

Worcestershire County Council

Agenda

Cabinet

Thursday, 14 November 2019, 10.00 am
County Hall, Worcester

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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, 14 November 2019, 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

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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 Wednesday 13 November 2019). 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 24 October 2019 have been previously circulated.	
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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

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

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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
14 NOVEMBER 2019**WORCESTERSHIRE PASSENGER TRANSPORT STRATEGY**

Relevant Cabinet Members

Mr A T Amos

Mr M J Hart

Relevant Officers

Director of Economy and Infrastructure

Director of Children's Services

Recommendation

1. **The Cabinet Member with Responsibility for Highways and the Cabinet Member with Responsibility for Education and Skills recommend that Cabinet:**
 - (a) **adopts the proposed Passenger Transport Strategy, which has been informed by a robust and comprehensive public consultation;**
 - (b) **authorises the Director of Economy and Infrastructure to implement the Strategy and formulate operational policies with an appropriate implementation schedule having regard to the Strategy and in consultation with the above Cabinet Members with Responsibility in relation to any strategic impacts; and**
 - (c) **authorises the commencement of a full review by the Director of Economy and Infrastructure of the Council's Passenger Transport network in accordance with the adopted Strategy, which will incorporate Home to School Transport, Public Transport, Community Transport and Social Care Transport.**

Background

2. In 2013/14, the Council undertook an extensive public consultation exercise on proposals relating to financially-supported bus services. The objective was to understand people's priorities for provision and the likely impact of proposed service changes.
3. The recent changes in the commercial bus market led to calls for Worcestershire to subsidise former commercial routes. Our new Passenger Transport Strategy will ensure that we can make effective decisions about all Passenger Transport provision and delivery options based on a robust performance management framework model. The model will take into account a variety of factors: financial, social and practical to arrive at a consistent decision-making methodology.

4. In June 2019, the Cabinet approved the Strategy for public consultation. The consultation ran for 13 weeks (13 June to 13 September 2019). The consultation questionnaire and documents were widely available throughout Worcestershire, including libraries and tourist information centres, and online on the Council's website. Surveyors and Council staff attended roadshows/local markets, shopping centres and various local events to distribute leaflets and promote the consultation supported by social media.

5. In addition, briefing sessions were held with Local Members, District Council representatives, bus operators, Community Transport providers, schools and colleges and some local businesses and, where appropriate, their suggestions were acted on to promote the Strategy.

6. The Council spends circa £30m gross per annum on a range of transport services therefore a robust Passenger Transport Strategy is required to provide a clear direction for the next 10-20 years in line with the Corporate Plan and Local Transport Plan 4. Findings from the public consultation will be considered during the review of Passenger Transport services and will require the formulation of new and a review of existing operational policies.

7. On the 31 January 2019 Cabinet supported a review of Passenger Transport services following the findings of the Overview & Scrutiny Report (13 December 2018). This prompted the need for a Passenger Transport Strategy which would provide clear policies detailing the Council's position on Passenger Transport provision and would highlight future approaches to be adopted.

8. On 6 June 2019, Cabinet endorsed a public consultation with all stakeholders on the draft Passenger Transport Strategy, covering key areas:

- Home to School Transport – The provision of the Council's statutory duty for pupils entitled to free school transport, predominately for mainstream pupils, and specialised transport for pupils attending Special Educational Establishments as determined by the Council's Home to School Travel Policy. This is provided by commercial companies and internal resources providing bespoke transport solutions
- Public Transport – Subsidised services are provided by commercial operators under contract to the Council. This entails the provision of registered service routes traditionally delivered in areas where the Council has considered its duties. Lower levels of patronage have resulted in withdrawal of commercial services. Whilst most of public transport services are provided by traditional timetabled bus routes, a smaller number of routes have been provided by Community Transport Schemes
- Community Transport – services that are established and operated by community organisations on a not-for-profit basis. Community Transport provides a valuable service for everyone in the county, particularly those from vulnerable groups, helping them access key services and activities that they cannot reach using conventional public transport. This is likely to include working with existing Community Transport operators as well as groups and organisations representing their communities for example, Parishes Councils. This will provide a valuable link to communities and available services to avoid social isolation and provide access to essential services.

- Social Care Transport – The Council operates a number of scheduled Passenger Transport services providing access to Adult and Older People’s Day Services. Access to these facilities is subject to a Comprehensive Needs Assessment carried out by Adult Services. Transport is also provided on a ‘call out’ basis for Social Services’ service users, most commonly by minibus or taxi.

9. The public consultation was undertaken from 13 June to 13 September 2019. The results analysis is detailed in Appendix 3.

Passenger Transport Strategy

10. The findings of the Passenger Transport consultation have informed the Passenger Transport Strategy. Adoption of this Strategy would provide a clear direction on the Council’s position on transport provision and the future service delivery models.

11. The Worcestershire Passenger Transport Strategy takes a strategic and holistic view of all public and Community Transport provision, including Home to School transport arrangements, fares and ticketing, concessionary travel, infrastructure and information. The Strategy is informed by a Passenger Transport Review of needs and demands (including future development), together with an assessment of how well these are met by current services.

Consultation Feedback and Analysis

12. The Consultation feedback (Appendix 3 Passenger Transport Analysis Report) supports the ‘Pillars of Wisdom’ of the draft Strategy which are:

- To prioritise support for local centres – urban connections, inter-urban connections and areas of medium population density taking journey purpose into account
- Alternative provision – to expand the existing network where possible, e.g. Community Transport (including the use of concessionary bus passes) between smaller towns/villages in rural areas. This would be where traditional bus services are considered unsustainable
- To embrace technology to provide quality infrastructure and improved dissemination of information as well as providing confidence that Passenger Transport Services will arrive e.g. bus shelters and RTI (Real Time Information) boards
- The Council will take a lead role in developing and delivering a bus information strategy to promote passenger services and develop a clearly defined and understood brand for the Worcestershire Passenger Transport network
- To work with Partners to develop innovative ticketing and payment solutions that encourage passenger growth whilst maintaining a viable commercial network
- To focus on providing an integrated passenger transport network along key commuter corridors. Routes will focus on primary journeys including employment, education and training, healthcare, shopping and social and leisure activities including libraries given that, during the recent Library consultation, there was huge public support to ensure that these facilities remained open as they were seen as an integral part of local communities.

- The Council to lead on the co-ordination and dissemination of information and to be proactive in promoting bus services and Community Transport in general, in conjunction with operators.

13. Over 90% of respondents, representing 2218 people, answered the survey as a Worcestershire resident. 17% (412 respondents) work in the county, whilst just over 200 (8.5%) were people who regularly visit Worcestershire. This acknowledges that some respondents have completed the questionnaire both as residents and as working in the county.

14. We received 1149 responses from people aged 65 and over, 1123 aged 20-61 and 142 responses from people aged 19 and under. Almost half of all respondents indicated that they were retired. Almost a third of respondents were employed, with just over 6% saying that they were in full-time education at school, college or university. Less than 5% (112 respondents) were self-employed, with 3% (73 respondents) suggesting they were unemployed. Although the response for under 19 is lower, we contacted all Worcestershire school/colleges and the University throughout the consultation exercise and visited some schools where bus usage is high. We encouraged responses through social media channels whilst acknowledging that it is notoriously more difficult to engage with the under 19 age group. (Analysis Report Figures 2 and 4)

15. 63% of respondents (1406 respondents) reside in areas classified as 'urban', whilst just over 36% (811 respondents) live in areas classified as 'rural'. As part of our consultation exercise, we visited all major towns within the Districts and attended various local events. We engaged with Local Members to identify key locations and hard-to-reach groups. (Analysis Report Figure 6)

- **To prioritise support for local centres – urban connections, inter-urban connections and areas of medium population density taking journey purpose into account**

We will do this using the Performance Management Framework Model. Whilst only 40% of all respondents were in favour of the proposal on how to decide if a particular bus service is supported (Analysis Report, Figure 25), the Model will enable a transparent, consistent approach countywide (Model is referenced on pages 20-22 of the draft Strategy). Only 15% of respondents disagreed with the proposal (Analysis Report Figure 25). The Strategy acknowledges the fact that there were respondents who did not know whether they agreed or disagreed with the statement.

Respondents across all stakeholder groups agreed with the methodology when considering only positive or negative responses (Analysis Report Figure 25c).

Over 60% of all respondents agreed that the proposals would be a sensible way to spend Council funds (Analysis Report Figure 26) to help make it possible for people to travel around Worcestershire on Passenger Transport. Over 80% (Analysis Report Figure 26c) of all stakeholder groups agreed with the proposals when considering only positive or negative responses.

- **Alternative Provision – to expand the existing network where possible, e.g. Community Transport (including the use of concessionary bus passes)**

between smaller towns/villages in rural areas. This would be where traditional bus services are considered unsustainable

85% of respondents agreed that we should explore alternative and local transport solutions (Analysis Report Figures 21 and 21b). 89% focus on meeting people's essential transport needs in the most cost-effective way. 60% agreed with the statement 'Transport solutions, including Integrated, Demand Responsive and Community Transport, can offer an alternative to traditional Passenger Transport services' (Analysis Report Figures 16 & 16b).

- **To embrace technology to provide quality infrastructure and improved dissemination of information e.g. bus shelters and RTI Boards**

Over 80% of all respondents agree or strongly agree with the statement 'Infrastructure for Passenger Transport Services should be improved, such as bus shelters' (Analysis Report Figure 23).

Over 80% of all respondents agreed with the statement Worcestershire County Council should consider supporting new technology initiatives (Analysis Report Figure 20). Only 3% of respondents disagreed with this statement but enhancement of the network in this way will improve user experience and therefore encourage use.

- **Worcestershire County Council to take a lead role in developing and delivering a bus information strategy to promote passenger services. To develop a clearly defined and understood brand for the Worcestershire Passenger Transport network**

A high proportion of respondents agree with the statement 'Publicity for Passenger Transport Services should be improved'. 90% agree with this, whilst almost a half of respondents strongly agree (Analysis Report Figure 22).

- **To work with Partners to develop innovative ticketing and payment solutions that encourage passenger growth whilst maintaining a viable commercial network**

Feedback from the Strategy indicates that the cost of public transport can be a prohibiting factor in its use, however this varies depending on demographic (Analysis Report Figure 13). We recognise that the success of one of the 'Pillars' is dependent on partnership working to promote growth. This is a long-term aspiration for the Council.

- **To focus on providing an integrated Passenger Transport network along key commuter corridors. Routes will focus on primary journeys including employment, education and training, healthcare, shopping and social and leisure activities**

Over 90% of respondents agreed that the 'Passenger Transport network should be joined up (integrated) such as connecting to train services' (Analysis Report Figure 18).

- **Worcestershire County Council to lead on the co-ordination and dissemination of information and to be proactive in promoting bus services and Community Transport in general, in conjunction with operators.**

90% of respondents agree with the statement 'Publicity for Passenger Transport Services should be improved'. Only 4% disagreed with this statement. (Analysis Report Figure 22).

16. Limited funding and competing demands for resources means that there has to be a clear method of evaluating the benefits of supporting each service compared to other identified needs. There is also a requirement to evaluate the ongoing effectiveness of existing subsidised services to determine whether support should be continued.

17. A Performance Management Framework Model has been developed (Draft Strategy page 20-22) to appraise the relative performance of subsidised services and help analyse funding priorities. The framework model allows for fair comparisons to be made between services and provides the Council with a robust methodology to appraise each service and determine which provide the best value for money whilst endeavouring to deliver the minimum service levels detailed above. Without a robust Framework Model there would be difficulty prioritising local centres and could result in inefficient use of the resources that would ultimately lead to a network that would not provide the greatest benefit for the residents of Worcestershire.

18. Each contract will be scored on seven categories, reflecting the feedback from the consultation, in order to assess the benefit and value of the services provided. These are:

- The primary journey purpose
- The availability of alternative services for the journeys being made
- The deprivation index for the areas served by the service
- The number of concessionary journeys
- The average number of passengers on each journey (particular those with protected characteristics, e.g. the elderly)
- The actual cost per passenger carried
- The car ownership level of the areas served

19. The scores for each category will be weighted to reflect the overall relevance and priority type of service provision as identified through the consultation exercise. This is the most objective and effective way of prioritising expenditure. Following review of the responses on journey purpose, the withdrawal of Passenger Transport services would have a greater impact on journeys associated with education and employment. Other categories will be prioritised accordingly (Analysis Report, Figures 7-12).

Legal, Financial and HR Implications

20. The Council's statutory duties with respect to the provision of public transport are set out in Sections 63 and 92 Transport Act 1985. These state:

Section 63(1) - In each non-metropolitan county of England and Wales it shall be the duty of the county council—

(a) to secure the provision of such public passenger transport services as the council consider it appropriate to secure to meet any public transport requirements within the county which would not in their view be met apart from any action taken by them for that purpose;

(5) For the purpose of securing the provision of any service under subsection (1)(a)...above [the] council shall have power to enter into an agreement providing for service subsidies; but their power to do so—

(a) [in England and Wales, shall be exercisable only where the service in question would not be provided, or would not be provided to a particular standard, without subsidy;

Section 92(1) - An authority responsible for expenditure on public passenger transport services shall, in the exercise and performance of their functions in relation to agreements providing for service subsidies, [have regard to the interests of the public and of persons providing public passenger transport services in their area].

21. The legislation surrounding the provision of home to school transport is covered in sections 508A, 508B, 508C, 508D, 509AD s508E s508F s508G, s508H, s508I S509AA, S509AB, S509AD, S509A and Schedule 35B and C of the Education Act 1996. The Council must meet its legal duties to arrange home to school transport for eligible students. This is set out in the Home to School Transport and Travel Policy.

22. The Council should consider the transport needs of its residents and provide financial support for local bus services where appropriate, to meet those needs. It must also have specific regard to the needs of elderly and disabled people. Given these statutory requirements, it is important we adopt a Passenger Transport Strategy for Worcestershire.

23. Once the Strategy is endorsed by Cabinet, there will be a Passenger Transport review to consider all of the elements that make up the Council's estimated gross £30m spend on transport activities as outlined above.

Equality and Diversity Implications

24. The Council recognises that Public Transport is of particular relevance in the lives of individuals who share Protected Characteristics such as Age and Disability. The aims of the Public Sector Equality Duty (in particular Advancing Equality of Opportunity for Protected Groups) are promoted through the provision of accessible and reliable public transport. The Passenger Transport Strategy recognises the importance of public transport in the lives of protected groups and sets out the Council's approach to the delivery of efficient and integrated public transport.

25. The Strategy has been screened for a potential Equality and Public Health Impact Assessment which has indicated there is no adverse effect at this stage. Further assessments will be undertaken at the appropriate stages of the implementation process. The implementation of a Strategy which promotes consistent and transparent decision-making and planning is likely to benefit protected Groups.

26. All analysis will accord with data protection requirements. Additionally, any detriment to services that have potential to impact on Equality will also be assessed. As part of the implementation of the Strategy, the findings will be taken into account in future planning and decision-making.

Risk Evaluation

28. A comprehensive risk assessment has been carried out by the members of the Transport Strategy Board to identify the short, medium and long-term risks. Production of a holistic Risk Register has enabled a thorough planning and mitigation process.

Public Health Impact Assessments

29. A Public Health Impact screening exercise has been undertaken and assessments will be carried out throughout the implementation process.

Recommendation

30. The Cabinet Member with Responsibility for Highways and Cabinet Member with Responsibility for Education and Skills recommend adoption of the Worcestershire Passenger Transport Strategy.

31. This will enable officers to begin an implementation plan and apply all the principal themes outlined above to the existing network. This will be a comprehensive exercise, conducted methodically on a district by district basis.

Supporting Information

- Appendix 1 Worcestershire Passenger Transport Strategy (available electronically)
- Appendix 2 Executive Summary of Responses
- Appendix 3 Passenger Transport Analysis Report (available electronically)

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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List of 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:

Agenda papers for the meetings of Cabinet held on 13 December 2018, 31 January 2019 and 6 June 2019

1. Executive Summary of Consultation Responses

- The Worcestershire Passenger Transport Strategy has been developed to support Worcestershire's Local Transport Plan 4. The overarching objective of this Strategy is to ensure that residents and visitors have a level of access to services and facilities which will contribute to enjoy a good quality of life. Worcestershire County Council consulted with residents and stakeholders on the draft Passenger Transport Strategy in order to fully understand the contribution that these services make to the local economy, and their value in terms of community, health and well-being. The survey ran from 13th June 2019 to 13th September 2019 and in total received 2,505 responses. This report analysis the results of the survey.
- Responses were received from a range of respondents including those that live, work, visit and / or study in Worcestershire, as well as people representing organisations. Reasonable representation was achieved across all demographics and for all areas to give reasonable robust results for the required splits.
- Almost 20% of respondents travel by bus daily, with just under a quarter travelling by bus 1-4 times a week. Just over 3% use the railways daily, with less than 3% of respondents using community transport weekly or more often.
- Respondents in full-time education are the category most likely to use buses regularly, whilst those with long-term health conditions and those that are female are also likely to use the buses regularly. Trains are used regular by a higher proportion of employed and self-employed respondents, as well as those living in urban areas.
- The most used buses in Worcestershire are the 144 (Worcester - Birmingham) and the 44 (Worcester - Great Malvern) with many respondents using both bus services.
- Respondents are most likely to use a car/van for all types of journeys. Respondents are most likely to use the bus for shopping and personal business trips and social and leisure activities.
- About a quarter use buses to travel to work, and of those that do, almost a half do so daily and a third do so several times a week. Almost a third of all respondents who indicated that they travel to work by bus said that if there was no bus service available they wouldn't be able to get there, with proportions highest among females and younger respondents, and are particularly high in rural areas.
- Almost two thirds of respondents who indicated that they use a bus for travel to education and training did so daily. Proportions are particularly high among the 0-19 age group. Almost a third of all respondents who use a bus to access education and training indicated that they wouldn't be able to get there if the bus service was unavailable, with proportions particularly high among respondents in Bromsgrove and Wyre Forest.

- Over 40% of respondents who travel by bus to access healthcare do so less than once a month, with similar proportions using buses about 1-3 times a month. Those in full time education and those with long-term health conditions are most likely to use buses for healthcare regularly. 17% of respondents who indicated that they access healthcare using buses stated they would not be able to get there if the bus service was unavailable, with proportions particularly high among those in full time education.
- Over a quarter of all respondents who use the train to travel to work do so daily. Proportions are particularly high among respondents from Wyre Forest. A quarter of all respondents who use the train to travel to education and training do so daily.
- Respondents indicated that more frequent services, better or better-connected routes, and more reliable services are the three factors that would encourage them to use passenger transport services more frequently.
- In terms of the proposals as set out in the Worcestershire Passenger Transport Strategy, respondents were in particular agreement with the statements "Worcestershire County Council's aim should be to focus on meeting people's essential transport needs in the most cost-effective way", "The passenger transport network should be joined up (integrated) such as connecting to train services", and "Publicity for Passenger Transport Services should be improved."
- Support among respondents was fairly strong for all of the other statements, with the exception being "Worcestershire County Council should not provide support for services for which there is little use." Almost two thirds of respondents registered disagreement with that statement, with almost a quarter of respondents stating that they "strongly disagreed".
- Proportions disagreeing with the statement was particularly high among the unemployed, those that use buses regularly, females and those with a long-term health condition. Residents living in Bromsgrove were also highly against the proposal with over 70% "disagreeing" or "strongly disagreeing" with the statement.
- Over 60% of respondents indicated that the proposed strategy would improve their ability to access essential services. 10% said that the strategy would reduce their access to essential services. Proportions who feel that the proposed strategy would reduce their access to essential services are relatively high among those respondents who regularly use buses, those who are 19 and under, those who have a long-term health condition, and those residing in Bromsgrove.
- Over 40% of all respondents were in favour of the proposal of how to decide if a particular bus service is financially supported. 16% of respondents either "disagreed" or "Strongly disagreed". Proportions disagreeing were particularly high among those responding on behalf of an organisation.

Over 60% of all respondents agreed that the proposals would be a sensible way to spend Council funds to help make it possible for people to travel around Worcestershire on passenger transport when they need to. Less than 10% disagreed with the proposals overall.

An initial Equality Impact Assessment Screening has been undertaken and further assessments will be conducted as appropriate.

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CABINET
14 NOVEMBER 2019**KEPAX BRIDGE**

Relevant Cabinet Member

Dr K A Pollock

Relevant Officer

Director of Economy and Infrastructure

Local Members

Mr S E Geraghty

Mr A Stafford

Recommendation

1. **The Cabinet Member with Responsibility for Economy and Infrastructure recommends that Cabinet:**
 - (a) **welcomes the contents of the Strategic Outline Business Case and authorises the development of a Full Business Case;**
 - (b) **authorises the preparation of a Planning Application for the Kepax Bridge Project and delegates the decision to submit the Planning Application to the Director of Economy and Infrastructure in consultation with the Cabinet Member with Responsibility;**
 - (c) **allocates £1.5m from the Capital Programme allocation for Walking and Cycling Bridges towards this scheme;**
 - (d) **authorises the submission of funding bids to third parties for the completion of the scheme;**
 - (e) **approves the expenditure of the funds necessary to complete the Full Business Case and to prepare the Planning Application up to the parameter for preparation set out in paragraph 19;**
 - (f) **authorises the completion of a pre-planning public engagement exercise;**
 - (g) **receives a further report regarding the project following the outcome of the Planning Application and with details of the Full Business Case and progress on funding applications; and**
 - (h) **notes that commencement of construction will not occur until funding sources have been secured.**

Why are these decisions important?

2. It is important that these decisions are made now to progress the project and maintain a programme whereby construction could start on the bridge in the next 18 months or so, subject to securing funding and the award of planning consent.

Background

3. Worcestershire County Council is working in partnership with Worcester City Council in the development and delivery of a new pedestrian and cycle bridge across the River Severn in Worcester from Gheluvelt Park to the Kepax Ferry Lane and Riverside Close area (see Annex 1 Location Plan, Kepax Bridge Strategic Outline Business Case).
4. Building on the success of the Connect2 Diglis Bridge scheme, this project aims to provide improved cycle and pedestrian connectivity to the north of Worcester and to enhance links along the riverside thereby completing a “figure of 8” circuit encompassing Kepax Bridge, Sabrina Bridge and Diglis Bridge.

Policy context

5. The national, regional and local policy context for improving walking and cycling opportunities to provide health, transport and planning benefits is well established. The National Planning Policy Framework, strongly requires investment in walking and cycling including suggestions that:
 - Local Authorities must promote healthy and safe environments – specifically by 'layouts that encourage walking and cycling'
 - Opportunities to promote walking must be prioritised
 - Investing in cycling and providing travel mode choice reduces congestion, improves air quality and benefits public health.
6. The Worcestershire Local Enterprise Partnership Energy Strategy identifies the facilitation of walking and cycling opportunities as a key aspect of achieving a lower-carbon economy while a number of objectives designed to encourage walking and cycling are included in Local Transport Plan 4.
7. The potential scheme benefits and outcomes are anticipated to include the following:
 - Increased use of active modes resulting in improved physical health and mental wellbeing of residents, reduced congestion, improved local air quality and improved accessibility and transport choice
 - Reduced severance and increased network resilience through the provision of an additional river crossing
 - Increased leisure use of the riverside area through the completion of a “figure of 8” circuit using the Kepax Bridge, Sabrina Bridge and Diglis Bridge as crossing points
 - Increased tourism and visits to attractions such as Worcester Racecourse and the Pump House Environment Centre
 - Increased use of the Green Flag park which includes a splash pad and open fields to the west

- A safer pedestrian and cycle network in the north of Worcester, with more off-road provision
- A more legible cycling network from the north of Worcester to destinations such as the canal, city centre and university
- Improved connections to National Cycle Network Routes 45 and 46
- Improved connections to Regional Cycle Network Routes 3 and 7.

Progress to date

8. The following activities have been completed:
- Initial Bridge Feasibility Study - identification of scheme constraints, initial costing based on feasibility study, geotechnical overview and environmental checklist
 - Topographical Survey of the Kepax disused landfill site and Gheluvelt Park
 - Transport Planning/Economic Impact inputs to cover the forecast demand for the proposed asset and economic impact
 - Flood Risk Assessment and river modelling
 - Geotechnical Desk Study - including envirocheck and unexploded ordnance reports
 - Preliminary Ecological Appraisal (PEA)
 - Bat Activity Survey
 - Reptile Presence/Absence Surveys
 - Archaeological Survey – desk-based surveys on both sides of the river focused on the more recent histories of the sites
 - Pedestrian/Cycle Upgrade Study – study into how the structure will link into the wider network and where improvements are required to ensure that the structure has the demand required for a strong benefit cost ratio
 - Ground Investigation Phase 1 - ground investigation to both sides of the river to determine the current ground conditions and the depth of the bedrock
 - Tree Survey - required as part of the planning application and screening opinion
 - Initial discussions with construction contractor – through Early Contractor Involvement (ECI).

The survey works undertaken to date are critical to inform the design of the bridge and planning applications.

9. A Strategic Outline Business Case (SOBC), included as supporting information to this report, has been completed and presents the Strategic, Economic, Commercial, Financial and Management Case for the provision of the bridge and improved local and strategic cycle and pedestrian links creating leisure, employment and access to education opportunities.

Cost Benefit Ratio

10. The economic assessment of the project has indicated that improvements to local and strategic cycle and pedestrian links in addition to the bridge would result in a significantly improved Cost Benefit Ratio (BCR) for the scheme compared with constructing the bridge in isolation. A strong BCR is essential to secure third-party funding and it is therefore proposed that the strategic linkages are included as an integral part of the scheme but that the project is delivered in phases with the bridge

being constructed first with links to the nearest highway and improvements to the wider links following later.

Planning Approach

11. A full planning application will be required for the scheme which will be determined by the County Council.

Delivery and Timescales

12. It is currently envisaged that the bridge and the local and strategic cycle and pedestrian links will be delivered in phases, with the initial phase comprising the main bridge including links to the nearest highway with works to the wider network following later.

13. The next stages for progressing the bridge requires completion of the initial ground investigations, enabling outline design to be developed (including architectural and early contractor involvement, required to support planning and buildability of the scheme). This information is necessary for the production and submission of the planning application. During the preparation, submission and determination of the planning application, the design will be progressed through the detail design phase, with involvement from the contractor, inclusion of independent checks of the design and production of construction information to enable procurement and award of works for commencement on site.

14. In order to commence construction in 2021, adherence to the following timeline is required for the following activities:

- Design Development (including architectural inputs, early contractor involvement, outline design and phase 2 ground investigation, detailed design and independent design checks): completed Autumn 2020
- Planning application submission (including Environmental Impact Assessment, stakeholder and public consultation): Summer 2020
- Planning application: determined Winter 2020/21
- Final Cabinet Approval: Spring 2021
- Award construction contract: Spring/Summer 2021
- Start on site: Summer 2021.

Key project risks

Risk	Mitigation
The demand and economics for the standalone bridge do not justify the business case	Improvements to the wider linkages included within the strategic outline business case to demonstrate a medium value business case
Unknown ground conditions	Investigations are currently underway to determine requirements for likelihood of ground improvements and increased costs to foundations
The areas adjacent to the bridge landing areas are susceptible to high river levels	Flood Risk Assessment undertaken to determine impact of flooding.

and flooding, preventing access to bridge as well as impacting construction	Construction works to be coordinated to avoid periods of high flows
Requirement for additional funding processes, impacting on phasing of the works along with extending the programme duration and delivery timescales	Continue to search for additional funding streams

Legal, Financial and HR Implications

15. The proposed location of the landing points of the structure are to be sited on Worcestershire County and Worcester City Council owned land.
16. Legal agreement will be required to exercise powers under Section 106 (3) of the Highways Act 1980 to construct the bridge to form a footpath/cycle track (with a right of way on foot) over the navigable waters of the River Severn.
17. Full planning consent will be required for the structure, approaches and some of the improvements to the local and strategic cycle and pedestrian links.
18. Consent will be required from statutory undertakers and legislative bodies including the Canals and Rivers Trust, Environment Agency and Fields in Trust.
19. The overall cost estimate for this project (bridge and access paths, and wider linkages) has been identified as c.£8.9m at current prices.
20. The funding required for the delivery of the scheme at current prices is estimated as follows:
- Preparation (including design) c.£0.9m – includes spend to date
 - Bridge construction c.£6m
 - Linkages and wider network construction c.£2m
21. Funding available at present;
- £0.875m - Worcester City Council
 - £1.5m - Worcestershire County Council – already allocated for Walking and Cycling Bridges in the Capital Programme.
22. The balance of c.£6.525m will be sought from third parties.
23. Construction will not commence until funding has been secured and further updates will be provided to Cabinet on progress.
24. No HR implications have been identified.
25. No Human Rights issues have been identified.

Privacy and Public Health Impact Assessments

26. In Worcestershire, 65% of adults and one third of year 6 children are overweight and/or obese. A strong reason for this is physical inactivity – around 21% of adults in Worcestershire do less than 30 minutes of exercise per week. Encouraging active

travel is one solution to help people achieve recommended physical activity levels and recommended weight. Active travel can lead to health benefits including reduction of heart disease, stroke, cancer, obesity and type 2 diabetes. The environment can also benefit by a model shift to active travel, including reduced air pollution, congestion, road danger and noise pollution.

27. There is a strong evidence base around the benefits of helping people to take up walking or cycling which requires an integrated and joined up approach, including:

- Providing clear information and advice promoting physical activity and active travel
- Encouraging families, children and young people to live active lives
- Supporting those who have the poorest health outcomes and those who are most inactive to take steps to increase physical activity
- Creating health-promoting environments
- Providing appropriate infrastructure.

28. The Council is therefore committed to investing in, and promoting, good quality walking and cycling infrastructure that aims to get more people in Worcestershire travelling actively.

29. No privacy issues have been identified but this will be modelled during the design process e.g. potential for overlooking.

Equality and Diversity Implications

30. An Equality Relevance Screening has been completed for Local Transport Plan 4 which provides the policy context for the proposed Kepax Bridge Project. The screening is included in the Strategic Outline Business Case. A combined Equality and Public Health Impact Assessment for this specific project will be carried out as part of the Full Business Case process.

Supporting Information – Available Electronically

- Kepax Bridge Draft Strategic Outline Business Case and associated annexes

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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List of 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 item.

CABINET
14 NOVEMBER 2019**UPDATE ON LOCAL AREA SPECIAL EDUCATIONAL NEEDS
AND DISABILITY (SEND) ACTION PLAN INCLUDING THE
LOCAL GOVERNMENT OMBUDSMAN REPORT**

Relevant Cabinet Member

Mr M J Hart

Relevant Officer

Director for Education and Early Help

Recommendation

- 1. The Cabinet Member with Responsibility for Education and Skills recommends that Cabinet:**
 - (a) acknowledges that progress is underway on the Written Statement of Action (Improvement Plan) to show how the agencies will tackle areas for improvement identified by that letter in order to improve outcomes for all children and young people with Special Educational Needs and Disability (SEND);**
 - (b) acknowledges the Department for Education and NHS England monitoring visit and feedback provided;**
 - (c) considers and notes the recommendations of the Local Government and Social Care Ombudsman Report; and**
 - (d) endorses the Action Plan in response to the Ombudsman's recommendations.**

Background

2. The Joint Ofsted and Care Quality Commission (CQC) local area Special Educational Needs and Disability (SEND) inspection took place 5 – 9 March 2018. The findings of the Inspection were published on 16 May 2018 (see Appendix 3). The inspection raised concerns about the effectiveness of the Local Area and requested that a Written Statement of Action (WSOA) be prepared by the Local Area and submitted to OFSTED/CQC. The WSOA was approved by the Cabinet Member with Responsibility and the Clinical Commissioning Group (CCG) Governing Body in August 2018. Ofsted then approved the plan as fit for purpose.

WSOA Progress reporting at SEND Improvement Board

3. At the recent SEND Improvement Board, workstream leads shared progress, impact and next steps against the Key Concerns. Updates included support for mainstream schools through the termly SENCo Network Seminars, that 113 SENCOs attended. Key topics shared with SENCOs included Education and Health Care Plan (EHCP) development, annual reviews and a focus on statutory matters and lessons learnt from casework.
4. Parent/carers are instrumental in the delivery of the WSoA. Families in Partnership (FiP) members work with officers to identify, review and progress the improvements required. FiP has developed a Stakeholder Reference group to have a greater reach of parent carers across the county. A prototype parent/carer SEND Survey was distributed in July, the analysis of this will inform a wider survey later this year. The SENDIASS Service has received additional funding from the DfE to increase engagement with young people, embed co-production in practice, increase and improve training offer for staff, and increase their reach on social media and other innovative approaches.
5. The multi-agency SEND Key Performance Indicator has been remodelled to focus on indicators for identifying, assessing and meeting the needs of children and young people and delivering outcomes. The data shared with the October Board included the provisional 2018/19 Key Stage outcome data which has improved slightly this year. Board members also noted trends around children and young people with EHCPs and additional vulnerabilities, for example missing school or electively home educated. The percentage of Looked After Children with up to date Health assessments continues to improve and referral to treatment timeliness rates for therapy services remain positive.
6. The development and sharing of the School Level Inclusion Profile with all schools has started. The profile provides schools with a tool to inform self-evaluation and planning. An updated profile will be distributed on a termly basis.
7. The CCG Leadership have nominated Dr Louise Bramble as the nominated SEND GP, together with SEND Champions embedded across Health and other partners. The CCG is continuing to deliver through Autism West Midlands, Autism and Anxiety Training for parent/carers. Together with additional workforce and a new support model to reduce waiting times for the Umbrella Pathway and access to mental health services, parent/carers are providing more positive feedback. A Mental Health Network for Secondary Schools has been launched, led jointly by health and education.
8. The updated Graduated Response guidance for professionals was launched to early years providers and schools in September 2019. A parent/carer version is being co-produced starting with parent/carer workshops in October/November.
9. In 2018 the Council allocated additional resource to increase the SEND Assessment and Planning Team. The impact of this additional resource can be seen within the timescales of EHC plans. 63% of EHC plans were issued within the 20 weeks in July 2019 compared with 12% in August 2018. The SEND Group Manager and

Lead Commissioner for Adult Learning Disabilities are working together to understand, plan and review the needs of young people and families using the Preparing for Adulthood principles approach.

10. The Local Offer website continues to be improved in terms of content. Promotion to parent/carers, young people and professionals is embedded into everyday practice. The number of visitors on a monthly basis continues to rise, 17,480 visitors in September 2019. A Children with Disabilities register is also now available, with 349 children registered to date (October 2019).

11. Academic Outcomes, behaviours and attendance are included in the SEND Key Performance Indicator Framework. 2018 attainment for SEN Support pupils in the Early Years Foundation Stage was positive compared to national figures and continues to improve over time. Progress and attainment of school-age SEND pupils in 2018 showed variation with some areas of improvement apparent e.g. progress of children with EHCP in Key Stage 2. Early indications from 2018-19 academic outcomes data are positive and will be verified for quarter 4.

Department for Education and NHS England Monitoring

12. Since June 2018 advisers from the both DfE and NHS England have held joint monitoring visits to assess the progress on delivering the WSoA. There have been 5 monitoring visits since June 2018, the most recent being in October 2019. The monitoring visits coincide to include attendance and observation by the advisers of the SEND Improvement Board meetings.

DfE feedback from October 2019 monitoring visit includes:

- The Local Area is making good progress with the Written Statement of Action
- the Company (Worcestershire Children First) was launched at the beginning of October, there is a strong sense of drive and optimism amongst the SEND Partnership Board members
- the appointment to the position of Assistant Director for SEND and Vulnerable Learners gives confidence, stability and continuity. Previous concerns about the continuity of effort across both the organisational change, and personnel change in key lead roles in SEND have been considerably assuaged by this visit
- the planned integration of key SEND services in 2020 will bring great benefits to the sense of cohesion among Council services
- it is estimated that the SEND team has capacity to deliver a good service and rates of completion of new Education Health and Care Plans in 20 weeks are improving, but further improvement is needed.

Particular strengths noted by the DfE adviser from the reports presented to the SEND Improvement Board include:

- A co-produced recommissioning of overnight short breaks provision

- referral to treatment rates for waiting times for health therapy services
- new guidance issued for schools on the use of part-time provision
- the development and publication of school inclusion data profiles
- Director-led weekly meetings on Children Missing Education
- the success and service user feedback of the training for parents of children and young people with ASD and anxiety
- updated guidance on school support and work with SENCo's in mainstream schools to embed it
- improved coordination among SEND training providers, and
- the development and prototyping of a Families in Partnership parents survey.

Local Government Ombudsman Report

13. The SEND Improvement Board was made aware of the August 2019 Local Government and Social Care Ombudsman report of the investigation into a complaint made by a parent carer concerning her son. The Ombudsman's finding was that the Council was at fault because of maladministration, and that injustice was caused. The report is referenced at Appendix 1.

14. Announcements were placed publicly on 13 September in accordance with statutory requirements.

15. The Council is also required to consider the report at an appropriately delegated Committee of the Council, in this case, Cabinet.

16. Within three months of receiving the Ombudsman's Report (or a longer period which must be agreed in writing with the Ombudsman) the action that the Council has taken, or proposes to take, must be communicated in writing to the Ombudsman.

17. The key areas of maladministration in the Ombudsman's report relate to:

- (i) failing to provide education for Child Y and make the special educational provision specified in the EHC Plan over a period of 13 months;
- (ii) failing to update Child Y's EHC Plan;
- (iii) agreeing with a school's approach to informal exclusion, and so supporting an approach that was in breach of the Exclusions Code.

18. The Ombudsman made recommendations that have been accepted in principle by the Director of Education and Early Help on behalf of the Council. The recommendations included action to be taken by the Council to:

- (i) remedy the injustice caused by fault;
- (ii) prevent a recurrence of fault;
- (iii) review the potential for injustice to future complainants;

- (iv) consider the Report and confirm within three months the action it has taken or proposes to take.

19. Following the publication of the Ombudsman's report an Action Plan was prepared (see Appendix 2) and an apology sent from the Director of Education and Early Help to the parent carer on 5 September 2019.

The details of the case

20. On the LGO web-site the summary of the report reads,

“ Ombudsman criticises Worcestershire County Council's complaints policy in special educational needs investigation The Local Government and Social Care Ombudsman has criticised the way Worcestershire County Council dealt with a mother's complaint about the lack of alternative education provided for her son, when mainstream school was no longer suitable for him.”

21. Child Y has complex SENs and a range of professionals from across Health, Social Care and Education services were involved. Child Y's needs posed particular problems in relation to provision. All professionals agreed that a different school (to that which he attended) was needed. Child Y's age meant that it was difficult to find the type of placement that was needed. Whilst professional contact and some home-based activities were arranged, and his school was funded to make some provision, the educational provision was not suitable because it did not deliver the special educational provision set out on the EHC Plan. Additionally, it took officers significantly longer than is normally the case to identify a suitable placement.

22. When a suitable placement was identified and supported by the parent carer as being a suitable placement for Child Y, the age registration of this school needed to be changed through Ofsted. This added to the delay in starting Child Y's placement. Officers were attentive to their contact with school and securing some support for the family, but the arrangements made were insufficient. Their efforts to secure a placement resolution and maintain contact across professional services led to an omission in their planning – that Child Y was not attending the school named on his EHC Plan and therefore, the expectation that Child Y would not attend the school, led to the position where Council officers had supported an unlawful exclusion by the school.

23. Over this period of time, professionals kept in touch with the family, and specialist support was appointed by the SEND Service to work with the family. However, officers did not ensure that full-time or suitable education was in place for Child Y and neither did they amend the EHC Plan.

24. In June of this year a formal offer of a place was made by the school and a transition programme before the summer holidays. Contact with the school just over one month before the date of this Cabinet meeting, indicates that Child Y has settled into school, is attending full-time and making good progress.

Action taken to ensure professional staff have learned from this case

25. Written instruction has been given to Children's Services professionals that unless there is a valid reason for part-time attendance, it should be treated as an

informal (and thus unlawful) exclusion. Within this note, SEND officers, children's social care staff and education welfare officers are reminded that they should all have knowledge of the range of services available that could support a family when a child is out of school for an extended period and work together to ensure the needs of the child, parent, carers and siblings are considered and appropriate support given.

26. Lessons learned from this case have been explored with School SENCOs in the termly briefing seminars. SENCOs were reminded that an informal or unofficial exclusion is one that is not recorded formally, and that such exclusions are unlawful. A related briefing was held for the SEND Service for their learning and to ensure that there was coherence in briefings to schools and briefings to the central SEND service.

27. Guidance from the DfE and related guidance from the NCB (National Children's Bureau) and IPSEA (Independent Panel for Special Educational Advice) has also been highlighted to officers.

Legal, Financial and HR Implications

28. Officers need to be supported to apply various aspects of education law to their core professional area of work. In this case, this related to informal or unofficial exclusions and their legal status.

Risk Implications

29. The Council needs to ensure compliance with the law. The Action Plan reduces the risk of non-compliance or further adverse LGO reports.

Impact Implications

30. A Privacy and Public Health Impact screening and a Health Impact screening have been completed in respect of the activity in the Written Statement of Action. The screenings did not identify any potential considerations requiring further consideration during implementation.

31. The Council must, during planning, decision-making and implementation, exercise a proportionate level of due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

32. A full Equality Impact Assessment (EIA) has been carried out in respect of the WSoA. This identified potential positive impact for children and young people with disabilities. The potential positive impact relates to improvements in access to information and support available, increased engagement and co-production, access to mainstream education (where appropriate). The recommended course of action can be justified because the activity in the Improvement plan will improve outcomes for all

children and young people with SEND. The full EIA is at Appendix 4. The Privacy Impact Assessment is at Appendix 5.

33. The Local Government Ombudsman report relates directly to a child with an EHC Plan, and failure to provide education according to the special educational provision determined on the EHC Plan. Children with EHC Plans can be more difficult to place in a suitable setting and more likely to have a constellation of needs for which making co-ordinated provision presents challenges. The report also deals with unofficial and informal exclusions, both of which are unlawful. Children with SEND are more likely to be excluded or subject to informal arrangements that may not be properly recorded and may be construed as an informal exclusion. The work of the Children Missing Education Officer team (that identify and track children who are missing their education through non-attendance, exclusion, or other reasons) will continue to identify pupils for whom unauthorised absence is a recurrent feature of their attendance profile and seek action to resolve and ensure children can access education settings.

34. Reminding staff of the requirements governing exclusions will advance equality of opportunity for and eliminate discrimination against pupils with SEND. A review of the corporate complaint's procedure provides us with an opportunity to assess that procedure for potential equality impact.

Supporting Information

- Appendix 1 – Report of the Local Government Ombudsman on the LGO web-site - <https://www.lgo.org.uk/information-centre/news/2019/sep/ombudsman-criticises-worcestershire-county-council-s-complaints-policy-in-special-educational-needs-investigation>
- Appendix 2 – Action Plan
- Appendix 3 - Programme Plan overview – available electronically
- Appendix 4 – Equality Impact Assessment – available electronically
- Appendix 5 - SEND Privacy Impact Screening – available electronically

Contact Points

County 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 Education and Early Help) the following are background papers relating to the subject matter of this report.

- Agenda and background papers for the meeting of the Cabinet held on [12 July 2018](#)

- Agenda and background papers for the meeting of the Cabinet held on [14 March 2019](#)

LGO DECISION	Date of response
<p>Mrs Y complains about the Council's failure to make alternative educational provision for her son, Child Y, for more than a year when he was out of school. The Council agreed with Child X's school's approach in excluding him informally in breach of the School Exclusions Code 2017. It also failed to make educational provision for him for more than a year, or to meet his special educational needs, or to update his Education Health and Care Plan. This meant Child Y lost out on education he needed.</p> <p>Although delays by the Council in dealing with Mrs X's complaint were only slight, the Council's corporate complaints procedure lacks timescales and has the potential to cause injustice to future complainants by delay.</p> <p>Finding Fault found causing injustice and recommendations made.</p>	22.08.19

Deadline	Action	Action by / Date completed
22.09.19		
1	Apologise to Mrs X for failing to provide education or make the special educational needs (SEN) provision in Child Y's Education Health and Care (EHC) Plan between December 2017 and February 2019, and for failing to update his EHC Plan;	Director for Education and Early Help - Letter sent to Mrs X - completed
2	Pay Mrs X £4,200 to use for Child Y's benefit. This reflects his loss of education and SEN provision during a period of three and a half school terms at £1,200 a term;	WCF - Payment made to Mrs X - completed
3	Issue an up-to-date draft EHC Plan for Child Y if it has not already done so.	WCF - EHC Plan issued
4	To prevent a recurrence of fault, the Council will remind all its relevant staff within one month of the date of this report that: <ul style="list-style-type: none"> • all informal school exclusions are illegal. The Council should not advise schools to carry them out and should remind schools that carry them out that they are illegal; and • where a child with an EHC Plan is out of education, the Council should carry out an emergency review of the EHC Plan and record it as such. It should then amend the EHC Plan as necessary and write to the parent advising them of their right to appeal to the Special Educational Needs and Disability (SEND) Tribunal against its decision. 	Director for Education and Early Help - Briefing note sent to all CHS staff including related services in other organisations 19.09.19. Schools have been briefed through the SENCo Network meetings
Deadline	Action	Action by / Date completed
22.11.19		
1	To reduce the potential for injustice to future complainants, the Council will review its corporate complaints policy within three months of the date of this report to ensure that: <ul style="list-style-type: none"> • the procedure normally takes no longer than 12 weeks to complete; and • there is a timescale for each stage. 	completed
2	The Council must consider the report and confirm within three months the action it has taken or proposes to take.	Director for Education and Early Help to write to the LGO before 22.11.2019
3	The Council should consider the report at its full Final report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this.	Cabinet report 14 November 2019

CABINET
14 NOVEMBER 2019**WORCESTERSHIRE SAFEGUARDING CHILDREN BOARD**
ANNUAL REPORT 2018/19

Relevant Cabinet Member

Mr A C Roberts

Relevant Officer

Director of Children's Services and Chief Executive of Worcestershire Children First

Recommendation

- 1. The Cabinet Member with Responsibility for Children and Families recommends that Cabinet:**
 - (a) receives the Worcestershire Safeguarding Children Board Annual Report 2018/19; and**
 - (b) notes the progress of the work of the Worcestershire Safeguarding Children Board.**

Background

2. The Independent Chair of the Worcestershire Safeguarding Children Board (WSCB) is responsible for publishing an annual report that provides a public assessment of the effectiveness of safeguarding arrangements for children and young people in Worcestershire. The report also recognises achievements and is realistic about the challenges that remain.
3. The report is made publicly available through publication on the Board's website. In addition, it is formally presented to the Chief Executive and Leader of the County Council, to the Health and Well-Being Board and to Cabinet. It is sent to West Mercia's Police and Crime Commissioner, to the respective Chairs of the Worcestershire Safeguarding Adults Board and the Safer Communities Board, and it is circulated to lead officers in key partner agencies.
4. In October 2018 Derek Benson informed the Cabinet that Ofsted feedback was evidencing progress by Children's Social Care, albeit there was much work still to be done to reach the point where children in Worcestershire receive a consistently good service. The Board recognised the high level of focus and effort that would be required, with ongoing support from partner agencies, to continue to deliver further improvements.

Key points from the WSCB Annual Report 2018/19

5. During 2018/19 Worcestershire Safeguarding Children Board had a particular focus on a number of priorities including:

- Implementation of Neglect Strategy
- Protecting children and young people from exploitation
- Seeking assurance and promoting effective early help
- Voice of the child
- Critical friends to the Children's Social Care Service Improvement Plan (SIP)
- Establishment of new arrangements for the Safeguarding Partnership
- Consolidation of findings from Serious Case Reviews into learning which leads to improved practice.

6. The WSCB approved its Neglect Strategy in December 2018. The aims of the Strategy are to develop shared definitions and language, and a consistent approach to screening across the Partnership with examples of appropriate responses at different levels of need. The revised pathway for responding to neglect concerns, spanning early help through to child protection, and a toolkit for use by frontline practitioners in direct work with families were launched at targeted events in June 2019.

7. WSCB has a Child Sexual Exploitation (CSE) Strategic Group as one of its sub-groups and a CSE Operational Group which reports directly to the Strategic Group. During the year the focus on CSE has expanded to include other forms of exploitation and contextual safeguarding. 'GET SAFE' is the Worcestershire partnership title for the identification and management of multi-agency support and protection for children and young people at risk of **G**ang-related activity, **S**exual **E**xploitation, **T**rafficking, Modern day **S**lavery, **A**bsent and Missing, **F**orced Marriage, Honour Based Violence and Female Genital Mutilation, and Criminal **E**xploitation. After some significant delay a CSE Problem Profile was produced by West Mercia Police and this, along with the CSE dataset, now needs to be broadened out to include other areas of the GET SAFE (exploitation) agenda. Towards the end of the year an outline GET SAFE Action Plan was drafted and work is currently being undertaken with Partners to agree the detail.

8. A key development during the year has been the publication of the revised Early Help Pathway identified as a gap in last year's annual report. The Board's Improving Frontline Practice Group was a helpful mechanism for consultation with Partners and it supported circulation of communications through the WSCB newsletter, core training programme and Practitioner Network meetings. It was clarified that co-ordination of delivery of the Early Help Strategy action plan would sit under the Children and Young People Strategic Partnership sub-group of the Health and Well-being Board. Based on audits undertaken during the year it is possible to provide only limited assurance that partner agencies fully understood the threshold for intervention by Children's Social Care and there was found to be significant variation in the quality of referrals being made to the Family Front Door. However, during the year changes were made to referral processes which separated out early help and social work services, with online referral forms providing more guidance for referrers about what is required. It is anticipated that these changes will lead to improved quality of future referrals and support practitioners in distinguishing between the different levels of need.

9. Voice of the Child is one of the practice issues considered in the Board's MACFA process with auditors asked to specifically consider how effectively the 'voice' of the child was sought, recorded and considered by the partner agencies involved. Audits undertaken during the year found that practice is variable in terms of listening to and giving consideration to the views of children and young people. WSCB has adapted a series of prompt questions for practitioners to consider when seeking to understand what a day in the life of a baby, pre-school child, primary age child or teenager looks like. The 'A Day in My Life' prompts form part of the Neglect Toolkit but could be used in all aspects of direct work with children or young people. The Board consulted with pupils from middle and secondary schools and feedback informed development of the tools.

10. The WSCB has been updated at every Board meeting on the Service Improvement Plan performance indicators and also on outcomes from Ofsted monitoring visits. Meetings with Critical Friends were discontinued during the year after the Board agreed that progress was being evidenced and Board members were able to provide ongoing scrutiny and challenge through the Board and its sub-groups.

11. The three named Safeguarding Partners (Chief Executive of Worcestershire County Council, Chief Constable of West Mercia Police and Accountable Officer for the Clinical Commissioning Groups) have been represented by their respective Board members in discussions regarding the new multi-agency safeguarding arrangements. A proposal was presented at an exceptional Board meeting on 21 January 2019 followed by a period of consultation. The proposed changes were approved at the Board meeting held on 13 March 2019. The new Worcestershire Safeguarding Children Partnership (WSCP) was fully implemented on 1 September 2019.

12. Work has been completed by the Serious Case Review and the Improving Frontline Practice sub-groups of the Board to develop a summary of key messages from three SCRs completed during the year. A communications plan to ensure dissemination of learning and key messages was developed and presented to the March Board meeting. This communications plan has now been implemented with multi-agency learning events held in June and July 2019.

13. This year has continued to see further pressure on the Family Front Door with the number of Contacts up by 13% compared with last year. Other increases related to the number of looked after children (up 5.5% compared to last year), the number of open S17 assessments (up 54% compared to last year) and the number of S47 (child protection) assessments (up 14% compared to last year). The number of Plans have reduced this year with Child in Need Plans down by 14.5% and Child Protection Plans down by 2.4%.

14. Three cases were presented during the year for consideration of a Serious Case Review (SCR) but none were found to meet the criteria. Two SRCs which were commissioned last year were completed during the year, however it was evident that one of the cases did not meet the criteria and was subsequently down-graded to a case review with the agreement of the National Panel.

15. During the year 38 Child Death Notifications were received. The Child Death Overview Panel (CDOP) reviewed 23 deaths during the year and modifiable factors were found to be present in 10 of the deaths. Modifiable factors included lack of parental supervision, maternal smoking and obesity, and fatal road traffic collisions involving inexperienced teenage drivers. National data for 2018/19 is not yet available for comparison purposes. An analysis of 'sudden unexpected unexplained deaths' was undertaken relating to children under 2 years old. It found that there has been a significant rise in baby deaths with modifiable factors which included excessive alcohol consumption coupled with bed sharing and smoking. From September 2019 the process for Child Deaths Reviews became the responsibility of the two Child Death Partners (Local Authority and Clinical Commissioning Groups). In Worcestershire Public Health are taking the lead on behalf of the Council. The decision has been taken to develop a joint CDOP with Herefordshire.

16. The Board delivered core safeguarding training to 842 practitioners during 2018/19. This multi-agency training continued to be rated highly by attendees who report an improvement in knowledge and confidence after attendance. Post-training impact evaluations and audits also demonstrate that learning is transferred into the workplace and has a positive impact on children and families. 996 practitioners completed an e-learning course (down 28%

compared to last year). There has been a year-on-year reduction in demand and this year the Board took the decision to cease providing e-learning from April 2019.

17. The Section 11 Audit is a self-assessment by partner agencies of the extent to which they are fulfilling their safeguarding responsibilities as defined in the Children Act 2004. Last year the Board conducted its Section 11 Audit using a new audit template which has been developed by a West Midlands working group. The S11 Audit is to be undertaken every two years. This year the Board can provide assurance that partner agencies continue to report progress is being made against outstanding actions.

18. The annual Section 175/157 Audit (schools and FE colleges) elicited a 100% return rate for the first time. This is recognised as a tremendous achievement and provides assurance that there is a high level of safeguarding activity in education settings. Operation Encompass, where schools are informed the next morning about domestic abuse incidents, is welcomed by schools and should have a positive impact on the emotional support made available to children and young people.

Conclusion

19. The Board has concluded that at a strategic level there is a strong commitment to safeguarding children in Worcestershire. It has also received assurances that safeguarding arrangements are in place in partner agencies and that safeguarding responsibilities are taken seriously. In addition, the Board's contributory partners have maintained the same level of financial contributions despite operating within financial constraints.

20. As last year, much of the Board's attention has focussed on Children's Social Care as lead agency for safeguarding children. The Board has continued to be sighted on the work being undertaken to improve services for children in need of help and protection, including early help, through its comprehensive Service Improvement Plan. In addition, Ofsted have continued to monitor progress through quarterly monitoring visits. As a result of feedback received from Ofsted during the course of the year, which indicated that satisfactory progress was being made, and on the Council's own Quality Assurance and Performance Information, the Service Improvement Plan has been reviewed and priorities re-focussed. The Board was satisfied with the regular updates provided from the Director of Children, Families and Communities and with commentary and analysis regarding performance information provided by the Assistant Director (Safeguarding). It acknowledges the tremendous effort made on the part of the senior management team to make tangible improvements. Partner agencies continue to have a part to play in ensuring that they also respond robustly to children and families, especially where the threshold is not met for a Children's Social Care intervention but families require additional support through the provision of early help

21. This is the final WSCB Annual Report. From 1 September 2019 the Worcestershire Safeguarding Children Board no longer exists and has been replaced by the new Worcestershire Safeguarding Children Partnership (WSCP).

Legal, Financial and HR Implications

22. Not applicable

Risk Implications

23. Not applicable

Privacy and Public Health Impact Assessments

24. Not applicable

Equality and Diversity Implications

25. Not applicable as no recommendations are made.

Supporting Information

- Appendix – Worcestershire Safeguarding Children Board Annual Report 2018/19 (available electronically only)

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 Children's Services and Chief Executive of Worcestershire Children First) the following are the background papers relating to the subject matter of this report:

Agenda papers for the meeting of the Cabinet held on 18 October 2018

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CABINET
14 NOVEMBER 2019**EU EXIT PREPAREDNESS UPDATE REPORT**

Relevant Cabinet Member

Mr S E Geraghty

Relevant Officer

Director of Commercial and Commissioning

Recommendation**1. The Leader recommends that Cabinet:**

(a) notes the responsibility of the Council to contribute to Government-directed EU Exit contingency planning activity (co-ordinated through the West Mercia Local Resilience Forum);

(b) notes the internal planning taking place to ensure that key Council services identify risks and are prepared; and

(c) considers what, if any, further preparations are needed to support the local economy and residents.

Background/Council Responsibilities

2. Following a request from the Rt Hon Robert Jenrick MP Secretary of State for Housing, Communities and Local Government, the Leader and Chief Executive have nominated the Director of Commercial and Commissioning, Andrew Spice, to fulfil the role and responsibilities of lead Brexit officer for the Council.

3. The Council has received financial allocations from Government amounting to £87,500 in addition to an earlier allocation of £80,000, specifically for spending against EU Exit-related issues. Each District Council and the West Mercia Local Resilience Forum (LRF) secretariat have also received dedicated funding.

4. Government introduced regular reporting arrangements in March 2019, originally to ensure that public sector organisations demonstrate their preparedness in readiness for a no deal EU exit and maintain the continuation of key public services should disruption occur.

5. The Council has been contributing to the no deal EU Exit contingency planning which is co-ordinated through the West Mercia LRF and its emergency response arrangements.

6. Following the decision to grant the UK an extension to the withdrawal agreement to 31 January 2020, and subsequent calling of a General Election on 12 December 2019, these reporting arrangements have now been suspended.

7. In September 2019, full Council resolved to ask for a report to Cabinet on its own preparations to support the local economy and residents of Worcestershire throughout

this challenging time, and on the mechanisms in place to co-ordinate with other organisations such as the Local Enterprise Partnership, Worcestershire Business Central, the Chamber of Commerce for Herefordshire and Worcestershire and the six District Councils.

West Mercia LRF update

8. As requested by Government, the LRF has prepared an Exit Preparations Plan. This Plan is based on the response to several planning assumptions defined by the Government. The Exit Preparation Plan is designated a "Restricted document" by the Local Resilience forum (LRF). The Council contributed to the development of this Plan and its content is kept up to date via regular weekly LRF Strategic Co-ordination Group (SCG) teleconference meetings.

9. Until the suspension of the reporting arrangements, the Director of Commercial and Commissioning (or his substitute) participated in the weekly LRF Strategic Co-ordination Group (SCG) teleconference meetings, chaired by the Chief Constable (or his substitute) to provide an assessment of any 'no deal' EU Exit risks and consequential impacts for the West Mercia area.

10. West Mercia Police ran an exercise on 2 October for LRF partners to consider a range of possible 'no deal' EU Exit scenarios. Of specific interest to the Council, scenarios included potential failure of a care home and possible consequences and the impact of the closure of key roads due to demonstrations.

National Guidance

11. All links to publicly available national documents and regulations are available on the landing page at the [Government website](#) under Get Ready for Brexit or for local government specific issues via the LGA [Brexit advice hub for local government | Local Government Association](#).

Key Issues for Worcestershire

12. The Council's Corporate Risk Management Group (CRMG) has compiled information provided by each Directorate on the potential risks faced by individual service areas. This information was considered against the government planning assumptions and used to inform the wider LRF planning analysis.

13. Key issues that have emerged for Worcestershire include: requirements to support local businesses and residents (including uncertainty around current EU grant funded programmes to support the local economy), Internal Business and Service Continuity, Care Homes and Social Care Provision, EU Nationals employed by the Council, Provision of Supplies and Provision of Regulatory advice. The preparedness activity currently taking place within the Council in relation to these key risk areas includes:

- Requirements to support local businesses and residents

14. The Government currently funds growth hubs in each LEP area, in Worcestershire this is Worcestershire Business Central (WBC) which is a partnership between Worcestershire LEP, the County Council and the Chamber of Commerce, The County

Council has members of staff co-located in the team based at Herefordshire and Worcestershire Chamber of Commerce.

15. Government have nominated growth hubs as the mechanism to disseminate information to business re Brexit. All information and practical advice for businesses in relation to Brexit and a no deal Brexit are contained within the Brexit tool kit on the growth hub website. (see link below).

16. Therefore, in the first instance businesses will be signposted to growth hub staff and this information. Officers from Worcestershire LEP, the County Council and the Chamber of Commerce located in the service will give advice as required e.g. on exporting and potential changes re free movement for example. Government has also announced that a proportion of the Business Readiness Fund will be routed via the growth hubs to provide additional support and advice to companies on issues related to Brexit.

<http://www.business-central.co.uk/brexit-tool-kit/>

17. The growth hub along with Council Economic Development staff will, where appropriate, be making companies aware of the £16m Grant Scheme for Customs Intermediaries Ahead of Brexit. This enables customs intermediaries, traders and hauliers completing customs declarations to apply for grants to support training and new IT systems. Businesses are also referred to the events already operating within the county led by the private sector and the Chamber of Commerce.

18. The Government's 'Business Readiness Fund' has enabled Business organisations and industry bodies such as the Herefordshire and Worcestershire Chamber of Commerce to apply for grant funding to help UK businesses prepare for a no-deal Brexit. The grant has been used for example to produce advice packs and running events, training courses and webinars as part of the country wide programme coordinated by the Department for Business, Energy and Industrial Strategy.

19. Should local businesses experience any difficulties, then advice and support will be available through the growth hub, Worcestershire Business Central supported by the County Council and District Councils' economic development teams and business organisations or industry bodies as required.

- Internal Business and Service Continuity

20. The Corporate Risk Management Group provides the focus and overview for ensuring the continuity of the Council's service delivery and ensures that the Council's Business Continuity planning arrangements remain agile and fit for purpose.

- Care Homes and Domiciliary Care provision

21. The DAS is following government EU Exit advice and guidance specific to adult social care and has considered and revisited, with providers, the potential impacts on care homes and domiciliary care provision. The Interim Director of Adult Services is confident that existing business continuity and support arrangements are tried, tested and fit for purpose. Every care home is expected to hold a comprehensive business continuity plan which can be implemented effectively in the event of a full failure or for an aspect of its services such as food provision. Providers of domiciliary care are expected

to continue to operate business as usual arrangements based on their own business continuity arrangements.

22. NHS England advise that arrangements are in place to ensure that supply of medicines and medical equipment will not be disrupted. Any emerging issues regarding medicines availability to care homes for instance will be managed through NHS and Clinical Commissioning Groups.

23. Should difficulties be experienced by domiciliary care providers such as medicines and fuel shortages these will be dealt with through LRF partner and NHS response channels respectively.

- EU Nationals employed by the Council

24. The HR team has analysed the numbers of EU nationals employed by the Council or in a commissioned service and determined that they are comparatively low (compared to neighbouring councils), and arrangements are in place to inform any staff of their rights to apply for leave to remain.

- Provision of Supplies

25. The Government has provided assurances that there are unlikely to be shortages of fresh food. However, should this become an issue for schools, care homes and domiciliary care meals provision, it is expected that their existing business continuity arrangements will ensure alternative supply. Existing monitoring arrangements for schools, care homes and domiciliary care providers will highlight any issues arising and enable guidance and support from our services should this be required.

26. Similarly, the Government advises that fuel supplies are unlikely to be disrupted. The Director of Economy and Infrastructure reports that the vehicle fleet (via Ringway) has fuel supplies stored at key depots. Ringway hold a 2 to 4-month supply in stock. Fleet (minibuses etc) hold a 4 to 6-week fuel stock. These are reviewed weekly and re-stocked as needed.

27. Contractors including those involved with Highways work such as the Southern Link Road advise that they have continuity arrangements in place including securing supply of steel and other materials in the event of any import delays.

- Provision of Regulatory advice

28. Trading Standards has a significant regulatory role with emerging EU exit-related issues and advising local businesses. The main risks lie under a no deal scenario as the UK may lose access to the single market.

29. Business support for exporting food businesses by way of health certification for both bacteriological and labelling matters will be needed. Non-food businesses are also likely to require support. There is a risk that shortages of some products and product types will lead to unregulated alternatives.

30. Additional Trading Standards officer capacity has been agreed locally using the funding allocation for EU Exit-related activity, to help ensure regulatory advice continues for businesses.

Legal, Financial and HR Implications

31. Any Legal, Financial or HR implications arising from the update reported here will be addressed as part of the programme of work on those specific areas.

Privacy and Public Health Impact Assessments

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

Risk Implications

33. There are potential risks to critical Council services and the local economy as a result of insufficient preparedness for EU Exit.

Equality and Diversity Implications

34. The Council must, during planning, decision-making and implementation, exercise a proportionate level of due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the equality act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not.

35. An Equality Relevance Screening has been carried out in respect of these recommendations. It is identified that further equality impact analysis will be required in respect of: access to fresh food and meals provision at schools, care homes and domiciliary care. However, it is expected that existing business continuity arrangements will ensure alternative supply.

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 Commercial and Change) the following are the background papers relating to the subject matter of this report:

Agenda papers for the meeting of Council on 12 September 2019

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