

## Minutes of the meeting of Cabinet held on 14 October 2010

### Present

#### Cabinet Members:

Councillors Alan Farnell (Leader of the Council and Chair of Cabinet)  
John Appleton (Support Portfolio Holder for Economy and Housing)  
Peter Butlin (Workforce and Governance)  
Alan Cockburn (Environment and Economy)  
Colin Hayfield (Customers, Workforce and Partnerships)  
Richard Hobbs (Community Safety)  
Izzi Seccombe (Adult Social Care)  
Bob Stevens (Health and Deputy Leader).  
Heather Timms (Children, Young People and Families)

#### Non-Voting Invitees:

Councillor June Tandy (Leader of the Labour Group)  
Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group)

#### Other Members:

Councillors Martyn Ashford, Sarah Boad, Les Caborn, Richard Chattaway, Ron Cockings, Jose Compton, Jim Foster, Carol Fox, Eithne Goode, Brian Moss, Tim Naylor, Kate Rolfe, Ray Sweet, Sid Tooth, Helen Walton, Angela Warner, John Whitehouse and Chris Williams.

#### Other Invitees:

John Linnane – Joint Director of Public Health  
Bryan Stoten - Chair of NHS Warwickshire PCT

### 1. General

#### (1) Chairman's Announcements

##### John Bolton – Interim Director of Adult Services

Councillor Alan Farnell reminded members that this was John Bolton's last Cabinet meeting before his contract ends. Izzi Seccombe, Cabinet Portfolio Holder for Adult Social Care, paid tribute to John for the progress he had made in the transformation of Adult Services. Cabinet members thanked John and wished him well for the future.

Wendy Fabbro – Strategic Director of Adults Social Care and Health

Councillor Alan Farnell welcomed Wendy Fabbro, newly appointed Strategic Director of Adults Social Care and Health, to Warwickshire County Council and to her first Cabinet meeting.

Councillor John Appleton

Cabinet and members gave a warm welcome to Councillor John Appleton and wished him well following his recent illness.

**(2) Apologies for absence**

Councillor Martin Heatley (Cabinet Portfolio Holder for Resources).

**(3) Members' Disclosures of Personal and Prejudicial Interests.**

**Items 4 - 7**

Councillor Colin Hayfield declared a personal interest as Non- Executive Director of NHS Warwickshire PCT

Councillor Jerry Roodhouse declared a personal interest as Chair of Warwickshire LINKs and as wife is employed by Warwickshire County Council.

Councillor Bob Stevens declared a personal interest as a member of the British Legion and as Non-Executive Director of NHS Warwickshire PCT.

Councillor Ray Sweet declared a personal interest as his brother-in-law received care services.

Councillor Kate Rolfe declared a personal interest as a private carer not paid by Warwickshire County Council.

**(4) Minutes of the meeting held on the 9 September 2010**

**Resolved**

That the minutes of the meeting of Cabinet held on 9 September be approved as a correct record.

**2. Fairer Charges and Contributions**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented a report setting out the outcome of the consultation on proposed changes to the charging for care services. The full analysis of the results from consultation had been fully analysed and made available to the Adult Social Care and Health Overview and Scrutiny Committee. (An extract of the minutes of their meeting on 12 October were tabled at this Cabinet meeting).

Councillor Seccombe drew attention to the main themes that had arisen from the consultation, including that the majority of respondents understood the economic situation facing the Council and the reasons for changes. There had been

concerns, however, about affordability and the timescale for implementation and the proposals had been revised to allow phasing of increases. Councillor Seccombe added that the issues of day care and transport raised during consultation would be further reviewed.

During discussion Councillor Izzi Seccombe reminded the meeting that the proposals needed to be seen in the context of other changes in care, including personalisation of budgets and choice that users will have in how they spend their budgets.

Councillor Les Caborn, Chair of the Adult Social Care and Health Overview and Scrutiny Committee, reported that there had been a robust discussion on this issue at the Committee meeting. The Committee had questioned the relatively low response to the consultation but had been assured that this was in line with similar consultations carried out in other areas of the country. Of particular concern to the Committee was the issue of the quality of care services and whether the increase in charges would lead to people no longer taking up services. The majority of members on the Committee had supported the proposals, accepting that there was a need to regulate costs but also wishing to ensure highest quality of services.

Councillor Sid Tooth, Labour Group spokesperson, advised that the Labour Group had considerable reservations about the increase in charges. Councillor Kate Rolfe added that she was concerned that there was not adequate choice in some areas of the Council and she sought assurance that the quality would be as good if not better with these changes.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, sought assurance that there would be an adequate market of providers that would enable people to make choices and that there would also be an in-depth scrutiny of quality that ensured the voice of the user is heard.

Councillor June Tandy, Leader of the Labour Group, added that she was concerned that the expectation was that monitoring of quality was being left to users. John Bolton advised that the objective of personalisation was to allow users to have better control. Many would be able to take control, but there would be the need for advocate arrangements for some.

Councillor Izzi Seccombe gave her assurance that the quality of services would be carefully monitored and that there was a role for overview and scrutiny in this.

## **Resolved**

(1) That Cabinet approves:

- a) Changes to the charging levels for community care services as set out in table 1 on page 9 of the report and set out below:

		Current	Dec 2010	April 2011	Oct 2011	April 2012
Home Care/Hr	Original	£9.66	£12.34	£16.45	£16.45	£16.45
	<b>Revised</b>	<b>£9.66</b>	<b>£11.36</b>	<b>£13.06</b>	<b>£14.75</b>	<b>£16.45</b>
Day Care/day	Original	£5.55	£20.00	£25.00	£25.00	£25.00
	<b>Revised</b>	<b>£5.55</b>	<b>£10.43</b>	<b>£15.32</b>	<b>Subject to review</b>	
Respite/day	Original	£4.13	£51.80	£51.80	£51.80	£51.80
	<b>Revised</b>	<b>£4.13</b>	<b>£51.80</b>	<b>£51.80</b>	<b>£51.80</b>	<b>£51.80</b>
Direct Payments/Hr	Original	£9.66	£10.00	£10.53	£10.53	£10.53
	<b>Revised</b>	<b>£9.66</b>	<b>£10.00</b>	<b>£10.53</b>	<b>£10.53</b>	<b>£10.53</b>
Telecare/wk	Original	£4.76	£4.76	£4.76	£4.76	£4.76
	<b>Revised</b>	<b>£4.76</b>	<b>£4.76</b>	<b>£4.76</b>	<b>£4.76</b>	<b>£4.76</b>
Transport/journey	Original	£1.33	£6.75	£9.00	£9.00	£9.00
	<b>Revised</b>	<b>£1.33</b>	<b>£3.25</b>	<b>£5.17</b>	<b>Subject to review</b>	
Other Chargeable Services		58.7%	75%	100%	100%	

- b) The change in the lower income threshold from Income Support + 40% to Income Support +25% to apply from December 2010;
- c) That the maximum weekly charge (currently set at £387.13) be removed for all new service users from December 2010 and for all existing service users from April 2010;
- d) That all charging levels continue to be subject to a report to a report to Overview & Scrutiny on an annual basis in terms of review of full cost and inflation.
- (2) That Cabinet declares an intention to move towards one single contribution rate for personal budgets from April 2012 and that a further review should take place in due course.
- (3) That the changes outlined above as indicated for December 2010, April 2011, October 2011 and April 2012 should come into force on the following actual dates (being the first Monday in the month):
- 6<sup>th</sup> December 2010
  - 4<sup>th</sup> April 2011
  - 3<sup>rd</sup> October 2011
  - 2<sup>nd</sup> April 2012
- (4) That Cabinet notes that the estimated financial impact of the changing review based on the above recommendations exceeds the original target as set out in paragraph 8.1 of the report.

### **3. The Future of Warwickshire County Council's Residential Care Homes for Older People – Extension of Consultation.**

Councillor Izzi Seccombe (Portfolio Holder for Adult Social Care) presented a report that proposed an extension of the current consultation beyond the end of October, to enable further options to be considered relating to the possibility of operating the homes in the independent sector.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, requested that there be further information on what homes were seen as suitable for closure and for staff to be kept informed. Councillor Sid Tooth sought assurance that the objective was to maintain an adequate residential care service, not to 'chase' capital receipts. John Bolton advised that the objective was to provide the services that Warwickshire needs. For example, there is a need for better dementia care with specialist homes for those with dementia and trained staff. There is also a need to improve the arrangements for discharge from hospital as currently some 20% of people are placed in care homes unnecessarily, because there are not the dedicated places and trained staff for these people.

Councillor Izzi Seccombe gave her assurance that the consultation was to explore options and was not a consultation on closures. Councillor Seccombe added that consultation feedback supported her belief that Warwickshire's Care homes are of a high quality. There were, however, issues to be addressed, including low occupancy in some areas and all options should be explored to see if there are options for changing some provision, for example to provide intermediate care for those leaving hospital. Councillor Seccombe stressed that this was purely an exploration of options at this stage.

#### **Resolved**

- (1) That Cabinet approves the extension of the consultation on the impact of the closure of the council run care homes to include:
  - (1) the option of selling or part selling (either as going concerns or through a joint venture company) these homes to an independent sector provider:  
and
  - (2) the option to increase the charge to the full cost for those living in County Council residential care homes who have sufficient means to fund their own care, should the Strategic Director of Adult, Health and Community Services in consultation with the Strategic Director of Customers, Workforce and Governance, in consultation with the Cabinet Portfolio Holder for Adult Social Care, agree to this course of action.
- (2) That, subject to Cabinet approval in relation to recommendation 1(1) above, Cabinet authorises the Strategic Director of Adult Health and Community Services to further explore the options outlined in paragraphs 2.3 and 2.4 of the report with independent sector providers.
- (3) That the Strategic Director of Adult Health and Community Services be authorised to implement a change to the policy in relation to admissions to County Council residential care homes so that preferential admission is given

to those older people who have an ordinary residence in Warwickshire and who are unable to meet the full costs of their care. This authorisation to be subject to the Strategic Director of Adult Health and Community Services, in consultation with the Lead Portfolio Holder for Adult Social Care, being satisfied with the assessment of the impact of this change in policy on the Council's customers.

#### **4. Care and Choice Accommodation Programme – Extra Care Housing in Warwickshire – Big Bang Procurement Process.**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented a report that set out the procurement process for 20 new Extra Care Housing schemes which are to be completed around 2014.

During discussion John Bolton confirmed that the process sought one provider, would be via open tender and that this was not dependent on the outcome of the care homes review. Assurance was given that presentations would be given to members on the options that come forward.

#### **Resolved**

- (1) That Cabinet approves the recommended method for progressing the procurement process for up to 20 new Extra Care Housing schemes which are to be completed around 2014.
- (2) That Cabinet receives further reports on the financial and service delivery implications as the procurement process progresses.

#### **5. Initial Review of the Home Care Reablement Service**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented the findings of an initial review of the reablement service which had been implemented in Nuneaton and Bedworth and Stratford. Cabinet welcomed the report, noting that over 70% of those referred required no further support after enablement, and those that did had smaller packages of support. The implementation and results have been recognised as an example of good practice by the Care Services Efficiency and Delivery Agency.

Councillor Richard Chattaway sought clarification on the allocation of funding that had been recently referred to by government. Bryan Stoten advised that this was being investigated and that a briefing note would be sent to members when known.

#### **Resolved**

- (1) That Cabinet endorses the positive outcomes being delivered and anticipated savings resulting from the provision of the Home Care Reablement Service to date and plans for future roll out of the service countywide.
- (2) That Cabinet endorses the work being undertaken on the future alignment of The County Council's Reablement service with intermediate care services in partnership with colleagues in the health service.

- (3) That Cabinet endorses a full evaluation of the Home Care Reablement Service to be undertaken 18 months post roll-out (May 2012) and reported to Cabinet in July 2012.

## **6. Learning Disability Self Assessment Action Plan**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented an action plan for Learning Disability services, as requested by the Overview and Scrutiny Committee following their consideration of the Learning Disability Self Assessment in June 2010.

Councillor Les Caborn, Chair of the Adult Social Care and Health Overview and Scrutiny Committee, referred to the observations made by the Committee on 12 October and set out in the tabled extract from the draft minutes of that meeting. The Committee had noted that there were improvements (with a greater focus on improved lifestyles, quality of life and dignity for users) but that there are a number of issues to address including the transition from children's services to adult services; the support to parents who were carers and the need to work with partners to reduce reliance on day services and improve community support.

Councillor Izzi Seccombe added that the approach was similar to that of reablement, with the objective to help people gain independence, including a reduction in reliance on residential care. Councillor Seccombe gave assurance that the areas raised by the Committee would be taken forward.

### **Resolved**

- (1) That Cabinet approves the self assessment action plan, following consideration by the Adult Social Care and Health Overview and Scrutiny Committee on 12th October 2010
- (2) That Cabinet agrees a formal consultation process on the actions as appropriate in respect of the impact of any proposed changes to building based support, in particular day services.

## **7. Best Health for Older People in Warwickshire: Joint Director of Public Health Annual Report**

Dr John Linnane, Joint Director of Public Health, presented his annual report for 2009/10 which was focused on the health of older people (aged 50 and above). (Copies of the report are available on the websites: [www.warwickshire.nhs.uk](http://www.warwickshire.nhs.uk) and [www.warwickshireobservatory.org](http://www.warwickshireobservatory.org)).

Dr Linnane drew attention to the trends which continued to show that life expectancy in the north of the County was lower than in the south and that healthy lifestyle behaviours varies at a district levels. Older people in the north of the County are more likely to be obese and smoke but older people in the south are more likely to be drinking alcohol more than three times a week. Dr Linnane also drew attention to the number of excess winter deaths (over 300 annually) which were avoidable and due to the particular effects that low temperatures have on older people.

The Joint Strategic Needs Assessment had led to a series of recommendations, set out in the report, which looked to joint working of partners to address these issues, and others including in tackling rural isolation, dementia support and end of life care.

Councillor Bob Stevens thanked Dr Linnane and commended the full annual report to members.

### **Resolved**

That Cabinet receives the report.

## **8. Proposed Federation of Thorns Infant School and Park Hill Junior School, Kenilworth**

Councillor Heather Timms (Cabinet Portfolio Holder for Children, Young People and Families) presented a report that set out proposals by the Governing Bodies of Thorns Infant School and Park Hill Junior School to federate.

Councillor Timms gave assurance that more information would be provided on what federation means for schools and added that it was a choice for schools and would be promoted where schools see federation as an option.

### **Resolved**

- (1) That Cabinet considers the proposal by the Governing Bodies of Thorns Infant School and Park Hill Junior School, to federate from 12 January 2011.
- (2) That Cabinet considers supporting the proposal and agrees any additional comments it would wish to forward to the schools as part of its response.

## **9. Waste Management: Tenders for Disposal and Capital Works**

Councillor Alan Cockburn (Cabinet Portfolio Holder for Environment and Economy) presented a report seeking authorisation to procure contracts for both new treatment methods to allow street sweepings and gully waste to be recycled and the design and build of a new Household Waste Recycling Centre and Transfer Station at Lower House Farm Lane.

### **Resolved**

- (1) That Cabinet authorises the Strategic Director for Environment and Economy, in consultation with the Portfolio Holder for Environment and Economy, to invite tenders and award the contract for the treatment of street sweepings and gully waste subject to tenders coming in within the present budgets and subject to the terms and conditions of any contractual documents being acceptable to the Strategic Director of Customers, Workforce and Governance, having first agreed to a procurement plan with the Strategic Director of Resources and the Strategic Director of Customers, Workforce

and Governance.

- (2) That Cabinet authorises the Strategic Director for Environment and Economy to invite tenders and award the contract for the development of Lower House Farm Household Waste Recycling Centre and Transfer Station and then tender the Operation and Haulage of the site up to a 10 year period, subject to tenders coming in within the present budgets and subject to the terms and conditions of any contractual documents being acceptable to the Strategic Director of Customers, Workforce and Governance, having first agreed a procurement plan with the Strategic Director of Resources and the Strategic Director of Customers, Workforce and Governance.

## **10. Quarter 1 Corporate Performance Report 2010-11**

Councillor Bob Stevens presented the Quarter 1 Corporate Performance Report and drew attention to the good news that 73% of performance targets were being met. Councillor Stevens added, however, that there were some areas where targets had been missed by over 40%. The Audit and Standards Committee had requested an account of why targets had been missed by this margin and above in the priority areas of Maximising Independence for Older People and People with Disabilities; Protecting the Community and Customers. The Committee will also look at the implications of missing the targets.

Councillor Jerry Roodhouse, Leader of the Liberal Democrat Group, asked about the process for reviewing and setting new targets, given that the number of targets was to be reduced. Cabinet members advised that they wished to see a big reduction in the number of indicators, and will ensure that the focus is on a few locally set targets that are meaningful and challenging.

### **Resolved**

That Cabinet notes the results of the Quarter 1 performance position.

## **11. Proposal to make Staff Savings in Adult Social Care**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented a report on reductions in staff budgets through deletion of some vacant posts and other steps in order to help balance the budget.

Councillors June Tandy and Sid Tooth expressed concern that there would be a reduction in social workers and the effect of the changes on the morale of the workforce.

John Bolton advised that around 40 of 415 posts in locality services were proposed to be deleted (but that all posts will be reviewed to ensure a fair distribution of posts against known demand) with the reduction of 1.5 management posts and further management post reductions across Provider Services. There are around 100 posts at risk but it is hoped that the actual number of redundancies will be kept low. It was noted that the first staff roadshow had taken place consultation will take

place with the trade unions with a view to final decisions being taken in January 2011

### **Resolved**

That Cabinet supports the proposals to make the budget reductions and take the associated actions proposed by the Interim Director of Adult Services as set out in the report.

## **12. Any Other Items**

### **Nuneaton Academy**

Councillor June Tandy, Leader of the Labour Group, asked whether a recent newspaper report was correct in saying that there was a delay on a decision on funding for Nuneaton Academy. Marion Davis, Strategic Director of Children, Young People and Families, advised that she was unaware of this but assumed more will be known after the Comprehensive Spending Review announcement or from the James Review of Capital Investment.

## **13. Reports Containing Confidential or Exempt Information**

### **Resolved**

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

## **14. Care and Choice Accommodation Programme – Avon Court Partnership Framework Tender Mini Competition – Contract Award**

Councillor Izzi Seccombe (Cabinet Portfolio Holder for Adult Social Care) presented a report seeking Cabinet approval to award the recently completed tender for the Partnership Framework Mini Competition for the development of Extra Care Housing at the site of the former residential care home, Avon Court, at 106, All Saints Road, Warwick.

Cabinet approved the award of the tender, as set out in the exempt minutes.

## **15. 2011 Highway Maintenance Contract**

Councillor Alan Cockburn (Cabinet Portfolio Holder of Environment and Economy) presented a report seeking approval to award a new Highways Maintenance Contract from 2011. Councillor Cockburn advised that the contract would consolidate six contracts and included work for Coventry City Council so delivering efficiency savings for both authorities.

Councillor Alan Cockburn agreed that spokespersons should receive a briefing on the contract and be kept informed with progress. Officers also undertook to investigate whether the key performance indicators could be localised to forum level.

## **Resolved**

- (1) That Cabinet approves the award of the 2011-2116 Highway Maintenance Contract to Balfour Beatty for an initial 5 year period with potential extensions to a maximum of 9 years, subject to satisfying key performance indicators; and
- (2) That Cabinet authorises the Strategic Director for Environment and Economy to enter into a formal legal contract with Balfour Beatty on terms and conditions acceptable to the Strategic Directors of Customers, Workforce and Governance and Resources.

*Officers who fall within the Phase 2 Pay Review left the meeting for the following items.*

### **16. Pay and Conditions Phase 2**

Councillor Peter Butlin (Support Portfolio Holder Workforce and Governance) presented a report on the results of consultation with the workforce on the Pay and Conditions Phase 2 Review. Cabinet was invited to give its views and recommendations for consideration by the Staff & Pensions Committee who would be taking the decisions on this issue at their meeting after this Cabinet meeting.

Cabinet made recommendations as set out in the exempt minutes

*All officers left the meeting for the following item aside from:*

*David Carter and Bob Perks who gave advice and then left the meeting during the discussion and consideration of the item.*

*John Betts stayed to give any further advice needed and Janet Purcell stayed to record the decision.*

### **17. Workforce Planning**

Councillor Peter Butlin (Support Portfolio Holder for Workforce and Governance) presented a report that set out possible options for workforce planning.

Cabinet's recommendations were sought prior to decision by the Staff and Pensions Committee at their meeting following the Cabinet meeting.

Cabinet agreed to make the recommendations to the Staff and Pensions Committee as set out in the exempt minutes.

The Cabinet rose at 4.20 pm

.....  
Chair