

## CABINET

**MINUTES** of the meeting held on Tuesday, 17 September 2019 commencing at 2.00 pm and finishing at 4.07 pm

**Present:**

**Voting Members:** Councillor Ian Hudspeth – in the Chair  
Councillor Mrs Judith Heathcoat  
Councillor Lawrie Stratford  
Councillor Lorraine Lindsay-Gale  
Councillor Yvonne Constance OBE  
Councillor David Bartholomew  
Councillor Mark Gray  
Councillor Eddie Reeves

**Other Members in Attendance:** Councillor Sobia Afridi (Agenda Item 10)  
Councillor Liz Brighthouse (Agenda Items 8, 9, 10 & 11)  
Councillor Deborah McIlveen (Agenda Item 10)  
Councillor Glynis Phillips (Agenda Item 7)  
Councillor Laura Price (Agenda Item 8)  
Councillor Gill Sanders (Agenda Item 9)

**Officers:**

Whole of meeting	Yvonne Rees (Chief Executive); Lorna Baxter, Director of Finance; Nick Graham, Director of Law & Governance; Sue Whitehead (Law & Governance)
Part of Meeting	
6	Paul Fermer, Assistant Director Community Operations; Keith Stenning (Traffic Control)
8	Ben Threadgold, Policy & Performance Manager; Steven Fairhurst-Jones (Policy)
9	Lara Patel, Deputy Director – Safeguarding; Tan Lea (OSCB & OSAB Business Unit)
10	Karen Fuller, Deputy Director Adult Social Care
11	Lucy Butler, Director for Children’s Services; Allyson Milward (School Organisation Planning)

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

**80/19 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received from Councillors Ian Corkin and Steve Harrod.

**81/19 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 16 July 2019 were approved and signed as a correct record.

**82/19 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

No questions had been received.

**83/19 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to speak had been agreed by the Chairman:

Item	Speaker
Item 7 – Service & Resource Planning Report 2020/21	Councillor Glynis Phillips, Shadow Cabinet member for Finance (5 mins)
Item 8 – Business Management & Monitoring Report – July 2019	Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee (5 mins) Councillor Laura Price, Opposition Deputy Leader (5 mins)
Item 9 – The Oxfordshire Safeguarding Children’s Board Annual Reports	Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee (5 mins) Councillor Gill Sanders, Shadow Cabinet Member for Children’s Services (5 mins) Art Well, Local Resident
Item 10 - Oxfordshire Adult’s Safeguarding Board Annual Report	Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee (5 mins) Councillor Sobia Afridi, Shadow cabinet Member for Adult Social Care (5 mins) Councillor Debbie McIlveen, local

	councillor for Leys Mr Art Well, local resident
Item 11 – Report by the Local Government and Social Care Ombudsman – Investigation into a complaint against Oxfordshire County Council (Ref: 18 009 005)	Councillor Liz Brighthouse, Opposition Leader (5 mins)

Mr Art Well speaking to Items 9 and 10 on safeguarding highlighted recent local police related deaths and pointed to the increase in stop and search powers. There was concern in the local community as reflected in a public meeting and the setting up of a group – The Afro-Caribbean Community Conversation. He expressed disappointment that the Chief Constable had not attended the meeting. He contrasted the help available to support the LGBTQ community with that for the Afro-Caribbean community feeling that they were under-valued and marginalised. He asked Cabinet and the Council to work with the community to improve the situation.

The Leader of the Council undertook to contact the Police and Crime Commissioner to try and arrange a meeting. The Cabinet Member for Local Communities stressed the importance of inclusivity and that the Council did all that it could to support all minorities.

At this point it was proposed by the Chairman and it was AGREED to vary the order of the agenda by taking Item 9 next.

**84/19 THE OXFORDSHIRE SAFEGUARDING CHILDREN'S BOARD ANNUAL REPORT/THE PERFORMANCE AUDIT & QUALITY ASSURANCE ANNUAL REPORT AND THE CASE REVIEW & GOVERNANCE ANNUAL REPORT - 2019**

(Agenda Item. 9)

Cabinet had before them three annual reports: the Oxfordshire Safeguarding Children Board Annual (OSCB) Report; Performance, Audit and Quality Assurance Annual Report (PAQ) and the Case Review and Governance Annual Report.

Richard Simpson, Independent Chair of the OSCB attended for this item.

Councillor Brighthouse, Chairman of Performance Scrutiny Committee thanked Mr Simpson and officers for attending the recent meeting of Performance Scrutiny Committee where the report had been considered. Councillor Brighthouse stated that the Committee had asked for a matrix around adverse childhood experiences to see how that played out. The Committee was intending to consider further its concerns about the CAMHS contract. In general, the Committee had highlighted the need to ensure synergy about a whole range of issues.

Councillor Gill Sanders, Shadow Cabinet Member for Children's Services highlighted the main issues and challenges set out in the report. Neglect was cited as a factor in 70% of child protection plans although not picked up to the same extent in early help assessments. Councillor Sanders referred to figures on elective home education, and on fixed term and permanent exclusions and commented that children were safe in full time education. There was pressure on the CAMHS service with increased numbers leading to longer waiting times. She was assured that urgent cases were seen promptly but still it was an area where targets were being missed which was concerning and was an issue that must be resolved for the sake of the children. Appropriate action was need in respect of the insufficiency of placements for children with complex health needs. Guidance on record keeping must be updated. She welcomed the work to provide a voice for young people, the work on help for troubled families and the joint working on housing. In conclusion she welcomed the three reports from OSCB.

Councillor Hudspeth Leader of the Council responding stated that housing really was a key to providing good safe environments.

Mr Simpson, introduced the report which was retrospective, thanking officers for their work in producing an improved document. He commented that there was a strong partnership around children's safeguarding that enjoyed good involvement at a senior level. The Board had a commitment to listening to the voice of the child and this would form the theme to the next annual conference. Mr Simpson noted that in the next year they would be working closely with the Adults Safeguarding Board. He outlined the accomplishments of the last year and challenges around children's safeguarding. The Partnership was generally satisfactory but the demand on the statutory system was a concern. He applauded the ongoing work by the Director for Children's Services looking to change the way of working with the Family Safeguarding Plus Model..

Lara Patel, Deputy Director – Safeguarding and Tan Lea (OSCB & OSAB Business Unit) introduced the contents of the three reports detailing in particular the work of the two sub-groups.

Mr Simpson responded to questions and comments from speakers and members of the Cabinet. He agreed that Education was an area of concern and that children were safest in schools. There was limited scrutiny for those being home educated and the power to intervene was limited. Asked about CAMHS waiting times he indicated that that suicidal children were seen the same day.

Cabinet welcomed the report and congratulated the team on producing a shorter but richer and more inviting report. The report told the story of the work undertaken.

**RESOLVED:** to review and note the reports.

## **85/19 IMPLEMENTATION OF A STREET WORKS PERMIT SCHEME FOR OXFORDSHIRE**

(Agenda Item. 6)

Oxfordshire County Council had been requested by the Department for Transport to implement a street works permit scheme. Officers had reviewed the feasibility of implementing a scheme and completed a cost benefit analysis to determine whether a scheme is suitable for Oxfordshire. Both have found it favourable to implement a scheme.

Officers had developed and consulted on a permit scheme document which set out the terms and conditions of a scheme. Cabinet considered a report seeking approval from Cabinet to continue to implement a permit scheme for Oxfordshire.

Councillor Yvonne Constance, Cabinet Member for Environment introduced the contents of the report and moved the recommendations.

Paul Fermer and Keith Stenning responded to questions from Cabinet Members:

- There would be clear guidelines about what constituted emergency work.
- Town and Parish Councils would be briefed as part of a wider refresh.
- They agreed that there was a misconception that could be corrected that the Council already had these powers and did them badly. They were going forward at this time because the process to put in place a permit scheme had been refined, it was more easily available, and they were able to build on the experience of others.
- There would be a focus on enforcement and compliance. There was a criminal offence, but it was very rare that it would go through the courts. Fines and compliance notices were used, and these would be monitored and published.
- In the event of issues such as unsafe working there was a core power to revoke licences.

**RESOLVED:** to:

- (a) approve in principle for a Street works permit scheme for Oxfordshire to be implemented; and
- (b) approve the contents of the Street works permit scheme document at Annex 1 which has considered feedback from public consultation.

## **86/19 SERVICE & RESOURCE PLANNING REPORT - 2020/21**

(Agenda Item. 7)

Cabinet considered a report that provided background and context to the service and resource planning process for 2020/21.

Councillor Glynis Phillips, Shadow Cabinet Member for Finance welcomed the main report as a useful summary of what had been agreed in the past. She thanked the Finance Team for their work.

Referring to paragraph 5 of the addenda in relation to the delay to longer-term reforms including Business Rates Retention and the Fairer Funding Review Councillor Phillips commented that the uncertainty made it difficult to plan services for communities. What was clear was that savings still had to be made (para 33 of the main report) and that despite that fact, vulnerable families needed the Council to be there for as long as necessary. She contrasted the government's short termism for local government finance with their approach to health funding.

Councillor Phillips highlighted a number of known pressures and felt that it was to the collective credit of the whole Council that it continued to campaign for funding.

Referring to the Corporate Plan refresh she recognised the challenge in updating it. The outcomes from the Peer Review needed to be included.

Councillor David Bartholomew, Cabinet Member for Finance agreed with the comments relating to the Government's short-term approach to local government funding and that they continued to press for a longer-term approach.

Councillor Bartholomew added his thanks to the Finance Team and thanked Katie Jurczynszyn in particular who was leaving the Council and who would be missed.

Councillor Bartholomew introduced the contents of the report and moved the recommendations.

**RESOLVED:** to:

- (a) note the report;
- (b) approve the Service and Resource Planning process for 2020/21; and
- (c) approve a four-year period for the Medium Term Financial Plan to 2023/24 and ten-year period for the Capital Programme to 2029/30.

## **87/19 BUSINESS MANAGEMENT & MONITORING REPORT - JULY 2019**

(Agenda Item. 8)

Cabinet had before it a report that set out Oxfordshire County Council's (OCC's) progress towards Corporate Plan priorities and that provided an update on the delivery of the Medium-Term Financial Plan from 1 June to 31 July. Cabinet does not formally meet in August so information from June and July is covered in the report. The business management report addresses:

- a) Corporate performance (measured against the Thriving Oxfordshire Outcomes Framework)

- b) Human Resources (summary of key data)
- c) Finance (summary including forecast outturn variance)

Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee, welcomed the improved report that was much more up to date. The report had been discussed at Performance Scrutiny Committee. The report covered a very broad range of issues and the Committee had focussed on a number of issues around older people. This included the figures around the delayed discharge of people from hospital that was going up. They had also discussed aspects of getting sufficient home care workers including the impact of Brexit and the issue of the cost of living in Oxfordshire. They would be looking more fully at issues around reablement.

Councillor Laura Price, Opposition Deputy Leader, referred to the staffing element of the report. There had been several iterations on how to report on staffing and the latest was to be quarterly reporting. That was fine but she hoped that the reporting approach would be allowed to settle so that it was possible to start to read trends. Councillor Price referred to recent changes in the vacancy management process and asked that she receive an update to ensure that there were not unforeseen consequences. Councillor Price added that there needed to be a clearer way to link staffing figures with transformation. She highlighted the challenge of covering qualified social worker posts. She referred to the Oxfordshire Living Wage.

Councillor Judith Heathcoat, Deputy Leader of the Council, commented that previously the report had been under the remit of herself and Councillor Bartholomew as Cabinet Member for Finance. In future responsibility for the report would be shared by all Cabinet Members. She confirmed that in future the staffing element would be reported quarterly. Referring to the performance management element of the report Councillor Heathcoat stated that there had been a change of approach to RAG rating and that they would be used only where there were clear targets. Councillor Heathcoat referred to the 6 priorities and 13 outcomes and highlighted work in the OFRS including the response times and the safe and well visits.

Councillor David Bartholomew, Cabinet Member for Finance introduced the finance elements of the report detailing the current revenue budget position and providing an update on the Medium Term Financial Plan. Councillor Bartholomew moved the recommendation.

Ben Threadgold, Policy & Performance Service Manager advised Cabinet that the Risk Management Strategy was being reviewed and would be brought to a future meeting.

A Cabinet Member in recognising the difficulties in managing such a diverse range of issues commented that the current structure was excellent, thanked those involved in its design and hoped that there would be a period of reporting stability.

**RESOLVED:** to note the report and consider any matters for future attention by Cabinet.

**88/19 OXFORDSHIRE SAFEGUARDING ADULTS BOARD ANNUAL REPORT**

(Agenda Item. 10)

The Oxfordshire Safeguarding Adults board (OSAB) is required to report annually on the work of the Board and of its partners, assessing the position of the partnerships in relation to the safeguarding adults at risk within Oxfordshire. Cabinet considered the annual report.

Dr Sue Ross, Independent Chair of the OASB, attended for this item.

Councillor Brighouse, Chairman of Performance Scrutiny Committee thanked Dr Ross and officers for attending the Performance Scrutiny Committee where the report had been considered. The Committee had welcomed the report and had discussed a range of issues. It would be helpful to see much more analysis and data on alerts. The Committee had discussed concerns around bed sores and sepsis and had been reassured that a group was looking at tissue viability. The Committee had also discussed issues around isolation and how this issue was to be handled as part of the healthy place shaping agenda. She welcomed that Cabinet Members attended Performance Scrutiny Committee as it was good to have them listening to the debate as it took place as it made it easier to relate the Committee's views.

Councillor Sobia Afridi, Shadow Cabinet Member for Adult Social Care welcomed the inclusion of the case studies as it was good to hear the voice of the families. Councillor Afridi was pleased to see the work being done on the transition from child to adult and that work was continuing on multi-agency working. She suggested that in monitoring key issues thought be given to breaking it down by women and black and minority ethnic groups (BAME). It would also be useful if when looking at the table on page 18 there was information on any different type of support available for the BAME community. On outcomes (page 19) Councillor Afridi suggested that it would be helpful in future to see more information on timescales. Karen Fuller, Deputy Director, Adult Social Care replied that previously the annual report had contained much more data. The case studies had been included to bring the report to life with real life examples.

Councillor Debbie McIlveen, local councillor for Leys, welcomed the report. She referred to the outcome of enquiry process and noted that where a risk was identified it was removed in 91% of cases. She queried what happened in the remaining 9% of cases. Councillor McIlveen highlighted community engagement. As a councillor she dealt with a number of casework issues that were then resolved. Some cases were serious, and she queried whether such cases were part of the figures. She suggested that it would be helpful to meet to discuss the issue of community engagement. Responding Dr Ross stated that as the incoming Chair she was anxious to widen their



engagement. The figures were the numbers becoming safeguarding referrals rather than the broad picture of safeguarding. It was an issue to be explored during the National Safeguarding week. Dr Ross was conscious that the Board's responsibility was wider than for the local authority alone. Referring to risk Karen Fuller added that the Performance, Information & Quality Assurance (PIQA) Subgroup had looked at those cases remaining.

Dr Ross introduced the contents of the report detailing the key tasks for the OASB, outlining the key issues and setting out the Board structure and sub-groups. Ms Fuller added that considerable work had been done on the joint board with OCSB and that the transition between child and adult was important. Ms Fuller highlighted the benefit of the adult consultation line that provided a lot of low-level information. She further highlighted the work with District Councils, noting that there was a housing representative on the OASB.

Councillor Ian Hudspeth, Leader of the Council, stressed the importance of the two Boards working together to address the transition period working with whole families. Good housing with security of tenure was a key issue.

Councillor Lawrie Stratford, Cabinet Member for Adult Social Care welcomed the report and in particular the inclusion of the case studies. It was a good report drawing attention to topics which in the past would not have been recognised such as modern slavery and female genital mutilation. National campaigns had helped.

Dr Ross replied that safeguarding was not a helpful term and it was sometime difficult to be clear what it meant. The case studies made it real. The volume of issues was huge and increasing and the report was intended to be used to help the Board talk about what it was doing. Ms Fuller added that discussions showed the importance of the sub groups. The video box enabled the work across the Partnership to be brought to life.

**RESOLVED:** to

- (a) note that the adult safeguarding partnership is working across Oxfordshire and that work undertaken by the Board and its partners has resulted in a significant decrease in safeguarding concerns being referred into the Local Authority, building on the reduction on concerns started last year; and
- (b) note the priorities for 2019/20.

**89/19 REPORT BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN - INVESTIGATION INTO A COMPLAINT AGAINST OXFORDSHIRE COUNTY COUNCIL (REF: 18 009 005)**

(Agenda Item. 11)

The Local Government and Social Care Ombudsman (LGO) had issued a report following its investigation of a complaint against Oxfordshire County

Council. The LGO found that there had been fault on the part of the Council, and this had caused injustice to the complainants.

The council had agreed to take action which the LGO regarded as providing a satisfactory remedy for the complaint. The LGO welcomed the work the council had already carried out, and had planned, to address the fault identified in this and their previous investigation.

The council was undertaking recommendations to address the injustice caused to Mr and Mrs X and Child D and to address the injustice that may have been caused to others as set out in the report.

A full apology had been issued to Mr and Mrs X and Child D and the outcomes of recommendations to address any injustice that may have been caused to others will be reported to the council's Education Scrutiny Committee on 20th November.

Councillor Liz Brighthouse, Opposition Leader, commented that the Council's response to the complaint finding was that of a good local authority. However, she felt that the situation showed that the concept of local government was dead. In the past the Council as the Local Education Authority would have been able to direct that the child be given a place. Now it was a case of appealing to the Secretary of State for Education to direct a school to accept the child. Councillor Brighthouse went on to highlight one of the actions relating to the funding of the hospital school. She commented that the High Needs Block funding was overspent with the necessary money just not there. The Council was now looking for a new model to fund the hospital school at the same time as needing to make savings. There were numbers of children missing education and children out of education where we did not know. She added that the Council would abide by the finding but queried why the Ombudsman was not able to investigate the real impediments to education.

Councillor Lorraine Lindsay-Gale, Cabinet Member for Education and Cultural Services thanked Councillor Brighthouse for her comments agreeing that it was difficult for the Council that was responsible but without the power to direct.

Councillor Lindsay-Gale introduced the contents of the report highlighting that there had been two recent and similar findings of fault prompting the response from the Ombudsman. She outlined the review and revision of several processes that had taken place since those incidents. She detailed the actions taken and planned since the finding from the Ombudsman referring also to the challenges and the importance of shared information.

Lucy Butler, Director of Children's Services, stated that this was an important case. She accepted that some things should not have happened such as the loss of the form and that other problems had been due to processes that made it more difficult to pick up the issue. She shared the parent's frustration at the inability of the local authority to direct a school to accept a child and

noted that the Council had written to the Secretary of State who did not intervene. She had kept in contact with the parents and child D and really wanted to see her do well.

**RESOLVED:** to note the contents of the report by the Local Government and Social Care Ombudsman (LGO) and to endorse the actions undertaken in response by this council.

**90/19 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 12)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in the schedule of addenda.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

..... in the Chair

2019

Date of signing .....