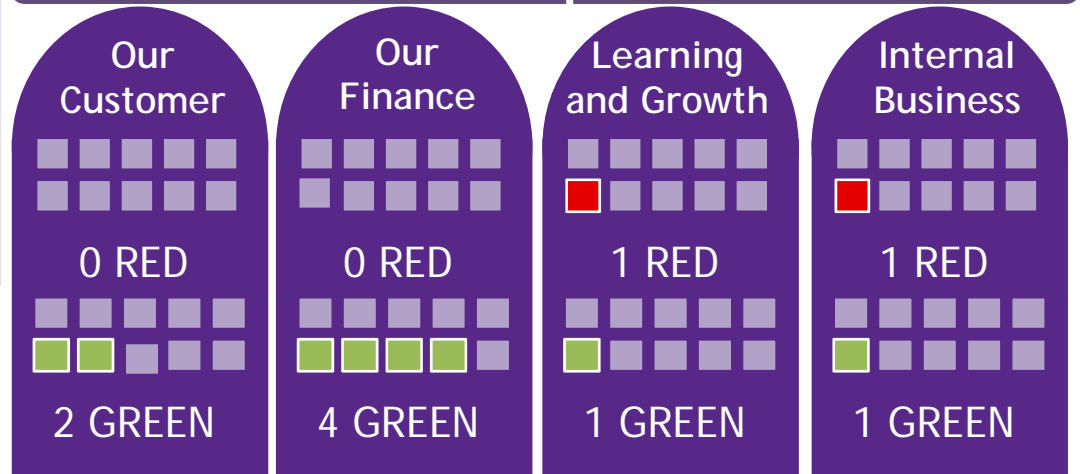


* Grey represents indicators that do not have a RAG assessment due to no target having been set.










Area of Focus











Our Perspective













OVERVIEW: Q4 2016/17 GREEN INDICATORS

Area of Focus / Perspective	Corporate Performance Indicator	Movement from previous rating
Open For business	People on out of work benefits- percentage of residents aged 16-64 on out of work benefits in Worcestershire	
	Economic growth- Worcestershire Gross Value Added (GVA) (local target)	
	Economic growth- Percentage of England GVA contributed by Worcestershire (National comparator indicator)	
	16-24 year old Job Seekers Allowance claimants	
	Working age adults in employment	
	Condition of principal (A-class) roads (Scanner)	
Children and Families	Children who wait less than 14 months between entering care and moving in with their adoptive family	
	Attainment 8 Overall Score	
Health and Wellbeing	Residents aged 65 or more receiving a social care service	

Q4 2016/17 GREEN INDICATORS CONTINUED

Area of Focus/ Perspective	Corporate Performance Indicator	Movement from previous rating
Finance	Ratio of debt financing costs to the Council's net budget	
	Expected budget position at end of financial year - Forecast Outturn (April to March) (Revenue)	
	Council Tax- Below the average Band D Council Tax	
	Creditor days- Average number of days to pay suppliers invoices	
Internal Business	Employees - Actual Full Time Equivalents (FTE)	
Customer	Residents who say they can influence decisions	
	Satisfaction with County Council as measured through Viewpoint survey	
Learning and Growth	Staff Survey response rate	

OVERVIEW: Q4 2016/17 RED INDICATORS

Area of Focus / Perspective	Corporate Performance Indicator	Updated in Q4 2016/17	Movement from previous rating
Open for Business	<u>Satisfaction with condition of roads</u> - Residents' satisfaction fell from 35.4% in 2015 to 32% in 2016.	No	
	<u>Reduce household waste collected per head</u> - Levels of waste collected are still above the long-term low in 2011/12.	No	
	<u>New businesses surviving for 3 years or more - Worcestershire compared to England (National comparator indicator)</u> - Performance has remained steady and above the national average but as the England rate has improved the gap has narrowed.	No	
	<u>Percentage of businesses surviving for three years or more in Worcestershire (local target)</u> - The latest available four year average is 61.2%.	No	
Children and Families	<u>Children with a child protection plan</u> - The rate of children on a child protection plan has increased. Numbers tend to fluctuate over time but in the latest period the number of children increased by over 60.	Yes	
	<u>Looked After Children</u> - The rate of looked after children has continued to increase but was already rated "red".	Yes	
The Environment	<u>Satisfaction with the local area as a place to live</u> - Since 2010, there has been a reduction from 85% satisfaction to 82.2% satisfaction.	No	
Health and Wellbeing	<u>Older people funded in permanent care home placements</u> - The target is for a reduction by year end, but numbers have increased slightly.	Yes	
Internal Business	<u>Sickness Rates</u> - The 2016/17 average sickness rate is 8.92 days per person.	Yes	
Learning and Growth	<u>Staff who feel the council has a clear vision for the future</u> - The number of staff who feel that the Council has a clear vision for the future has decreased.	Yes	

INDICATORS TO WATCH



Out of the 10 performance indicators that are assessed as RED (detailed on the previous page), 5 have had a performance update in Q4 2016/17. The performance updates for these 5 indicators are detailed over the next few pages.



CHILDREN AND FAMILIES

Looked After Children

(previously Red)



CHILDREN AND FAMILIES

Children with a child protection plan

(previously Green)



HEALTH AND WELLBEING

Older People Funded in Permanent Care Home placements

(previously Red)



LEARNING AND GROWTH

Staff who feel the Council has a clear vision for the future

(previously No Status)



INTERNAL BUSINESS

Sickness Rates

(previously Red)

LOOKED AFTER CHILDREN

LOWER = BETTER

Children looked after at quarter end rate per 10,000 population (under 18 Worcestershire population) to be no more than 60 per 10,000

Q4

2016/17

66.3 per
10,000



PERFORMANCE DETAILS

- The rate of looked after children has increased to 66.3 per 10,000 children.
- The rate of looked after children in Q3 2016/17 was 60.6 per 10,000.
- We are above the national average which is 60 per 10,000 at 31/03/2016. For this reason, the indicator has been assessed as Red.



CURRENT ACTIVITY

- The increase of children becoming looked after, must be seen in context of the challenges to practice which are linked to the Council's Service Improvement Plan. New processes are in place to have improved senior managerial oversight and decision making for Children coming into the care system and Children becoming subject to care proceedings.
- Weekly resource panel in place for monitoring effective use of resources allocated. We are developing the Edge of Care strategy and the support offer to children and families to prevent children coming into the care system where it is safe and in their interest to support them to remain in their parental /family care.

FUTURE ACTIVITY?

- Children's Social Care services are working to a comprehensive service improvement plan.
- The plan sets out eight key priorities that collectively will improve the quality of services offered to children and families and ultimately improve outcomes for children.



CHILDREN & FAMILIES

CHILDREN WITH A CHILD PROTECTION PLAN

LOWER = BETTER

Worcestershire in line with the national average for the number of children with a child protection plan per 10,000

Q4

2016/17

43.2 per
10,000



PERFORMANCE DETAILS

- The rate of children on a child protection plan has increased from 38.1 per 10,000 at 31/12/2016 to 43.2 per 10,000 at 31/03/2017.
- The figure is now above the national average which was 43.1 per 10,000 at 31/03/2017 and has increased significantly since June 2016. For this reason this indicator has been assessed as red.



CURRENT ACTIVITY

- The number of children on plans tends to go through peaks and troughs. As part of the Council's Service Improvement Plan there have been some challenges to practice. It is hoped that the number of children on Child Protection Plans will stabilise and reduce over next 9 months and there will be more of a balance between Children in Need and Child Protection Plans.
- Independent Consultants have recently been invited to look at our decision making going to Initial Child Protection Conference and the outcome of conferences as part of our improvement journey.

FUTURE ACTIVITY?

- We are reviewing our thresholds for holding an Initial Child Protection Conference and making sure the right children are subject to plans. There is also a concerted effort to scrutinise Child Protection plans where children have been subject to plans for more than 12 months.
- Children's Social Care services are working to a comprehensive service improvement plan. The plan sets out eight key priorities that collectively will improve the quality of services offered to children and families and ultimately improve outcomes for children.

HEALTH AND WELLBEING

OLDER PEOPLE FUNDED IN PERMANENT CARE HOME PLACEMENTS

LOWER = BETTER

Older people with a permanent care home placement funded by the Council from the relevant older people budget.

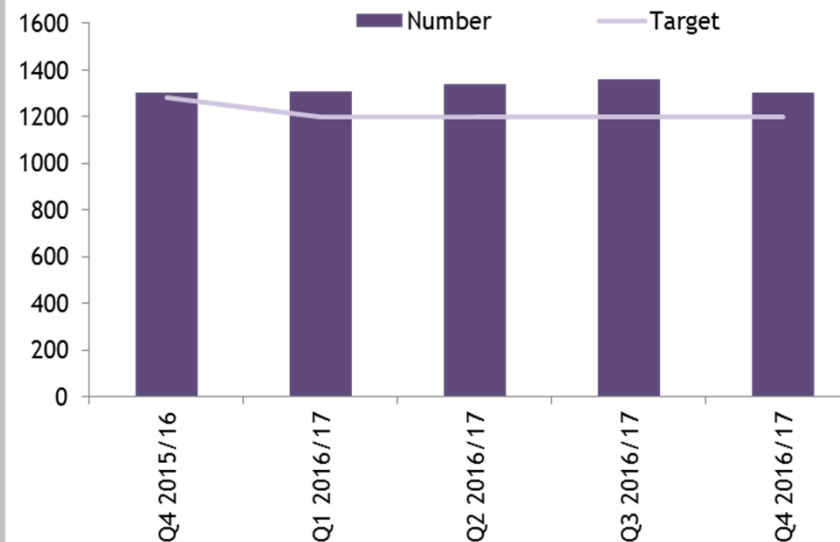
Q4
2016/17

1303



PERFORMANCE DETAILS

- The number of older people in permanent placements continues to fluctuate at around 1300.
- This is above the target of 1198, so performance is rated as red.
- There has been an improvement in performance from the last quarter where the figure was 1360



CURRENT ACTIVITY

- Nursing home numbers remain static but residential admissions continue to drop. Howbury Care Home is now providing long term care and there are 32 people in placements there.
- Extra Care numbers are going up and have increased by 20 in the last month which helps reduce pressure on long term placements.
- However compulsory picks ups where the Council has to take responsibility for funding the placement have increased over the last year.

FUTURE ACTIVITY?

- The Three conversation model will provide a new approach and we will analyse the data for this during the first quarter of 2017/18 to see what impact it has on admissions.
- Despite the number dropping this quarter we still believe that more people's health & wellbeing would be better served by keeping them as independent as possible and a long term residential placement is often not required.
- Although the uncertainty around Housing Benefits has slowed down the Extra Care programme, we still believe the target for increased numbers is achievable.



INTERNAL BUSINESS PERSPECTIVE

SICKNESS RATES

Average days sick per person [FTE].

LOWER = BETTER

Q4

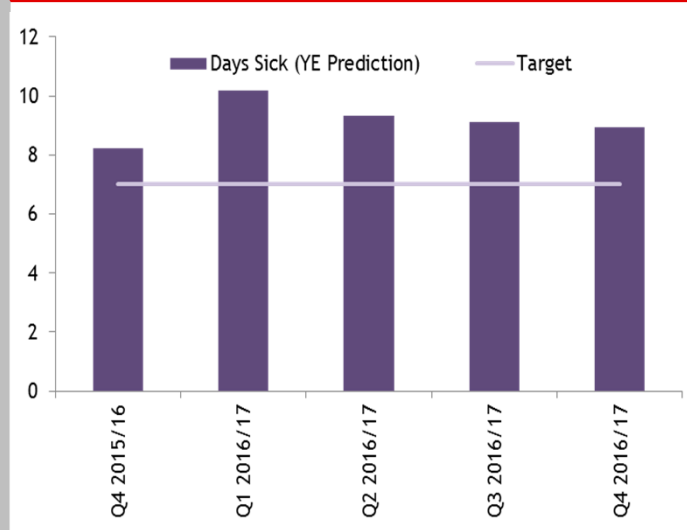
2016/17

8.92 Days



PERFORMANCE DETAILS

- At the end of Q4 2016/17 there was an average of 8.92 days sick per person.
- The indicator is assessed as Red because performance is above the target for 2016/17 (7 days).
- The direction of travel shows improvement from the previous quarter (9.11 days). The Directorate with the highest levels of sickness was Adult Services, with 13.36 average days sick per person.



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CURRENT ACTIVITY

- HR have improved the sickness absence report and are challenging managers earlier to take action. This focus will continue.
- We are engaging with our occupational health provider to improve the service to support managers more effectively.
- We have been targeting support to managers in areas of the business with highest levels of sickness absence.
- We are undertaking a review of absence trends in order to target specific support in hot spot areas.
- We are reviewing our policy and process for return to work meetings and formal interventions.

FUTURE ACTIVITY?

- We are delivering training to managers via lunch and learn forums to upskill and provide proactive support to managers.
- Over the next quarter, we will put more focus on reviewing short term absence so that we can make even greater improvements in the next quarter.
- We have recruited to our team vacancies and will be at full complement which will ensure greater focus on improving absence across the organisation.



LEARNING AND GROWTH

STAFF WHO FEEL THE COUNCIL HAS A CLEAR VISION

HIGHER = BETTER

Percentage of staff who responded to the staff survey who strongly or moderately agree that the County Council has a clear vision for the future.

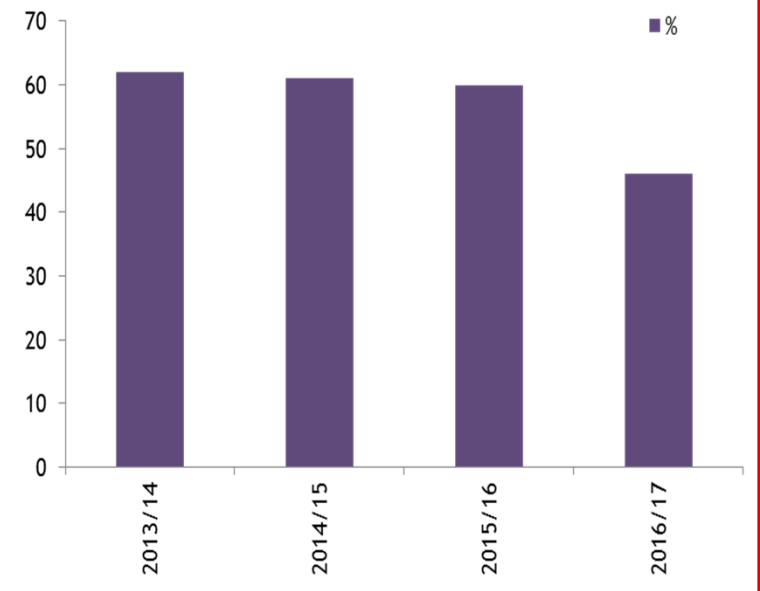
Q4
2016/17

46%



PERFORMANCE DETAILS

- 46% of staff strongly or moderately agreed that the Council has a clear vision for the future.
- This is down from 60% at the last staff survey (2015).
- Finance has the highest percentage at 63%. Children, Families and Communities have the lowest percentage at 40%.
- The overall staff survey response rate was 60%, an increase on last year's survey (49%).



CURRENT ACTIVITY

- The number of staff who feel that the Council has a clear vision for the future has declined significantly since the last staff survey in 2015.
- During the first quarter of 2017/18, the Council will be running a number of follow up sessions at various locations to understand what is behind this decline and what can be done to improve the clarity of our vision. Towards the end of the summer, the County Council will also use pulse surveys to explore this further and get staff feedback on any themes that emerge from the follow sessions.

FUTURE ACTIVITY?

- Future activity will be informed by the feedback received from staff (see current activity) but is likely to include revisiting how we communicate our Corporate Plan (Shaping Worcestershire's Future 2017 - 2022).

Overview of Risk Status:

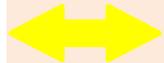
- One risk in the Corporate Risk Register has increased to 'red' since September 2016 - "serious harm or death due to a failure on the part of the Council". This reflects the result of the Ofsted Inspection of Children's social care. A detailed Improvement Plan has been put in place, and additional resources provided.
- One risk continues to be rated as red - "demographic changes lead to changed demand for services". There are significant pressures on Council services because of demographic factors such as the ageing population. Demand Management (e.g. prevention services) has been agreed as a major area of focus for the Council and a number of strategies are being put in place.
- One risk has reduced to 'amber' since September 2016 - "Failure to maintain business as usual / appropriate levels of service at the same time as transformation". The difficulties in recruitment which were delaying the restructure of adult social care services have been resolved.

CORPORATE RISK PROFILE

A Corporate Risk is a risk that has an impact across all areas of the Council such that it could prevent the Council delivering its corporate priorities. There are currently ten Corporate Risks - eight are RAG-rated as amber and two are RAG-rated as red.



Corporate Risk 1: Failure to maintain business as usual / appropriate levels of service at the same time as transformation



Corporate Risk 2: Failure to deliver financial savings identified in Medium Term Financial Plan



Corporate Risk 3: Failure to deliver a major project leading to increased costs, reputational damage to the Council and/or failure to realise savings



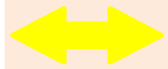
Corporate Risk 4: Serious harm or death due to a failure on the part of the Council



Corporate Risk 5: Failure to comply with legislation and statutory duties

CORPORATE RISK PROFILE

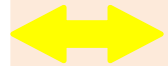
A Corporate Risk is a risk that has an impact across all areas of the Council such that it could prevent the Council delivering its corporate priorities. There are currently ten Corporate Risks - nine are RAG-rated as amber and one is RAG-rated as red.



Corporate Risk 6: Failure to effectively store, manage and process information and maintain the security of the personal data we hold, (or our partner agencies and commissioned providers hold on our behalf) in compliance with the Data Protection Act



Corporate Risk 7: Demographic changes lead to changed demand for services



Corporate Risk 8: Failure to effectively manage the Council's premises



Corporate Risk 9: Ineffective Emergency Response arrangements



Corporate Risk 10: Ineffective Business Continuity arrangements

CORPORATE RISK

INCREASED TO RED SINCE LAST REPORT

SERIOUS HARM OR DEATH DUE TO A FAILURE ON THE PART OF THE COUNCIL

Q4 2016/17

WHY IS THE RISK RED?

- This risk has been increased to Red due to the recent identification of issues around safeguarding children.

MITIGATING ACTIONS

- The Council is implementing a detailed Improvement Plan to address the issues identified in the Ofsted report. The Plan incorporates learning from other Councils. Services across the Council are involved in supporting this work.
- Cabinet has approved £1.5m in permanent revenue funding alongside a £1m capital allocation for systems development, with additional temporary transformation funding for 2017/18 (£1.256m) and 2018/19 (£1m).
- An Improvement Board with an independent chair has been set up to oversee progress in improving services. This has cross-party involvement and Ofsted representation.
- Key posts at Group Manager level have been filled
- A number of immediate actions have been taken including:
 - Ensuring sufficient capacity within safeguarding teams to deliver an effective service
 - Increase in administrative support to free up frontline social workers to focus on safeguarding activity
 - Robust review of performance information and case file audit to ensure no child is at risk of significant harm.



Sep-15 Dec-15 Mar-16 Jun-16 Sep-16 Dec-16 Mar-17

WHAT NEXT?

Focus on Improvement Plan themes:

- Supporting and developing the workforce
- Improving quality of practice
- Commitment to continuous improvement
- Listening to the voice of the child
- Making the right decisions at the right time
- Delivering good outcomes for children
- Focus on permanency
- Providing early access to support

CORPORATE RISK

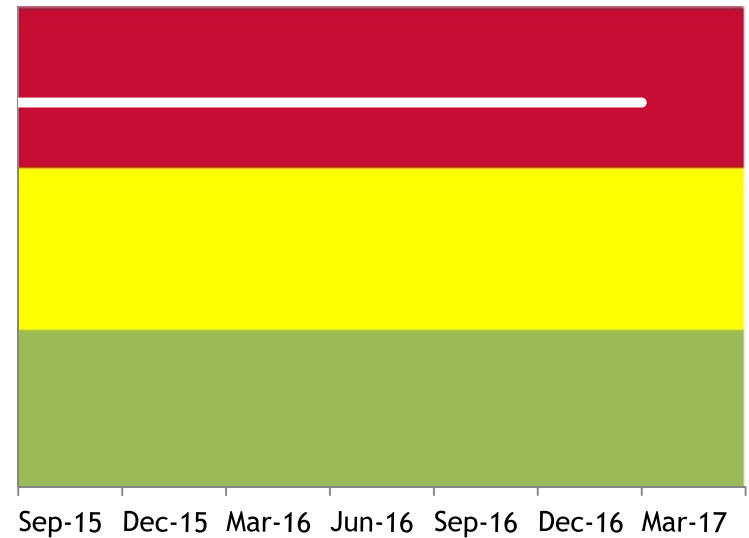
REMAINS RED SINCE LAST REPORT

DEMOGRAPHIC CHANGES LEAD TO CHANGED DEMAND FOR SERVICES

Q4 2016/17

WHY IS THE RISK RED?

- The changing demographic profile including an ageing population and changes to the needs of children and families is a challenge to the resources available to the Council. Work is taking place but at the moment the risk remains rated as 'red'.



MITIGATING ACTIONS

- A locally driven model for predicting demographic changes has been developed.
- The Three Conversations model has been introduced by Adult Social Care. This is a new way of working designed to use community assets to help individuals achieve greater independence, rather than immediately resorting to paid for packages of care
- As part of the Service Improvement Plan, processes are being reviewed and redesigned in Children's social care to ensure that appropriate thresholds are in place so that children are safe and that demand is managed appropriately
- An approach is being developed to use "nudge" techniques in relation to waste reduction
- Other work taking place to mitigate pressures includes Connecting Families programme, All-age prevention policy, social impact bond for loneliness, redesign of Your Life Your Choice website as part of Digital Strategy development.

WHAT NEXT?

- Work to be tendered for external validation of predictive model and support in application to council services.
- Review of impact of Three Conversation model and extension to additional areas.
- Implementation of other current demand management projects e.g. launch of revised Your Life Your Choice website.

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CABINET
20 JULY 2017**MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME**

Relevant Cabinet Member

Dr Ken Pollock

Relevant Officer

Director of Economy and Infrastructure

Recommendation

1. The Cabinet Member with Responsibility for Cabinet Member with Responsibility for Economy and Infrastructure recommends that Cabinet:

- (a) approves the Minerals and Waste Local Development Scheme (LDS) July 2017 – July 2020; and**
- (b) gives delegated authority to the Director of Economy and Infrastructure to make minor amendments to the LDS prior to publication.**

Background

2. Worcestershire County Council is the Local Planning Authority for minerals and waste planning for the county of Worcestershire. Section 15 of the Planning and Compulsory Purchase Act 2004, as amended, sets out the requirement for Local Planning Authorities to prepare and maintain a scheme and schedule of planning policy documents that it intends to produce, known as a Local Development Scheme. The Minerals and Waste Local Development Scheme (LDS) has two main purposes:

- To inform the public about the preparation and adoption of planning documents; and
- To establish and reflect Council priorities and enable work programmes to be set for the preparation of the documents.

3. As circumstances change and the process of making development plans moves forward, it is necessary to review the LDS in order to keep it up to date. The LDS at Appendix 1 replaces the previous document which came into effect in April 2015. This revision extends the timetable of the Minerals Local Plan due to the need to undertake an additional call for sites and a further stage of consultation on it. It also outlines the timetable for commencing the review of the adopted Waste Core Strategy for Worcestershire. The main proposed changes to the LDS are set out below:

Worcestershire Minerals Local Plan

4. This revision of the LDS reflects the need to undertake an additional call for sites and a further additional stage of consultation on the minerals local plan to address issues in relation to the Spatial Strategy (policies in the local plan which govern the location of minerals sites), setting out:

- Additional third call for sites: Quarter 3 2017 – Quarter 1 2018
- Additional Fourth stage consultation: Quarter 4 2018
- Publication of the Plan and period for representations: delayed from Quarter 1 2017 to Quarter 2 2019
- Submission: Quarter 3 2019
- Independent examination: Quarter 4 2019
- Adoption: Quarter 2 2020.

5. This additional call for sites is required to ensure that all practical efforts have been made to meet the requirements in the National Planning Policy Framework to make provision for a 7 year landbank for sand and gravel and a 10 years landbank for crushed rock through the plan. The site allocations set out in the Third Stage Consultation, which was completed in March 2017, are not adequate to meet this level of provision and significant comments were received through this process questioning the adequacy of current provision, which if this plan were submitted without further work would cause significant risk to the plan at examination stage. The preference in the NPPF is for specific sites rather than preferred areas, and at examination this issue will be fully explored with WCC being required to demonstrate that we have undertaken all reasonable steps to identify specific sites. A plan overly reliant on preferred areas is unlikely to be found sound and significant further work could be required to identify specific sites. The additional call for sites and fourth consultation stage is intended to reduce this risk. Additional work is also required to ensure that allocated sites, through the call for sites, have undergone an appropriate level of assessment when establishing the principle of development in those locations. Further consultation is then required to ensure that communities have the opportunity to comment on any changes to site allocations. This additional phase of consultation will also enable the council to consult on all changes made as a result of the Third Stage Consultation prior to the formal publication and submission.

Waste Core Strategy for Worcestershire

6. The Waste Core Strategy was adopted in 2012 and monitored through the Annual Monitoring Report. Although the plan is for the period 2012-2027, it is prudent to review the plan regularly to ensure that it is relevant to changes in local context and national policy. In the White Paper "Fixing our broken housing market¹" the Government states that "We also want to strengthen expectations about keeping plans up-to-date. Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years." At present this requirement is not expressly applied to Mineral and Waste Plans but makes clear the government's intentions to keep plans up to date. The ongoing monitoring of the Waste Core Strategy through the Annual Monitoring Report also shows a declining trend against some of the indicators and objectives which indicates that a review is needed subject to this trend continuing which is anticipated. The July 2017 LDS therefore includes provision to commence a review of the Waste Core Strategy for Worcestershire in 2020 (Quarter 1).

¹ February 2017.

7. At present no significant failings have been identified through the Annual Monitoring Report which would indicate the need for immediate review, and the staff resources are not available to commence a review before the submission and examination of the Worcestershire Minerals Local Plan.

Legal, Financial and HR Implications

8. There are financial implications associated with preparing the documents set out within the LDS. Internal staff resources in the Strategic Planning and Environmental Policy team are dedicated to producing the Minerals Local Plan and the associated documents including the Habitats Regulations Assessment and the Sustainability Appraisal.

9. The use of external consultants is being minimised through the focus on internal staff resources but additional costs will be incurred through consultation and examination which may include the procurement of external expertise. This has been fully costed and an indicative budget agreed with Finance for this.

Privacy and Public Health Impact Assessments

10. None identified as a direct result of this report.

Equality and Diversity Implications

11. An Equality Relevance Screening has been completed in respect of these recommendations. The screening did not identify any potential Equality considerations requiring further consideration during implementation.

Supporting Information

- Appendix 1: Minerals and Waste Local Development Scheme July 2017

Contact Points

County Council Contact Points

County Council: 01905 763763

Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Economy and Infrastructure) the following are the background papers relating to the subject matter of this report:

Minerals and Waste Local Development Scheme adopted April 2015

http://www.worcestershire.gov.uk/downloads/file/6161/local_development_scheme_april_2015

MINERALS AND WASTE LOCAL DEVELOPMENT SCHEME

Worcestershire County Council 27th April 2017

This is the Council's **ninth** Local Development Scheme.

This scheme has been prepared in compliance with the Planning & Compulsory Act 2004 as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012

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The Minerals and Waste Local Development Scheme for Worcestershire

Purpose of the Minerals and Waste Local Development Scheme

- 1.1. The County Council is the Minerals and Waste Planning Authority for Worcestershire and is responsible for all minerals and waste planning matters in the county.
- 1.2. The Minerals and Waste Development Scheme (MWDS or LDS) sets out the Council's priorities for producing planning policy documents over the coming three year period. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that each Local Planning Authority should produce an LDS, which must include any Development Plan Documents it intends to publish, their area of coverage, subject matter and a timetable indicating the main milestones of production and revision.
- 1.3. The LDS is updated periodically to reflect changes to timetables to ensure it provides a useful source of information for interested parties and meets the requirements of the aforementioned Act. The intention of this revised LDS is threefold:
 - to report the progress made since the publication of the previous LDS;
 - to inform interested parties of the changed timetable for the consultation, examination process and adoption of the Worcestershire Minerals Local Plan; and
 - to provide a schedule for the early stages in the review of the Waste Core Strategy for Worcestershire.
- 1.4. The revised schedule presented in this ninth update to the Local Development Scheme came into effect July 2017, in line with the resolution of the Worcestershire County Council Cabinet on July 2017. It covers the period July 2017 – July 2020 and replaces the previous LDS dated April 2015.
- 1.5. The easiest place to view the 2017 Local Development Scheme is on the Worcestershire County Council website at: www.worcestershire.gov.uk/lds . A printed copy is also available on request or to view at County Hall Reception, Spetchley Road, Worcester WR5 2NP.
- 1.6. If you have any questions about the LDS or how to access it, please contact us by e-mail: minerals@worcestershire.gov.uk or wcs@worcestershire.gov.uk or telephone 01905 766374.

The Development Plan in Worcestershire

1.7. The Development Plan for Worcestershire currently consists of the documents set out in **Table 1**:

Table 1. The Development Plan for Worcestershire¹

Development Plan Document	Detail
"Saved" policies in the Hereford and Worcester Minerals Local plan .	The "saved" policies will remain part of the Development Plan until superseded but the weight given to them in decision making will depend upon their conformity with national planning policy.
Waste Core Strategy for Worcestershire: Adopted Waste Local Plan 2012 – 2027 , adopted November 2012	The Worcestershire Waste Core Strategy Local Plan sets out how the County plans for waste management facilities in Worcestershire.
<p>The Local Plans and Development Plan Documents produced by the six City, Borough and District Planning Authorities in Worcestershire.</p> <p>At 1st June 2017, these are:</p> <ul style="list-style-type: none"> • The Bromsgrove District Plan 2011-2030 adopted January 2017. • The Borough of Redditch Local plan No 4 (2011 – 2030) adopted January 2017 • Wyre Forest Core Strategy adopted December 2010 • The South Worcestershire Development Plan adopted February 2016. 	<p>Emerging DPDs:</p> <ul style="list-style-type: none"> • South Worcestershire Traveller and Travelling Showpeople - Site Allocations Development Plan Document • The Borough of Redditch Local plan No 4 (2011 – 2030) Allocations Plan Development Plan Document

¹ The Coalition Government revoked Phase 2 of the Regional Spatial Strategy for the West Midlands and the "saved" Structure Plan for Worcestershire policies. They are therefore no longer part of the Development Plan.

Progress made since the previous LDS and reasons for review

- 1.8. Substantial progress has been made since the publication of the LDS in April 2015, however significant issues have been identified which have resulted both in early review of the LDS and additional work being required.

Participation on draft policy wording

- 1.1. In the previous LDS preparation of and consultation on the draft plan, policy wording evidence base and draft plan preparation was scheduled for 2nd quarter 2015 to 1st quarter 2016, with Third Stage Consultation scheduled for 2nd and 3rd quarters 2016.
- 1.2. Following the second stage consultation and publication of National Planning Practice Guidance it became apparent that the Council's proposed approach to the Spatial Strategy require substantial revision and a further round of consultation/call for sites was necessary as part of the "Draft Plan Preparation" phase. The sites which had been submitted in response to the Second Stage Consultation and 1st call for sites were assessed at the beginning of period, and this assessment revealed that those sites would not provide sufficient mineral resources over the life of the plan, or meet the land bank requirements of national policy. Ameliorative actions were therefore, undertaken to address these issues.
- 1.3. Additional phase of consultation was therefore undertaken from 14th July 2015 to 25th September 2015 it included:
 - A second call for sites: This "2nd Call for Sites" was a further call for sites for aggregate minerals, these being sand and gravel and crushed rock, and was also a first call for sites for non-aggregate minerals including clay, building stone, silica sand, salt and brine, coal and any other minerals;
 - A call for information on mineral resources and essential infrastructure that supports mineral working which should be safeguarded in the Plan,
 - An opportunity to comment on the evidence base so far²,
 - An opportunity to comment on the 2013/2014 Annual Monitoring Report including the latest Local Aggregates Assessment in an annex to the AMR.
- 1.4. A response document outlining the sites submitted and the comments received was published in February 2016, enabling work to commence on the policy wording, and continue on the Spatial Strategy.
- 1.5. The Third Stage Consultation on the Minerals Local Plan was undertaken in December 2016 – March 2017. The consultation document was been developed as a full draft of the proposed wording of the Minerals Local Plan to enable comment on specific issues and the detail of the proposals. This included a third call for sites. It was undertaken two quarters later than indicated with the April 2015 LDS.

Reasons for reviewing the Local Development Scheme

² Background documents: Sand and gravel in Worcestershire, Crushed rock in Worcestershire, Building stone in Worcestershire, Silica sand in Worcestershire, Salt and brine in Worcestershire, Coal in Worcestershire, Oil and Gas in Worcestershire, Analysis of Mineral Resources in Worcestershire, Ensuring Adequate and Steady Supply of Industrial and Energy Minerals, Biodiversity and mineral sites in Worcestershire: Guidance for the sustainable management of biodiversity action plan habitats at Worcestershire mineral sites, Concrete Batching and Asphaltting Plants in Worcestershire, Contributing Towards Worcestershire's Priorities, Minerals and Climate Change, The Malvern Hills Acts, • Profile documents for the Environmental Character Areas

Preparation of Worcestershire Minerals Local Plan

Updates to reflect activities to date

- 1.6. The summer 2015 call for sites and additional evidence base consultation was additional to those activities outlined in the April 2015 LDS and the LDS needs to be updated to reflect these activities. This additional consultation delayed the consultation on draft policy wording in the Third Stage Consultation from Quarter 2 and Quarter 3 2016 as proposed in the April 2015 LDS to Quarter 4 2016 and Quarter 1 2017. The six month delay needs to be reflected in the updated LDS. This is illustrated in Table 2.

Table 2. Participation on draft policy wording: Preparation of and consultation on the draft plan, policy wording and evidence base.

	2015				2016				2017			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Timetable in April 2015 LDS												
Draft Plan preparation												
Third Stage consultation												
Activities undertaken												
Draft Plan preparation: Call for sites/evidence base consultation												
Draft Plan preparation												
Third Stage consultation												

Future activities

- 1.7. In response to the Third Stage Consultation the Council has identified two substantive matters that need to be addressed and consulted on prior to the publication of the Plan under regulation 19 and 20.
- Despite having conducted two calls for sites, the sites which were proposed for allocation in the Third Stage Consultation still will not provide the amount of mineral required over the life of the plan. A number of the sites were submitted with very little additional information which limited assessment. Further information was requested concerning the submitted sites to enable them to be reassessed, and only one additional area was proposed in response to the 3rd call for sites which was an integral part of the consultation, although little additional information has been forthcoming. The lack of sufficient site allocations was raised by a number of consultees as a significant risk to the soundness of the plan. As such, it is necessary to conduct a further and fourth call for sites, allowing sufficient time during that consultation for landowners and mineral operators to come to agreement to support further proposals. The outcomes of a Critical Friend Review on the Third Stage Consultation also indicate that additional focus is required to ensure the fourth call for sites reaches as many landowners in the county as possible.
 - A number of consultees highlighted that allocating sites provides a presumption in favour of development and establishing the principle of development in those locations.

The site selection process which informed the Third Stage Consultation was based on the principle that both allocated and windfall sites within the Strategic Corridor would be equally acceptable in planning terms, with proposals assessed on a site by site basis. Allocated sites were used simply as a measure for checking the

deliverability of the plan and selection criteria were weighted towards measures of deliverability rather than high-level principles of "suitability in planning terms". The Council had taken this approach to enable significant flexibility in light of the limited numbers of sites submitted for consideration. However based on the feedback from the Sustainability Appraisal, Consultation responses and Critical Friend Review on the Third Stage Consultation it is now considered necessary to review this approach.

- 1.8. Actions to address these matters could result in changes to the locations for development proposed through the plan and therefore an additional consultation stage is required to enable representations to be made under Regulation 18. This will also enable consultation on other wording and policy changes to the Minerals Local Plan following the representations received on the Third Stage Consultation.
- 1.9. The July 2017 LDS therefore includes an additional call of sites in Q3 and Q4 2017 and a Fourth Stage Consultation on the draft plan in Q4 2018.
- 1.10. These additional activities mean that the date for publication of the plan and period for representations will take place in Q2 2019, with submission to the Secretary of State in Q3 2019.

Review of the Waste Core Strategy for Worcestershire: Adopted Waste Local Plan

- 1.11. The Waste Core Strategy was adopted in 2012 and monitored through the Annual Monitoring Report. Although the plan is for the period 2012-2027 it is prudent to review the plan regularly to ensure that it is relevant to changes in local context and national policy. In the White Paper "Fixing our broken housing market³" the Government states that "We also want to strengthen expectations about keeping plans up-to-date. Plans should be reviewed regularly, and are likely to require updating in whole or in part at least every five years." At present this requirement is not expressly applied to Mineral and Waste Plans but makes the government's intentions to keep plans up to date. The July 2017 LDS therefore includes provision to commence a review of the Waste Core Strategy for Worcestershire in 2020 (Quarter 1).
- 1.12. At present no significant failings have been identified through the Annual Monitoring Report and the staff resources are not available to commence a review before the submission and examination of the Worcestershire Minerals Local Plan.

³ February 2017.

Documents to be prepared July 2017 – July 2020

1.13. Over the next three years Worcestershire County Council will prepare and adopt the Minerals Local Plan for Worcestershire and commence a review of the Waste Core Strategy. The following section sets out the content and timetable for producing these development plan documents. All references to Regulations in this section refer to The Town and Country Planning (Local Planning) (England) Regulations 2012.

Table 3. Worcestershire Minerals Local Plan

Document:	Worcestershire Minerals Local Plan
Status:	Local Plan (Development Plan Document) to supersede the saved policies in the Hereford and Worcester Minerals Local Plan.
Role and content:	Set out the vision, objectives, strategy, policies and monitoring schedule for mineral development and restoration in the county. This includes a strategy for the delivery of steady and adequate supply of minerals and locational criteria for development.
Geographical coverage:	Whole of the county of Worcestershire.
Chain of conformity:	Consistent with National Planning Policy Framework, part of the Development Plan for Worcestershire.

Timetable	
Initial consultation (Regulation 18)	<p><u>Completed:</u></p> <ul style="list-style-type: none"> • First Stage Consultation (October 2012 – January 2013) • Second Stage Consultation, including first call for sites (November 2013 – January 2014) • Second call for sites and call for resources and infrastructure (July 2015 – September 2015) • Consultation on the evidence base and background documents (July 2015 – September 2015) • Third Stage Consultation (December 2016 – March 2017) <p><u>Scheduled:</u></p> <ul style="list-style-type: none"> • Third call for sites: scheduled Q3 2017 – Q1 2018 • Fourth Stage Consultation: scheduled Q4 2018
Publication (Regulation 20)	Scheduled: Q2 2019
Submission (Regulation 22)	Scheduled: Q3 2019
Independent Examination (Regulation 24)	Anticipated: Q4 2019
Receipt of Inspector's Report (Regulation 25)	Anticipated: Q1 2020
Adoption (Regulation 26)	Anticipated Q2 2020

Table 4. Worcestershire Waste Core Strategy

Document:	Waste Core Strategy for Worcestershire: Adopted Waste
------------------	--

Local Plan	
Status:	Local Plan (Development Plan Document)
Role and content:	Set out the vision, objectives, strategy, policies and monitoring schedule for waste management development in Worcestershire. This includes identifying waste management capacity requirements for the county and setting out locational criteria for development.
Geographical coverage:	Whole of the county of Worcestershire.
Chain of conformity:	Consistent with National Planning Policy Framework, part of the Development Plan for Worcestershire.
Milestones: Adopted November 2012	

Review timetable:	
Initial consultation (Regulation 18)	Review to commence: Q1 2020 Initial consultation anticipated: Q3 2020
Publication (Regulation 19)	Outside the period covered by this LDS.
Submission (Regulation 22)	Outside the period covered by this LDS.
Independent Examination (Regulation 24)	Outside the period covered by this LDS.
Receipt of Inspector's Report (Regulation 25)	Outside the period covered by this LDS.
Adoption	Outside the period covered by this LDS.

Other documents

- 1.1. The council intends to produce detailed Concept Plans to guide the restoration of the Specific Sites identified in the Plan. It is anticipated that these will take the form of Supplementary Planning Document, although this will be influenced by responses to the Fourth Stage Consultation and Soundness Consultation and the Inspector at Examination.
- 1.2. The evidence base to support the development of the Minerals Local Plan will be developed in consultation with the community as a whole and relevant organisations and agencies as part of the plan making process.
- 1.3. Documents will be published on the council's Minerals Local plan web pages as "living documents" updated and revised as necessary. All will be consulted on formally but will also be open to public comment throughout the process, up to submission to the Secretary of State. All will be prepared by the Council's Planning Unit unless specialist expertise is necessary; at present this is anticipated to be limited to some Sustainability Appraisal and Habitats Regulations Assessment work and possibly specialist mineral resource assessment.

Resources and Risk Assessment

Resources

- 1.4. The Council's Strategic Planning Team including Minerals and Waste Planning will lead on the Worcestershire Minerals Local Plan and the review of the Waste Core Strategy for Worcestershire.
- 1.5. This will be supported as required through existing staff and expertise from Environmental Policy and Archive and Archaeology, Highways Policy, Highways Development Management Teams and Sustainability team. It is possible that expertise from outside consultants will be required, primarily to assist in the preparation of the Sustainability Appraisal and Habitats Regulations Assessments for the Minerals Local Plan, although these will be led through the Strategic Planning and Environmental Policy Team.

Procedures for Member Approval

- 1.6. In order to develop the Minerals Local Plan in a timely and efficient manner the Cabinet has authorised the Cabinet Portfolio Holder for Economy and Infrastructure to agree the production, publication of and consultation on the documents prepared during the course of developing the plan, without the need for further approval by Cabinet during the pre-publication stages of plan preparation (governed under regulations 18 and 19).
- 1.7. However the statutory Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) require that the plan must be approved by Cabinet and Council before submission to the Secretary of State for Examination or Adoption; . The draft submission plan will be submitted to Cabinet and Council for approval prior to the regulation 19 consultation.
- 1.8. In addition all of the Council's Members will be consulted as part of every formal consultation and will be contacted as appropriate to inform them of any specific matters which might affect their division or responsibilities.

Risk Assessment

- 1.9. The Council recognises that there are risks in delivering the documents set out in the Local Development Scheme. Some of these risks are within the Council's control and some are not. The main areas of risk, their impacts and the ways to overcome them so that the programme in the Local Development Scheme can be delivered as identified below.

The availability of qualified planning staff.	
Impact: High	<ul style="list-style-type: none"> • Unable to complete documents on time and to the required standard; • Consequential programme slippage; • At the extreme – DPD's and SPD's may be withdrawn e.g. if found unsound or subject to successful legal challenge; • Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.
Likelihood of Risk: Medium	<ul style="list-style-type: none"> • At the time of writing⁴ the Council does not have a full complement of planning officers. • Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.⁵
Mitigation	<ul style="list-style-type: none"> • Policy team dedicated to plan production; • Consider temporary staff/consultants. However this is a specialist area of work and Worcestershire County Council is taking locally specific approach. A temporary member of the team has been recruited to assist with the production of the minerals local plan.
Overall risk level taking account of potential mitigation: Medium	

Changes to external context	
Impact: High	<ul style="list-style-type: none"> • Unable to meet requirements of national policy and guidance; • Insufficient flexibility and resilience to meet economic/environmental/social changes. • Impact of development proposals in local plans on mineral resource demand and waste management infrastructure requirements.
Likelihood of Risk: High	<ul style="list-style-type: none"> • The exit of the UK from the EU could have significant impacts on the external context, particular in relation to Waste Hierarchy, imports and exports market, environmental, social and economic context.
Mitigation	<ul style="list-style-type: none"> • Monitor national and local policy announcements and consultations; • Assess consistency with national policy through AMR; • Monitor future trends and predictions.
Overall risk level taking account of potential mitigation: Medium	

Time required for consultation and consideration of comments to inform decision making	
Impact: High	<ul style="list-style-type: none"> • Unable to complete documents on time and to the required standard; • Consequential programme slippage;

⁴ May 2017

⁵ In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

	<ul style="list-style-type: none"> At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge; Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.
Likelihood of Risk: Medium	<ul style="list-style-type: none"> At the time of writing⁶ the Council does not have a full complement of planning officers. Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.⁷
Mitigation	<ul style="list-style-type: none"> Awareness of events such as local and national elections and holidays Use of delegated decision routes Programme consultation around cabinet/full council meetings as appropriate Efficient/effective handling of response
Overall risk level taking account of potential mitigation: Medium	

Time required for consultation and consideration of comments to inform decision making	
Impact: High	<ul style="list-style-type: none"> Unable to complete documents on time and to the required standard; Consequential programme slippage; At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge; Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.
Likelihood of Risk: Medium	<ul style="list-style-type: none"> At the time of writing⁸ the Council does not have a full complement of planning officers. Recruitment of planning officers with suitable qualifications and experience has been demonstrable difficult.⁹
Mitigation	<ul style="list-style-type: none"> Awareness of events such as local and national elections and holidays Use of delegated decision routes Programme consultation around cabinet/full council meetings as appropriate Efficient/effective handling of response
Overall risk level taking account of potential mitigation: Medium	

The willingness and ability of other stakeholders to contribute effectively to the development of the Plan and advising if it is in accordance with government policy and, so far as they are able, to advise if it is “sound”.

⁶ May 2017

⁷ In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

⁸ May 2017

⁹ In May 2017 there were only 15 experienced minerals and waste planners employed in the 14 Minerals and Waste Planning Authorities in the West Midlands.

Impact: High	<ul style="list-style-type: none"> • Unable to complete documents on time and to the required standard; • Consequential programme slippage; • At the extreme – DPDs and SPDs may be withdrawn e.g. if found unsound or subject to successful legal challenge; • Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.
Likelihood of Risk: Medium	<ul style="list-style-type: none"> • Stakeholders such as Natural England and the Environment Agency are moving more towards standing advice and may not contribute in detail to the Minerals Local Plan outside of formal consultation stages.
Mitigation	<ul style="list-style-type: none"> • The council subscribes to the Planning Officers Society's Mineral and Waste Learning Group, a quarterly seminar to discuss experience and disseminate good practice. This is useful but not authoritative. • Continued Professional Development of Planning staff to cover a breadth of issues. • Sharing knowledge and best practice through RTAB and AWP.
Overall risk level taking account of potential mitigation: Medium	

Capacity of the Planning Inspectorate and outcomes of their recommendations	
Level of Risk: High	<ul style="list-style-type: none"> • PINS unable to meet demand for DPD examination leading to delay in adopting plan; • Consequential increased risk of inappropriate, speculative planning applications if there is no up-to-date Local Plan.
Likelihood of Risk: Medium	<ul style="list-style-type: none"> • Recent staff changes at PINS has seen the retirement of several experienced mineral and waste planning inspectors; • The number of Mineral and Waste Development Plan Documents submitted for examination in 2014/15 and 2015/16 was much lower than in when the Waste Core Strategy was submitted for examination.
Mitigation	<ul style="list-style-type: none"> • Provide LDS to PINS as early as possible – to identify DPD production; • Monitor Inspector's reports and High Court Challenges and draw up/use lessons learnt. • Preparing and consulting on a comprehensive evidence base to support the Plan should reduce the risk of lengthy Hearings • The timetable for the Worcestershire Minerals Local Plan is based on the Planning Inspectorate's current service level agreement (August 2009 2nd Edition) for Examination Hearings with less than 8 Hearing Days: <ul style="list-style-type: none"> • A Pre Examination meeting 8 weeks after Submission,

	<ul style="list-style-type: none"> • The Examination Hearing commencing 14 weeks after Submission, • Draft Report for “fact checking” to the Council 26 weeks after Submission, • 10 working days for the Council to “fact check” the report, • Inspector's Binding Report within 29 weeks of submission. <p>It is not possible to predict the length of any Examination Hearing in advance. Revisions to this process or longer Hearing could delay the final adoption.</p>
<p>Overall risk level taking account of potential mitigation: Medium</p>	

Monitoring and Review

- 1.10. It is a statutory requirement that the Council prepares an Annual Monitoring Report¹⁰ (AMR) to assess progress in the implementation of the Local Development Scheme and the extent to which the objectives of Worcestershire County Council's adopted development plan documents are being achieved or are still relevant.
- 1.11. In relation to each document included within the LDS, monitoring must be carried out on:
- The timetable included for that specific document;
 - The stage that the document has reached in the production process; and
 - If the document is behind the timetable set out in the LDS, the reasons for this.
- 1.12. The AMR will be published yearly as soon as practical after the relevant data becomes available. The AMR both informs the council's own work and feeds into the preparation of Local Development Documents produced by the County, District and Borough Councils. As well as progress in plan-making, this will be the opportunity to report on the monitoring indicators in adopted Local Plans to assess policy performance. The AMR will provide the evidence to consider whether there is a need to review the Development Plan Documents adopted by Worcestershire County Council prior to the date of review set in those documents.

Review of the LDS

- 1.13. In response to the yearly monitoring against the Local Development Scheme, the Minerals and Waste Development Framework Project Plan/Gantt Chart (contained at Appendix 1) will be updated each year as necessary to provide real time information of any significant slippage. Anticipated delays or actual slippage against the published timetable will be addressed, with realistic revisions to key milestones proposed. Once agreed with the Cabinet member, updated Project Plans will be made available on the Councils' website. It is anticipated that this will take place at the start of each calendar year.
- 1.14. A full review of the LDS will be undertaken if changes impact on the milestones in Table 2 or Table 3, or following the adoption of the Worcestershire Minerals Local Plan.

¹⁰ Formally called the "Minerals and Waste Local Development Scheme Annual Monitoring Report"

Activity	2014				2015				2016				2017				2018				2019				2020	
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Worcestershire Minerals Local Plan Preparation																										
Second stage consultation (including call for sites)	C																									
Second call for sites and call for resources and infrastructure							C	C																		
Consultation on the evidence base and background documents							C	C																		
Preparation of Third Stage Consultation document		C	C	C	C	C	C	C	C	C	C															
Third Stage consultation (Reg 18)											C	C														
Consideration of representations													S													
Third call for sites														S	S	S										
Preparation of Fourth Stage Consultation document													S	S	S	S	S	S								
Fourth Stage consultation (Reg 18)																		S								
Consideration of representations																		S								
Pre-submission consultation (Reg 19)																		S								
Submission (Reg 22)																			S							
Independent examination (Reg 24)																				S						
Receipt of Inspector's Report (Reg 25)																								S		
Adoption (Reg 26)																										S
Waste Core Strategy for Worcestershire																										
Preparatory work including compiling evidence base																									S	S

C	Complete
S	Scheduled

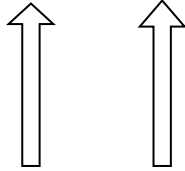
Appendix 2: Minerals Local Plan: Document Profile

Title	Minerals Local Plan (Development Plan Document)
Role and Content	To set out the vision, objectives and strategy for mineral development in the County, including policies for assessing development proposals and to safeguard mineral resources for the future for at least a 15 year period from the adoption of the plan.
Status	Development Plan Document (DPD)
Chain of Conformity	Consistent with national and local policy, currently the National Planning Policy Framework. The plan will also have regard to other Local Plans prepared by councils in and adjoining the county, within the West Midlands and where appropriate, beyond the region.
Geographic Coverage	The whole of Worcestershire.
Timetable	Publication of Inspector's Binding Report and Adoption by Council: during 2018 (subject to Inspector's report and timetable of Council meetings)

Appendix 3: Inter-Relationship of Documents

The inter-relationship (chain of conformity) of the Documents included in the Minerals and Waste Development Scheme is set out below:

National Planning Policy Framework



Worcestershire wide DPDs

**Waste Core
Strategy for
Worcestershire**

**Minerals Local
Plan for
Worcestershire**

**City, Borough and District
DPDs**

Neighbourhood Plans

Appendix 4: Schedule of policies in the county of Hereford and Worcester Minerals Local Plan (adopted April 1997) saved by the Secretary of State, to be superceded by the Minerals Local Plan for Worcestershire.

The following six policies will be superceded when the Minerals Local Plan is adopted.

- | | |
|-----|----------------------------|
| M.1 | Regional Production |
| M.2 | Safeguarding of Deposits |
| M.3 | Mineral Extraction |
| M.4 | Restoration and Aftercare |
| M.5 | Abberley and Malvern Hills |
| M.6 | Recycled Materials |

All of these policies and all of the text and maps currently supporting the COUNTY OF HEREFORD AND WORCESTER MINERALS LOCAL PLAN (ADOPTED APRIL 1997) will be superceded when the Minerals Local Plan for Worcestershire is adopted.

Appendix 5: Glossary

(Note: terms in *italics* are explained elsewhere in the glossary)

The Act: the Planning and Compulsory Purchase Act 2004.

Annual Monitoring Report: part of the *Local Development Framework*, the Minerals and Waste Local Development Scheme Annual Monitoring Report (the "AMR") assesses the implementation of the *Minerals and Waste Local Development Scheme* and the extent to which policies in *Local Development Documents* are effective and are being successfully implemented. The statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish AMRs annually.

Core Strategy: sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Core Strategies have the status of a *Development Plan Documents*. The government's preferred term for Core Strategies is now "*Local Plans*."

Development Plan: as set out in Section 38(6) of *the Act*, the Development Plan originally consisted of the relevant *Regional Spatial Strategy* (or the Spatial Development Strategy in London) and the *Development Plan Documents* contained within its *Local Development Framework*. The Waste Core Strategy was prepared on this basis. The government has now revoked every aspect of Regional Planning in Planning law and policy. The evidence base on which the WMRSS was prepared will remain a material consideration until superseded by subsequent research.

Development Plan Documents: spatial planning documents that are subject to independent examination will form the *Development Plan* for a local authority area for the purposes of the Act. They can include a *Core Strategy* or *Local Plan*.

Habitats Regulations Assessment: Plans and projects, such as the Waste Core Strategy and the Minerals Local Plan, which have the potential to affect European sites of nature conservation importance, have to be assessed against the requirements of the Habitat Regulations to determine whether they will have any likely significant effects on the integrity of any European designated sites. Before a plan can be adopted the 'competent authority' (Worcestershire County Council) needs to prove that the plan would have no likely significant effects on European sites' integrity. This assessment is known as *Habitats Regulations Assessment*.

Local Development Document: the collective term in the *Act* for *Development Plan Documents* (DPDs), *Supplementary Planning Documents* and the *Statement of Community Involvement*. The statutory regulations specify that DPDs are "*Local Plans*".

Local Plan: sets out the long-term spatial vision for the local planning authority area, the spatial objectives and strategic policies to deliver that vision. Local Plans have the status of *Development Plan Documents*.

Local Development Framework: term used in PPS 12 (now revoked) to describe the collection of Plans and supporting documents (see *Minerals and Waste Local development Framework* below) which collectively made up the Development Plan in a Planning Authority area.

Local Development Scheme: document, setting out the nature, content and timetable of all of the *Development Plan Documents* a local planning authority intends to produce. The statutory regulations enacted under *the Act* prescribe that all planning Authorities must prepare and publish a *Local Development Scheme*. *Development Plans* will not be found "sound" at Examination if they do not comply with the latest Local Development Scheme for a local authority area.

Minerals and Waste Development Framework: in two-tier areas, counties are responsible for producing Minerals and Waste Development plans. The suite of documents, including *Development Plan Documents*, *Supplementary Planning Documents*, *Statement of Community Involvement*, *Annual Monitoring Reports* and *Local Development Scheme* together make up what was referred to in PPS 12 (now revoked) as "the Minerals and Waste Development Framework".

Minerals and Waste Local Development Scheme (LDS): sets out the programme for preparing *Local Development Documents*. Statutory regulations require all authorities to produce a Local Development Scheme.

Saved policies or plans: existing adopted Development Plans were saved for three years from the date of comment of the *Act*. Policies in the Structure Plan for Worcestershire, which were still considered relevant and conformed to the Regional Spatial Strategy, were further "saved" by the Secretary Of State on 7th September 2007 but have now all been either formally superseded or revoked. The "saved" policies in the Hereford and Worcester Minerals Local Plan will remain extant until superceded by the Minerals Local Plan for Worcestershire.

Statement of Community Involvement (SCI): sets out the standards which authorities will achieve with regard to involving local communities in the preparation of *local development documents* and development control decisions. The Statement of Community Involvement is not a *Development Plan Document* but the first for Worcestershire, was subject to independent examination before it was adopted in 2006. A revision is under preparation. Changes in national policy mean that the status of the SCI is no longer clear but the Council intends to broadly follow it as a means of applying the "Duty to Co-operate".

Supplementary Planning Documents (SPDs): provide supplementary information in respect of the policies in *Development Plan Documents*. They do not form part of the Development Plan and are not subject to independent examination but can be given weight in decision making.

Sustainability Appraisal (SA): is a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors). The Act requires sustainability appraisal to be undertaken as part of the preparation of all *Local Development Documents*. The term is used in this document to include the requirements for Strategic Environmental Assessment.

CABINET
20 JULY 2017**OMBUDSMAN REPORT – ADULT SOCIAL CARE**

Relevant Cabinet Member

Mr A I Hardman

Relevant Officer

Director of Adult Services

Recommendation

1. **The Head of Legal and Democratic Services recommends that Cabinet:**
 - (a) **notes the adverse Ombudsman report in relation to Mr B, published on 15 June 2017;**
 - (b) **endorses the response of the Director of Adult Services to the Ombudsman's finding of maladministration; and**
 - (c) **authorises the Director of Adult Services to take all appropriate steps to address the issues raised in the Ombudsman's report.**

The Local Government Ombudsman

2. The Ombudsman operates under the Local Government Act 1974 to investigate complaints that local authorities etc have acted in a way which amounts to 'maladministration'. The term is not expressly defined but the Local Government Ombudsman investigates and reports on complaints from members of the public who claim to have sustained injustice as a result of maladministration. Maladministration can encompass a number of failings by an authority, including inattention, neglect and delay.

3. The Ombudsman issues decision notices in respect of complaints made, whether upheld or dismissed, and in certain cases the Ombudsman publishes a full report. The Ombudsman published a full report on 15 June 2017 finding maladministration causing injustice following a complaint made by Mr B in respect of his mother Mrs C. The publication of a full report has not happened with this Council for a number of years, but if a full report is published then the authority must issue notices in the local media and the Monitoring Officer reports the finding to the Cabinet (if in relation to an executive function), copied to all members of the Council.

4. The Ombudsman in this case has asked that the report be considered at Cabinet and to be told within 3 months of receipt of the action the Council has taken or proposes to take.

Executive Summary

5. Mr B complained the Council withdrew funding for his late mother's nursing care despite knowing that no-one had authority to deal with her financial affairs. Mr B also complained the Care Provider company then increased the charges for his mother's care without good reason and failed to deliver the care charged for. He complained the Council did not intervene effectively to ensure it paid the increased charge or challenge the price increase.
6. The Ombudsman found Fault causing injustice and recommendations were made for the Council to action within 20 working days of the report.
7. The Council has already confirmed it will comply with those recommendations to remedy the injustice found by the Ombudsman. However, Cabinet is asked to endorse that response of the Director of Adult Services.

Ombudsman recommendations

8. The Ombudsman recommended that the Council should:
 - (a) apologise to Mr B for the failings identified in this investigation;
 - (b) pay Mr B £1000 in recognition of the distress caused by its actions;
 - (c) arrange with the Care Provider for it to re-issue invoices for the care provided to Mrs C for the period 1 March 2015 to the date of her death in August 2015 removing the £700 charge made for one-to-one care; the Council should ensure whatever credit appears on the account is refunded to Mrs C's estate (it is a matter between the Care Provider and the Council whether the Care Provider refunds the Council any money in turn).

and in addition demonstrate it has learnt lessons from this complaint. The Ombudsman set out some minimum expectations of what those lessons should be in the body of the report, and recommended the Council write to the Ombudsman within three months setting out the action it has taken or proposes to take further to any review it conducts into this matter.

Response of the Director of Adult Services

9. The Director of Adult Services has accepted the recommendations. The Director has acknowledged that the practices at the time and the subsequent actions by the Council and the provider were not adequate and has sent a written apology to Mr B and has paid the £1000 in recognition of the distress caused. With respect to recommendation [c], this is being actioned and will be remedied as soon as practical. An Action Plan has been drawn up to address the areas referenced in paragraph 68 of the report and follow-up report to the Ombudsman will be supplied by 31 August 2017.

Legal, Financial and HR Implications

10. The Ombudsman's finding is being reported to members in accordance with the Local Government and Housing Act 1989. Ombudsmen findings are not legally binding on authorities or enforceable as such although a second report can be published by the Ombudsman if not satisfied with the authority's response. However, they are independent investigations and in this case the Director has accepted the recommendations. The Chief Executive and Chief Financial Officer have been consulted on this report in line with the legislation.

Privacy and Public Health Impact Assessments

11. There are no Privacy or Public Health implications from this report.

Equality and Diversity Implications

12. The Ombudsman report addresses failings with regard to a service user without capacity and makes recommendations to address the issue more generally.

Supporting Information

- Appendix – Ombudsman report in respect of Mr B's complaint (available on-line)

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) there are no background papers relating to the subject matter of this report.

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