

PUBLIC

MINUTES of a meeting of **CABINET** held on 8 October 2020.

PRESENT

Councillor B Lewis (in the Chair)

Councillors A Dale, A Foster, C A Hart, T King, S A Spencer and J Wharmby.

Declarations of Interest

There were no declarations of interest made.

176/20 MINORITY GROUP LEADERS' QUESTIONS

Councillor P Smith asked the following question:

(a) Agenda Item 6a - Care Leavers Support Measures

Having submitted the original motion to Full Council to extend these support measures to those leaving Care, I'm particularly happy to see the plans to support Care Leavers eventually coming to fruition, even if somewhat delayed. Can you confirm that the measures will be backdated so that no one is disadvantaged?"

Councillor A Dale, Cabinet Member - Young People responded that the County Council had written to the District and Borough Council several weeks prior to the motion being submitted to invite them to consider this proposal. It had taken a significant amount of work and negotiation, but it was pleasing that the 100% council tax discount had been agreed and implemented across the County, although it was noted that four of the Councils had already implemented this in the 2019 financial year. The Council had also ensured that those care leavers living outside of Derbyshire and in areas where the local council would not exempt them from the charge, would not have to pay the charge. In terms of whether exemptions could be backdated, unfortunately it was the District and Borough Councils themselves that managed council tax collection and the County Council had no powers to urge or force them to backdate. If this was something Councillor Smith wished to pursue, it would be best directed towards the District and Borough Councils. Some Councils did have their own mechanisms in place to backdate to the beginning of the financial year. Councillor Dale stated that whilst back dating is a good thing to do, it should be recognised that getting all eight district and borough councils exempting was a really positive step. However, it didn't stop there and the key

thing going forward was about what else the Council could do along with the other councils.

(b) Agenda Item 6b – The Scrutiny Review

The Labour Group are pleased to see the detail coming together from their input to the review of Scrutiny and are particularly supportive of many of the recommendations being made in Appendix 2 to improve the Scrutiny function at the Authority. Will the Cabinet be as eager and willing to embrace the recommendations as we are?

On a point of clarification, is it correct in Appendix 2, recommendation 14, that experts/advisors have been allowed to appear on all scrutiny committees since February 2020 or is that a typo?

Councillor A Foster, Cabinet Member – Corporate Services responded that the review had been commissioned by the Conservative Group and that Councillor Smith's Group had had plenty of opportunity to review the Scrutiny function when they were in power. There had been no changes to Scrutiny function for the last twenty years and the Conservative Group were keen to review it and to make it effective. The review was commissioned following feedback from the Conservative Chairs and other Conservative Members who had been on the Council before 2017 and who experienced how ineffective the Scrutiny function was under Labour. The Enterprising Council approach that it was intended to implement, meant that the Council were keen to systematically work on improving how the Council works by modernising all services to achieve value for money for the benefit of our residents.

Councillor Foster reminded Councillor Smith that aside from the Scrutiny review, in her portfolio alone, substantial improvements had been made. The Property function for instance, had been completely transformed to deliver efficient services. The procurement approach of the Council had also been improved and HR delivery had been modernised to make sure it was a whole Council service and this would reduce the costs by over £1m. The review showed the Council's commitment to provide a modern and effective service which was outcome focussed. As a Cabinet, the recommendations for improvement which have been made by the independent Centre for Public Scrutiny were welcomed and it was intended to drive up standards working with the Scrutiny Chairs and to make sure that the function from now on helped the Council achieve high quality and effective services.

Councillor Foster confirmed in relation to the second element of the question, that it should refer to February 2021.

177/20 **MINUTES RESOLVED** that the non-exempt minutes of the meetings of Cabinet held on 10 and 15 September 2020 be confirmed as correct records.

178/20 **CABINET MEMBER MEETINGS - MINUTES RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:

- (a) Adult Care – 3 and 17 September 2020
- (b) Health & Communities – 4 and 17 September 2020
- (c) Clean Growth & Regeneration – 10 September 2020
- (d) Corporate Services – 10 September 2020
- (e) Highways, Transport & Infrastructure – 10 September 2020
- (f) Strategic Leadership, Culture & Tourism – 23 September 2020

179/20 **REVIEW OF THE DERBYSHIRE CARE LEAVERS OFFER – INTERIM REPORT** (Young People) Councillor G Musson, Chairman of the Improvement and Scrutiny Committee – People presented to Cabinet the initial outcomes of the Scrutiny review of the Derbyshire Care leavers' Offer.

The review focussed on three discrete aspects of the Derbyshire Care Leaver's Offer: council tax, Accommodation and Financial support. During the review a series of scrutiny working group meetings were held to ensure that Members were kept informed about partnership working undertaken by the Young People's Department to develop a more consistent offer throughout Derbyshire, further details of which were presented.

RESOLVED that (1) the Committee commends the partnership working that had led to the countywide improvements to the Derbyshire Care Leavers' Offer. The agreement of all District and Borough Councils within Derbyshire to provide council tax discount would bring significant benefits to care leavers up to the age of 25 and would help their transition to independent living. The removal of the local connection from the districts to the whole of Derbyshire will open-up opportunities for care leavers when setting up home and seeking employment or training;

(2) publicity regarding council tax discount for care leavers, that was delayed as a result of the Covid19 pandemic, should be progressed as soon as practicable;

(3) Children's services work in partnership with District and Borough Councils to identify an approach that would enable a care leaver to make an "expression of interest" for a property in sufficient time to allow them to move in when they reached the age of 18;

(4) in addition to allocating each young person a designated Leaving Care Support Worker, the service explores the feasibility of identifying a second point of contact within the service. This would provide each young person the opportunity to get to know and feel comfortable with another member of staff who would be available for them in the event of their designated support worker being on leave or leaving the Derbyshire service; and

(5) the Leaving Care Service explores mechanisms that would facilitate care leavers having access to ongoing guidance or mentoring with a person that they know, beyond the age of 21.

180/20 THE SCRUTINY REVIEW (Strategic Leadership, Culture and Tourism) The Executive Director – Commissioning, Communities and Policy informed Cabinet of the Scrutiny Review findings and proposed actions.

The Scrutiny Review commenced in 2019 at the request of Cabinet and the Chairs of Scrutiny and a workshop was held for the Chairman and Vice-Chairman of the four Improvement and Scrutiny Committees. A lack of officer capacity prevented the review from being progressed further at that time, and, to resolve this, a Programme Director was appointed in March 2020 to progress a range of projects, including the scrutiny review. It was determined that the Centre for Public Scrutiny (CfPS) were to be commissioned to undertake the review, bringing independence, a substantial experience of scrutiny from across the country and a ready-made scrutiny review methodology. As part of the review process, the CfPS undertook two member surveys: one designed for completion by members of Cabinet and members of Improvement and Scrutiny Committees and the other designed for all remaining members. CfPS also carried out a series of one to one meetings and discussion groups, further details of which were presented.

A Scrutiny Review Steering Group was established to lead the review. The Steering Group comprised the Improvement and Scrutiny Chairmen and the Cabinet Member for Corporate Services. It was supported by the Executive Director - Commissioning, Communities and Policy and the Programme Director. A Scrutiny workshop was scheduled for 12 October 2020, the outcomes of which would be considered by the four Improvement and Scrutiny Committees on 3 and 4 November and the Governance, Ethics and Standards Committee on 22 October. The final report and action plan would be considered by Cabinet on 19 November for approval and recommendation to Council on 2 December 2020.

Fifteen recommendations were identified by the CfPS, as set out in their report: Derbyshire County Council Scrutiny Improvement Review, July 2020, as detailed at Appendix 1 to the report and a further three actions were identified by senior officers and the Scrutiny Steering Group. The Scrutiny

Review Steering Group had prepared a draft Action Plan which was presented at Appendix 2 to the report in response to the recommendations.

The review had identified systems, practises and approaches that were developed as part of the original implementation in Derbyshire and had, in many respects, been largely unchanged over that period. As a result, the recommendations highlight the need for cultural change, as well as practical change, ensuring that the Scrutiny function was brought up to date and fulfilled more of a central role and was better able to add value to the work of the Council. The draft Action Plan proposed that Cabinet and senior officers work more collaboratively with Scrutiny, to improve the integration of Improvement and Scrutiny into the functioning of the council. This collaborative approach had already started, for example, the Cabinet Member for Corporate Services had been working alongside the Improvement and Scrutiny Chairman throughout this review.

In addition, the findings from the review included the need to ensure that Improvement and Scrutiny's use of the corporate Key Decisions Document was more readily facilitated. This would enable the Improvement and Scrutiny Committees to develop meaningful and focussed work programmes which in turn would add value to the work of the Council. It was proposed that this review initiates a programme of continuous improvement for the operation of scrutiny within Derbyshire. It was recognised that the outcomes of the review were comprehensive and a key aim was to deliver cultural change as well as practical changes to the scrutiny function. Therefore, the development of the scrutiny approach would take place over the medium and long-term, as well as the short term and it was anticipated that once initial actions had been completed, further areas for future development would be identified and progressed.

RESOLVED to (1) approve the Scrutiny Review Report, including recommendations and draft action plan, for consideration at a scrutiny member workshop and by the four Improvement and Scrutiny Committees and Governance, Ethics and Standards Committee;

(2) agree Cabinet receives a further report on the Scrutiny Review and action plan, as informed by the workshop, the Improvement and Scrutiny Committees and the Governance, Ethics and Standards Committee, for approval and recommendation to Council; and

(3) note that this review commences a programme of continuous review and development of scrutiny at Derbyshire County Council.

181/20 REVIEW OF URGENT OFFICER DECISIONS TAKEN TO SUPPORT COVID-19 RESPONSE THAT HAVE BEEN IN PLACE FOR LONGER THAN EIGHT WEEKS (Health and Communities) The Director of

Public Health provided an update in relation to those actions which were the subject of Officer's Decisions utilising emergency decision making powers as detailed in the constitution.

The current challenges relating to the COVID-19 pandemic had necessitated urgent decision-making processes by the Executive Director - Adult Social Care and Health and Director of Public Health to be implemented to ensure the welfare of service users and the public and to safeguard the interests of the Council. The decisions had been made under the urgent delegated powers to Executive Directors as set out in the Constitution. All urgent decisions made relating to Public Health were made in consultation with the Cabinet Member for Health and Communities, and Cabinet were informed of the decisions made on 23 April 2020.

At the 4 June 2020 Cabinet meeting, it was agreed that Cabinet would formally delegate review decisions to the relevant Cabinet Member meeting as these were meetings held in public, virtually if necessary, in order to ensure maximum transparency. This process was put in place from 8 July 2020 with the Cabinet Member reviewing decisions on a fortnightly basis. Prior to this, all decisions were reviewed on a regular basis by the Cabinet Member for Health and Communities in conjunction with the Director of Public Health. As outlined in the report to Cabinet on 4 June it was a requirement that a summary of review decisions made by Cabinet members would be reported to Cabinet every two months.

The report contained a summary of the Public Health decisions that remained in place at the time of the last report to Cabinet on 30 July and were now no longer subject to on-going fortnightly review by the Cabinet Member for Health and Communities.

RESOLVED to note the review of decisions made under urgent delegated powers arising from the COVID-19 Pandemic.

182/20 **CORPORATE PROPERTY DELIVERY – GROUNDS MAINTENANCE** (Corporate Services) The Strategic Director-Commissioning, Communities and Policy advised Cabinet approval on proposals to externalise part of the Grounds Maintenance services in accordance with the implementation of a new operating model for the Corporate Property Division, further details of which were presented. A further report, titled 'Corporate Property Delivery - Grounds Maintenance, Full Business Case' containing information not for publication was to be considered separately by Cabinet in the exempt section of the meeting.

RESOLVED to note the report.

183/20 EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider Minority Group Leaders' Questions (if any).
2. To confirm the Exempt Minutes of the meeting of Cabinet held on 10 September 2020.
3. To receive exempt minutes of Cabinet Member meetings as follows:
 - (a) Corporate Services – 10 September 2020
 - (b) Health & Communities – 17 September 2020
4.
 - (a) Corporate Property Delivery – Grounds Maintenance Full Business Case – Executive Director Commissioning, Communities & Policy (contains information relating to labour relations matters and; contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Extension of Specialist Transport Contracts for Home to School Transport and Adult Care Transport under Coronavirus Pandemic and Retrospective Award of Additional Vehicles for School Transport for September 2020 – Director Economy, Transport & Environment, Executive Director Children's Services and Executive Director Adult Social Care & Health (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (c) Supply of Temporary Agency Workers - Executive Director Commissioning, Communities & Policy (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))