

Cabinet

Thursday, 9 July 2020

Minutes

Attendance

Committee Members

Councillor Izzi Seccombe (Chair)
Councillor Peter Butlin
Councillor Les Caborn
Councillor Colin Hayfield
Councillor Kam Kaur
Councillor Jeff Morgan
Councillor Jeff Clarke
Councillor Andy Crump
Councillor Heather Timms

Officers

Monica Fogarty, Chief Executive
Nigel Minns, Strategic Director for People
Rob Powell, Strategic Director for Resources
Mark Ryder, Strategic Director for Communities
Paul Williams, Democratic Services Team Leader

Others Present

Councillors Adkins, Boad, Cargill, Chilvers, Cooke, Falp, Gifford, Holland, Kondakor, O'Rourke, Parsons, Roodhouse, Singh Birdi, Webb, C Williams and P Williams

1. General

(1) Apologies

No apologies were received for the meeting.

Chair's Announcement

Prior to the start of the meeting Councillor Izzi Seccombe (Leader of the Council and Chair of Cabinet) made a statement concerning the passing of Councillor Richard Chattaway. Members were informed that despite restrictions relating to Covid-19 many people had turned out in Bedworth and Nuneaton to pay their respects on the day of Councillor Chattaway's funeral. Councillor Seccombe recognised the contribution that Councillor Chattaway had made to the people of Warwickshire adding that she was saddened to lose a good friend.

Councillor Helen Adkins (Acting Leader of the Labour Group) observed that Councillor Chattaway had been a “political giant” across Nuneaton and Bedworth and the whole of Warwickshire. He would be greatly missed. Councillor Adkins stated that more would be said in memory of Councillor Chattaway at Council on 23 July.

Councillor Jerry Roodhouse (Leader of the Liberal Democrat Group) stated that he had know Councillor Chattaway since 2001. His fondest memory would be of the produce from his allotment that Councillor Chattaway was always happy to share.

(2) Members' disclosure of Pecuniary and Non-Pecuniary Interests

The following declarations were made concerning Item 7 on the agenda, Trinity Catholic School.

- 1) Councillor Helen Adkins declared a non-pecuniary interest stating that her children attend the school.
- 2) Councillor Jerry Roodhouse declared a non-pecuniary interest as his daughter is employed at the school.
- 3) Councillor Bill Gifford declared a non-pecuniary interest as his children had attended the school previously.

(3) Minutes of the Previous Meeting

The minutes of the meeting of Cabinet held on 11 June were agreed as an accurate record.

(4) Public Speaking

The Chair welcomed five members of the public to the meeting and invited them to address Cabinet.

- 1) Professor David Mond.

Regarding item 3 on the agenda Professor Mond read out the following statement.

My name is David Mond. I’m a professor of Mathematics at Warwick University, and have been coordinating an interdisciplinary undergraduate module on climate change there for seven years. I’m also a member of Extinction Rebellion, because I believe that the government, and society in general, needs to pay much more attention to this desperately worrying threat.

I’m here today because I want to inform councillors of the interim findings of the UK’s Citizens Assembly on Climate Change, which I believe should have some bearing on Warwickshire’s measures to recover from the corona virus pandemic.

Climate Assembly UK was formed at the start of this year by six Parliamentary Select Committees: Business, Energy and Industrial Strategy; Environmental Audit; Housing,

Communities and Local Government; Science and Technology; Transport, and Treasury. It met over six weekends from January to May this year.

The assembly had 108 members, randomly chosen to represent a wide range of the UK population. They were informed by experts on climate change, economic policy and democracy. The full results of the votes taken at the conclusion of the Assembly will be released when parliament reconvenes in September. Interim results about recovery from the pandemic were published on June 23rd. In summary

- 79% of assembly members 'strongly agreed' or 'agreed' that, "Steps taken by the government to help the economy recover should be designed to help achieve net zero"¹; 9% strongly disagreed or disagreed; 12% were unsure.
- 93% of assembly members 'strongly agreed' or 'agreed' that, "As lockdown eases, government, employers and/or others should take steps to encourage lifestyles to change to be more compatible with reaching net zero; 4% strongly disagreed or disagreed; 3% were unsure."

An executive summary of the interim findings, and in particular these figures, is available via the link² on the written version of these remarks which I have circulated to you. I have also supplied a link³ to the June 25th report of the government's Committee on Climate Change, which argues in support of the views of the UK Climate Assembly that I have reported on.

2. Dominic Harrison

Also regarding item 3, Mr Harrison stated that he was a Warwick resident working with the National Grid with involvement in a carbon capture project. He was also a member of the campaign group, Extinction Rebellion. Mr Harrison made the following points:

- Despite warnings and evidence regarding climate change societies and governments continue on their own path.
- Financial recovery post Covid-19 should place low carbon generation at its centre.
- Pre-Covid-19 levels of carbon emissions should not be allowed to recur.
- The top 200 UK companies have embraced the key messages around carbon generation.
- The BBC has recently reported that a 2 degree C increase in average temperatures will result in a 50% chance of environmental collapse.
- Warwickshire must not allow itself to fall behind.
- It is important to follow the science.

3) Emma Goulbourn

Ms Goulbourn addressed Cabinet on matters regarding Trinity Catholic School in Leamington and made the following points:

- The Interim Executive Board (IEB) had failed her and her family.
- The school was experiencing a reduction in the number of pupils wishing to start there. Many pupils have left and gone to other schools
- In 2019 the Children and Young People Overview and Scrutiny Committee took

- evidence from pupils around a change of ethos at the school from caring to uncaring.
- The change in ethos has had an impact on pupils' mental health.
 - The decision to remove teaching assistants from classrooms has led to a decline in progress of pupils requiring additional support. Children that have an Education Health and Care Plan have been removed from classes. To do so is unlawful.
 - Pupils that are not Catholic are obliged to undertake religious activities.
 - Rebranding is not required. What is needed is care, communication and love.

4) Mr James Sinnott

Regarding Trinity Catholic School Mr Sinnott read out the following statement.

"I hope that you've all got sight of the letter that I have submitted for the meeting?

I've taken the chance to remind you of what you have said. These are your words. They now have a very hollow ring to them. Issues have been raised repeatedly, as you have sleep-walked into a worsening financial mess.

In 2018 Clive Sentance, Chair of the IEB, stated that the IEB have the "expertise and experience to work with the school over the next 12 months to ensure its future is healthy".

2019 Clive Sentance stated that the "projected deficit for the end of this financial year is now significantly smaller than originally forecast".

2020 WCC stated that the school's "Budget deficit likely to increase" and "Having no clear direction of travel". The IEB forced on us still "have not produced a deficit recovery plan"!

I'm amazed that since we last met, we are in a worse situation and you're still digging that hole.

We submitted:

Impact statements – no response.

Petition – no response.

FOI requests, complaints, whistleblowing, investigation requests which all added up to naught.

A council that doesn't listen. A council lacking in trust.

The current plan, if chosen, is to absorb over £1m worth of debt and starve "other learners, schools and communities" of much needed funds.

Whilst also gifting a prime asset worth a conservative £25m, and probably nearer £50m, to an academy. An asset possibly lost forever. What safeguards have been put in place? Is this all about asset strippers in dog collars? These figures don't seem to appear in the options appraisal! More public purse being spaffed up the wall – which seems to be a WCC's approach.

I know that, to you, this is all about money. Scant regard has been given to the standard of education offered to the pupils. The only reason for taking interventions is to prevent the "... prejudicing, or likely to prejudice, such standards of performance". In all of this sad tale - this

fact has been wilfully ignored.

The 'truth twisters' can't be trusted. An independent investigation into how the education department works is the only way to learn lessons. There are other IEBs in Warwickshire – have lessons been learnt?

An academy may well be the best option for Trinity – let's face it, LA interventions haven't gone well. What about the most vulnerable students and Peter's Place – will they fit the Academy model? Or, do they become a liability? We've already seen the IEB airbrush them out of the figures. The LA will have no say.

The desperation to dispose of Trinity is evident in the options appraisal, but the money being thrown at this option is staggering and must be open to public scrutiny. Oh, what a tangled web we weave...

5) Ms Christine Burke

Speaking regarding Trinity Catholic School Ms Burke made the following points:

- Trinity School used to stand for equality and dignity.
- The only meeting of the IEB held in 2018 gave assurances that the ethos of the school would not change. This has not been the case.
- The weekly bulletin that is published is a "tick box" exercise.
- Previously, despite budget pressures children thrived. Over time there has been a steady erosion of pupils' rights and now there is a more of a "boot camp" approach to discipline.
- Some pupils have experienced a crisis of faith.
- Children are being removed from the school.
- The cessation of the bus pass has aggravated the situation.
- The school has seen little investment over the last 20 years
- There remain questions over the sale of the playing fields that require answers.
- What is required is professional collegiate leadership.

The Chair thanked the public speakers and announced that agenda item 7 would be brought forward in the order of business.

2. One Organisational Plan 2019/20 Year end Performance Progress Report Period under review: April 2019 to March 2020

Councillor Kam Kaur (Portfolio Holder for Customer and Transformation) introduced the item stating that this was the first such report based on the new performance framework. Cabinet was informed that 30% of Key Business Measures had achieved target while 41% were behind target.

The impact of Covid-19 will be reflected in future reports. It will be important to ensure that the County Council is using the correct key measures to assist recovery.

Regarding sickness levels the meeting was informed of a project that aims to build a more resilient workforce.

Councillor Maggie O'Rourke (Acting Deputy Leader of the Labour Group) commended officers for their hard work during the pandemic. She welcomed that the indicators will be reviewed to ensure they are the right ones to inform recovery. She requested that when the new indicators are developed, all political groups be allowed to be involved.

Councillor Jerry Roodhouse suggested that in any normal year the results would not be considered good. However, 2020 is not a normal year. Recovery will require the re-setting of some services (eg children's), with mental health and poverty being prominent. Councillor Roodhouse asked that consideration be given to the establishment of a cross-party working group to develop the new indicators. This should be in place for September.

Councillor Keith Kondakor observed that post Covid-19 there will be a need to "build back better". There needs to be a focus, he added, on biodiversity. The current two-tier system of local government mean that this is at risk of falling between the County Council and District and Borough Councils. Biodiversity requires a cross party working group of its own. Finally, Councillor Kondakor suggested a review of the capital programme to take account of changes that have resulted from Covid-19.

Resolved:

That Cabinet notes the progress of the delivery of the One Organisational Plan 2020 for the period as contained in the report.

3. A Financial Framework for the 2021/22 MTFs and Managing the Covid-19 Financial Impact

Councillor Peter Butlin (Deputy Leader Finance and Property) introduced the published report. He explained that the Covid-19 pandemic had created a new reality and that the Medium-Term Financial Strategy that was agreed in February 2020 was obsolete. Cabinet was informed that as well as being impacted by Covid-19 the Council would need to find additional resources for special needs education and a general increase in demand for services to the high needs sector. Fortunately, the Council had sets aside reserves which will assist in the short-term giving officers and members the opportunity to reset the financial agenda. It is forecast that over the next five years Covid-19 will result in a £25m funding gap. This has to be added to the previously set savings target of £33m. The government has said that it will make good some of the losses resulting from Covid-19. However, there will still be a shortfall. Councillor Butlin concluded by emphasising the need to get the economy working again.

Councillor Helen Adkins reiterated the view expressed earlier in the meeting by Professor Mond that the opportunity should be taken during the recovery phase to reduce carbon emissions.

Councillor Keith Kondakor suggested that rather than recovery a change into a new state will be seen. A four-day working week may become the norm, A review of the capital programme is required and there should be an emphasis on providing support for young people moving in to employment.

Councillor Maggie O'Rourke sought assurances that front line services would be safeguarded. She suggested not acting or making decisions too fast as a second Covid-19 wave might change the position again.

Councillor Jerry Roodhouse noted that whilst the Council is better placed financially than others, the current crisis will result in reserves being spent. He asked that any review of non-statutory services be undertaken in a transparent way that is open to scrutiny.

Councillor Judy Falp expressed her concern for staff who, she suggested, might be worried about their jobs. She asked that they be kept informed of progress.

In response to members' concerns assurances were given that climate change is taken very seriously and that all elected members will be involved in the development of future performance indicators. The efforts that staff have gone to in recent weeks were commended and assurances were given that staff wellbeing is at the forefront of workforce management.

Councillor Peter Butlin emphasised that the economy in Warwickshire remains strong. Retail in the high street was struggling prior to the pandemic. The collapse of many retailers now being witnessed will require new solutions. In addition, Councillor Butlin observed that it is often young people who are early casualties when the economy is in difficulties. The government has pledged resources to assist those young people to find employment.

Resolved:

That Cabinet:

- 1) Notes the emerging financial position within which the 2020/21 budget and 2020-25 Medium Term Financial Strategy will be developed;
- 2) Agrees the approach to the funding of the financial impact of Covid-19 in 2020/21 as set out in paragraph 3.4;
- 3) Agrees the proposals for the refresh of the 2021/22 MTFS and Capital Strategy, as set out in Sections 4 and 5;
- 4) Notes the requirement for the Authority to set a sustainable balanced budget which shows how income will equal spend over the short- and medium-term; and
- 5) Approves the timetable for agreeing the 2021/22 budget.

4. DSG Recovery Plan and DSG Sustainability Plan

Councillor Colin Hayfield (Portfolio Holder for Education and Learning) introduced the published report, explain that this was the second on the subject to be placed before Cabinet in two months. The first report had set out the principles for SEND. This latest report focussed on financial aspects. A fourth recommendation was tabled.

Councillor Helen Adkins noted that the difficult situation the Council is in regarding the financing of the SEND service and welcomed the additional recommendation.

Councillor Jerry Roodhouse stated that the County Councils Network is working hard to find a solution to the current shortages of funding across the country. That the people being supported by SEND are vulnerable was stressed. In addition, it was noted that the cost of providing services has increased during the Covid-19 pandemic.

The Chair concluded the item proposing that any letter to the Chancellor should be copied to the Secretaries of State for Education and Housing, Communities and Local Government as well as the local Members of Parliament.

Resolved:

That Cabinet:

- 1) Approves the Dedicated Schools Grant (DSG) Recovery Plan
- 2) Approves the sum of £554,187 from the Sustaining Prevention Fund to be allocated to the SEND & Inclusion Change Programme
- 3) Continues to raise the issue of sufficient funding for High Needs through direct correspondence with the Secretary of State/Chancellor of the Exchequer and through the Local Government Association, County Council Network and f40 group.
- 4) Asks the Deputy Leader (Finance and Property) to write to the Chancellor of the Exchequer to underline Warwickshire's continuing concerns on the unsustainable funding basis for the high needs sector.

5. Education (Schools) Capital Programme 2020/21

Councillor Colin Hayfield reminded Cabinet that reports concerning the use of the Education Capital Programme are regularly presented to it.

Councillor Keith Kondakor suggested that information should be included concerning school projects that are not included in the capital programme. In reply, Cabinet was informed the report and proposals before Cabinet were not presented to the exclusion of other schools' projects.

Resolved:

That Cabinet:

- 1) Approves the addition of £3,140,587 to the capital programme to deliver the schemes outlined in Section 3
- 2) Authorises, subject to the approval of recommendation 1, the Strategic Director for Communities to invite tenders and enter into the appropriate contracts on terms and conditions acceptable to the Strategic Director for Resources, or (where the scheme is school-led) to make the necessary funding arrangements for these schemes.

6. Covid-19 and Black and Minority Ethnic Communities

Councillor Les Caborn (Portfolio Holder for Adult Social Care and Health) introduced this item by proposing a fourth recommendation. He then summarised the published report adding that it marked the commencement of a two-year project.

Councillor Maggie O'Rourke welcomed the report but suggested that whilst the proposed project work in North Warwickshire and Nuneaton and Bedworth is welcomed, there is a case for undertaking such reviews across the whole of Warwickshire. Differences were observed in the workforce profile with frontline services being made up of more people from black and minority ethnic communities that in supporting services.

Councillor Keith Kondakor noted that as well as issues around discrimination there are those around health ie greater incidence of type-2 Diabetes, diet and lifestyle. People from black and ethnic minorities often reside in areas of high air pollution. Finally, consideration should be given to how accessible cycling and sports are to people from black and minority ethnic communities.

Councillor Caborn thanked members for their contributions adding that he would follow up on suggestions.

Resolved;

That Cabinet:

1. Notes the main findings from the Public Health England Review of the Impact of COVID19 on Black, Asian and Minority Ethnic (BAME) communities
2. Notes the recommendations included in the report and support their adoption, where the Director of Public Health considers relevant, for Warwickshire and Warwickshire County Council
3. Endorses, using place based JSNA approaches, a review into the relationship between ethnicity and COVID19 in North Warwickshire and Nuneaton and Bedworth.
4. Through the Health and Wellbeing Board, asks our partners in Health to consider the recommendations with a view to adoption by their respective agencies.

7. Trinity Catholic School, Leamington Spa

Councillor Colin Hayfield (Portfolio Holder for Education and Learning) informed Cabinet that Trinity School had been a cause of concern for a number of years. The recommendations before the meeting offered a fresh start. Extensive work had been undertaken to identify a sustainable future for the school and with the agreement of Cabinet a consultation exercise on the proposals would be undertaken in the Autumn.

Councillor Bill Gifford expressed his sympathy to those who had concerns over the changing ethos of the school. It was, in the past, the liberal Catholic ethos that prevailed at the school that encouraged pupils to think and question. That ethos helped lead to the school being oversubscribed. Councillor Gifford expressed some doubt about the academy structure but

acknowledged that this was the direction the school would take. Leamington needs a good Catholic school he suggested. At the present time, declining rolls mean that the school is becoming less viable. Councillor Gifford then raised concerns over reports that part of the school's playing fields could be sold off.

Councillor Helen Adkins commented on the effectiveness of the Interim Executive Board (IEB), stating that it had been ineffective and had eroded the ethos of the school. A call was made for a review of the use of IEBs in Warwickshire. She observed that in the Leamington area schools that were over-subscribed had been allowed to take additional pupils whilst there remained places at Trinity School.

In response to Councillor Adkins, Councillor Izzi Seccombe explained that the IEB had been put in place because there were concerns regarding the school's finances. Cabinet was reminded that Trinity School comes under the Coventry Diocese.

Councillor Jerry Roodhouse acknowledged that there was a possible solution to the school's difficulties on offer. However, he stressed the need to press the school on its ethos and its buildings. The Diocese should be held to account and made to take more responsibility for the school. In addition. The proposed consultation exercise should be widely promoted to ensure that a good body of evidence is gathered on which any decisions are made.

Councillor Colin Hayfield, responding to Emma Golbourn (public speaker), noted that the County Council will continue to be responsible for special education provision at the school. He disputed any suggestion that the school was heading towards greater financial difficulties. The sixth form and Peter's Place would be safe. The key outcome was that the school would remain Roman Catholic. Regarding changes to the ethos of the school, Councillor Hayfield suggested that whenever the headship of a school changes so will its ethos. Councillor Hayfield observed that whenever a school is academized the land becomes the property of whoever is running the school. This constitutes a major "land grab" but is not something the Council can control.

Resolved:

That Cabinet:

1. Notes the report and the proposed structural solution for Trinity Catholic School including the financial risks, associated with the current position and long-term sustainability.
2. Agrees the structural solution put forward for Trinity Catholic Secondary School as an Academy converter based on an options appraisal that includes the implications of doing nothing.
3. Authorises the Strategic Director for Communities in consultation with the Portfolio Holder for Education and Learning to negotiate the conditions that need to be met to enable the structural solution to be achieved including the accumulated deficit budget in line with the protocol for Schools with Deficit Budgets on terms and conditions acceptable to the Strategic Director for Resources.

8. Children and Families Change Programme Update

Councillor Jeff Morgan (Portfolio Holder for Children's Services) explained that the report before Cabinet set out details of an ambitious change programme committing £12m over three years. The practices to be followed would be based on those being used successfully in Leeds.

Councillor Jerry Roodhouse welcomed the report but expressed concerns that one-off cash injections for projects, whilst welcome, can leave the future delivery of services in question. Funding for the project should be part of the base budget. Councillor Morgan agreed with this latter point adding that where elements of the project are found to bring major enhancements, efforts will be made to build these into the budget.

Resolved:

That Cabinet endorses the Children and Families Change and Investment Plan 2020-2023, with further work to continue on validating the benefits of the programme.

9. Reports Containing Confidential or Exempt Information

Resolution agreed.

10.(Exempt) Holly Walk House, 56-58 Holly Walk, Leamington Spa

Exempt Decision.

Recommendations agreed as published.

Details from Democratic Services 01926 418196

11.(Exempt) Establishment of a Warwickshire County Council OFSTED Registered Children's Home

Exempt Decision.

Recommendations agreed as published.

Details from Democratic Services 01926 418196

The meeting rose at 15:55

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Chair