

Council**Thursday, 15 February 2018, County Hall, Worcester - 10.00 am****Present:****Minutes**

Mrs A T Hingley (Chairman), Mr A A J Adams, Mr R C Adams, Ms P Agar, Mr A T Amos, Mr T Baker-Price, Mr R M Bennett, Mr C J Bloore, Mr G R Brookes, Mrs J A Brunner, Mr B Clayton, Mr P Denham, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr A Fry, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Dr C Hotham, Mr M E Jenkins, Mr A D Kent, Mr R C Lunn, Mr P M McDonald, Mr S M Mackay, Mr L C R Mallett, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Mrs F M Oborski, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Prof J W Raine, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Ms C M Stalker, Mr R P Tomlinson, Mrs E B Tucker, Mr P A Tuthill, Mr R M Udall, Ms R Vale, Ms S A Webb and Mr T A L Wells

Available papers

The Members had before them:

- A. The Agenda papers (previously circulated);
- B. 7 questions submitted to the Head of Legal and Democratic Services (previously circulated); and
- C. The Minutes of the meeting held on 18 January 2018 (previously circulated).

1976 Apologies and Declaration of Interests (Agenda item 1)

Apologies for absence were received from Mr R W Banks, Ms P A Hill, Mrs M A Rayner and Mr C B Taylor.

1977 Public Participation (Agenda item 2)

Ms Danby presented a petition calling upon the County Council to maintain funding for Ludlow Road, Kidderminster, NHS short breaks service, and keep it open.

The Chairman thanked Ms Danby for the petition and said she would receive a written reply from the relevant

		<p>Cabinet Member.</p> <p>Ms Hamilton presented a petition requesting a reduction to the speed limit and having a permanent crossing outside St Mary's School on Leamington Road, Broadway.</p> <p>The Chairman thanked Ms Hamilton for the petition and said she would receive a written reply from the relevant Cabinet Member.</p> <p>Mrs E A Eyre presented a petition on behalf of Broadway First School requesting a permanent crossing located near the bus stop and a reduction in the speed limit on Leamington Road, Broadway.</p> <p>The Chairman thanked Mrs E A Eyre for the petition and said she would receive a written reply from the relevant Cabinet Member.</p>
1978	Minutes (Agenda item 3)	RESOLVED that the Minutes of the meeting held on 18 January 2018 be confirmed as correct record and signed by the Chairman.
1979	Chairman's Announcements (Agenda item 4)	Noted.
1980	Reports of Cabinet - Matters which require a decision by Council - 2018- 19 Budget and Council Tax (Agenda item 5(a))	<p>The Council had before it a detailed report on the Budget for 2018-19, which the Cabinet had considered on 8 February 2018 and which the Leader of the Council and the Cabinet were recommending for adoption by the Council.</p> <p>All Councillors had received or had access to the full report and Appendices considered by the Cabinet on 8 February 2018.</p> <p>The Leader introduced the report and moved the recommendation as set out in paragraph 1 of the report; this was seconded by Mr A I Hardman. The Leader explained that the budget papers were the culmination of nearly a year's work in consultation with partner organisations. He thanked all those who contributed including the detailed work of the OSPB and scrutiny panels and views made through extensive consultation exercise. The plans sought to address the budget gap by growing income, increasing Council Tax and business rates, better utilising assets and using capital rather than</p>

revenue funds where possible, and reforming the way the Council worked whilst delivering vital services and the investments that the public wished to see.

The Council's net budget was growing rather than shrinking. The Council faced challenges as a result of demands and costs growing faster than income. The Council remained a significant employer in the county and the Council should pride itself on the work undertaken by staff to deliver services. The budget provided the resources to continue to deliver the Council's ambitious Corporate Plan "Shaping Worcestershire's Future" and addressed issues highlighted by the public namely protecting vulnerable adults; improving roads and pavements; and cutting congestion.

Demand-led services accounted for two thirds of the Council's spend and the proposals ensured that these services were adequately resourced with an extra £10.5m ongoing revenue funding allocated to Children's Social Care and £7.8m for Adult Social Care to ensure that the most vulnerable members of society were supported.

The budget included highways infrastructure capital investment of £37.5m. This committed an extra £3m pa for the next 3 years to ensure the county's roads and pavements were amongst the best in the country. The budget included investment in infrastructure to cut congestion and continue economic growth for example, the Pershore Northern Link Road, flood mitigation schemes, capital programme projects totalling £95m for 2018/19, and Government funded schemes such as, the Southern Link Road, walking/cycling routes in Bromsgrove, cutting congestion in Worcester City Centre, the Churchfields development in Kidderminster and Worcestershire Parkway. This programme would support the local economy which was one of the fastest growing in the country.

To fund this programme, it was necessary to increase Council Tax by approximately an extra £1 per week for an average Band D property. 3% of the rise in Council Tax would directly fund Adult Social Care. 1.94% would fund other highlighted proposals. He appreciated the difficulties this rise would cause for local taxpayers but emphasised that this Council remained one of the lowest Council Taxes in the country. He thanked all those who had lobbied the Government and noted the additional £1.5m received from the Government for Adult Social

Care as a result.

The second stated that this was a well-crafted and balanced budget delivering an extra £18.3m for Adult and Children's Social Care. The Government had listened to the Council's concerns about delivering a balanced budget without the need for additional transitional funding and recognised the Council's aim to eventually become self-sufficient. He welcomed the fairer funding review launched as part of the Local Government settlement, focusing on demand in the system. Key to that was the emerging Green Paper on Adult Social Care to address the need to balance demand for services against income. The budget included an ambitious reform programme which would be difficult to deliver but he emphasised the Council's need to operate efficiently to balance its budget.

An amendment was moved by Mrs E B Tucker and seconded by Prof J W Raine proposing:

Council recognises that the funding of Adult Social Care is in national crisis and this is reflected within our county of Worcestershire. The failure of central government to respond to the rising demographic pressures is a disgrace. It is left to us councillors to act to protect the more vulnerable members of our community. Accordingly we propose that the (unfair) mechanism of council tax be used this year to raise an additional £2.3m - to be dedicated entirely to the base budget of Adult Social Care with the exception of £200k to be shared between the six districts local council tax support schemes. This would be an increase of 1% on Council Tax (equivalent to an additional £11.55 pa at band D) over the Cabinet's recommended budget.

The 2017 Group are proposing the following amendments that will not affect the

Revenue Budget as set out in the February 2018 Cabinet Report.

- 1) An increase in the Base Budget for the Adult Social Care Directorate of £2.1 million and*
- 2) An increase in the base budget of Commercial and Change/Finance of £200k to be distributed between the local council tax support schemes of Worcestershire's six district councils which help households experiencing difficulty in paying their council tax.*
- 3) To be met by an increase in the proposed non-*

Adult Social Care Precept from 1.94% to 2.94%.

Summary of Changes in the Net Revenue Budget £000	2018/19
<i>An increase to the Adult Social Care Base Budget</i>	2,100
<i>An allocation of £200k for district council tax support schemes</i>	200
To be met by	
<i>An increase to the proposed non-Adult Social Care Precept</i>	(2,300)
Total	-

The mover and seconder of the amendment then spoke in favour of its adoption; the key points being:

- This amendment was aimed at addressing the huge underfunding in Adult Social Care which had received £32m less funds since 2010/11. Demand for Adult Social Care as a result of an aging population was reaching a tipping point and although the additional Government funding was welcomed, it did not solve the problem
- The current Council Tax arrangements were unfair and disproportionately high for people on the lower taxation bands
- The Government had permitted councils to increase their precept by a further 1% for Adult Social Care but this administration had chosen not to take advantage of this offer on the basis that it could claim to be a lower quartile Council Tax authority. It was recognised that an increase in Council Tax would be difficult for some taxpayers which was why it was proposed to provide extra support through the district council hardship funds
- Many children received support from the Council through Children's Services up to the age 18. However, thereafter they were no longer eligible for support from adult services despite their needs remaining the same
- The aging population had led to the added pressure of parents who had previously acted as carers now in need of care themselves. It was

therefore important for the Council to act now and build its base budget in advance of further proposed budget reductions in the future

- The Council had achieved a balanced budget this year by taking the full 3% precept from the Government. However next year the precept would be half that amount which immediately created a shortfall. The only way to address this shortfall was to take the extra 1% available this year as well as next year for Adult Social Care.

Members also spoke against the amendment:

- The Cabinet Member for Adult Social Care indicated that the proposed amendment was premature given that the Council was rolling out an exciting reform programme in Adult Social Care which would change the way in which services were delivered to people whose need was acute. The Council was introducing the Three Conversations Model in response to the Care Act to provide more help for adults to maintain their independence. The Council was funding Adult Social Care through a number of channels including raising the Council Tax Precept by 3%, the Better Care Fund and the transitional grant
- The Leader of the Council commented that the Council had to balance service user needs against the interests of Council Taxpayers. The Council was already increasing Council Tax by just under 5%. It should also be borne in mind that district councils, the Police and parish councils were proposing Council Tax increases. The key focus for the Council was to lobby the Government in relation to the Fairer Funding Formulae and the Green Paper on Adult Social Care.

At the conclusion of the debate and on a named vote this amendment was lost.

Those voting in favour of the amendment were Dr C Hotham, Mr M E Jenkins, Mrs F M Oborski, Prof J W Raine, Mrs E B Tucker, Mr T A L Wells (6)

Those voting against the amendment were Mrs A T Hingley, Mr A A J Adams, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R M Bennett, Mr G R Brookes, Mrs J A Brunner, Mr B Clayton, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D

Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Mr A D Kent, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Mr R P Tomlinson, Mr P A Tuthill, Ms R Vale, Ms S A Webb. (38)

Those abstaining were Ms P Agar, Mr C J Bloore, Mr P Denham, Mr A Fry, Mr R C Lunn, Mr P M McDonald, Mr L C R Mallett, Ms C M Stalker, Mr R M Udall (9)

An amendment was then moved by Mrs E B Tucker and seconded by Mr M E Jenkins proposing:

This amendment does not change the allocation for Adult Social Care or the Administration's proposed Revenue Budget. It proposes to raise Council Tax by an extra 1% while reducing the Adult Social Care precept by the same amount. The advantage of this change is that it increases the potential for flexibility in the Adult Social Care precept from 1% to 2% of Council Tax in its third and final year.

We propose that Recommendation 1(d) be amended to reflect:

- 1) An increase in the proposed non-Adult Social Care Council Tax Precept from 1.94% to 2.94%.*
- 2) A decrease in the Adult Social Care Council Tax Precept from 3% to 2%*

The mover and seconder of the amendment then spoke in favour of its adoption; the key points being:

- The proposed amendment would make no difference to the proposed budget or increased the financial burden on the taxpayer. The only difference was that the Council would be charging an extra 1% in Council Tax whilst only taking 2% of the 3% funding available as part of the Adult Social Care precept. The reason for this amendment was to allow the Council flexibility next year to consider whether or not to increase the precept by an extra 1% or 2%
- It was difficult to reconcile the constitutional requirement to submit budget amendments a week in advance of the Council meeting with the muted response to them from the administration.

Members also spoke against the amendment:

- The problem with the proposed amendment was it committed the Council in next year's budget to a further increase in Council Tax of 5%. The Council should not be regularly increasing Council Tax to the maximum possible amount
- The Leader of the Council commented that this amendment would give Council Taxpayers the wrong message that it would continue to agree large Council Tax rises year on year. It would mean an increase of £115 on an average Band D property over the two year period.

At the conclusion of the debate and on a named vote this amendment was lost.

Those voting in favour of the amendment were Dr C Hotham, Mr M E Jenkins, Mrs F M Oborski, Prof J W Raine, Mrs E B Tucker, Mr T A L Wells (6)

Those voting against the amendment were Mrs A T Hingley, Mr A A J Adams, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R M Bennett, Mr G R Brookes, Mrs J A Brunner, Mr B Clayton, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Mr A D Kent, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Mr R P Tomlinson, Mr P A Tuthill, Ms R Vale, Ms S A Webb. (38)

Those abstaining were Ms P Agar, Mr C J Bloore, Mr P Denham, Mr A Fry, Mr R C Lunn, Mr P M McDonald, Mr L C R Mallett, Ms C M Stalker, Mr R M Udall (9)

In debating the budget as originally moved and seconded the following main points were made:

Comments made in support of the proposed budget included:

- The Council had a good long term financial strategy and the budget demonstrated the Council's commitment to address its financial position without being distracted by initiatives that did not provide sufficient reward for the effort. The budget focussed all available resources on making savings on returns and investments
- It was hoped that the junction of the A38 with the A4104 would be included in the capital

programme next year

- The Cabinet Member for Highways indicated that the total spend for highways had increased from £33m last year to £51m this year. Highways and traffic congestion were key issues identified by the public therefore they had been treated as a top priority. The £31m investment in highways had been protected from budget reductions. The budget recognised that all forms of transport had a vital role in keeping the county moving
- It was important to provide a balanced budget that demonstrated that the Council could provide services and protect the needs of the most vulnerable in society
- The cost of providing a western bypass for Bromsgrove would be considerably more than the proposed improvements to the A38
- The additional funds for Children's Services in the budget would be spent on improving services. The Government would be lobbied to seek additional funding to support the ADM
- The exemption for care leavers from paying Council Tax was particularly welcomed
- The investment in roads and pavements and Malvern Science Park was welcomed
- The Leader of the Council concluded that the Council had a clear and robust plan for the future, using a mixed economy model based on outcomes to deliver value for money and efficiencies for the public. The economy was growing in the county and it was important to have the appropriate infrastructure to support that growth.

Comments made against the proposal included:

- Council Tax had increased each year whilst service provision continued to be reduced
- It was inappropriate that the needs of service users in Adult Social Care were being assessed over the telephone rather through home visits
- The Council was obsessed with the outsourcing of services. On the occasions that this approach had failed, the Council had had to take provision back in-house. As a result, £6.1m of savings had not materialised from the outsourcing arrangements
- The Council's budget had been reduced by £300m over an 8 year period. 1,500 members of staff had been lost over the last 5 years. These factors

had had a consequential impact on the level of service provision. Despite this, the Council employed more officers earning over £100k pa than 4 years ago and continued to use its reserve to fund services

- The Council did not have enough funds to safely provide services in future. Additional funding was being promised for adult and children's services, whilst other services were experiencing budget reductions
- In the last year, the Council had failed to submit its accounts on time and driven a number of contracts into crisis
- The Council should be looking to invest in a western bypass for Bromsgrove rather than invest further in the A38
- Although the additional funding for Children's Services was welcomed in that it recognised the need to include the cost of placements in the base budget, the cost of the ADM was unknown at this stage and therefore the level of funding set aside in the budget would seem inadequate
- The difficulties experienced by Northamptonshire County Council showed the unsustainability of expecting councils to meet demand without central government funding. The funding of Adult Social Care was a national issue and required Government rather than local funding
- The concept of self-sufficiency did not recognise the fact that local taxpayers paid other taxes as well as Council Tax and would not be receiving their fair share of national funds from the Government.

On a named vote **RESOLVED** that:

- a) the conclusions set out in the report concerning revenue budget monitoring up to 30 November 2017 be endorsed;
- b) the virement and transfers to Earmarked Reserves in paragraph 28 to 30 be endorsed;
- c) the budget requirement for 2018/19 be approved at £324.192 million;
- d) the Council Tax band D equivalent for 2018/19 be set at £1,212.38 which includes £78.71 relating to the ring-fenced Adult Social Care precept, and the Council Tax

Requirement be set at £251.537 million;

- e) consistent with the provisional Local Government Finance Settlement that revenue cash limits be set for each Directorate:

	£m
Adult Services	125.396
Public Health*	-0.831
Children, Families and Communities	96.361
Economy and Infrastructure	63.544
Commercial and Change / Finance	39.722
	<hr/> 324.192 <hr/>

* Public Health services budget £0.100 million less £0.931 specific grant income which supports qualifying expenditure across the County Council. The total Public Health ring fenced grant is £29.1 million.

- f) the Council's Pay Policy Statement is recommended for approval as set out in Appendix 6;
- g) the conclusions set out in the report concerning capital budget monitoring up to 30 November 2017 be endorsed;
- h) the capital programme as set out in Appendix 7 be approved;
- i) the Medium Term Financial Plan as set out in Appendix 8 be approved;
- j) the Treasury Management Strategy set out in Appendix 9 be approved;
- k) the Statement of Prudential Indicators and Minimum Revenue Statement as set out in Appendix 10 be approved; and
- l) the Minimum Revenue Provision Policy revision be approved.

[NB Appendices referred to are those presented to 8 February 2018 Cabinet]

Those voting in favour were Mrs A T Hingley, Mr A A J

	<p>Adams, Mr R C Adams, Mr A T Amos, Mr T Baker-Price, Mr R M Bennett, Mr G R Brookes, Mrs J A Brunner, Mr B Clayton, Ms R L Dent, Mr N Desmond, Mrs E A Eyre, Mr S E Geraghty, Mr P Grove, Mr I D Hardiman, Mr A I Hardman, Mr P B Harrison, Mr M J Hart, Mrs L C Hodgson, Dr A J Hopkins, Dr C Hotham, Mr A D Kent, Mr S M Mackay, Ms K J May, Mr P Middlebrough, Mr A P Miller, Mr R J Morris, Mr J A D O'Donnell, Ms T L Onslow, Dr K A Pollock, Mrs J A Potter, Mr A C Roberts, Mr C Rogers, Mr J H Smith, Mr A Stafford, Mr R P Tomlinson, Mr P A Tuthill, Ms R Vale, Ms S A Webb. (39)</p> <p>Those voting against were Ms P Agar, Mr C J Bloore, Mr P Denham, Mr A Fry, Mr M E Jenkins, Mr R C Lunn, Mr P M McDonald, Mr L C R Mallett, Mrs F M Oborski, Prof J W Raine, Ms C M Stalker, Mrs E B Tucker, Mr R M Udall, Mr T A L Wells (14)</p>
1981	<p>Reports of Cabinet - Summary of decisions taken (Agenda item 5 (b))</p> <p>The Leader of the Council reported the following topics and questions were answered on them:</p> <ul style="list-style-type: none"> • Future provision of Replacement Care Services for Adults with a Learning Disability • Special Educational Need and/or a Disability (SEND) Strategy • Switch in Hosting of Joint Museums Committee • Future Use of The Grange, Kidderminster.
1982	<p>Notices of Motion - Notice of Motion 1 - Discarded plastics and non-recyclables (Agenda item 6)</p> <p>A Point of Order was raised that a Notice of Motion submitted by the Labour Group in accordance with the constitutional timescales, urging the Council to write to the Prime Minister and Chancellor to reconsider the transitional pension changes for women born on or after 6 April 1950 had been ruled out of order by the Chairman in advance of the meeting. It was argued that the motion was relevant and should be put before Council. The Chairman ruled that, having regard to the constitution which states that motions should only deal with county functions and matters affecting the county, this issue was a national issue and therefore was inappropriate for consideration by Council.</p> <p>The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mrs E B Tucker, Prof J W Raine, Mr M E Jenkins and Mrs F M Oborski.</p> <p>The motion was moved by Mrs E B Tucker and seconded by Prof J W Raine who both spoke in favour of it.</p> <p>The Chairman also invited Group Leaders or their</p>

1983 Notices of Motion - Notice of Motion 2 - Single-use plastics (Agenda item 6)

nominees to contribute before the Motion stood referred to Cabinet.

As the Motion was in relation to the exercise of an executive function it then stood referred to the Cabinet for a decision.

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mr P M McDonald, Mr R M Udall, Mr R C Lunn, Mr P Denham, Mr C J Bloore and Mr L C R Mallett.

The motion was moved by Mr P M McDonald and seconded by Ms C M Stalker who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

The following amendment was moved by Mr M E Jenkins and seconded by Mrs F M Oborski who both spoke in favour of it:

"That this Council asks Cabinet to join others in the battle against single-use plastics by introducing a programme to stop providing plastic cups, bottles, cutlery and straws at all its buildings, cafes, and public events by the end of the year."

The mover and seconder accepted the amendment which became the substantive motion as altered.

Those in favour of the motion made the following comments:

- Bearing in mind the damage to the natural environment, this Council should take the lead in banning the use of single use plastics. Efforts should be made to ensure that any form of pollutant, including plastic be banned and a sustainable alternative be found to reduce global warming and protect wildlife. This motion cost the Council little or nothing but helped create a cleaner environment for the future
- The reduction in the use of single use plastics would lower the amount of rubbish sent to landfill, create less litter in public places and do less harm to wildlife
- Some of the Council's contractors might already have ordered their products and therefore it was more realistic to introduce a programme to reduce the use of single-use plastics rather than vow to

stop their use by the end of the year.

The following amendment was moved by Mr A P Miller and seconded by Mr M J Hart:

"That this Council asks Cabinet to join others in the battle against single-use plastic by encouraging the use of alternative materials for cups, bottles, cutlery and straws at all its buildings, cafes and public events."

Those in favour of the amendment made the following comments:

- The Cabinet Member for the Environment commented that the Council was already doing a considerable amount in terms of education. In addition, negotiations had begun with contractors to cease the use of single use plastics. The Council should seek to influence and take people along with its proposals to engender a better response. The time limit set out in the substantive motion was unnecessarily restrictive
- The Leader of the Council indicated that the Council needed to engage with the public about the benefits of using different types of material. A detailed report would be considered at the meeting of Cabinet in April in response to Notice of Motion 1
- It was not possible to prohibit the use of single-use plastics in all circumstances.

Those against the amendment made the following comments:

- A Point of Order was raised that the proposed amendment removed the timescale for the programme and therefore should be considered to be a separate motion. The Head of Legal and Democratic Services advised that the constitution stated that it was possible to change the wording of the original motion through an amendment as long as it did not directly negate it. He concluded that the proposed amendment was not a negation of the original motion and was therefore constitutionally proper
- The Council did not have the time to wait to see if people were prepared to change their ways of working
- If a contractor was unwilling to respond to the Council's requests to refrain from using single-use plastics, the Council needed to have the power to

1984 Notices of Motion - Notice of Motion 3 - The Operating Model of the Council (Agenda item 6)

direct that organisation

- The amendment was a do-nothing amendment. The Council should be taking a lead to show its concern about the environment
- The smoking ban and charge on the use of plastic bags showed that positive intervention worked.

On being put to the vote the amendment was agreed. The substantive motion was then unanimously agreed.

Council RESOLVED "That this Council asks Cabinet to join others in the battle against single-use plastic by encouraging the use of alternative materials for cups, bottles, cutlery and straws at all its buildings, cafes and public events."

The Council had before it a Notice of Motion set out in the agenda papers standing in the names of Mr P M McDonald, Mr R M Udall, Mr R C Lunn, Mr P Denham, Mr C J Bloore and Mr L C R Mallett.

The motion was moved by Mr R M Udall and seconded by Mr P M McDonald who both spoke in favour of it.

The Council agreed to deal with the motion on the day.

An amendment that the wording "... based on Worcestershire being a Co-operative Council .." be removed from the motion was put forward by Mrs F M Oborski. The original mover and seconder accepted this amendment which became the substantive motion.

Those in favour of the motion made the following comments:

- The problems experienced with Carilion and other private contractors showed that public services should not be left to the vagaries of the free market. This motion asked the Council to look at other ways of operating to share wealth, opportunity and prosperity. The co-operative business model had operated successfully in both the public and private sector. The model placed responsibility in the hands of the individual. Too many officers and members failed to recognise the important contribution of service users. Service users needed to be trusted to manage their own affairs
- The current operating model was not working in the best interests of the public or the local economy. The co-operative model increased

transparency and accountability in local public services and delivered more social economies sensitive to local differences as well as empowerment of communities. The Council would have a new role as civil leaders with genuine co-operation and collective action

- It was good practice to review the way the Council worked and the proposed cross party Committee was welcomed albeit with a revised terms of reference to that suggested in the original motion
- A number of different councils had brought previously out-sourced public services back in-house during 2017
- There were many different forms of the co-operation as an operating model. Council needed a clear understanding and consideration of how the co-operative model could work for the Council and not reject it out-of-hand.

Those against the motion made the following comments:

- The creation of a committee to look at different models of operation seemed reasonable however the original motion pre-determined the outcome of that review and that was not acceptable
- The example of the Co-operative Group was not a good basis for considering a change to the Council's operating Model. This Council's approach to commissioning was mature and the Council should continue to try to remodel the market for the benefit of the residents of Worcestershire
- The Cabinet Member for Transformation and Commissioning commented that the Council was a successful commissioning authority with a blended approach to providing services. There had been issues with service delivery but the Council had acted swiftly and effectively to resolve them. Contracts were robustly monitored and managed
- The Leader of the Council commented that the Council's operating model had been set out in the Council's Corporate Plan. In addition, a new Director of Commercial and Change had recently been recruited. On this basis he would not support any change to the Council's operating model. Commissioning was about outcomes and the best way to provide services. However, he would wish to see better engagement of members in the future.

**1985 Report of the
Cabinet Member
with
Responsibility
(Agenda item 7)**

On being put to the vote, the motion was lost.

The Cabinet Member with Responsibility for Transformation and Commissioning presented her report which concerned a number of overarching issues:

- Human Resources and Organisational Development
- Transformation Programme
- Property
- Digital and Customer Service
- Commercial Team
- Communication
- Legal and Democratic Services

The Cabinet Member answered questions about her report which included the following topics:

- Suspended employees
- Reduction in the number of employees
- Graduate and post graduate programmes
- Long term sickness
- Exit interviews for staff leaving the Council
- Audit of severance arrangements
- The exodus of senior staff from the Council
- Commissioning staff training in different operating models in particular the Co-operative model
- Progression of the 100 day plan for the HR and Finance system and its end date
- Savings from the Transformation Programme
- Small holding tenancy
- the total cost of the Superfast Broadband Programme and progress towards 100% digital transformation
- DoLS Authorisation for Worcestershire Funded Residents – safeguards built into the process and the benefits delivered to service users
- The number of contracts tendered over the last 2 years
- The involvement of external contractors in the running of the 2 datacentres and the level of their financial contribution
- The percentage of contracts awarded to small businesses
- The process to procure consultant services
- Cyber security –the type of threats, the number of attacks and any data breaches arising
- Technology partnerships with district councils
- Consultations on future use of services– training

**1986 Question Time
(Agenda item 8)**

- for officers to ensure a consistent approach to questions and interpretation of answers
- Residents' Viewpoint Survey – The number of respondents from the Rainbow Hill Division
 - The Corporate Risk Register – the levels of risk in red and amber
 - The level of debt that the Council had carried forward resulting from uncollected domiciliary care fees
 - Staff Survey "Your Voice" – Interpretation of results
 - Legal Services contracts.

Seven questions had been received by the Head of Legal and Democratic Services had been circulated in advance of the meeting. The answers are attached in the Appendix.

The meeting was adjourned from 1.30pm to 2.15pm and ended at 3.15pm.

Chairman

COUNCIL 15 FEBRUARY 2018 - AGENDA ITEM 8 – QUESTION TIME

Questions and written responses provided below.

QUESTION 1 – Mr P M McDonald will ask Marcus Hart:

"In light of the notifications of redundancies in the area of career advice for young people and NEET would the Cabinet Member with Responsibility inform me if these services will now be taken back in-house?"

Answer given

There is currently no intention on behalf of the local authority to bring any of the post-16 team employed by Babcock back into the local authority.

Supplementary Question

In response to a supplementary question, the Cabinet Member commented it was not considered necessary to bring the service in-house because it would duplicate the work already being undertaken by the Council.

QUESTION 2 – Mr P M McDonald will ask Andy Roberts:

"Would the Cabinet Member with Responsibility please inform me of the total cost of any increased charges over the last two years by independent foster-care agencies used by this Council?"

Answer given

We currently have a West Midlands Fostering Framework that has been in place for 2 years with a number of Independent Fostering Agencies (IFA). These prices are fixed. Providers do have an opportunity to request an annual uplift, this has not happened for any placements within Worcestershire. Being part of the Framework has generated savings on placements approx. 200k worth of savings were made in 16/17.

Therefore, the answer in short is that there have been no increases in contract prices.

We do use Spot providers, which are off our framework. With these providers we have a price agreed at the point of placement at which time we would raise an Individual Placement Agreement (IPA) agreeing the fee. This is signed by all parties. A provider could potentially increase their fees but these would only impact on future placements, the current placements we have would remain set.

Within our internal fostering placements and some of our external IFA's there are age bandings, which increase as a child gets older. These fees are also set and have not been increased.

QUESTION 3 – Mr R M Udall will ask Alan Amos:

"Can the Cabinet Member with Responsibility for Highways confirm if he has recently visited the Bromyard Road in my St John Division in Worcester?"

Answer given

I thank Councillor Udall for his question. I am pleased to confirm that I have indeed visited Bromyard Road twice in the last week and always find it very nice to be there as part of it is in my own Division.

Supplementary Question

Subject to Mr Udall forwarding the details from a constituent, the Cabinet Member undertook to look into the charge made by Ringway for a footway crossing.

QUESTION 4 – Mr R C Lunn will ask Karen May:

"Can the Cabinet Member inform Council of WCC's involvement with Capita, and the threat posed to our services if the review instigated by Capita's new Chief Executive leads to them withdrawing from certain service areas they are currently involved in?"

Answer given

We have a number of contracts with Capita PLC and its subsidiaries under the Capita PLC umbrella. Out of these Capita Business Services Ltd (trading as Capita One) is our primary supplier. They also provide the library management system which is named Talis, we are currently out to tender for a replacement to this system. We have been in dialogue with Capita, regarding the services they provide and at the present time they have confirmed these areas are unlikely to be impacted by the review. We will actively continue to monitor this situation.

QUESTION 5 – Mr T A L Wells will ask Simon Geraghty:

"Following an incident relating to a resident in my Division, can the Leader outline what action he intends to take to ensure that photographs are not taken without appropriate consent by services contracted by the Council?"

Answer given

It is an expectation of the Council that all providers have and follow policies in relation to gaining permission for images to be made, stored or used in whatever form. In this particular case the provider in question did have policies and procedures in place which were not followed. Once this was brought to the Council's attention immediate action was taken. A full investigation was undertaken by the Provider with input from both the Commissioning Unit and the Quality Assurance Team. The Strategic Commissioner for Adult Services has assured me that all appropriate action was taken and that the Provider in question responded appropriately.

Supplementary Question

In response to a supplementary question, the Leader undertook to ensure that the policies/procedures relating to the use of images of service users by service providers is robustly followed in the future.

QUESTION 6 – Mrs F M Oborski will ask Karen May:

"Several schools are reporting that keeping track of their budgets and planning for the next financial year are being made extremely difficult due to inaccuracies in financial reports on the Mercury System. Indeed one school has been told by a member of staff who assists them on the telephone to simply ignore what is on Mercury.

What steps are being taken to urgently rectify this situation?"

Answer given

It is very concerning that such issues are still being raised by schools. I appreciate it has been a challenging time and we continue to work with Liberata to ensure that the system and service standard meets both schools and the Local Authority's expectations. Schools have access to a team of finance professionals in Liberata to help resolve their issues. It is therefore disappointing to hear that problems are still being experienced. I can confirm that all concerns raised by schools are escalated through Local Authority officers with an appropriate and satisfactory outcome being sought. If more details are available and in particular, ownership in relation to a school is identified, we should be able to follow up with a greater possibility of satisfaction all round.

Supplementary Question

Subject to Mrs Oborski forwarding the details to her, the Cabinet Member undertook to look into issues identified by schools in relation to the Mercury Finance System.

QUESTION 7 – Mrs F M Oborski will ask Marcus Hart:

"Parents are saying that at EHCPlan Reviews no real effort is being made to ensure Health and Care input as these Reviews appear to be "School led".

What steps are being taken to ensure that Reviews really do Review Education, Health and Care?"

Answer given

Worcestershire County Council, alongside many local authorities supported by statutory guidance adopted a procedure of school led reviews. This has resulted in a situation in Worcestershire and other local authorities of the new Education, Health and Care Planning process becoming an extension of the former statement review. Statements primarily focused on the education needs of a child. To ensure health and social care are fully engaged in the review process a new team around the child meeting is being convened at week 7 of the 20 week review timescale and a joint project with health and social care has commenced to re-design the end to end assessment process. This activity supports the implementation of the SEND Strategy.

Supplementary Question

Subject to Mrs Oborski forwarding the details to him, the Cabinet Member undertook to look into concerns raised by parents about attendance by health and social care officers at EHCPlan Reviews.

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