


CABINET

DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 19 July 2016.

Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Jerry Wickham	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport

Also in Attendance: Cllr Jon Hubbard, Cllr Alan MacRae, Cllr Richard Gamble, Cllr Fred Westmoreland, Cllr Chuck Berry, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr Jacqui Lay, Cllr Magnus Macdonald and Cllr Bill Moss

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

83 Apologies

Apologies were received from Cllr Baroness Scott of Bybrook OBE.

84 Minutes of the previous meeting

The minutes of the meeting held on 14 June 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 14 June 2016.

85 Declarations of Interest

There were no declarations of interest.

86 Leader's announcements

There were no announcements.

87 Public participation and Questions from Councillors

It was noted that no requests for public participation had been received. The Deputy Leader did however explain that, as usual at meetings of Cabinet, he would be more than happy to hear from any member of the public or Councillor present on any of the items on the agenda.

88 Annual Governance Statement 2015-16

Councillor Dick Tonge presented the report which asked Cabinet to consider a draft Annual Governance Statement for 2015-16 for comment before final approval is sought from the Audit Committee on 27 July 2016.

Resolved

- 1. To note the draft AGS as set out in Appendix 1; and**
- 2. To note that the draft AGS will be revised in the light of any comments by Cabinet and ongoing work by the Governance Assurance Group before final approval by the Audit Committee and publication with the Statement of Accounts at the end of July 2016.**

Reason for Decision

To prepare the AGS 2015-16 for publication in accordance with the requirements of the Audit and Accounts Regulations 2011.

89 CSE Action Plan Update

Councillor Laura Mayes presented the report which provided Cabinet with a review of the Council's CSE Action Plan with specific reference to the Wiltshire App and Website, as agreed at 15 March 2016 Cabinet meeting.

In giving her presentation, Councillor Mayes highlighted the work done in the community and schools to raise awareness; the training provided to staff; the additional resources being deployed and effective partnership working ongoing to address the issue.

In response to a matter raised by Cabinet at the previous meeting, Councillor Mayes stated that some work had been undertaken to establish whether it was feasible to use the my Wiltshire App in this area. It had been decided that it was not the best use of technology but that officers had been investigating how the council's website could be best used. It was noted that the next update would be reported to Cabinet in a year.

At the invitation of the Deputy Leader, Councillor Jacqui Lay gave an update on the work of the CSE Task Group. She stated that she was happy with the way the Task Group had worked with the officers; that the Task Group's work would be focused on prevention; and that their report was planned to be completed in the Autumn.

Resolved

That Cabinet notes progress on the Council's CSE Action Plan with specific reference to the Wiltshire App and Website, as agreed in 15 March 2016 Cabinet meeting.

Reason for Decision

In March 2015 the government announced that the sexual abuse of children is a National Threat.

Monitoring of the plan's implementation needs to be at the most senior level to ensure that actions are effective in protecting and supporting children.

90 Wiltshire Council Grants Policy

Councillor Dick Tonge presented the report which presented a draft grants expenditure policy to Cabinet for adoption. In giving his presentation, Councillor Tonge thanked the officers for their efforts which were apparent in the quality of the report.

Issues highlighted in the course of the presentation and discussion included: the need to ensure high quality outcomes from the projects grant funded; the links to the business plan and the joint needs assessments undertaken in each community area; and how performance monitoring and evaluation can be undertaken.

In response to a query in relation to grant recipients who were not registered charities and would therefore be subject to VAT, the Deputy Leader suggested that members could lobby their MP on the issue if they so wished.

Resolved

- 1. To adopt the grants expenditure policy presented;**
- 2. To delegate to the Cabinet Member responsible for the Finance portfolio, in consultation with the Section 151 officer and the Associate Director for Corporate Function and Procurement responsibility for minor amendments provided that to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in this policy; and**
- 3. To delegate to the Section 151 officer in consultation with the Solicitor to the Council responsibility for amending this policy to reflect changes in the law, to correct errors or clarify ambiguities where to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in this policy**

Reason for Decision

The adoption of the Grants Expenditure Policy will ensure best use of the limited funding to ensure both high quality outcomes for Wiltshire residents in accordance with the Council's Business Plan and effective, efficient use of council resources.

91 Wiltshire's Obesity Strategy 2016-2020

Councillor Jerry Wickham presented the report which informed Cabinet of the results of the consultation and to present the final Obesity Strategy (Appendix 1 to the report) for approval and adoption together with the draft implementation plan to deliver the strategy.

Issues highlighted in the course of the presentation and discussion included: that this is a joint strategy with the Wiltshire CCG; that a 2nd summit had been held as part of the development of action plans; that obesity was the biggest public health challenge facing the country and the county; the chronic diseases that can follow as a consequence; the costs to NHS and Council arising from obesity; the strategic targets in relation to children and adults; how schools, businesses and other partners can support the aims of the strategy; how physical environmental factors can impact; and the role Councillors can play in promoting work, such as the Health Schools programme, in their community.

Councillor Jon Hubbard, Chair of the Children's Select Committee stated that the he had, initially, been disappointed not see more of the Task Group's

recommendations explicitly included in the strategy, but had been somewhat assured by Councillor Wickham's statement that both the Health and Children's Select Committees recommendations had been considered and were implicitly included in the strategy.

In response to a question from Councillor Jon Hubbard, Councillor Toby Sturgis stated that he would be happy to engage with the Children's Select Committee to investigate how planning policy can effectively assist the strategy.

Resolved

- 1. To note the information about consultation responses.**
- 2. To approve the final Obesity Strategy (Appendix 1) and the draft implementation plan (Appendix 2) for adoption.**
- 3. To delegate authority to the Corporate Director for Public Health, Protection Services, Adult Care and Housing in consultation with the Cabinet Member for Health (including Public Health and Adult Care, to finalise the strategy document for publication and to execute the implementation plan.**

Reason for Decision

The draft obesity strategy has already gained approval from the NHS Wiltshire CCG Executive groups, the CCG Clinical Executive, Governing Body and Wiltshire Council's Health Improvement Panel. Approval to go out to public consultation from the Health and Wellbeing Board was also obtained. The post-consultation finalised strategy and implementation plan requires Cabinet approval for the work to progress.

92 Adult Care Charging Policy

Councillor Jerry Wickham presented the report which asked Cabinet to consider implementing and adopting the proposed charging policy for adult care. The report, which followed on from a report made to Cabinet at their 19 January 2016 meeting, provided details of the feedback received during the consultation process and how this feedback has been considered in the proposed policies. It noted that the feedback was supplemented by the report provided by Healthwatch Wiltshire as presented.

In giving his presentation, Councillor Wickham stated that he had considered the views of the Health Select Committee and whilst recognising the lessons that could be learned from the relatively low response to the consultation, was satisfied that the consultation could still be considered relevant.

In response to issues raised by the Chairman and Vice Chairman of the Health Select Committee, Councillor Wickham agreed that regular updates could be made available to the Committee with a full report made 6 months after the implementation of the policy.

Resolved

- 1. To adopt the proposed adult care charging policy.**
- 2. To note the resolution of the Health Select Committee as detailed at Para. 10.**
- 3. To take into account 100% of an adult's eligible disposable income when assessing for contributions for care and support at home (Currently 80%)**
- 4. To take into account the full rate of attendance allowance received (Currently only take into account the lower amount regardless of rate received)**
- 5. To update the list of Disability Related Expenses (DRE) (Appendix A) items in accordance with The Care Act (2014). The most significant proposed change is to remove allowances for continence products¹ where these are provided by the NHS continence service.**
- 6. To ask for an interim report to Health Select in 6 months following the implementation of the policy, to assess the impact of the changes.**

Reason for Decision

The proposals have been drafted so as to ensure the Council's charging policy is compliant with the Care Act (2014) and all relevant legislation.

To align the discretionary elements in Wiltshire Council's policy to those of local authorities across the South West.

So that everyone in receipt of care and support who is required to pay contributes what they can afford to pay in accordance with the Care Act guidance.²

93 Adult Care Prevention and Choice Policy

¹ This reflects the Guidance at Annex C paragraph 40(13)

² Care Act statutory guidance paragraph 8.2

Councillor Jerry Wickham presented the report which asked Cabinet to consider the implementation of two adult care policies: Preventing, Reducing and Delaying Eligible Needs Policy (PRD) and a General Policy Statement. It was noted that the report includes details of the public consultation that has been completed and should be read in conjunction with the supporting documents including the Equalities Impact Assessment. In making his presentation, and with reference to the previous item on the Charging Policy, Councillor Wickham recommended that in addition to the proposed recommendations, the Council should review the efficacy of consultations of this type.

Resolved

- 1. To agree the implementation of the Preventing, Reducing and Delaying Eligible Needs Policy.**
- 2. To agree the implementation of the 'General Policy Statement'.**
- 3. That the Council should undertake a review of how it consults with people, especially those with either Learning Difficulties and/or are vulnerable.**

Reason for Decision

- 1. These policies have been drafted so as to ensure the Council is compliant with all relevant legislation in particular the Care Act (2014) which came in to effect in April 2015.*
- 2. The policies will ensure the Council has published clear guidance that will ensure adults with needs have clear expectations about what to expect from Adult Social Care and provide a framework for decision making and operational guidance.*
- 3. So that social care best practise is reflected in the Council's policies in terms of choice and control, prevention and personalised care and support*
- 4. To update policies based on outdated legislation and practices.*

94 Wiltshire Council Adoption Service: 2015-16 Year End Report

Councillor Laura Mayes presented the report which provided a year-end report to Cabinet regarding the performance of the Adoption Service within Wiltshire Council. This was also a requirement of the condition of registration as described in 2014 Adoption Minimum Standards and 2013 Statutory Guidance that Cabinet is satisfied that the Adoption Agency complies with the conditions of registration, is effective and is achieving good outcomes for children.

Councillor Jon Hubbard, Chairman of the Children's Select Committee, stated that he recognised that some of the statistics that compared less favourably to national average were a reflection of the fact that the Council was continuing to do the right thing by seeking potential adoption for more difficult placements.

Resolved

That the contents of the report be noted and accepted.

Reason for Decision

Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be reported to the executive side of the local authority every six months in order to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children and service users.

95 **Adoption West Update**

Councillor Laura Mayes presented the report which asked Cabinet to endorse outline proposals for the development of the Adoption West Regional Adoption Agency (RAA) and approve public engagement on these outline proposals.

Councillor Jon Hubbard, Chairman of the Children's Select Committee, thanked the Cabinet Member for inviting him to engage in the process so far, and that he looked forward to further engagement.

Councillor Mayes, in response, stated that she agreed that Member scrutiny was particularly important in this matter.

Resolved

To endorse the outline proposals for the development of a Regional Adoption Agency (RAA) and agree public engagement.

Reason for Decision

The initial development phase for Adoption West is complete. To proceed with plans to establish an RAA a period of consultation with the public, service users and staff is required. Cabinet approval is therefore needed before progression to this next stage.

96 **Extension of DCS0518 Call Centre and Response Services (Telecare)**

Councillor Jerry Wickham presented the report which set out a proposal for the consideration of the Cabinet regarding the extension of the Call Centre and Response Service (Telecare) with Medvivo for the period of one year, noting that the report was required in advance of procurement activity to utilise the extension provisioned within the current contract.

Resolved

- 1. That the current Call Centre and Response (Telecare) contract with Medvivo is extended for one year as provisioned for within current contract arrangements.**
- 2. That the Assistant Director for Adult Social Care, in consultation with the Cabinet Member for Health (including Public Health) and Adult Care, is asked to establish savings and efficiencies arising from joint working with providers, and to further develop the use of telecare in Wiltshire.**

Reason for Decision

The core reasons for extending the contract on a short term basis are:

- Significant CCG contracts with Medvivo are due to expire in January 2018. There may be opportunity to integrate contracts and services more fully with the CCG at this time providing closer integrated working opportunities whilst potentially providing overall efficiencies; a longer term extension and/or re commissioning process would prohibit this opportunity.*
- Telecare remains an area of significant potential and growth. Medvivo are a positive partner, keen to explore the future use of telecare in Wiltshire.*
- Commissioners feel that there are operational opportunities to explore with the current provider over the next twelve months and a 12 month action plan is currently being developed. It is anticipated that this work will inform the future recommissioning of an efficient and effective telecare service in Wiltshire.*
- Medvivo continue to have the expertise and experience to provide telecare services in Wiltshire and to meet any increase in demand. It also continues to have the ability to link this social care service with its provision of health service out of hours response for the benefit of customers.*
- The provision of urgent care domiciliary is intrinsically linked with the response service and any changes to provider at this time could impact on that services viability.*

The one year extension would be utilised by commissioners from both Wiltshire Council and Wiltshire CCG to inform a comprehensive re tender process for this service, aligned to other services currently provided by Medvivo.

97 Extension of Integrated Community Equipment Service Contract and Pooled Budget Arrangement

Councillor Jerry Wickham presented the report which sets out a proposal for the consideration of the Cabinet regarding extension of the current Integrated Community Equipment and Support Service contract with Medequip for the period of two years; the continuation of current pooled budget arrangements between Wiltshire Clinical Commissioning Group and Wiltshire Council, noting that the report was required in advance of procurement activity to utilise the extension provision within the current contract.

Resolved

- 1. That the current ICESS contract with Medequip and nominal pooled budget arrangements are extended for two years, as provisioned for within current contract arrangements.**
- 2. Note that this proposal has been submitted to the Joint Commissioning Board in May 2016 and the JCB agreed to recommend an extension to the current contract to February 2019.**
- 3. That the Assistant Director for Adult Social Care is asked, in consultation with the Cabinet Member for Health Including Public Health) and Adult Care, to establish the exact savings and efficiencies arising from joint working with the provider and then secure these savings through agreed targeted changes in practice and delivery.**

Reason for Decision

The core reasons for seeking a contract extension are:

- The contract was originally awarded after a competitive tender through the OJEU*
- There are a limited number of large providers in the market for equipment and within such a limited market procuring a lower value contract will be unlikely*
- Commissioners from both Wiltshire Council and Wiltshire CCG understand that there are opportunities to reconfigure service provision facilitating greater efficiency from the provider.*

- *The current provider is meeting all the necessary performance metrics, is an active and collaborative partner and is keen to explore areas where operational efficiencies can be identified and implemented in order to reduce costs and improve the quality of service delivery*
- *The current provider is delivering a high quality service which is backed up by reviews from service users and Wiltshire and Swindon User Network (WSUN) audit*
- *Medequip is the largest UK Community Equipment Service provider and currently holds contracts with 35 organisations having won another 4 contracts in 2015. Medequip have been delivering the contract in Wiltshire for the past 17 years. At the present time, given the size of the organisation and their local knowledge, it is unlikely that another provider could match the best practice opportunities and low equipment costs available through Medequip*

The two year extension period will be utilised fully by commissioners from both the CCG and Wiltshire Council to inform a comprehensive tender process for the future of this critical frontline service.

98 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 - 11.10 am)

These decisions were published on the 22 July 2016 and will come into force on 1 August 2016.

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