



Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Friday, 13 December 2013.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC	Mr. B. L. Pain CC
Mr. Dave Houseman MBE, CC	Mrs. P. Posnett CC
Mr. J. T. Orson JP CC	Mr. J. B. Rhodes CC
Mr. P. C. Osborne CC	Mr. E. F. White CC
Mr. I. D. Ould CC	

In attendance

Mr. S. J. Galton CC, Mr. G. A. Hart CC, Mr. Max Hunt CC, Mr. R. J. Shepherd CC and Miss. H. Worman CC

75. Minutes.

The minutes of the meeting held on 20 November 2013 were taken as read, confirmed and signed subject to the third paragraph in Minute 69 being amended to read:

“Mr. Houseman added his thanks to Dr. Marks, noting that the County Council was seen as an exemplar with regard to public health.”

76. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

77. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting. No declarations were made.

78. Leicestershire and Rutland Safeguarding Children Board and Safeguarding Adults Board Annual Report 2012/13.

The Cabinet considered a joint report of the Director of Adults and Communities and Director of Children and Families regarding the Annual Report of the Leicestershire and Rutland Local Safeguarding Children Board and Safeguarding Adults Board 2012/13. A copy of the report, marked ‘Item 4’ is filed with these minutes.

The Chairman welcomed Mr. Paul Burnett to the meeting. Mr. Burnett was the independent Chairman of both Boards, and he highlighted the key issues arising from an Overview Report to the Annual Report.

The Chairman thanked Mr. Burnett for his report and for the commitment and hard work he had shown in his role as Chairman of both Boards.

RESOLVED:

That the joint report, together with the Overview Report to the Leicestershire and Rutland Safeguarding Children Board and Safeguarding Adults Board Annual Report 2012/13 attached as Appendix A thereto, be noted.

REASON FOR DECISION:

Given the importance of safeguarding children and adults, it is essential that the Cabinet ensures that the Council's responsibilities are being met.

79. Choices for Children and Young People 2013: A Placement and Sufficiency Strategy for Children and Young People in Leicestershire's Care.

The Cabinet considered a report of the Director of Children and Families setting out proposals to improve the current placement arrangements for young people in care and to secure 'permanence' by, where possible, moving away from residential placements towards a family-based care approach. A copy of the report, marked 'Item 5' is filed with these minutes.

Members paid tribute to the work carried out by the Director and all the staff associated with looked after children.

RESOLVED:

- (a) That the Placement and Sufficiency Strategy for Children and Young People in Leicestershire's Care, attached as Appendix A to the report, be approved;
- (b) That the need to read the Strategy in conjunction with the Permanence Policy also being reported to this meeting (see Minute 80 below) be noted;
- (c) That it be agreed that the outcomes set out in the Strategy should be monitored through the relevant County Council Scrutiny arrangements.

(KEY DECISION)

REASONS FOR DECISION:

1. Children and young people in the care of the County Council are amongst the most vulnerable groups in the community. When these children and young people come into the Council's care it needs to ensure that it undertakes its parenting role with a passion and commitment that will keep them safe and ensure that they have the best possible support in life to enable them to reach their potential and become independent adults. The Placement and Sufficiency Strategy is a key enabler to securing this intention.

2. In July 2013 changes were made to the statutory framework for looked after children. This makes it timely for the County Council to review its current arrangements regarding the way that it will achieve permanence for all looked after children, whether it is through planned and supported return home, family and friends care (known as 'connected care'), long term foster care or through a legal order such as residence, special guardianship or adoption. Ensuring that there are sufficient high quality placements that offer a breadth of choice for children and young people is crucial, as is ensuring that the resource available is efficiently used.
3. In September 2013 the Department for Education released new data about looked after children and also launched a consultation about improving permanence. New guidance will be published early in 2014 that will require local authorities to publish a local policy that outlines how they will achieve permanence for all looked after children. The Policy will need to reflect the strategic ambitions of the County Council.

80. Permanence Policy for Children and Young People in the Care of the County Council.

The Cabinet considered a report of the Director of Children and Families on the County Council's policy regarding permanent care arrangements for looked after children. A copy of the report, marked 'Item 6' is filed with these minutes.

RESOLVED:

- (a) That the Permanence Policy for Children and Young People in the Care of the County Council, attached as Appendix A to the report, be approved;
- (b) That the need to read the Permanence Policy in conjunction with the Placement and Sufficiency Strategy 'Choices for Children and Young People 2013' also being reported to this meeting (see Minute 79 above) be noted;
- (c) That it be agreed that the outcomes set out in the Permanence Policy should be monitored through the relevant County Council Scrutiny arrangements.

(KEY DECISION)

REASONS FOR DECISION:

1. In July 2013, changes were made to the statutory framework to say, for specified areas of decision-making, who has the authority to take the decision about a child's placement. This also required local authorities to have a published Policy on delegation of authority to foster carers and registered managers of children's homes.
2. The findings of the 2013 Care Enquiry: 'Making not Breaking – Building Relationships for our most Vulnerable Children' presents a strong evidence base for securing the right placement for the right child at the right time and for achieving permanence. These findings provide the foundation for this revised Leicestershire Policy.

81. The Future of Oakfield School - Recommendations.

The Cabinet considered a report of the Director of Children and Families concerning the future of Oakfield School, following consideration of the matter by the Cabinet at its previous meeting. A copy of the report, marked 'Item 7' is filed with these minutes.

RESOLVED:

- (a) That it be agreed that to the Behaviour Partnerships should assume responsibility for Key Stage 3 pupils attending Oakfield School (a Pupil Referral Unit) from Monday 28th April 2014, the start of the summer term for schools, subject to:
 - (i) the local authority receiving signed Service Level Agreements from the Behaviour Partnerships for current Key Stage 4 behaviour support arrangements by the end of the Winter term at the latest;
 - (ii) the local authority receiving signed Service Level Agreements from the Behaviour Partnerships for proposed Key Stage 3 provision by 31st January 2014 at the latest;
- (b) That the Department for Education be formally informed about the change of age range for Oakfield School from 5-16 years to 5-11 years, once the signed Service Level Agreements referred to in paragraph (a) (ii) above have been received;
- (c) That the change of age range be effective from midnight on Sunday 27th April 2014, the end of the Spring school term;
- (d) That the changes to the Equality Impact Assessment referred to in paragraphs 26 – 28 of the report, be noted.

(KEY DECISION)

REASONS FOR DECISION:

1. Oakfield School is a Pupil Referral Unit meeting the Education Act 1996 Section 19 duty on Local Authorities to provide education otherwise than at schools for young people who cannot attend mainstream school because of behaviour difficulties.
2. The future of Oakfield School was the subject of a public consultation for 14 weeks over the summer closing on 18 October 2013.
3. The reasons for considering change were threefold. First, the changing national policy framework resulting from the review of PRU and Alternative Provision published in March 2012, known as the Taylor Report second, concerns about the potential cost of the provision under new funding arrangements for high needs provision; and third, concerns about the quality of provision which was judged by Ofsted to require special measures in May 2012.
4. The next "Keeping in Touch" meeting with the Department for Education was scheduled for 10 December. DfE officials have asked to re-schedule, and a new date is being discussed. Previous meetings have provided regular updates for the DfE on this area of work.

5. Local Authority Officers met Behaviour Partnership chairs on Friday 22nd November and agreed broad terms for the transfer of funding and responsibility for pupils from Easter 2014. Details of the agreement are included in Appendix A. There is still some work to do to finalise the transfer arrangements.
6. The transfer to Behaviour Partnerships for Key Stage 4 behaviour support took effect in September 2013. Service Level Agreements were prepared setting out the expectations and funding arrangements. Whilst Behaviour Partnerships are carrying out the agreed functions they have not yet all signed and returned the Service Level Agreements. Clearly an extended arrangement needs to be predicated on a current and legally binding agreement and therefore the Key Stage 4 Service Level Agreements will need to be signed and returned before any further arrangement can be entered into to protect the local authority from risk. The proposed final date for receipt of the Key Stage 4 Service Level Agreements is 31st December 2013.

82. Regulation of Investigatory Powers Act 2000.

The Cabinet considered a report of the County Solicitor concerning the Authorities use of the Regulation of Investigatory Powers Act 2000. A copy of the report, marked 'Item 8' is filed with these minutes.

RESOLVED:

- (a) That use of the Regulation of Investigatory Powers Act 2000 (RIPA) for the period from 1 October 2012 to 30 September 2013, be noted;
- (b) That the outcome of an inspection by the Office of Surveillance Commissioners conducted on 13 August 2013, be noted;
- (c) That the proposed changes to the Policy Statement attached as an appendix to the report, made to reflect legislative changes and recommendations made by the Commissioner, be approved

REASON FOR DECISION:

The Policy Statement has been updated to reflect legislative changes and comments made by the OSC following an inspection on 13 August 2013.

83. Sale of Part of Lloyds Banking Group Shareholding by UK Government - Impact on List of Acceptable Counterparties.

The Cabinet considered a report of the Director of Corporate Resources about the impact that the sale of part of the Government's shareholding in Lloyds Banking Group has had on the list of acceptable loan counterparties for the Authority. A copy of the report, marked 'Item 9' is filed with these minutes.

RESOLVED:

That approval be given to the amendment of the relevant part of the Treasury Management Policy so that the previous requirement for 1/3rd Government ownership be replaced with a 20% ownership level, as follows:

“Banking groups that are at least 20% owned by the UK Government and maintain a support rating of ‘1’ on the Fitch ratings can be included on the list of acceptable counterparties for an amount of £40m for up to 1 year, as long as their short-term ratings do not fall below F1 (Fitch) and P-2 (Moody’s), and their long-term ratings are maintained at least at A (Fitch) and A2 (Moody’s).”

REASON FOR DECISION:

Under the counterparty policy, banks which are more than 1/3rd owned by the Government may have slightly lower credit ratings than other banks and still be acceptable counterparties. This is a reflection of the greater security afforded by the significant Government ownership, but the recent Lloyds share sale took them below the 1/3rd ownership limit to 32.7%. As a result they were immediately removed from the list of acceptable counterparties.

84. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

11.00 - 11.40 am
13 December 2013

CHAIRMAN