



# **County Council**

**12 July 2016**

## **Agenda**

## Declarations of Interest

### The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

### Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, or

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

### What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

### List of Disclosable Pecuniary Interests:

**Employment** (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on (01865) 815270 or [glenn.watson@oxfordshire.gov.uk](mailto:glenn.watson@oxfordshire.gov.uk) for a hard copy of the document.

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

To: Members of the County Council

## ***Notice of a Meeting of the County Council***

**Tuesday, 12 July 2016 at 10.00 am**

**Council Chamber - County Hall, New Road, Oxford OX1 1ND**



P.G. Clark  
County Director

July 2016

Contact Officer: **Deborah Miller**  
Tel: 07920 084239; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 7 and 12 will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

---

***Members are asked to sign the attendance book which will be available in the corridor outside the Council Chamber. A list of members present at the meeting will be compiled from this book.***

***A buffet luncheon will be provided***

## **AGENDA**

### **1. Minutes (Pages 1 - 6)**

To approve the minutes of the meeting held on 17 May 2016 (**CC1**) and to receive information arising from them.

### **2. Apologies for Absence**

### **3. Declarations of Interest - see guidance note**

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

### **4. Official Communications**

### **5. Appointments**

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

### **6. Petitions and Public Address**

### **7. Questions with Notice from Members of the Public**

### **8. Questions with Notice from Members of the Council**

### **9. Report of the Cabinet (Pages 7 - 10)**

Report of the Cabinet Meetings held on 15 March 2016, 19 April 2016 and 24 May 2016 (**CC9**).

### **10. Connecting Oxfordshire Update - Local Transport Plan (LTP4) 2015-2031 (Pages 11 - 20)**

Report by Director for Environment & Economy (**CC10**).

The report sets out the key changes to Connecting Oxfordshire, Oxfordshire's Local Transport Plan (LTP4), which was adopted by Council in September 2015, following full public and Stakeholder consultation. This report outlines the first update to LTP4, which is required to reflect the changed policy context and new and updated strategies.

Annex 1 summarises the main changes to LTP4. The report also specifically references changes agreed by Cabinet on 28 June 2016.

LTP4 has been updated in 2016 in response to the rapidly changing national and local growth, economic development, infrastructure planning and funding agendas. Last year the county council resolved that LTP4 should be strengthened in its aims to reduce air pollution. Annex 2 sets out how the LTP has been updated to reflect this in more detail.

The Plan has been designed as a living transport policy and strategy framework document, to be kept under review and regularly updated as significant changes take place which affect transport in Oxfordshire. It will also directly inform the update of the Oxfordshire Strategic Economic Plan recently consulted upon and proposed to be completed this Autumn.

***Council is RECOMMENDED to:***

- (a) ***adopt the updated Connecting Oxfordshire: Local Transport Plan 2015-2031 (LTP4) as council policy; and***
- (b) ***instruct the Deputy Director of Environment and Economy (Strategy & Infrastructure Planning), in consultation with the Cabinet Member for Environment, to keep the document under review and to make any necessary changes, subject to any such changes being reported to County Council for approval within 12 months.***

## **11. Proposed Fees for the Supply of Traffic Accident Data (Pages 21 - 24)**

*Cabinet Member:* Environment

*Forward Plan Ref:* 2016/038

*Contact:* Owen Jenkins, Service Manager for Highways, Commercial & Transport

*Tel:* (01865) 323304

Report by Director for Environment & Economy (**CC11**).

This report presents proposals for a schedule of fees for the supply of traffic accident data. The report was considered by the Cabinet at its meeting on 28 June 2016. The Cabinet agreed to forward the report to council for approval.

***Council is RECOMMENDED to approve the use of the proposed fees as set out in Annex 1.***

## **12. County Council Meeting Dates (Pages 25 - 32)**

The report of the Monitoring Officer containing the schedule of meeting dates proposed for the 2017/18 Council Year is attached (**CC12**).

The schedule has been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution. Attention is drawn to the following proposed changes to previous patterns:

The Councillor Profile Working Group proposed that full Council meetings start 30 minutes later at 10.30 am and the Audit & Governance Committee supported this change. The meeting is therefore proposed from 10.30 am – 4.00 pm from the Annual meeting in 2017.

It was also agreed by Audit & Governance Committee that where possible Monday morning meetings be avoided and it is suggested that in future Education Scrutiny Committee meet on Wednesday afternoons.

***Council is RECOMMENDED to agree the schedule of meeting dates for the 2017/18 Council Year and in particular to amend Rule 5.1 of the Council Procedure Rules with effect from the Annual Council Meeting in 2017 to reflect the new start and end times proposed for Council of 10.00 am and 4.00 pm respectively.***

### **13. Virements to Council (Pages 33 - 46)**

Report by the Chief Finance Officer (**CC13**)

As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 28 June 2016 given the pressures in both Special Educational Needs (SEN) Home to School Transport and Children's Social Care staffing, it is proposed that the underspends in Social and Community Services, Environment & Economy and Corporate Services will be used to offset the overspends in Children, Education & Families. Details are set out in Annex 1.

Some of the virements required to offset over and underspends within and between directorates are larger than £1.0m and require approval by Council under the Council's Financial Procedure Rules.

***Council is RECOMMENDED to:***

- (a) approve the virements greater than £1.0m for Children, Education & Families and Social & Community Services as set out in Annex 1;***
- (b) approve the virement of £1.5m from contingency to offset the overspend within Children's Social Care as set out in Annex 1.***

### **14. Report of Local Government Ombudsman (Pages 47 - 70)**

The Local Government Ombudsman has issued a public report in response to an investigation into complaints against Oxfordshire County Council's Safeguarding Adults Team and Huntercombe Hall Care Home. The complaint relates to events that took place in 2014. The Ombudsman's report is Annex 1 to this report.

The Ombudsman concluded that there is a public interest in how the complaint and the care of the complainant's wife were mismanaged and how further residents may have been at risk.

Under the Local Government Act 1974, Council must consider the report of the Ombudsman and confirm to her the steps the Council has taken, or is taking, to comply with the recommendations of the Ombudsman.

The Director of Adult Social Services has issued a briefing for councillors to set out the actions that the Council has taken which comply with the recommendations of the Ombudsman. The Council is asked to consider the Ombudsman's recommendations and the actions taken by the Council.

## **MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

*WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE MONDAY BEFORE THE MEETING*

### **15. Motion From Councillor Kieron Mallon**

"This Council notes emerging proposals for changes to Hospital services in Banbury and resolves to instruct officers to examine a case that looks to protect consultant led paediatrics and maternity provision at the Horton."

### **16. Motion From Councillor Richard Webber**

Council supports the general principle that those in greatest need should have the highest priority. However, Council regrets that it has been compelled to abandon the concept of universal provision offered by our children's Centres in Oxfordshire as a result of the Government's cuts in Local Authority funding. Council asserts that it intends to restore a universal service as soon as financial constraints allow.

In the meantime, Council is aware that, as a result of the focus on the most needy children and families in our County, there will be large areas— particularly in the West which now have no Children Centre buildings - the same areas likely to suffer most from rural isolation as the Council removes bus subsidies.

Ensuring that there was some compensation for these areas was a key statement agreed by Council in its February budget. Council therefore believes that it is now essential that the effects of the loss of Children's Centres, in these areas, is compensated for by:

1. Offering active support to the parents, volunteers and Parish Councils taking over or hoping to take over the vacated Centres.
2. Ensuring that rents to such bodies are kept to a minimum in order to allow them to produce realistic, and sustainable business plans.
3. Persuading District Councils to join us in giving as much support to these bodies as possible.
4. That the £1m Transition Fund agreed at the February budget should be committed to these areas to achieve the above.

### **17. Motion From Councillor Kevin Bulmer**

"This Council recognises that the issue of parking enforcement is of a major concern to residents across the County where there is no agreement for Civil Parking Enforcement. This Council asks the Cabinet Member for Environment to open negotiations with the district councils to find a solution to this matter."

## **18. Motion From Councillor Lynda Atkins**

“This Council is very much aware of the obligations its owes to the Armed Forces community within Oxfordshire as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most. It is also aware, through experience, of the absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Oxfordshire. This includes serving regular and reserve personnel, veterans, and their families. As a result, the Council believes that that the availability of such data would greatly assist the Council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Oxfordshire.

Consequently, this Council asks the Leader of the Council to support and promote the Royal British Legion’s call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community.”

## **19. Motion From Councillor Bob Johnston**

"Council calls on the officers to develop the business case for a new fast rail service to go from Bristol to Swindon, Grove/Wantage and Milton Keynes. In doing so they should co-operate with similar efforts in Wiltshire and elsewhere. This will improve the cost/benefit ratio for the new station at Wantage/Grove.

County officers are asked to discuss with Network Rail and the DfT for the inclusion of a station at Wantage/Grove into the funding during Network Rail's next control period starting in 2019 with a view to the station being opened by the end of the control period. The station will reduce wear and tear on local roads and reduce commuting time between the rapidly growing communities in South Oxfordshire. It will also improve access to skills and education for both 16 - 19's and adults living in those parts of the County."

## **20. Motion From Councillor Janet Gooden**

This Council notes that:

- Mental ill health costs some £105 billion each year in England alone;
- people with a mental illness are disproportionately victims of crime;
- good levels of mental health in the community improve education standards, improve employment rates, and reduce crime levels;
- employment is a strong protective factor for mental well-being, but less than 1 in 10 people with a mental illness are in paid employment;
- untreated behavioral disorders in childhood are strongly associated with problems in adolescence leading to entry into the criminal justice system;



- around a third of dementia sufferers in the UK live alone;
- Council understands the responsibilities of local authorities for supporting people with mental illness living in their communities, and the important overview they can have through their lead roles in multi-agency partnership working with police, NHS colleagues and the voluntary sector.

This Council therefore resolves to ask the Leader of the Council to improve outcomes and quality of life for those suffering from mental illness by: (a) signing the Local Authorities' Mental Health Challenge promoted by a group of national mental health organisations (among them the Mental Health Foundation, the Mental Health Providers' Forum, Mind, the Royal College of Psychiatrists and YoungMinds); and (b) committing accordingly to appointing an elected member as 'mental health champion' across the Council, and identifying a member of council staff to act as 'lead officer' for mental health.

## **21. Motion From Councillor David Williams**

"Given that the Council has moved from the total closure of all 44 Children's Centres to a figure that now stands at 18, this Council resolves that the decision to close all the Centres is reviewed by Cabinet with a view to keeping all centres open beyond the proposed closure date of March 2017 and that further funding sufficient to underpin that commitment beyond the original £2m identified in the budget from the unspecified savings budget heading is made available.

During 2016-2017 constructive consultations with the new authorities that emerge from the devolution decision to begin along with other organisations that may be willing to co-sponsor the Children Centres beyond 2017 such as the Health Service, the Police, Parish councils and Charities."

## **22. Motion from Councillor David Williams**

"There are now at least two proposals for the reorganisation of local government in Oxfordshire both based on the concept of unitary authorities. Cases for the efficacy of service delivery can be made for each structure, a single County authority or a number of District/City based unitary authorities. However the cornerstone of any new structure must be that it is democratic and what the people of Oxfordshire perceive as representing their local community interest.

With this in view the County will undertake public consultation of those on the electoral roll in Oxfordshire that accepts the unitary principle and presents four options:

- One single County Wide Unitary with a high degree of devolution.
- Two Unitary Authorities. The City of Oxford and a unitary incorporating all the market towns around the City.
- Three Unitary Authorities. The City of Oxford and two unitaries incorporating one to the North and one to the South.
- Four Unitaries. Composed of the City of Oxford, Cherwell (Banbury ) West Oxford (Witney) and South Oxfordshire (Didcot and the Vale)

Advocates of all these structures to make their case to the electorate prior to the vote.

The results of this consultation to be submitted by the Leader of the Council to Central Government to illustrate the wishes of local people and with the various submissions from the existing local governments.”

## **23. Motion From Councillor David Williams**

“The EU Referendum held on the 23<sup>rd</sup> of June with its decision to exit the European Union is a very damaging decision for Oxfordshire’s economy and wellbeing and is not a mandate for abandoning the progressive reforms that the European Union introduced.

EU regulations related to pollution controls have become critical to our traffic management policies as have directives related to waste management in guiding our recycling systems. Our County economic infrastructure plans are clearly now profoundly influenced by monies channelled via the European Union structural funds and regional aid policies. Competition rules and international trade regulation plus employment directives from the EU influence our contracting, employment and procurement regulations underpin a great deal of Council tendering.

This Council is concerned that all these influences that have been to the advantage of the County Council’s operation are not lost and urges the Government to introduce a Consolidation Act to clearly incorporate all outstanding EU directive and regulation at present operational into British Law. Council requests the Leader of the Council to write to the Prime Minister to illustrate the Council’s opinion.”

## **24. Motion From Councillor Sam Coates**

“Having considered the proposal to build 5 new Park and Rides and expand two existing sites at a cost of £75m Council is not convinced that this is efficient use of taxpayer’s money.

The scheme rests partly on a projected need generated by 100,000 extra homes in the County by 2031. To meet the likely need of extra car commuters during that period, extensions to existing park and rides and double decking might be possible at lower cost.

The proposal also envisages building on the Green belt in four of the five planned new locations which would mean a substantial loss of amenity to the people of Oxfordshire and is yet another reason not to proceed with this proposal.

As an alternative to address commuters pressure, Council asks the Cabinet that the £75m is spent on improving cycle ways, walking , reintroducing bus subsidies and speeding the opening to the public the Cowley Wheatley rail line.”

---

### **Pre-Meeting Briefing**

There will be a pre-meeting briefing at County Hall on **Monday 11 July 2016 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 17 May 2016 commencing at 10.00 am and finishing at 11.45 am.

**Present:**

Councillor John Sanders – in the Chair

Councillors:

Lynda Atkins	Janet Godden	James Mills
Jamila Azad	Mark Gray	David Nimmo Smith
David Bartholomew	Patrick Greene	Neil Owen
Mike Beal	Tim Hallchurch MBE	Zoé Patrick
Maurice Billington	Pete Handley	Glynis Phillips
Liz Brighthouse OBE	Jenny Hannaby	Susanna Pressel
Kevin Bulmer	Neville F. Harris	Laura Price
Nick Carter	Steve Harrod	G.A. Reynolds
Louise Chapman	Mrs Judith Heathcoat	Alison Rooke
Mark Cherry	Hilary Hibbert-Biles	Rodney Rose
John Christie	John Howson	Gillian Sanders
Sam Coates	Ian Hudspeth	Les Sibley
Yvonne Constance OBE	Bob Johnston	Roz Smith
Steve Curran	Stewart Lilly	John Tanner
Surinder Dhesi	Lorraine Lindsay-Gale	Melinda Tilley
Arash Fatemian	Sandy Lovatt	Michael Waine
Jean Fooks	Mark Lygo	Richard Webber
Mrs C. Fulljames	Kieron Mallon	David Williams
Anthony Gearing	Charles Mathew	David Wilmshurst

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

### **20/16 ELECTION OF CHAIRMAN FOR THE 2016/17 COUNCIL YEAR**

(Agenda Item 1)

Before inviting the Solicitor of the Council to seek nominations for the office of Chairman of the Council, Councillor John Sanders (the retiring Chairman) addressed the meeting, reflecting on his year in office, in particular his time as ambassador for the Council. He thanked members of the Council for their support throughout the year.

He then went on to thank his wife, who had been her consort for the year and his personal assistant, Sara Lenihan, The Head of Paid Services, Peter Clark and the Monitoring Officer, Nick Graham for their help and support during the

year. He then presented his wife with her consort badge and flowers as a token of his appreciation.

Councillors Brighthouse, Hudspeth, Webber, Williams, Atkins and Harris paid tribute to Councillor John Sanders, expressing their thanks for his work over the last year as Chairman and ambassador for the Council.

The Chief Legal & Monitoring Officer sought nominations for the position of Chairman of the Council.

Councillor Hudspeth proposed and Councillor Brighthouse seconded that Councillor Michael Waine be elected Chairman of the Council for the 2016/17 Council Year.

There being no further nominations and no dissent, Councillor Michael Waine was declared elected as Chairman for the 2015/16 Council Year. Councillor Waine then read and signed the statutory Declaration of Acceptance of Office.

**RESOLVED:** (unanimously) that Councillor Michael Waine be elected Chairman of the Council for the 2016/17 Council Year.

## **21/16 ELECTION OF THE VICE-CHAIRMAN FOR THE 2016/17 COUNCIL YEAR**

(Agenda Item 2)

The Chairman called for nominations for the office of Vice-Chairman. Councillor Webber proposed and Councillor Brighthouse seconded that Councillor Zoe Patrick be elected Vice-Chairman for the 2016/2017 Council Year. There being no further nominations and no dissent, Councillor Zoe Patrick was declared elected. Councillor Patrick read and signed the statutory Declaration of Acceptance of Office.

**RESOLVED:** (unanimously) that Councillor Zoe Patrick be elected as Vice-Chairman for the 2015/16 Council Year.

## **22/16 MINUTES**

(Agenda Item 3)

**RESOLVED:** (by 57 votes to 1) that the Minutes of the Meeting held on 5 April 2016 were approved and signed subject to the word 'tribe' being changed to 'tribute' in Minute 13/16.

## **23/16 APOLOGIES FOR ABSENCE**

(Agenda Item 4)

Apologies for absence were received from Councillors Fawcett, Hards, Langridge, Purse and Stratford.

## **24/16 OFFICIAL COMMUNICATIONS**

(Agenda Item 6)

The Chairman reported as follows:

- Council sent its best wishes to Yvonne Staniford and family, wishing her a speedy recovery;
- Council congratulated Oxford United on their recent promotion.

## **25/16 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 7)

Ms Charlie Payne spoke in relation to Agenda Item 11, Scrutiny Committee – Annual Report. She referred to the service and geography gap analysis commissioned by the performance scrutiny committee to identify how the £2m could be used most effectively in February 2016 and the fact that it had not been undertaken. She believed if the survey had been undertaken it would have shown that whilst some of the county would be well covered a great many areas of the County and some of the most vulnerable children in Oxfordshire would have to travel an average of between 7 and 19 miles to their nearest family centre.

She believed that the plans had been rushed, illogical and undemocratic and expressed regret that the £2m would now not be spent on children's centres, referring to the social community impact assessment that stated that the closure of centres may lead to an increase in safeguarding risk to children. She urged the Council to request that the appropriate analysis is carried out immediately.

## **26/16 CABINET MEMBERSHIP AND DELEGATION OF CABINET FUNCTIONS**

(Agenda Item 9)

Under the Council's Constitution, the Leader of the Council was required to inform the Annual Meeting of the Council of the delegations that he had made, as Leader of the council, in relations to the functions of the Cabinet. Council had before them a report (Annex 1 to the Schedule of Business) which set out the delegations.

**RESOLVED:** (on a motion from Councillor Hudspeth, seconded by Councillor Rose and carried nem con) to note the delegations made by the Leader of the Council with regards to the functions of the Cabinet.

## **27/16 COMMITTEES AND REVIEW OF POLITICAL BALANCE**

(Agenda Item 10)

The Council was required by the Local Government & Housing Act 1989 to review the political balance on its committees on an annual basis. The Council had before it a report (CC10), together with additional information set

out in the Schedule of Business (Annex 3) which set out how the rules operate and sought approval for adjustments which were necessary to achieve the balance across and within committees to comply with the rules.

In summary the changes necessary were:

- (a) to obtain balance across the scrutiny committees, the Green Group had a seat on the Performance & Scrutiny Committee. There were no unfilled seats;
- (b) to obtain balance across the other committees of the Council and overall, the Green Group had a seat on either the Remuneration Committee or the Planning & Regulation Committee;
- (c) Once political balance had been applied there remained one unfilled seat (either on Remuneration or Planning & Regulation Committee) which had to be allocated to the independent members of the Council.

Councillor Waine moved and Councillor Patrick seconded that the recommendations set out on the face of the Agenda and in the report be adopted.

Councillor Brighthouse notified the Council of a further change on Employees Joint Consultative Committee, in that Councillor John Sanders would take the place of Councillor John Christie.

Councillor Lynda Atkins nominated herself on the Planning & Regulation Committee.

The motion was put to the vote and was carried nem con.

**RESOLVED:** (nem con)

- (a) to confirm the political balance on committees shown in Annex 2 to the report;
- (b) to appoint to committees the councillors and co-opted members shown in Annex 3, subject to Councillor Lynda Atkins being appointed onto the Planning & Regulation Committee.

## **28/16 SCRUTINY COMMITTEES - ANNUAL REPORT**

(Agenda Item 11)

The Council had before them the Annual Report of the Scrutiny Committee (CC11) which set out the activity of the Council's three scrutiny committees; Performance Scrutiny, Education Scrutiny and Health Overview & Scrutiny and the Cabinet Advisory Groups. The report highlighted the work carried out by each Committee to scrutinise service activity and performance as well as Cabinet decisions taken over the past year.

Councillor Brighthouse moved and Councillor Constance seconded that the Council receive the Annual Report of the scrutiny committees.

Councillor Bartholomew reported that the Audit & Governance Committee had considered the report at their meeting on 20 April 2016. The Committee requested the Leader of the Council, in consultation with the Group Leaders, to consider the future structure of Scrutiny with the specific option of creating an Adult & Child Social Care Scrutiny Committee.

Following debate the motion was put to the vote and was carried by 56 votes to 0, with 2 abstentions.

**29/16 OFFICER SCHEME OF DELEGATION**

(Agenda Item 12)

At its Annual Meeting Council is required to agree the officer scheme officer scheme of delegation within the council’s Constitution. The scheme of delegation forms Part 7.2 of the Constitution and gives delegated authority to the Head of Paid Service, directors and other chief officers whose titles and/or areas of responsibility are set out in Part 2, Article 13 of the Constitution.

The Council had before them a report (CC12) which highlighted some minor amendments to the Scheme of Delegation and to Article 13 principally changes taking place since the departure of the Chief Executive last year.

**RESOLVED:** (on a motion by Councillor Waine, seconded by Councillor Patrick and carried nem con) to note the amendments to Article 13 and to Part 7.2 of the Constitution and to approve the Scheme of Officer Delegation (Part 7.2) as amended.

..... in the Chair

Date of signing .....

This page is intentionally left blank



Division(s): N/A

## COUNTY COUNCIL – 12 JULY 2016

### REPORT OF THE CABINET

**1. Cabinet Business Monitoring Report for Quarter 3**  
*(Cabinet, 19 April 2016)*

Cabinet noted a report that provided details of performance for quarter three. The report is required so that Cabinet can monitor the performance of the Council in key service areas and be assured that progress is being made to improve areas where performance is below the expected level.

**2. Staffing Report, Quarter 4 2015/16**  
*(Cabinet, 24 May 2016)*

Cabinet agreed a report that gave an update on staffing numbers and related activity during the period 1 January 2016 to 31 March 2016.

### Cabinet Member for Adult Social Care

**3. Section 75 Agreement - Update**  
*(Cabinet, 24 May 2016)*

Cabinet considered and approved a continuation of and variations to the legal agreement under Section 75 of the NHS Act 2006 that governs the existing formal joint working arrangements and pooled budgets between Oxfordshire Clinical Commissioning Group and Oxfordshire County Council from April 2016 onwards.

**4. Care Home Fees 2016**  
*(Cabinet 15 March 2016)*

The services that care homes provide within Oxfordshire play an important role in helping to meet the needs of vulnerable adults. Oxfordshire County Council makes a significant investment in care home services on an annual basis and it is the largest single purchaser within the County.

Cabinet considered a report that described the process the Council had undertaken to review the amount it pays for care homes and gave agreement to the Target Banding Rates to be applied for 2016-17.

## ***Cabinet Member: Children, Education & Families***

### **5. Support for Continuing Delivery of Early Intervention Services (Future Arrangements for Children's Social Care)**

*(Cabinet, 24 May 2016)*

The County Council budget for 2016/17 made a number of significant financial changes to the Children, Education and Families Directorate. Included in this was the decision to amend the original proposal to remove £2 million from the Early Intervention/Children's Centres budget lines (known as CEF 12). How the retained £2 million is to be targeted requires further clarity.

Cabinet had before them a report that set out proposals to spend the £2 million in direct response to issues raised by the public consultation, namely concerns around the loss of preventative support and the accessibility of the new service.

Cabinet agreed: to develop eight outreach centres and two shared locality bases, in addition to eight Children and Family Centres; that the Locality and Community Support Service is expanded to enhance its preventative elements and enable it to support universal provision within the eight outreach centres, and other centres that remain open through community support; that the Family Support Service is enhanced, enabling the delivery of casework and evidence based group programmes from the eight outreach centres; and to ask officers to commence a staff consultation on the staffing structure for the new Service.

## ***Cabinet Member: Environment***

### **6. Oxfordshire Together**

*(Cabinet, 19 April 2016)*

Cabinet considered and agreed a report seeking an update to the existing resolution that forms part of the Local Agency Agreements (Section 101 under the Local Government Act 1972).

### **7. Street Lighting Contract and Interim Policy**

*(Cabinet, 19 April 2016)*

Cabinet had before them a report that set out a proposed emergency interim arrangement for the Street Lighting Service (Maintenance) as the result of early termination of the existing contract at a break point within the contract.

Cabinet approved the proposed policy change and contracted level of service in relation to the street lighting maintenance service; and noted the proposed use of the short term call off from the Crown Commercial Service Contract.

### **8. Investing in the A40 – A Long Term Strategy**

*(Cabinet, 24 May 2016)*

Cabinet considered a progress update on the A40 long term strategy following the completion of public consultation in Autumn 2016. The report outlined the consultation responses received as well as other considerations in order to facilitate a wider discussion on future ambitions for tackling the congestion issues on the A40. Cabinet agreed the approach for the direction for a long-term strategy for the A40.

## **9. Supported Transport Update**

*(Cabinet, 24 May 2016)*

On 10 November 2015, Cabinet considered the results of the public consultation on the future of Subsidised Bus Services and agreed to the full withdrawal of subsidised bus subsidies, subject to full council's approval, which was given in February 2016.

Cabinet had before them a report providing an update on the steps that have been taken to minimise the impact of the withdrawal and asks permission to launch an innovative pilot using the council's fleet during downtime to help those without access to alternative transport.

Cabinet approved the launch of the pilot; and noted the results of the independent report on usage data.

## **10. Proposed Fees for the Supply of Traffic Accident Data**

*(Cabinet, 24 May 2016)*

Cabinet considered a report setting out proposals for a schedule of fees for the supply of traffic accident data and agreed to recommend its use to full Council.

N.B. This matter is included on the full Council agenda for consideration.

### ***Cabinet Member: Finance***

## **11. 2015/16 Financial Monitoring & Business Strategy Report**

*(Cabinet, 19 April 2016)*

Cabinet considered the penultimate report in a series for the 2015/16 financial year. The final directorate variations will be set out in the Provisional Outturn Report to Cabinet in June 2016.

Cabinet noted the Treasury Management lending list; approved the transfer of £0.2m to the Efficiency Reserve and noted the changes to the Capital Programme.

**IAN HUDSPETH**

Leader of the Council

June 2016

This page is intentionally left blank

Division(s): All

## COUNCIL – 12 July 2016

### CONNECTING OXFORDSHIRE: LOCAL TRANSPORT PLAN 2015 – 2031 (LTP4) UPDATE

Report by Acting Director for Environment & Economy

#### Introduction

1. Connecting Oxfordshire: Local Transport Plan 2015-2031 (LTP4) Update was approved by Cabinet on 28 June 2016 and recommended for adoption by Full Council at its meeting in July 2016. LTP4 was first adopted in September 2015, following full public and Stakeholder consultation. This report confirms the changes that have subsequently been made.
2. This report outlines the first update to LTP4, which has been updated in 2016 in response to the rapidly changing national and local growth, economic development, infrastructure planning and funding agendas. A summary of the key changes are set out at Annex 1.
3. Last year Council resolved that LTP4 should be strengthened in its aims to reduce air pollution. Cabinet approval in June 2016 provided the mandate to introduce new policies and approaches to better address this in the updated LTP4, focusing on:
  - (1) Encouraging walking and cycling
  - (2) Restricting diesel vehicles in town centres
  - (3) Working more proactively with the City and District Councils to develop and enact Air Quality Action Plans
  - (4) Introducing low or zero emission mass transit vehicles
4. Annex 2 sets out how the LTP has been updated to reflect these four approaches in more detail, including the introduction of the new Active & Healthy Travel Strategy, developed with input from Public Health.
5. The Plan has been designed as a 'living' transport policy and strategy framework document, to be kept under review and regularly updated as significant changes take place which affect transport in Oxfordshire, across the region and nationally. It is also directly informing this year's update of the Oxfordshire Strategic Economic Plan and our proposed Oxfordshire Infrastructure Strategy, as part of our commitment to planning Oxfordshire's growth.
6. The 15 year timescale of the Plan gives major benefits in terms of providing a transport strategy that covers the period of the district councils' Local Plans and allows for long term planning of major infrastructure.

7. The Plan provides the policy framework for Oxfordshire's transport schemes over the lifetime of LTP4, within which proposals for specific schemes can come forward for investigation, development, consultation and approval, including, for example, the proposal for Oxford's Outer Park & Rides.

### **Revisions since June 2016 Cabinet**

8. A variety of views and comments were stated at the Cabinet meeting by Members. A summary of the updates to chapters is below, to reflect decisions taken at Cabinet:

9. **A420 Strategy:**

It was agreed at Cabinet to make the following change:

Delete the third bullet point on page 10 of the A420 strategy document:

"A new roundabout at the A420 junction with Coxwell Road. This upgrade is partially funded by developers of nearby strategic sites."

Substitute with the following bullet point:

"A significant junction improvement will be required at the A420 junction with Coxwell Road to accommodate known housing growth in the area. The Highway Authority has been negotiating with the developers through the planning process and a full signalisation of the junction is an agreeable solution in principle."

Similar text has also been inserted on page 14 of the strategy, to add this to the table that covers a number of other proposed schemes, to reflect this point.

10. **Active & Healthy Travel Strategy:**

Minor text changes to the Strategy have been made since the version presented to Cabinet.

### **Financial and Staff Implications**

11. Capital scheme proposals in the Plan will create future capital commitments, albeit that these will be subject to funding being available from Government and other sources. Capital commitments would also lead to revenue budget pressures and when developing projects/schemes for approval, their full costs including revenue funding required to support them will need to be made explicit as part of business case submissions.
12. Some changes to the Plan have been made to reduce the commitment of the Council to revenue funded interventions, to ensure that the Council does not overcommit resources and manages expectations on what it can afford in the increasingly challenging financial climate. Progress of proposals will be

dependent on the availability of funding and form part of the annual service & resource planning process.

13. Progressing Clean Air Zones in Oxfordshire would have resource implications, but the details but further research and liaison with DEFRA and other local authorities will be required to quantify these.

### **Equalities Implications**

14. A Service & Community Impact Assessment was undertaken as part of LTP4 which was published in 2015 and is available on the council's website. Whilst this did not raise any significant concerns, it referred to the need for more bespoke assessments of individual programmes and proposals. There are no further equalities implications identified at this time.

### **RECOMMENDATIONS**

15. **Council is RECOMMENDED to:**
  - (a) **adopt the updated Connecting Oxfordshire: Local Transport Plan 2015-2031 (LTP4) as council policy; and**
  - (b) **instruct the Deputy Director of Environment and Economy (Strategy & Infrastructure Planning), in consultation with the Cabinet Member for Environment, to keep the document under review and to make any necessary changes, subject to any such changes being reported to County Council for approval within 12 months.**

### **BEV HINDLE**

Acting Director for Environment & Economy

Background papers: None

Annexes:

Annex 1: Summary of changes to LTP4

Annex 2: Air Quality overview

Annex 3: Updated LTP4 Chapters – Volumes 1 – 8

Annex 4: Service & Community Impact Assessment

Contact Officer: John Disley, Policy & Strategy Manager. Tel: 07767 006742

July 2016

This page is intentionally left blank



## Annex 1: LTP4 Update Summary Table

CHAPTER	Summary of change since LTP4 Adoption in Sept 2015	Reason for change
<b>Policy &amp; Overall Strategy</b>		
Goals and themes	4 goals and 3 themes consolidated into 3 goals - economic, environmental (including air quality) and social	To simplify and to better respond to approved Council motion (Sept 2015) on air quality
Introduction of workplace Parking Levy for Oxford	More positive about progressing workplace parking charges in Oxford	To reflect all party position on budget at recent council meeting
Supporting growth and economic vitality	Minor contextual changes to description of A40 Science transit 2 scheme.	Reflect most up to date information on scheme.
Enhancements to road capacity - Local Routes in Banbury	Minor contextual changes to description of Banbury Area Strategy elements.	Reflect most up to date information on schemes.
Enhancements to road capacity - Local Routes in Witney & Carterton	Minor contextual changes to description of Witney & Carterton Area Strategy elements.	Reflect most up to date information on schemes.
Improving health and wellbeing - Improving air quality	Additional text to reflect the housing growth in Chipping Norton that will be required to mitigate the impact on the AQMA.	Further detail has been added to this section, with schemes from a study that is currently underway. This is to ensure that OCC meet the CL tests to secure S106 funds to measures.
Improving health and wellbeing - Improving air quality	Strengthened emphasis on Air Quality including plans for Clean Air Zones and Oxford Zero-Emission Zone	To better respond to approved Council motion (Sept 2015) on air quality
Enhancements to road capacity - A40	Substantial update to reflect progress in A40 Strategy since June 2015. N.B new A40 Route Strategy chapter has been written	Reflect most up to date information on the strategy
<b>Bus &amp; Rapid Transit Strategy</b>		
	Rewording of position on subsidised bus services to put more emphasis on partnership working and developer contributions plus explaining financial constraints	To reflect Council decision on bus service funding
<b>Rail Strategy</b>		
	Not published in 2015 as part of LTP4. Stakeholder discussion taking place with the rail industry. The new Rail Strategy updates the Council's 2012 document.	Reflect most up to date policy position, taking account of recent developments such as the Hendy Review.
<b>Active &amp; Healthy Travel Strategy</b>		
Addition of new chapter: Active & Healthy Travel Strategy	Includes cycling, walking and Door to Door policies	To form a comprehensive policy on sustainable, active & healthy travel, to better respond to approved Council motion (Sept 2015)
Replaces standalone cycling chapter		To ensure cycling is part of a more comprehensive sustainable travel strategy, to better respond to approved Council motion (Sept 2015)
<b>Oxfordshire Freight Strategy</b>		
	More detail on Freight Gateway on-line routing	To reflect adoption by OCC
<b>Science Transit Strategy</b>		
	Minor changes to chapter wording and map.	Reflect most up to date policy.
<b>A40 Route Strategy</b>		
Addition of New Chapter: A40 Route Strategy	Addition of New Chapter: A40 Route Strategy	Reflect up to date policy/scheme context.
<b>A420 Route Strategy</b>		
	Minor changes to chapter wording and map.	To reflect evolving Local Plan and planning application discussions.
	A revised chapter will follow further prioritisation, costing and feasibility of proposed schemes	
Maps and Plans	Revised map.	Reflect OCC corporate style
<b>Locality Chapters</b>		
<b>Banbury</b>		
Changes throughout strategy	Updates to reflect adoption of the CDC Local Plan	Reflect most up to date policy.
Infrastructure Improvements	Changes to description/detail of study work. Updated paragraph 14 and policy BAN1.	Reflect most up to date approach to study work.
Sustainable Transport Strategy	Changes to description/detail of study work. Updated paragraph policy BAN2.	Reflect most up to date approach to study work.
Sustainable Transport Strategy	Additional text to ensure stronger cross referencing with the LTP4 Active & Healthy Travel Strategy	Ensure consistency throughout document.
Sustainable Transport Strategy	Updates to reflect transport elements from draft Banbury Masterplan and align policy documents. Updated paragraph policy BAN4.	Ensure consistency with other policy documents.
Sustainable Transport Strategy	Additional text to add context and impact of HS2. Update policy BAN5.	To reflect impact of external transport schemes.
Scheme Delivery	Updated text on how this LTP4 update superceeds other area strategies.	Reflect most up to date policy position.
Maps and Plans	Revised map.	Reflect OCC corporate style.
<b>Bicester</b>		
Changes throughout strategy	Reconfigured wording throughout.	Makes the strategy more 'user friendly'.
Infrastructure Improvements	Investigating options for infrastructure improvements and bus priority on A41	Included in IDP and now becoming more of a priority
Infrastructure Improvements	Progressing a Wayfinding Project for Bicester with the aim of improving signage across the town	Agreed funding for this through the NW Bicester Travel Behaviour fund
Sustainable Transport Strategy	Better Support of the Cherwell District Council's Sustainable Transport Strategy, including schemes such as Central Corridor Cycle Improvements	The STS provides suggestions for how sustainable travel can be improved in Bicester. Now that the P&R has opened, the central corridor becomes even important for cycle improvements both in terms of connectivity and reducing through traffic
Sustainable Transport Strategy	Cycle-friendly measures must be incorporated into all new road schemes and new housing developments	Supports the LTP4 Active & Healthy Travel Strategy
Sustainable Transport Strategy	References to improve walking facilities	Support economic growth and reduce car use
Sustainable Transport Strategy	Options for relaxing the cycle ban on Sheep Street	Suggestion in Sustainable Transport Strategy and promotes better connectivity between the railway stations
Sustainable Transport Strategy	Secure sustainable transport measures in all major new development	Supports LTP4 Active & Healthy Travel Strategy
Traffic Management	A strategic system of Variable Message Signs for Bicester	Providing coordinated information and advance notice of construction closures and traffic related issues.

Scheme Delivery	intention to provide a detailed delivery plan for future infrastructure programmes	To understand the most appropriate phasing given the anticipated growth and resources
Maps and Plans	Revised map	Reflect OCC corporate style
<b>Carterton</b>		
Carterton Area Strategy	Removed reference to WODC adopting the Carterton Town Council Masterplan.	Reflect up to date policy context.
Carterton's Strategic Transport Networks	Update policy CA1 to ensure stronger cross referencing with the LTP4 Cycle Strategy, part of the Active & Healthy Travel Strategy.	Ensure consistency with other policy documents.
Beyond Carterton	Removal of Policy Wit6 as this was the A40 Science Transit 2 policy which is now contained in the A40 Route Strategy chapter.	Reflect most up to date policy position.
References	Updated references to reflect development of WODC Policy.	Reflect most up to date policy position.
Maps and Plans	Revised map.	Reflect OCC corporate style.
<b>Oxford</b>		
Chp. 2 Scale of the challenge	Reference to emerging new Oxford Local Plan	Reflect City Council intention
	Update of SHMA and working assumption for Oxford unmet need	Reflects most up to date position
Chp. 4 Mass Transit	Reference to new P&R study	Reflects most up to date position
	Reference to Corridor studies for Botley, & Banbury & Woodstock Road	Reflects most up to date position
Chp. 4 Walking & Cycling	Reference to Corridor studies for Botley, & Banbury & Woodstock Road	Reflects most up to date position
Chp. 4 Managing Traffic & Travel Demand	Additional text on Controlled Parking Zones linked to Workplace Parking Levy	Reflects most up to date position
	Update of 'Demand management policy' section with additional text on emerging new Oxford Local Plan, and new section on access to parking for new and change of use developments	Reflects most up to date policy
Maps and Plans	Revised map.	Reflect OCC corporate style.
<b>Science Vale</b>		
Science Vale Area Strategy	Updated text to reflect new Didcot Garden Town Status & Enterprise Zone.	Reflect up to date policy context.
Science Vale Area Strategy	Updated text to reflect working with the district councils through Local Plan process to safeguard additional schemes, should further significant development come forward, possibly beyond plan period.	Reflect up to date policy context.
Maps and Plans	Revised map.	Reflect OCC corporate style
<b>Witney</b>		
Witney Area Strategy	Updated text on how this LTP4 update superceeds other area strategies.	Reflect most up to date policy position.
Witney's Strategic Transport Networks	Minor changes to text to aid context/phrasing.	
Walking & Cycling	Update policy CA1 to ensure stronger cross referencing with the LTP4 Cycle Strategy, contained within new Active & Healthy Travel Strategy.	Ensure consistency with other policy documents.
Beyond Witney	Removal of Policy Wit6 as this was the A40 Science Transit 2 policy which is now contained in the A40 Route Strategy chapter.	Reflect most up to date policy position.
Maps and Plans	Revised map.	Reflect OCC corporate style
<b>LTP4 Summary document</b>		
No change required.		
<b>LTP Annex 1 (Consultation Summary) &amp; Annex 2 (Consultation Issues Raised)</b>		
No change required - no further public consultation took place relating to this update.		
<b>Service &amp; Community Impact Assessment (SCIA)</b>		
No change required		
<b>Strategic Environmental Assessment (SEA)</b>		
No change required		

## Annex 2 - Strengthening LTP4 in its aims to reduce air pollution

### Background

Last year's report by the Director of Public Health Oxfordshire included a section on air quality. The main points were as follows:

1. Burning fuel produces pollutants such as Nitrogen Oxide, Nitrogen Dioxide, Nitrous Oxide and Sulphur Dioxide, as well as ozone and 'Fine particles'.
2. These pollutants can cause adverse effects on health, both short term and long term. It may be the fine particles that have the most long term impact but these are hard to measure.
3. Impacts are mostly generic, i.e. many people will be slightly affected. The impact is very difficult to measure credibly and statistics should be viewed with caution. On the whole, levels in Oxfordshire are about the same as the England average.
4. Local situations cause local people considerable aggravation and thus, air quality as a health issue is frequently raised as one of a number of objections about a proposed development or to argue for a new development such as a bypass.
5. The long term view is that air quality gradually continues to improve and that standards and legislation can gradually reduce pollutants.
6. Greener options such as solar panels and electric cars are becoming gradually more accepted and more feasible and may be the way of the future.
7. This situation needs close monitoring as population numbers rise.

### Current Position on LTP Update

In Oxfordshire, there are a number of air pollution hotspots where excessive levels of oxides of nitrogen have been identified. These are associated with emissions from vehicles, particularly diesels. They have been declared as Air Quality Management Areas by the City and District Councils, and are shown in the following table:

<b>District</b>	<b>AQMA</b>	<b>NO<sup>2</sup> level µg/m<sup>3</sup></b>
Cherwell	Banbury Hennef Way	79
Oxford	Whole of city	65
South	Henley-on-Thames town centre	59
West	Chipping Norton town centre	58
South	Watlington town centre	55
Vale	Botley A34	53
Vale	Marcham village centre	50
West	Witney, Bridge Street	47
Cherwell	Bicester town centre	47
Vale	Abingdon-on-Thames town centre	45
Cherwell	Kidlington Bicester Road	44
Cherwell	Banbury town centre	42
South	Wallingford town centre	41

The figures in the table represent the highest annual average concentration of Nitrogen Dioxide measured in each AQMA in 2014. They are set out in descending order with the highest first. All of the above figures exceed the Government target of less than 40 µg/m<sup>3</sup> annual average concentration of Nitrogen Dioxide.

Most AQMAs in Oxfordshire are relatively small geographical areas, typically in urban centres. However, in the case of Oxford the whole of the city has been declared an AQMA. The Oxford figure above for the worst location is in the city centre, although the Government target is also exceeded in some district centres and at some junctions on the Oxford ring road.

Air pollution can have a profound effect on those with particular health conditions, including premature deaths.

Last year, the council resolved that its LTP should be strengthened in its aims to reduce air pollution. Four approaches were specified and these are set out below with a description of how the LTP is proposed to be updated to achieve them.

### **1. Encouraging walking and cycling**

The new Active and Healthy Travel Strategy, developed with input from Public Health sets out our plans to enable more walking and cycling, including how they can be promoted in combination with bus and rail services for longer journeys. These have the potential to improve air quality by replacing car trips, particularly in congested urban areas where traffic is the main cause of poor air quality. They can also improve public health - recent research has found that the exercise benefits of active travel outweigh the adverse health impacts of poor air quality on pedestrians and cyclists. The availability of quiet pedestrian and cycle routes which avoid heavy traffic flows can help to reduce exposure to poor air quality.

### **2. Restricting diesel vehicles in town centres**

In December 2015 the Government published a policy paper '*Improving Air Quality in the UK Tackling Nitrogen Dioxide in our towns and cities UK overview*'. This sets out a framework for local authorities to introduce Clean Air Zones, based on Euro 6 for diesel and Euro 4 for petrol, with four options for what vehicles they would cover:

- Class A – buses, coaches and taxis
- Class B – buses, coaches, taxis and heavy goods vehicles (HGVs)
- Class C – buses, coaches, taxis, HGVs and light goods vehicles (LGVs)
- Class D – buses, coaches, taxis, HGVs, LGVs and cars

Five cities with the poorest air quality will be required to introduce Class B (Derby, Nottingham, Southampton) or Class C (Birmingham, Leeds) Clean Air Zones. London's proposed ultra-low emission zone is likely to include cars i.e. Class D. Other local authorities are encouraged to consider introducing Clean Air Zones, including the upgrade of existing Low Emission Zones (LEZ)s.

In Oxfordshire, currently, only central Oxford has a LEZ, applying to buses only. This was introduced primarily to reduce oxides of nitrogen (NOx). It requires local buses operating in affected streets to comply with the Euro 5 emission standard.

However, the ambition of the Oxford Transport Strategy is to start a city centre zero-emission zone for all vehicles by 2020, with the zone being gradually expanded over time as the required infrastructure and technology develops. This will support objectives to improve air quality and targets to reduce emissions from vehicles. Further private sector investment from operators on all routes will be required, not just the short to medium range services, and be achieved through the deployment of electric buses, advanced electric-diesel hybrid vehicles with an electric drive mode for emission-free operation in built up areas, and routeing changes as outlined above.

As battery and induction charging technology improves, vehicles will be able to cross the whole city whilst on full electric power, enabling the creation of a city-wide zero-emission zone by 2035. Vehicles which cannot comply with specific emission standards will be required to terminate at Park & Ride sites outside of the city. However, it is important to stress that each stage in the development of the Oxford zero-emission zone would be subject to consultation and would depend on the widespread availability and affordability of zero-emission vehicles before their use becomes mandatory.

In parallel with the development of the initial Oxford city centre zero-emission zone, the whole city plus other towns where Air Quality Management Areas (AQMAs) have been declared, will be considered for Class B Clean Air Zones. The aim would be to start by 2020; however, this will be subject to other factors which will need to be taken into account:

- It will be important to take account of the costs and benefits, learning from experience elsewhere, particularly the larger UK cities – which suggests reviewing progress and issues on the five cities referred to above, before committing Oxfordshire to a solution on a more quantifiable basis.
- Enforcement costs could be significant as the Government envisages camera enforcement for all but Class A restrictions. Only Oxford has camera enforcement, covering certain streets.
- With the theoretical benefits of Euro 5/6 not being matched by real on-the-road emission levels, it be sensible to wait until the real world outcomes of the latest Euro 6 standards are clearer before committing to this approach in Oxfordshire.

### ***3. Working more proactively with the City and District Councils to develop and enact Air Quality Action Plans***

There is a commitment to work with District Councils in a more co-ordinated way on Air Quality Action Plans. However, further resources – probably the equivalent to half a FTE, plus at least a nominal revenue budget - will need to be identified if the Council is to develop partnership working with District and local councils to help deal with the most sensitive air quality areas.

The division of responsibility between air quality (districts) and transport (OCC) is not ideal when transport is seen as the both as the main cause of poor air quality and the most effective solution to addressing it. The combined responsibility for these closely related areas is one of the benefits of unitary status; the County Council's recently commissioned study of options for local government in Oxfordshire will need to take this into account.

#### **4. *Introducing low or zero emission mass transit vehicles***

The main bus operators have responded to the Oxford LEZ and to customer preference by introducing the latest low emission buses – either hybrid electric or Euro 6 standard - into their fleets.

Looking to the future, we are supporting trials of wireless induction charged electric buses, which run fully on electricity. As technology develops we expect electric buses and other types of low emission public transport vehicles to become more widespread. We will support pilots where appropriate, working with businesses and research institutions. If successful and if funding is available, we will support the provision of the required infrastructure, taking into consideration safety and environmental factors. We will ensure that new infrastructure considers the flexibility to enable the take-up of future low emission vehicle technologies, for example through incorporating sensor or wireless technology in new roads or bus lanes.

Finally, Network Rail's programme of electrification means that the proportion of diesel trains through Oxfordshire will reduce significantly over the period of this plan. By 2031 we expect that most of Oxfordshire's passenger rail services will be electric.

#### Conclusions:

1. Air Quality and Public Health continues to be a recognised problem, both overall and in specific locations in Oxfordshire.
2. In updating our LTP, there is a commitment to focus more on this area. Part of this can be achieved by continuing to strengthen the importance of Active Travel and its health as well as transport potential.
3. A new national framework is being put forward for Clean Air Zones as a means of consistent approach to managing problem areas. Class B Clean Air Zones will be considered for Oxfordshire, but there would be a resource implication to progress this that cannot easily be quantified, without more evidence. This should be obtainable from the cities where there is requirement to introduce Clean Air Zones.
4. The aim would be to progress Clean Air Zones in parallel with the proposals for an Oxford city centre zero-emission zone, starting in 2020.

Division(s): All

## COUNCIL – 12 JULY 2016

### PROPOSED FEES FOR THE SUPPLY OF TRAFFIC ACCIDENT DATA

#### Report by Director of Environment & Economy

#### Introduction

1. This report presents proposals for a schedule of fees for the supply of traffic accident data.

#### Background

2. The Traffic and Road Safety Team within the Highways and Transport service currently provide road traffic accident data free of charge to transport consultants acting for developers (and also occasionally to other professional parties – for example solicitors). Following advice received in 2012 from colleagues in the Freedom of Information Team, it is understood that such data may come under the Environmental Information Regulations, for which no charge is made. As a result of this advice, the previous fee for the supply of the data was discontinued.
3. No fees were charged previously for the supply of accident data to public bodies, including the Highways Agency/ Highways England, or to members of the public (other than if in connection with a planning application).
4. A recent review of the above has concluded that it is permissible for a fee to be charged to cover the staff time and any other disbursements for the supply of such data. The fees set out in Annex 1 are suggested as appropriate when responding to requests for accident data from transport consultants and other commercial/ professional parties, taking account of the typical time required processing these requests. For comparison, information on fees has been obtained from other highway authorities in the south east region, as set out in Annex 2.
5. It is not proposed at present to apply fees for supplying accident data to public bodies or to members of the public (including for example students) if the request does not relate to a planning application.

#### Financial and Staff Implications (including Revenue)

6. On average approximately two requests for traffic accident data per week are received which would be subject to the proposed fees, resulting in an approximate annual income of £12,500.

**RECOMMENDATION**

7. **Council is RECOMMENDED to approve the use of the proposed fees as set out in Annex 1 to the report.**

**SUE SCANE,**

Director for Environment and Economy

Contact Officer

Owen Jenkins, Service Manager – Highways, Transport  
and Waste

[owen.jenkins@oxfordshire.gov.uk](mailto:owen.jenkins@oxfordshire.gov.uk)

May 2016



### Proposed fees for the supply of traffic accident data

Reason for data request	Service provided	Proposed fee
Planning matter or other professional purpose	Supply of accident data – first location / date range	£140
	Supply of accident data – second and each subsequent location / date range	£75
	Search of records to establish if there is any relevant data (in cases where there is no data to supply)	£40
Other purpose (e.g. for town or parish council, or for educational purposes)	Supply of accident data / search of records to establish if there is any relevant data	No charge

**ANNEX 2**

Fees currently charged by other local authorities for which information is available:

<b>Authority</b>	<b>Fee</b>
Buckinghamshire	£160 (£15 for nil return)
East Sussex	£120 via Sussex Safer Roads Partnership
Medway	Sliding scale from £50 (highest quoted £682.20)
Milton Keynes	£79.95 (extra for larger areas)
Slough Borough	£200 for 5 years and £150 for 3 years
Southampton Highways Partnership	£135
West Berkshire	£112 up to 10 plus £36 plus VAT for each additional 10
West Sussex	£120 via Sussex Safer Roads Partnership
Windsor and Maidenhead	£129 for 3 years and £215 for 5 years (up to 1km), Pro-rata over 1km
Wokingham	Sliding scale from £158 to £278

# MEETING DATES APRIL 2017 - MARCH 2018

Year/ Month	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	Year/ Month
2017 APR		3 CMD: CEF, PCCS	4	5	6 HOSC	7 LPB	8/9	10	11	12	13	14	15/16	17	18	19	20	21	22/23	24 PN	25 CMDAS CA CMD: L, LGB, F	26 CMDPH AG	27 CMDE	28	29/30							APR 17
MAY		1	2	3	4 ELECTION DAY	5	6/7	8	9	10	11	12	13/14	15	16 CC	17	18 CMDE	19	20/21	22 CMD: CEF, PCCS	23 CMDAS CA CMD: L, LGB, F	24 CMDPH ESC	25 PSC	26	27/28	29	30	31			MAY	
JUN					1 EMJCC	2	3/4	5 PN	6	7	8 TJC	9 PF	10/11	12	13	14 CMDPH	15 PSC	16 FIRCC	17/18	19 CMD: CEF, PCCS	20 CMDAS CA CMD: L, BC, F	21	22 HOSC	23	24/25	26	27	28	29 CMDE	30	1/2	JUN
JUL		3	4	5	6	7	8/9	10 CMD: CEF, PCCS	11 CC	12 CMDPH AG	13 HWB	14	15/16	17 PN	18 CMDAS CA CMD: L, LGB, F	19 ESC	20 CMDE	21 LPB	22/23	24	25	26	27	28	29/30	31					30/31	JUL
AUG			1	2	3	4	5/6	7	8	9	10	11	12/13	14	15	16	17	18	19/20	21	22	23	24	25	26/27	28	29	30 CMDPH ESC	31 EMJCC			AUG
SEP						1 PF	2/3	4 CMD: CEF, PCCS; PN	5	6	7 CMDE	8 FIRCC	9/10	11	12 CC	13 AG	14 HOSC	15	16/17	18	19 CMDAS CA CMD: L, LGB, F	20	21 PSC	22	23/24	25	26	27 ESC	28	29	30/1	SEP

Page 25

**KEY**

		Time
CC	Council	10.30am
CA	Cabinet	2.00pm
CMD:	Cabinet decisions	
L	Leader	3.00pm
DL	Deputy Leader	11.00am
F	Finance	3.00pm
CEF	Children Education & Families	12.00pm
PCCS	Property, Cultural & Community	12.00pm or at the rising of
AS	Adult Services	9.00am
LGB	Local Govt, Business, ICT & Customer Services	3.00pm
PH	Public Health	10.00am
E	Environment	2.00pm

		Time
<b>Scutiny Committees</b>		
PSC	Performance	10.00am
ESC	Education	2.00pm
HOSC	Oxfordshire Joint Health	10.00am

		Time
<b>Council Committees</b>		
AG	Audit & Governance	2.00pm
PLAN	Planning & Regulation	2.00pm
PF	Pension Fund	10.00am
HWB	Oxfordshire Health & Wellbeing Board	2.00pm

		Time
<b>Consultative Bodies</b>		
TJC	Teachers Joint Committee	2.00pm
EMJCC	Employees Joint	2.00pm
FIRCC	Fire Services Joint	
LPB	Local Pension Board	10.30am

- = schools holidays
- = prov school hols
- =bank hols

# MEETING DATES APRIL 2017 - MARCH 2018

Year/ Month	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	Year/ Month	
OCT		2	3	4	5	6	7/8	9 CMD: CEF, PCCS	10	11 CMDPH	12 CMDE	13	14/15	16 PN	17 CMDAS CA CMD: L,LGB, F	18	19	20 LPB	21/22	23	24	25	26	27	28/29	30	31					OCT	
NOV				1	2 TJC	3	4/5	6	7 CC	8 AG	9 HWB	10	11/12	13 CMD: CEF, PCCS	14	15	16 HOSC	17	18/19	20	21	22 CMDPH	23 CMDE	24	25/26	27 PN	28 CMDAS CA CMD: L, LGB, F	29	30			NOV	
DEC						1 PF	2/3	4 CMD: CEF, PCCS	5	6	7 EMJCC	8 FIRCC	9/10	11	12 CC	13 ESC	14 PSC	15	16/17	18	19 LPB	20/21	22 CMD: CEF, PCCS	23 CMDAS CA CMD: L, LGB, F	24	25	26	27/28	29	30	31		DEC
JAN 18		1	2	3	4 PSC	5	6/7	8 PN	9	10 CMDPH AG	11 CMDE	12	13/14	15	16	17	18	19 LPB	20/21	22 CMD: CEF, PCCS	23 CMDAS CA CMD: L, LGB, F	24	25	26	27/28	29	30	31			JAN 18		
FEB					1 HOSC	2	3/4	5	6	7 CMDPH	8 CMDE	9	10/11	12	13	14	15	16	17/18	19 PN	20 CC	21	22 TJC	23	24/25	26 CMD: CEF, PCCS	27 CMDAS CA CMD: L, LGB, F	28				FEB	
MAR					1	2	3/4	5	6	7 CMDPH AG	8 CMDE EMJCC	9 PF	10/11	12	13	14 ESC	15 PSC	16 FIRCC	17/18	19 CMD: CEF, PCCS	20 CMDAS CA CMD: L, LGB, F	21	22 HWB	23	24/25	26	27	28	29	30	31/1		MAR

**KEY**

		Time
CC	Council	10.30am
CA	Cabinet	2.00pm
CMD:	Cabinet decisions	
L	Leader	3.00pm
DL	Deputy Leader	11.00am
F	Finance	3.00pm
CEF	Children Education & Families	12.00pm
PCCS	Property, Cultural & Community Services	12.00pm or at the rising of
AS	Adult Services	9.00am
LGB	Local Govt, Business, ICT & Customer Services	3.00pm
PH	Public Health	10.00am
E	Environment	2.00pm

		Time
<b>Scrutiny Committees</b>		
PSC	Performance	10.00am
ESC	Education	2.00pm
HOSC	Oxfordshire Joint Health	10.00am

		Time
<b>Council Committees</b>		
AG	Audit & Governance	2.00pm
PLAN	Planning & Regulation	2.00pm
PF	Pension Fund	10.00am
HWB	Oxfordshire Health & Wellbeing Board	2.00pm

		Time
<b>Consultative Bodies</b>		
TJC	Teachers Joint Committee	2.00pm
EMJCC	Employees Joint	2.00pm
FIRCC	Fire Services Joint	
LPB	Local Pension Board	10.30am

- = schools holidays
- = prov school hols
- =bank hols

DRAFT

**COUNCIL, COMMITTEE DATES 2017/18**

**CC – County Council**

**2017**

Tues 10.30 am 16 May\*  
Tues 10.30 am 11 July  
Tues 10.30 am 12 September  
Tues 10.30 am 7 November  
Tues 10.30 am 12 December

**2018**

Tues 10.30 am 20 February  
N.B There is no April date in 2017/18 as full Council agreed to bring it forward to March 2017 before the politically restricted period.

**CA - Cabinet**

**2017**

Tues 2.00 pm 25 April  
Tues 2.00 pm 23 May  
Tues 2.00 pm 20 June  
Tues 2.00 pm 18 July  
Tues 2.00 pm 19 September  
Tues 2.00 pm 17 October  
Tues 2.00 pm 28 November  
Tues 2.00 pm 19 December

**2018**

Tues 2.00 pm 23 January  
Tues 2.00 pm 27 February  
Tues 2.00 pm 20 March

**CMDASC:Cabinet Member Delegated Decisions: Adult Social Care –**

**2017**

Tues 9.00 pm 25 April  
Tues 9.00 pm 23 May  
Tues 9.00 pm 20 June  
Tues 9.00 pm 18 July  
Tues 9.00 pm 19 September  
Tues 9.00 pm 17 October  
Tues 9.00 pm 28 November  
Tues 9.00 pm 19 December

**2018**

Tues 9.00 pm 23 January  
Tues 9.00 pm 27 February  
Tues 9.00 pm 20 March

DRAFT

**CMD: LGB, L, F; Cabinet Member Delegated Decisions: Local Government Business, ICT & Customer Services Leader, Finance 2017**

Tues 3.00 pm\* 25 April  
Tues 3.00 pm\* 23 May  
Tues 3.00 pm \* 20 June  
Tues 3.00 pm\* 18 July  
Tues 3.00 pm\* 19 September  
Tues 3.00 pm\* 17 October  
Tues 3.00 pm\* 28 November  
Tues 3.00 pm\* 19 December

**2018**

Tues 3.00 pm\* 23 January  
Tues 3.00 pm\* 27 February  
Tues 3.00 pm\* 20 March

\* or on the rising of Cabinet whichever is the later

**CMD: CEF, CCS: Cabinet Member Delegated Decisions: Children, Education & Families, Property, Cultural & Community Services**

**2017**

Mon 12.00 pm 3 April  
Mon 12.00 pm 22 May  
Mon 12.00 pm 19 June  
Mon 12.00 pm 10 July  
Mon 12.00 pm 4 September  
Mon 12.00 pm 9 October  
Mon 12.00 pm 13 November  
Mon 12.00 pm 4 December

**2018**

Mon 12.00 pm 22 January  
Mon 12.00 pm 26 February  
Mon 12.00 pm 19 March

**CMDPH - Cabinet Member Delegated Decisions: Public Health**

**2017**

Wed 10.00 am 26 April  
Wed 10.00 am 24 May  
Wed 10.00 am 14 June  
Wed 10.00 am 12 July  
Wed 10.00 am 30 August  
Wed 10.00 am 11 October  
Wed 10.00 am 22 November

**2018**

Wed 10.00 am 10 January  
Wed 10.00 am 7 February  
Wed 10.00 am 7 March

DRAFT

## **CMDE - Cabinet Member Delegated Decisions: Environment**

### **2017**

Thur 10.00 pm 27 April  
Thur 10.00 pm 18 May  
Thur 10.00 pm 29 June  
Thur 10.00 pm 20 July  
Thur 10.00 am 7 September  
Thur 10.00 am 12 October  
Thur 10.00 am 23 November

### **2018**

Thur 10.00 am 11 January  
Thur 10.00 am 8 February  
Thur 10.00 am 8 March

## **PSC- Performance Scrutiny Committee**

### **2017**

Thur 10.00 am 25 May  
Thur 10.00 am 15 June  
Thur 10.00 am 21 September  
Thur 10.00 14 December (budget scrutiny)

### **2018**

Thur 10.00 am 4 January  
Thur 10.00 am 15 March

## **ESC - Education Scrutiny Committee**

### **2017**

Wed 2.00 pm 24 May  
Wed 2.00 pm 19 July  
Wed 2.00 pm 27 September  
Wed 2.00 pm 13 December

### **2018**

Wed 2.00 pm 14 March

## **HOSC - Joint Health Overview & Scrutiny Committee**

### **2017**

Thur 10.00 am 6 April  
Thur 10.00 am 22 June  
Thur 10.00 am 14 September  
Thur 10.00 am 16 November

### **2018**

Thur 10.00 am 1 February

DRAFT

**AG - Audit & Governance Committee**

**2017**

Weds, 2.00 pm 26 April  
Weds, 2.00 pm 12 July  
Weds, 2.00 pm 13 September  
Weds, 2.00 pm 8 November

**2018**

Weds, 2.00 pm 10 January  
Weds, 2.00 pm 7 March

**PF - Pension Fund**

**2017**

Fri 10.00 am 9 June  
Fri 10.00 am 1 September  
Fri 10.00 am 1 December

**2018**

Fri 10.00 am 9 March

**PLAN - Planning & Regulation Committee**

**2017**

Mon 2.00 pm 24 April  
Mon 2.00 pm 5 June  
Mon 2.00 pm 17 July  
Mon 2.00 pm 4 September  
Mon 2.00 pm 16 October  
Mon 2.00 pm 27 November

**2018**

Mon 2.00 pm 8 January  
Mon 2.00 pm 19 Feb

**HWB - Oxfordshire Health & Wellbeing Board**

**2016**

Thur 2.00 pm 13 July  
Thur 2.00 pm 9 November

**2017**

Thur 2.00 pm 22 March

**TJC - OCC & Teachers Joint Consultative Committee**

**2017**

Thur 2.00 pm 8 June  
Thur 2.00 pm 2 November



DRAFT

**2018**

Thur 2.00 pm 22 February

**EMJCC - OCC & Employees Joint Consultative Committee**

**2017**

Thur 2.00 pm 1 June

Thur 2.00 pm 30 August

Thur 2.00 pm 7 December

**2018**

Thur 2.00 pm 8 March

**FIRCC - OCC Joint Consultative Committee for Uniformed Members of the Fire Service**

**2017**

Fri 10.00 am 16 June

Fri 10.00 am 8 September

Fri 10.00 am 8 December

**2018**

Fri 10.00 am 16 March

**LPB - Local Pension Board**

**2017**

Fri 10.30 am 7 April

Fri 10.30 am 21 July

Fri 10.30 am 20 October

**2018**

Fri 10.30 am 19 January

This page is intentionally left blank

Division(s): N/A
------------------

## COUNCIL – 12 JULY 2016

### 2015/16 - REQUESTS FOR VIREMENTS

#### Report by the Chief Finance Officer

#### Virement Requests Requiring Council Approval

1. As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 28 June 2016 given the pressures in both Special Educational Needs (SEN) Home to School Transport and Children's Social Care staffing, it is proposed that the underspends in Social and Community Services, Environment & Economy and Corporate Services will be used to offset the overspends in Children, Education & Families. Details are set out in Annex 1.
  
2. Some of the virements required to offset over and underspends within and between directorates are larger than £1.0m and require approval by Council under the council's Financial Procedure Rules. Details of the proposed virements within Directorates are set out in Annex 1. A summary of the virements proposed between Directorates is shown in the table below.

Service Area	Directorate Variation underspend - overspend + £000	Virement of Variation Other Directorate £000	Virement of Variation General Balances £000	Total Proposed Carry Forward £000
Children, Education & Families	2,721	-2,030	691	0
Social & Community Services	-1,353	1,353	0	0
Environment & Economy	-278	278	0	0
Corporate Services	-399	399	0	0
Strategic Measures - Corporate Reserves	-693		-693	0
<b>Total</b>	<b>-2</b>	<b>0</b>	<b>-2</b>	<b>0</b>

3. In setting the budget for 2015/16, a Corporate Contingency of £3.6m was agreed. In addition, in July 2015, Cabinet agreed virements totalling £1.0m from S&CS to Corporate Contingency taking the total to £4.6m. The contingency was held predominantly to manage any high risk demand led budgets. It is recommended that Council approve the transfer of £1.5m from the Corporate Contingency to CE&F. The

transfer is included within the figures set out in Annex 1. As part of the 2016/17 Service & Resource Planning Process it was agreed to add the remaining £3.1m to the Budget Reserve.

## **RECOMMENDATIONS**

**4. Council is RECOMMENDED to:**

- (a) approve the virements greater than £1.0m for Children, Education & Families and Social & Community Services as set out in Annex 1;**
- (b) approve the virement of £1.5m from contingency to offset the overspend within Children's Social Care as set out in Annex 1.**

**LORNA BAXTER**

Chief Finance Officer

Background papers: 2015/16 Provisional Outturn Report to Cabinet on 28 June 2016.

Contact Officers: Katy Jurczynszyn, Strategic Finance Manager – Strategy & Monitoring  
07584 909518

June 2016

## Provisional Revenue Outturn 2015/16

COUNCIL - 12 July 2016

## MOVEMENT OF VARIATIONS BETWEEN DIRECTORATES AND BALANCES

Budget Book Ref	Service Area	Directorate Variation	Virement of Variation	Virement of Variation	Total proposed Carry Forward
(1)	(2)	underspend - overspend + £000 (3)	Other Directorate £000 (4)	General Balances £000 (5)	Surplus - Deficit + £000 (6)
CEF	Children, Education & Families	2,721	-2,030	691	0
SCS	Social & Community Services	-1,353	1,353	0	0
EE	Environment & Economy	-278	278	0	0
CS	Corporate Services	-399	399	0	0
PH	Public Health	0	0	0	0
SM	Strategic Measures - Corporate Reserves	-693		-693	0
	<b>Total</b>	<b>-2</b>	<b>0</b>	<b>-2</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16 (1)	Budget Book Ref 2016/17 (2)	Service Area  Non-DSG  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward Surplus - Deficit + £000 (11)
						Within Directorate £000 (7)	Other Directorate £000 (8)	Corporate Reserves £000 (9)	
<b>CEF1</b>		<b><u>Education &amp; Early Intervention</u></b>							
CEF1-1	CEF1-1	Management & Central Costs	-279	0	0	0	0	279	0
CEF1-2	CEF1-2	Additional & Special Educational Needs (SEN)	-193	0	0	0	0	193	0
CEF1-3	CEF1-3	Early Intervention (EIS)	0	0	0	0	0	0	0
CEF1-4	CEF1-4	Education	-272	0	0	0	0	272	0
CEF1-5	CEF1-5	School Organisation & Planning	1,761	0	0	0	0	-1,761	0
<b>CEF1</b>	<b>CEF1</b>	<b>TOTAL EDUCATION &amp; EARLY INTERVENTION</b>	<b>1,017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,017</b>	<b>0</b>
<b>CEF2</b>		<b><u>Children's Social Care</u></b>							
CEF2-1	CEF2-1	Management & Central Costs	1,691	0	0	0	0	-1,691	0
CEF2-2	CEF3-2	Corporate Parenting							0
CEF2-3	CEF2-3	Social Care	750	0	0	0	0	-750	0
CEF2-4	CEF3-3	Safeguarding							0
CEF2-5	CEF3-4	Services for Disabled Children							0
CEF2-6	CEF3-5	Youth Offending Service							0
CEF2-7	CEF2-7	Early Intervention	-1,005	0	0	0	0	1,005	0
<b>CEF2</b>	<b>CEF2</b>	<b>TOTAL CHILDREN'S SOCIAL CARE</b>	<b>1,436</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,436</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  Non-DSG  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
<b>CEF3</b>		<b><u>Children Social Care Countywide Services</u></b>							
CEF2-2	CEF3-2	Corporate Parenting	110	0	0	0	0	-110	0
CEF2-4	CEF3-3	Safeguarding	516	0	0	0	0	-516	0
CEF2-5	CEF3-4	Services for Disabled Children	-234	0	0	0	0	234	0
CEF2-6	CEF3-5	Youth Offending Service	40	0	0	0	0	-40	0
CEF3-1	CEF5-1	Management & Admin							
CEF3-2	CEF5-2	Premature Retirement Compensation (PRC)							
CEF3-3	CEF5-3	Joint Commissioning Recharge							
<b>CEF3</b>	<b>CEF3</b>	<b>TOTAL CHILDREN, EDUCATION &amp; FAMILIES CENTRAL COSTS</b>	<b>432</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-432</b>	<b>0</b>
<b>CEF4</b>		<b><u>Schools</u></b>							
CEF4-1	CEF4-1	Delegated Budgets	0	0	0	0	0	0	0
CEF4-2	CEF4-2	Early Years Single Funding Formula (NEF)	0	0	0	0	0	0	0
CEF4-3	CEF4-3	Devolved Schools Costs (including Post 16 SEN)	-41	0	0	0	0	41	0
CEF4-4	CEF4-4	DSG Income	0	0	0	0	0	0	0
CEF4-5	CEF4-5	Capitalised Repair & Maintenance	0	0	0	0	0	0	0
<b>CEF4</b>	<b>CEF4</b>	<b>TOTAL SCHOOLS</b>	<b>-41</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>41</b>	<b>0</b>
		<b><u>Children, Education &amp; Families Central Costs</u></b>							
CEF3-1	CEF5-1	Management, Admin & Central Support Service Recharges	45	0	0	0	0	-45	0
CEF3-2	CEF5-2	Premature Retirement Compensation (PRC)	-168	0	0	0	0	168	0
CEF3-3	CEF5-3	Joint Commissioning Recharge	0	0	0	0	0	0	0
	<b>CEF5</b>	<b>TOTAL CHILDREN SOCIAL CARE COUNTYWIDE SERVICES</b>	<b>-123</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>123</b>	<b>0</b>
		<b>Directorate Total</b>	<b>2,721</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-2,721</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
		<b><u>Older People</u></b>							
SCS1-1B	SCS1-1BCD	Other Services	-893		-893	-668		-225	0
SCS1-1C	SCS1-1BCD	Income	-65		-65	-30		-35	0
		<b>Subtotal Older People Non - Pool Services</b>	<b>-958</b>	<b>0</b>	<b>-958</b>	<b>-698</b>	<b>0</b>	<b>-260</b>	<b>0</b>
<b>SCS1-1A</b>	<b>SCS1-1A</b>	Older People Pooled Budget Contributions	799		799	799			0
<b>SCS1-1</b>		<b>SUBTOTAL OLDER PEOPLE</b>	<b>-159</b>	<b>0</b>	<b>-159</b>	<b>101</b>	<b>0</b>	<b>-260</b>	<b>0</b>
		<b><u>Learning Disabilities</u></b>							
SCS1-2A	SCS1-2ABDE	Personalisation/On-going Support	62		62	62			0
SCS1-2B	SCS1-2ABDE	Social Work	0		0	0			0
SCS1-2D	SCS1-2ABDE	Income	-33		-33	2		-35	0
SCS1-2E	SCS1-2ABDE	LD Commissioning	-69		-69	-69			0
		<b>Subtotal Learning Disabilities Non - Pool Services</b>	<b>-41</b>	<b>0</b>	<b>-41</b>	<b>-6</b>	<b>0</b>	<b>-35</b>	<b>0</b>
<b>SCS1-2C</b>	<b>SCS1-2C</b>	Pooled Budget Contribution	-1,494		-1,494	-1,494			0
<b>SCS1-2</b>		<b>SUBTOTAL LEARNING DISABILITIES</b>	<b>-1,536</b>	<b>0</b>	<b>-1,536</b>	<b>-1,501</b>	<b>0</b>	<b>-35</b>	<b>0</b>



**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
		<b><u>Mental Health</u></b>							
<b>SCS1-3A</b>	<b>SCS1-3A</b>	<b>Non-Pool Services</b>	0		0	0			<b>0</b>
<b>SCS1-3B</b>	<b>SCS1-3B</b>	<b>Pooled Budget Contributions</b>	566		566	566			0
<b>SCS1-3</b>	<b>SCS1-3</b>	<b>SUBTOTAL MENTAL HEALTH</b>	<b>566</b>	<b>0</b>	<b>566</b>	<b>566</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SCS1-4</b>	<b>SCS1-4</b>	<b>SERVICES FOR ALL CLIENT GROUPS</b>							
SCS1-4A	SCS1-4A	Asylum Seekers	-30		-30	-30			0
SCS1-4B	SCS1-4B	HIV/AIDS	-34		-34	-34			0
SCS1-4C	SCS1-4C	Drugs and Alcohol	36		36	36			0
SCS1-4D	SCS1-4D	Adults At Risk	-50		-50	-50			0
SCS1-4E	SCS1-4E	Employment Services	-38		-38	-38			0
SCS1-4F	SCS1-4F	Shared Lives	6		6	6			0
SCS1-4G	SCS1-4G	Adults Information System	-16		-16	-16			0
SCS1-4H	SCS1-4H	Internal Services	-15		-15	-15			0
SCS1-4I	SCS1-4I	Housing Related Support	-254		-254	-254			0
SCS1-4J	SCS1-4J	Adult Social Care Improvement Board	-24		-24	-24			0
SCS1-4K	SCS1-4K	Emergency Duty	327		327	327			0
SCS1-4L	SCS1-4L	Adult Protection and Mental Capacity	189		189	189			0
SCS1-4M	SCS1-4M	Money Management	136		136	136			0
	SCS1-4N	Adult Survivors CSE	49		49	49			0
<b>SCS1-4</b>	<b>SCS1-4</b>	<b>SUBTOTAL SERVICES FOR ALL CLIENT GROUPS</b>	<b>284</b>	<b>0</b>	<b>284</b>	<b>284</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
		<b><u>Physical Disabilities</u></b>							
SCS1-5A	SCS1-5A	Pooled Budget Contributions	550		550	550			0
SCS1-5B	SCS1-5B	Income	0		0	0			0
<b>SCS1-5</b>	<b>SCS1-5</b>	<b>SUBTOTAL PHYSICAL DISABILITIES</b>	<b>550</b>	<b>0</b>	<b>550</b>	<b>550</b>	<b>0</b>	<b>0</b>	<b>0</b>
SCS1-6	SCS1-6	Adult Social Care Recharges	0	0	0	0	0	0	0
<b>SCS1-6</b>	<b>SCS1-6</b>	<b>SUBTOTAL Adult Social Care Recharges</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>SCS1</b>	<b>SCS1</b>	<b>TOTAL ADULT SOCIAL CARE</b>	<b>-295</b>	<b>0</b>	<b>-295</b>	<b>0</b>	<b>0</b>	<b>-295</b>	<b>0</b>
		<b><u>Community Safety</u></b>							
SCS2-1	-	Safer Communities							0
SCS2-2	SCS3-2	Gypsy & Traveller Services	-123		-123			-123	0
SCS2-3	SCS3-1	Trading Standards	-160		-160			-160	0
<b>SCS2</b>		<b>TOTAL COMMUNITY SAFETY</b>	<b>-283</b>	<b>0</b>	<b>-283</b>	<b>0</b>	<b>0</b>	<b>-283</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
		<b><u>Joint Commissioning</u></b>							
SCS3-1	SCS2-1 to SCS2-2	Joint Commissioning Recharges	154		154	154			0
SCS3-2	-	Directorate Management & Administration	504		504	504			0
SCS3-3	-	Strategy, Performance & Public Engagement	-260		-260	-260		-71	0
SCS3-4	-	Commissioning	-427		-427	-356			0
SCS3-6	SCS2-6	Oxfordshire Support Fund	-42		-42	-42			0
<b>SCS3</b>	<b>SCS2</b>	<b>TOTAL JOINT COMMISSIONING</b>	<b>-71</b>	<b>0</b>	<b>-71</b>	<b>0</b>	<b>0</b>	<b>-71</b>	<b>0</b>
		<b><u>FIRE AND RESCUE &amp; EMERGENCY PLANNING</u></b>							
SCS4-1	SCS3-1	Fire & Rescue Service	-635		-635			-635	
SCS4-2	SCS3-2	Emergency Planning	-69		-69			-69	0
<b>SCS4</b>	<b>SCS3</b>	<b>TOTAL FIRE AND RESCUE &amp; EMERGENCY PLANNING</b>	<b>-704</b>	<b>0</b>	<b>-704</b>	<b>0</b>	<b>0</b>	<b>-704</b>	<b>0</b>
		<b>Directorate Total</b>	<b>-1,353</b>	<b>0</b>	<b>-1,353</b>	<b>0</b>	<b>0</b>	<b>-1,353</b>	<b>0</b>

## Provisional Revenue Outturn 2015/16

COUNCIL - 12 July 2016

## MOVEMENT OF VARIATIONS WITHIN DIRECTORATE

Budget Book Ref 2015/16	Budget Book Ref 2016/17	Service Area	Variation	Same Budget	Different Budget	Virement of Carry Forward			Total proposed Carry Forward
						Within Directorate	Other Directorate	Corporate Reserves	
(1)	(2)	Non-DSG (3)	underspend - overspend + £000 (4)	underspend - overspend + £000 (5)	underspend - overspend + £000 (6)	£000 (7)	£000 (8)	£000 (9)	Surplus - Deficit + £000 (11)
<b>EE1</b>	<b>EE1</b>	<b><u>Strategy &amp; Infrastructure</u></b>							
EE1-1 to EE1-5	EE1-1 to EE1-4	Strategy & Infrastructure Management	59					59	
EE1-1 to EE1-5	EE1-1 to EE1-4	Planning Regulation	-64					-64	
EE1-1 to EE1-5	EE1-1 to EE1-4	Economy & Skills	2					2	
EE1-1 to EE1-5	EE1-1 to EE1-4	Localities, Policy & Programme	-162					-162	
EE1-1 to EE1-5	EE1-1 to EE1-4	Strategic Infrastructure Planning	62					62	
EE1-6	EE1-7	LEP	0					0	
EE1-7	EE1-6	Flood Defence Levy	0					0	
<b>EE1</b>	<b>EE1</b>	<b>TOTAL STRATEGY &amp; INFRASTRUCTURE</b>	<b>-103</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-103</b>	<b>0</b>
<b>EE2</b>		<b><u>Commercial Services</u></b>							
EE2-1	EE2-1	Commercial Services Management	575			575			
EE2-21	EE2-21	Property & Procurement Management	-409			-246		-163	
EE2-22	EE2-22	Property & Facilities Management	-1,502			-1,502			
EE2-23	EE2-23	Property Programme Office	159			159			
EE2-31 to EE2-34	EE2-31 to EE2-34	Network & Asset Management	485			485			
EE2-35	EE2-35	Countryside & Records	-273			-273			
EE2-36	EE2-36	On/Off Street Parking and Park & Rides	0			0			
EE2-4	EE2-4	Delivery	-2,274			-2,274			
EE2-51A	EE2-51A	Waste Management	1,497			1,497			
EE2-51B	EE2-51B	Supported Transport	296			296			
EE2-52	EE2-52	H&T Contract & Performance Management	-105			-105			
EE2-53	EE2-53	Area Stewards	-241			-241			
EE2-6	EE2-6	Major Infrastructure Delivery	145			157		-12	
<b>EE2</b>		<b>TOTAL COMMERCIAL SERVICES</b>	<b>-1,647</b>	<b>0</b>	<b>0</b>	<b>-1,472</b>	<b>0</b>	<b>-175</b>	<b>0</b>

**Provisional Revenue Outturn 2015/16**  
**COUNCIL - 12 July 2016**  
**MOVEMENT OF VARIATIONS WITHIN DIRECTORATE**

Budget Book Ref 2015/16  (1)	Budget Book Ref 2016/17  (2)	Service Area  Non-DSG  (3)	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
<b>EE3</b>	<b>EE3</b>	<b><u>Oxfordshire Customer Services</u></b>							
EE3-1	EE3-1	OCS Management Team	232			232			
EE3-2	EE3-2	Education Support Services	720			720			
EE3-3	EE3-3	ICT	352			352			
EE3-4	EE3-4	Business Development	310			310			
EE3-5	EE3-5	Customer Service Centre	-168			-168			
EE3-6	CEO2	Human Resources	0			0			
EE3-7	CEO3	Operational Finance	0			0			
EE3-8	CEO3	Pensions, Procure to Pay (P2P)	0			0			
EE3-9	EE3-6	Cultural Services	26			26			
<b>EE3</b>	<b>EE3</b>	<b>TOTAL OXFORDSHIRE CUSTOMER SERVICES</b>	<b>1,472</b>	<b>0</b>	<b>0</b>	<b>1,472</b>	<b>0</b>	<b>0</b>	<b>0</b>
		<b>Directorate Total</b>	<b>-278</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-278</b>	<b>0</b>

## Provisional Revenue Outturn 2015/16

COUNCIL - 12 July 2016

## MOVEMENT OF VARIATIONS WITHIN DIRECTORATE

Budget Book Ref 2015/16	Budget Book Ref 2016/17	Service Area	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(11)
<b>CEO1</b>		<b>Corporate Services</b>							
CEO1	CEO1	Corporate Services	127		127	-127			0
CEO1	CEO1	Cllr Community Budget	-2		-2	2			0
CEO1	CEO1	Grants	-49		-49	49			0
<b>CEO1</b>		<b>TOTAL CHIEF EXECUTIVE'S PERSONAL OFFICE</b>	<b>76</b>	<b>0</b>	<b>76</b>	<b>-76</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CEO2</b>		<b>Human Resources</b>							
CEO2	CEO2	Strategic Human Resources	48		48	-48			0
CEO2	CEO2	Unison	13		13	-13			0
CEO2	CEO2	Organisational Development	-264		-264			264	0
CEO2	CEO2	Communications	-37		-37	37			0
CEO2	CEO2	IBC Human Resources	76		76	-76			0
<b>CEO2</b>		<b>TOTAL HUMAN RESOURCES</b>	<b>-164</b>	<b>0</b>	<b>-164</b>	<b>-100</b>	<b>0</b>	<b>264</b>	<b>0</b>
<b>CEO3</b>		<b>Corporate Finance &amp; Internal Audit</b>							
CEO3	CEO3	Corporate Finance	-32		-32	32			0
CEO3	CEO3	Internal Audit Service	90		90	-90			0
CEO3	CEO3	Audit Fee	-20		-20	20			0
CEO3	CEO3	Berkshire Pensions	-31		-31	31			0
CEO3	CEO3	Operational Finance	86		86	-86			0
CEO3	CEO3	Corporate Procurement	-31		-31	31			0
<b>CEO3</b>		<b>TOTAL CORPORATE FINANCE &amp; INTERNAL AUDIT</b>	<b>62</b>	<b>0</b>	<b>62</b>	<b>-62</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Provisional Revenue Outturn 2015/16

COUNCIL - 12 July 2016

## MOVEMENT OF VARIATIONS WITHIN DIRECTORATE

Budget Book Ref 2015/16	Budget Book Ref 2016/17	Service Area	Variation  underspend - overspend + £000 (4)	Same Budget  underspend - overspend + £000 (5)	Different Budget  underspend - overspend + £000 (6)	Virement of Carry Forward			Total proposed Carry Forward  Surplus - Deficit + £000 (11)
						Within Directorate  £000 (7)	Other Directorate  £000 (8)	Corporate Reserves  £000 (9)	
(1)	(2)	(3)							
<b>CEO4</b>		<b><u>Law &amp; Governance</u></b>							
CEO4-1	CEO4-1	Legal Services	-3		-3	3			0
CEO4-2	CEO4-2	Governance	-38		-38	38			0
CEO4-3	CEO4-3	Coroner's Service	-52		-52	52			0
CEO4-4	CEO4-4	Registration Service	-34		-34	34			0
CEO4-6	CEO4-6	Music Service	2		2	-2			0
<b>CEO4</b>		<b>TOTAL LAW &amp; CULTURE</b>	<b>-125</b>	<b>0</b>	<b>-125</b>	<b>125</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>CEO5</b>		<b><u>Policy</u></b>							
CEO5	CEO5	Policy	-169		-169	34		135	0
<b>CEO5</b>		<b>TOTAL POLICY</b>	<b>-169</b>	<b>0</b>	<b>-169</b>	<b>34</b>	<b>0</b>	<b>135</b>	<b>0</b>
CEO6	CEO6	Corporate & Democratic Core	-79		-79	79			0
<b>CEO6</b>		<b>TOTAL CORPORATE &amp; DEMOCRATIC CORE</b>	<b>-79</b>	<b>0</b>	<b>-79</b>	<b>79</b>	<b>0</b>	<b>0</b>	<b>0</b>
		<b>Directorate Total</b>	<b>-399</b>	<b>0</b>	<b>-399</b>	<b>0</b>	<b>0</b>	<b>399</b>	<b>0</b>

This page is intentionally left blank



Division(s): N/A

## **COUNCIL – 12 JULY 2016**

### **REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN**

Report by the Monitoring Officer

#### **Introduction**

1. The Local Government Ombudsman has issued a public report in response to an investigation into complaints against Oxfordshire County Council's Safeguarding Adults Team and Huntercombe Hall Care Home. The complaint relates to events that took place in 2014. The Ombudsman's report is Annex 1 to this report.
2. The Ombudsman concluded that there is a public interest in how the complaint and the care of the complainant's wife were mismanaged and how further residents may have been at risk.
3. Under the Local Government Act 1974, Council must consider the report of the Ombudsman and confirm to her the steps the Council has taken, or is taking, to comply with the recommendations of the Ombudsman.
4. The Director of Adult Social Services has issued a briefing for councillors to set out the actions that the Council has taken and which comply with the recommendations of the Ombudsman. The Council is asked to consider the Ombudsman's recommendations and the actions taken by the Council.

#### **Action needed**

5. The Director's briefing at Annex 1 sets out the actions already taken by the Council in response to the Ombudsman's recommendations insofar as the complaint related to the County Council (it largely related to a private care home).
6. Given that the complaint relates back to 2014, the Director of Adult Social Services actions, already taken, were noted with satisfaction by the Ombudsman in her report. In the news release issued by her, the Ombudsman said: "I welcome the significant steps Oxfordshire council has already taken to improve its policies, procedures and staff training in this area and am pleased it has agreed to my further recommendations."
7. Council needs to note the Ombudsman's recommendations and approve the actions set out by the Director.

## **Legal and financial implications**

8. The public report has been issued by the Local Government Ombudsman under the Local Government Act 1974 as the complaint raised issues that the Ombudsman felt should be more widely known. The Ombudsman recommended the payment to the complainant of £750 for the injustice and distress caused, which the Council will pay. Notwithstanding that the actions outlined by the Director have already been taken, and noted by the Ombudsman, Council is required to endorse the sufficiency of these and to convey this to the Ombudsman (by 21 September).

## **RECOMMENDATIONS**

**Council is RECOMMENDED to:**

- (a) consider the Ombudsman's recommendations set out in Annex 1 to the report;**
- (b) approve the actions set out in the report of the Director of Adult Social Services at Annex 2; and**
- (c) ask the Monitoring Officer & Chief Legal Officer to write to the Ombudsman accordingly.**

NICK GRAHAM  
Chief Legal Officer and Monitoring Officer

Background papers: Nil

Contact Officer: Glenn Watson, Principal Governance Officer: (01865) 815270

July 2016

# **Local Government Ombudsman public report into Oxfordshire County Council and Caring Homes Healthcare Group**

## **1. Purpose**

- 1.1 The Local Government Ombudsman has issued a public report on response to an investigation into complaints against Oxfordshire County Council's Safeguarding Adults Team and Huntercombe Hall Care Home. The complaint relates to events that took place in 2014. The public report can be accessed here [OXON - ASC - SAFEGUARDING](#)
- 1.2 This briefing describes the action taken by the Council and the Ombudsman's response. The Ombudsman concluded that there is a public interest in how the complaint and the care of the complainant's wife were mismanaged and how further residents may have been at risk.

## **2. KEY POINTS**

- 2.1 The report describes poor quality care provided by Huntercombe Hall Care Home. It criticises the Care Home and expects them to take certain actions in response. The complaint directed to the Care Home is about the quality of care received by the complainant's wife during a one week private respite placement in March 2014. The Council does not run this care home and has not directly managed any care home since 2001. Shortly after the respite placement the complainant's wife was admitted to hospital with dehydration. The hospital social work team raised a safeguarding alert on 7<sup>th</sup> April 2014. The complainant's wife died nine days after discharge on 9 May 2014. Section 5 of this report provides information on what we have done to monitor the quality of care at the Care Home.
- 2.2 However, the report also criticises the County Council. In essence, the complaint against the Council is about the safeguarding process not being fully followed in this case.
- 2.3 The Council accepted the Ombudsman's finding of fault and are satisfied that this incident is not reflective of the consistently high standards shown by the Safeguarding Team.
- 2.4 I have provided a full written apology to the complainant which set out actions taken as a result of the investigation. This information has been shared with the Ombudsman and is reflected in the comments in her report. In her press release on the publication, the Ombudsman says "I welcome the significant steps Oxfordshire council has already taken to improve its policies, procedures and staff training in this area and am pleased it has agreed to my further recommendations."

## **3. PROCESS OF THE PUBLIC REPORT**

- 3.1 The report has been made public by the Ombudsman by issuing a press release to the media and by publishing it on their website. The Council must consider the report within three months from the date of the report together with any findings in it. The report is therefore an agenda item for the next County Council meeting on 12<sup>th</sup> July. A formal written response will then be sent to the Ombudsman explaining what steps the Council have taken or will take to comply with the recommendations in the report.
- 3.2 Within two weeks after the public report is received, the Council should make a public notice in more than one newspaper and that copies of the report will be available for a period of three weeks. During this time, the report should be available for inspection, and for copying, by the public. The Ombudsman will promote the public report in the media along with a press

release. The names of individual members of staff involved in the complaint and the name of the complainant and their family will remain confidential.

#### **4. THE COMPLAINT and Local Government Ombudsman Findings**

- 4.1 The complaint was first received by the Council in November 2015 from the Ombudsman. Whilst the Safeguarding Team did respond promptly to the initial safeguarding alert raised on 7<sup>th</sup> April, there were significant delays following up with the Home when they failed to produce the necessary paperwork and a failure to contact the family directly about the investigation. On 1<sup>st</sup> September the case was concluded and a letter sent to the complainant informing them of the outcome of *'neglect - partially substantiated'*.
- 4.2 The Complaint to the Home was about standards of care around fluid intake. The Council were not involved in the complaint as it concerned a private respite arrangement. The complainant believed that the Home were not aware that his wife was dehydrated and that her condition was deteriorating. It took the home nine months to respond to the complaint before the LGO became involved.
- 4.3 The Ombudsman found the home at fault for failing to provide adequate care which has been found to amount to partial neglect and for failing to respond adequately to the complaint. The Ombudsman recommended that the home provide a full written apology and waive the fee for the stay in the care home.
- 4.4 The Ombudsman has found the Council at fault for failing to adhere to statutory safeguarding guidance, failing to follow policy and procedure, failure to inform the monitoring department and the Care Quality Commission of the finding of partial neglect, and failure to engage with the complainant which caused a significant injustice. As the Council have already implemented a robust improvement plan and full apology, the Ombudsman has recommended the Council pay the complainant £750 for their time and trouble pursuing the complaint and for the distress caused. I support this recommendation.

#### **5. COUNCIL RESPONSE**

- 5.1 The council has implemented robust and extensive improvements to policies and procedures, as acknowledged by the Local Government Ombudsman, and the Council does not hesitate to publicly apologise to the complainants. Our actions in this case did not meet requirements or our usual high standards.
- 5.2. Our high standards are clearly demonstrated by the fact that in 2015/16 there were 5162 referrals of people where there was a safeguarding concern with only two of these resulting in any formal complaint
- 5.3 The Local Government Ombudsman's Annual Report 2014-15 stated that Oxfordshire County Council has one of the lowest numbers of referrals to the Ombudsman and one of the lowest numbers of complaints upheld by the Ombudsman. That year the Local Government Ombudsman undertook six investigations about adult social care. Minor fault was only found in two cases. This is the first time that Oxfordshire County Council has been subject to a public report.
- 5.4 Members will be aware that the Council commissions a broad range of services both within and outside of Oxfordshire; many of the services are complex in nature. To ensure that they receive an appropriate and proportionate management response and to allocate staff resources appropriately we adopt a risk based approach to our quality assurance work.

- 5.5 In doing so we have a structured approach to our care governance work across the care sector through intelligence gathering to establish performance and weaknesses in the care sector. This includes the receipt on a weekly basis of published inspection reports from the regulator which are reviewed to determine follow up action.
- 5.6 It also includes close liaison with the Care Quality Commission, Oxfordshire Clinical Commissioning Group and Oxford Health's Continuing Care Team and a clear framework and a structured approach to Standards of Care and Serious Concerns.
- 5.7 Oversight of the above is through meetings of a multi-agency Care Governance Board that is chaired by a Deputy Director. Attendees include senior representatives from Adult Social care, the Care Quality Commission, Oxfordshire Clinical Commissioning Group and Oxford Health's Continuing Care Team.
- 5.8 The Council undertook a Quality Monitoring Visit to Huntercombe hall Care Home in July 2014. This was a positive visit which at that time we did not identify areas for concern regarding the quality and safety of the service in the home.
- 5.9 For the remainder of 2015 the Council maintained its standard overview of the service provided at Huntercombe Hall through normal intelligence gathering that included information from social work staff, the safeguarding team, and communication with the Care Quality Commission. At that time the Council did not have concerns about the quality of care within the home.
- 5.10 However, in October 2015 the Care Quality Commission undertook an inspection at Huntercombe Hall using its new inspection procedure as part of a much more rigorous inspection regime. It published an inspection report in December 2015 showing that the home 'Requires Improvement' in four of the five areas assessed. Ratings that can be applied are Outstanding (rarely used); Good; Requires Improvement; Inadequate. Initially many care homes received Requires Improvement ratings in Oxfordshire. The performance has since improved as care homes have learnt from the new inspection regime to improve standards.
- 5.11 In response to this the Council included Huntercombe Hall in its Standards of Care procedures and carried out a monitoring visit in February 2016. The purpose of this visit was to review the general quality and safety of the service.
- 5.12 At this visit, some weaknesses were identified with incident reporting processes in the home, particularly in relation to safeguarding and health & safety. Council staff have provided guidance and information for the home to support the necessary improvements and this work is continuing; it will be reviewed through the Council's quality monitoring processes over the coming weeks and months to ensure that the required standards are met.
- 5.13 Significant learning has been put in place as a result of this complaint. This includes implementing new best practice safeguarding procedures, training / briefing staff to ensure they fully understand expectations and new procedures, clearer standards around response and completion times for safeguarding enquiries and the introduction of serious concerns/standards of care framework to be monitored on a monthly basis. The Safeguarding Team have an action plan in response to this issue. All of the key actions were implemented by December 2015; one month after the complaint was received. The outstanding action is for the Complaints Service to deliver a workshop to the Safeguarding Team on the importance of good complaints handling. This will take place in September 2016.

## 6. Summary

6.1 The actions of the Safeguarding Team on this occasion did not meet our usual high standards. However the wider context is that this was very much an exception and an isolated case. It is not indicative of wider practice – practice which has now been strengthened further.

6.2 The report from the Ombudsman has made a series of recommendations in relation to the care home's actions and the Council's actions. The Council has responded fully and the Ombudsman has acknowledged that "During this investigation the Council has voluntarily implemented robust and extensive improvements to its policies and procedures". The Ombudsman has no ongoing concerns about the Safeguarding Team.

6.3 I have also written to the complainant to provide him with a full written apology for its failings and set out the action it has taken as a result. The Council also publicly apologises for the failings.

6.4 The Council will pay the complainant £750 for the injustice and distress caused.

John Jackson  
Director of Adult Social Services  
Oxfordshire County Council  
30<sup>th</sup> June 2016

## Report by the Local Government Ombudsman

**Investigation into complaints against**

**Oxfordshire County Council**

**(reference number: 15 007 968)**

**Caring Homes Healthcare Group Limited**

**(reference number: 15 006 620)**

**20 June 2016**

## The Ombudsman's role

For 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.



**Investigation into complaint number 15 007 968 against Oxfordshire County Council and complaint number 15 006 620 against Caring Homes Healthcare Group Limited**

**Contents**

Report summary.....	1
Introduction .....	2
Legal and administrative background .....	2
How we considered this complaint.....	4
Investigation .....	4
Conclusions.....	11
Decision .....	14
Recommendations .....	15

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

**Key to names used**

Mr X - the complainant

Mrs X - the complainant's wife (now deceased)

## Report summary

### Adult care services – safeguarding

Mr X's complaint relates to the quality of care provided to his late wife, Mrs X. Mrs X had a week's respite stay at Huntercombe Hall Care Home. The care home is owned and operated by Caring Homes Healthcare Group Limited.

The complaint also relates to the process of a safeguarding investigation undertaken by the Council into the care Mrs X received at Huntercombe Hall Care Home.

### Finding

Fault found causing injustice and recommendations made.

### Recommendations

The care provider should:

- provide Mr X with a full written apology for its failure to provide adequate care to his wife;
- apologise for its failure to deal with Mr X's complaint properly; and
- waive the full fee for Mrs X's stay at the care home.

The Council should pay Mr X:

- £250 for his time and trouble pursuing this complaint; and
- £500 for his distress.

During this investigation the Council has voluntarily implemented robust and extensive improvements to its policies and procedures (see paragraphs 79, 80 & 81). This action is welcomed.

The Council has also written to Mr X to provide him with a full written apology for its failings and set out the action it has taken as a result.

## Introduction

1. This complaint has two elements which require consideration. The first relates to the quality of care Mrs X received at Huntercombe Hall Care Home. Mrs X had one weeks respite stay at the home which she paid for privately. This part of the complaint will be considered under Part 3a of the Local Government Act 1974.
2. The second element of the complaint is about how the Council conducted a safeguarding investigation into the care Mrs X received at the above care home. This part of the complaint will be considered under Part 3 of the Local Government Act 1974.

## Legal and administrative background

3. The Local Government Act 1974 sets out the Ombudsman's powers and under which jurisdiction complaints are considered.

### **The Ombudsman's role and powers under Part 3 of the Local Government Act 1974**

4. The Ombudsman investigates complaints about 'maladministration' and 'service failure'. In this report, we have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1)*)

### **The Ombudsman's role and powers under Part 3a of the Local government Act 1974**

5. The Ombudsman investigates complaints about adult social care providers. We decide whether their actions have had an adverse impact on the person making the complaint. In this statement we refer to this as injustice. (*Local Government Act 1974, sections 34B and 34C*)
6. If an adult social care provider's actions have caused an injustice, the Ombudsman may suggest a remedy. (*Local Government Act 1974, sections 34H(4)*)
7. Huntercombe Hall Care Home is privately owned and managed by Caring Homes Healthcare Group Limited. It is registered with the Care Quality Commission and provides nursing and residential care, personal care, and practical assistance to its residents. Therefore the actions of Huntercombe Hall fall within the Part 3a of the Local Government Act 1974 (amended October 2010) and may be investigated by the Ombudsman.

### **The law and guidance relevant to the complaint**

8. The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, was the basis for the Care Quality Commission's regulatory framework *Guidance about Compliance 'Essential Standards of quality and safety'*. This guidance was used by care providers of health and adult social care, to help them comply with the regulations. This guidance came into force in April 2010.

9. From 1 April 2015, the Care Quality Commission revised the guidance about compliance. For the purposes of this investigation, we refer to the '*Essential standards of quality and safety*', which was in force at the time the events complained about took place.
10. This guidance sets out the quality of care and safety that people who use care services have a right to expect. This includes both community care services and residential / nursing services.
11. Outcome 4: of the Guidance: *Care and Welfare of people who use services*:
  - "*Staff will quickly recognise when a person who uses services becomes seriously ill, physically and / or mentally, and requires treatment, and immediately respond to meet their needs*".
12. Outcome 5: of the Guidance: *Meeting nutritional needs*:
  - "*Staff identify where the person who uses services is at risk of poor nutrition, dehydration or has swallowing difficulties, when they first begin to use the service and as their needs change*".
  - "*They have their food and drink intake monitored when they are at risk of poor nutrition or dehydration and action is taken as necessary*".
13. Outcome 12: of the Guidance: *Requirement relating to workers*:
  - "*Have relevant qualifications, knowledge, skills and experience to carry out their role*".
  - "*Can identify and respond to the changing needs of people who use the service*".
  - "*Are aware of the services' policies, procedures, legislation and standards*".
14. Outcome 21: of the Guidance: *Records*:
  - "*The service has clear procedures that are followed in practice, monitored and reviewed to ensure personalised records and medical records are kept and maintained for each person who uses services*".
  - "*Records about care, treatment and support of people who use services are updated as soon as practical*".
  - "*Records about care, treatment and support are clear, factual and accurate...*".

### ***How safeguarding worked in Oxfordshire when the events took place***

15. In 2014 Oxfordshire Safeguarding Adults policy was based on 'No Secrets' (Department of Health, 2000), the statutory guidance on safeguarding adults.
16. The Guidance says the objective of an adult protection investigation will be to:

- *establish facts;*
  - *assess the needs of the vulnerable adult for protection, support and redress; and,*
  - *make decisions with regard to what follow-up action should be taken with regard to the perpetrator and the service or its management if they have been culpable, ineffective or negligent.*
17. No Secrets also considers when a Council should appropriately intervene in relation to the seriousness or extensiveness of abuse. It states that the following factors should be considered: the vulnerability of the individual, the nature and extent of the abuse, the length of time it has been occurring, the impact on the individual, and the risk of repeated or increasingly serious acts involving the vulnerable adult or other vulnerable adults.
18. The Council's policy says that following a safeguarding referral it will ask the appropriate department to investigate. It says each investigation is led by a trained Safeguarding Adults Officer.
19. An assessment of risk determines the action the Council takes. If further action is required then a strategy meeting takes place. This is chaired by a Safeguarding Adults Manager.
20. The outcome of the strategy meeting clarifies any protection plan for the adult at risk and identifies who is to carry out the investigation. Further meetings take place to confirm the outcome of the investigation and to review the protection plan. The person and their carer/family are supported to be involved as much as possible.

## How we considered this complaint

21. This report has been produced following the examination of relevant files and documents provided by the complainant and the Council.

## Investigation

22. Mr X cared for his wife, Mrs X at home. Mrs X had dementia, which Mr X described as advanced. Mrs X required full assistance in all areas of daily living, including eating and drinking. Mrs X was unable to express if she was hungry or thirsty.
23. Mrs X had difficulty with swallowing and needed a thickening agent added to drinks. Mr X spoon fed the liquid to his wife, giving her a mug full of fluid approximately four times a day. Mr X says he was mindful his wife was vulnerable to dehydration and urinary tract infections. Whilst at home he experienced no difficulty with ensuring his wife had adequate fluid intake.
24. Mrs X had respite stays on numerous occasions at what Mr X calls 'their usual care home'. Mr X says there had been no problems during these stays.

25. On this particular occasion the usual care home where Mrs X stayed was full. Mr X decided that Huntercombe Hall would be suitable for his wife. One week's respite care was booked.
26. On 27 March 2014, the day before Mrs X was due to be admitted to the care home, a manager from the home visited Mr & Mrs X at home to undertake a pre-admission assessment. We have been given a copy of the assessment. The assessment is detailed and gives an overall picture of Mrs X's care needs, including her nutritional and hydration needs. It describes Mrs X's need to have fluids thickened and spoon fed to her, it also documents her risk of choking and that she is prone to urinary infections.
27. Mrs X went to stay at the care home on 28 March 2014 for a week. On admission care staff completed an admission form and a care plan. Over the following two days further assessments were completed, a manual handling assessment, including a waterlow pressure area risk assessment, a dependency assessment, a continence assessment and a falls assessment.
28. The assessments are detailed and highlight Mrs X's vulnerability to choking and her need for maximum assistance with eating and drinking. The admission diary notes are detailed and record *"she needs a lot of encouragement to eat and drink"*. *"She requires a lot of fluid to reduce risk of urine infections"*.
29. The care plan 'aim of care' says *"To ensure [Mrs X] does not choke and to reduce risk of malnutrition by providing adequate nutritional intake and risk of UTI"*.
30. The records indicate the need to record Mrs X's food and fluid intake. It also records *"Please report to nurse if urine smells or changes colour"*.
31. On 29 March 2014 the care home began recording Mrs X's food and fluid intake. We have been given copies of the food and fluid monitoring charts for the whole of Mrs X's stay at the care home.
32. The first entry in the fluid intake chart, the day after Mrs X's admission, is at 10am. There are further five entries, the last being at 7pm. It was recorded in the daily care records on 29 March 2014 that, *"she didn't eat and drink well. She needs a lot of encouragement to eat and drink"*.
33. On 1 April 2014 there are four recorded entries on the fluid chart, beginning at 10am, saying Mrs X had received small amounts of fluid. On 2 April 2014 there are five entries, beginning at 10am.
34. On 3 April 2014 there are entries at 3am and 6am. There is not another entry for eight hours, (2pm) that Mrs X had received fluid.
35. On 4 April 2014 there are three entries that Mrs X had received fluid, the first being 9am the last 12 midday. There are no further entries for that day.
36. The records show Mrs X often returned to bed as she was tired.

37. There are no records to suggest care staff had any concern for Mrs X's general well being or that she appeared unwell. There are no records to show that care staff had difficulty getting Mrs X to accept food or fluid.
38. On 4 April 2014 Mr X telephoned the care home to say he would be collecting his wife in the afternoon. The care records show he was advised Mrs X had eaten very little for breakfast and lunch that day, and that she had a small skin tear and blister on her elbow.
39. Mr X says when he arrived at the care home and saw his wife he realised she was not her usual self and appeared unwell. He says there was a marked deterioration in her condition from admission. He says she was less responsive and limp and when he attempted to transfer her to a wheelchair she was unable to weight bare, as she had been able to on admission. He also noticed her mouth had a coating of white spots.

### **Mrs X's discharge from the care home**

40. Mr X took his wife home and immediately telephoned the care home to express his concern and dissatisfaction with his wife's condition. The manager of the home advised Mr X to contact the care home's usual GP. Mr X says the manager told him the white coating in his wife's mouth could be the fish she had eaten for lunch.
41. Mr X contacted the care home's usual GP immediately. The GP visited Mrs X shortly after her discharge from the care home, and concluded she was dehydrated and required admission to hospital. Mrs X was transported to hospital the same afternoon by ambulance. During the journey to paramedics administered intravenous fluids via a drip.

### **Mrs X's admission to hospital**

42. On admission to hospital Mrs X was given further intravenous fluids via a drip. The white coating in her mouth was diagnosed as oral thrush. Mrs X remained in hospital for three weeks. The records show Mrs X was "*admitted with dehydration, problems with her kidneys due to dehydration*".
43. On 1 May 2014 Mrs X was discharged from hospital to her usual care home for palliative care. She passed away nine days later on 9 May 2014.

### **The Care home's response to Mr X's complaint**

44. Mr X complained to the care home about the quality of care his wife received during her stay. He believed the care home had not given sufficient attention to his wife's fluid intake. He also believed the care home appeared to have no awareness that his wife was dehydrated and that her condition had deteriorated.
45. Mr X received a response to his complaint from the care home saying that fluid intake charts had been completed but his wife had been reluctant to take fluids and care staff could not force feed her.
46. Mr X wrote to the care provider on 27 February 2015 and again on 17 July 2015 to ask for copies of the food / fluid charts. Mr X did not receive this information.

47. Mr X approached his usual GP. The GP contacted the care home to ask for copies of the food / fluid charts and to ask the manager to meet with Mr X. Mr X says this request was also refused.
48. A Director of the company that owns and manages the care home, Caring Homes Healthcare Group Limited, wrote to Mr X in January 2015 with a formal response to his complaint. The author explains he had studied the notes relating to Mrs X's stay at the home. He says food and fluid intake charts were completed during Mrs X's stay at the home but at times she was reluctant to take food or drink in reasonable quantities and staff were reluctant to force feed her. He also said *"During her stay there was no deterioration in her condition. Staff did not note any signs of dehydration but did note that your wife could be reluctant to take appropriate diet and fluids... Food and fluid charts in your wife's file do show that food and fluid were offered regularly and that staff were monitoring intake"*.
49. The author makes reference to the Council's safeguarding investigation. He acknowledges the care home *"put into place actions as a result..."*. He said this action was as a result of the safeguarding investigation not because *"staff believed there was any neglect of [Mrs X]"* but *"because all investigations should be a learning curve and if matters may be improved upon..."*.
50. The author concluded *"I do not concur that there were serious shortfalls in the process at Huntercombe Hall at the time of your wife's stay or at the present time"*.

### **Safeguarding referral and the Council's response**

51. Hospital staff made a safeguarding referral to the Oxfordshire County Council on 7 April 2014.
52. We have seen a copy of the Council's alert/referral form confirming the referral was received by the Council on 7 April 2014. It gives a brief overview of the concerns and the care home involved.
53. The notes on the alert/referral form show the action taken by the Safeguarding Manager the following day, 8 April 2014. The officer telephoned the hospital to gather further information about the concerns and Mrs X's condition.
54. The officer also telephoned the manager of the care home. The notes of this conversation detail the care home manager's response to the concerns, she said care staff had difficulty feeding Mrs X the thickened fluids and were reluctant to force-feed her. She further says that on the day Mrs X was discharged *"she had not had a lot of fluids at lunchtime"*.
55. The Safeguarding Manager told the care home manager she would *"require a report"*. The officer followed this up with an email to the care home manager, dated 9 April 2014, confirming the request that the manager investigate the concerns raised and provide the Council with a report. The Council said the report should be submitted by 16 April 2014.
56. The Council did not contact Mr X to discuss the referral.



57. The alert/referral form was completed and dated 9 April 2014.
58. The council then forwarded the referral for further action, described as '*initial assessment and investigation*'.
59. The Council records '*Outcome of initial assessment*' show the actions and decisions taken by the Council between April 2014 and August 2014.
60. There are no records of a strategy meeting or discussion taking place. The assessment and investigation paperwork is incomplete.
61. The care home did not submit a report to the Council's safeguarding manager by 16 April 2014, the deadline given. The Council did not chase the care home for a response until 2 May 2014. Again the care home failed to respond to this request.
62. The Council sent a further email to the care home manager on 28 July 2014 asking the care home to submit its report. The Council added "*Please note that if we do not receive this report in the next couple of days, we will have no option but to close the referral with the allegation substantiated*".
63. The care home responded to the Council the same day by email stating it had already provided the report to the Council. It did not say when it had done this. It asked for confirmation the Council had received it.
64. The Council confirmed it received the report from the care home, along with the care home's assessment plans of Mrs X and the food/fluid recording charts.
65. We have seen a copy of the report the care home submitted to the Council. The report is undated. It re-iterates the point that Mrs X was reluctant to take food or fluid, and that "*During her stay there was no deterioration in her condition*". It further said Mrs X had not shown any signs of being dehydrated during her stay.
66. The report went onto highlight the action it had taken as a result of its investigation. This included:
  - assessment of the suitability of potential residents with problems with eating and drinking;
  - improved training for all care staff in the prevention and recognition of dehydration;
  - ensuring fluid was readily available to all residents in communal areas;
  - improved handover procedures;
    - an activity programme that included drinking.
67. The next recorded action by the Council is 28 August 2014 when a telephone discussion took place between the safeguarding manager and the care home's usual GP. This was

the GP who examined Mrs X on the day she left the care home and admitted her to hospital.

68. The GP did not see Mrs X at any point during her stay at the care home.
69. He commented that it was not unusual for people with dementia to be disturbed by being in a new environment and not respond to new carers, especially with eating and drinking. However he felt the carers should have been more aware of the deterioration in Mrs X's condition and raised the alarm earlier. He also said carers should have picked up on the issues of poor eating and drinking and discussed this with him. He also commented that *"[the care home] were aware that their fluid/nutrition charts were not filled in very well"*.

### **The outcome of the safeguarding investigation**

70. The Council completed its initial assessment of the safeguarding investigation on 28 August 2014. It records no concern of institutional abuse. It describes institutional abuse as *"organisational failure to effectively safeguard service users for whom it is responsible thereby placing service users at risk of physical, emotional or psychological harm as a result of abuse or neglect"*.
71. It records that no further action is required.
72. The following day, 29 August 2014 the Council completed a 'Safeguarding Adults-Closure form'. This records a finding of 'Neglect – Partially substantiated'. It records the following outcomes:
  - no requirement for a protection plan to be developed or implemented;
  - safeguards put in place by alleged perpetrator Counselling/Training/Treatment;
  - Risk Level – Risk Removed.

### **The Council's response**

73. Mr X contacted the Council on 29 July 2014 to complain he had heard nothing from the Council in relation to the safeguarding alert and that he believed his concerns had not been taken seriously.
74. The Council telephoned Mr X on 1 August 2014 to explain the safeguarding alert would be closed as fluid charts showed his wife did have fluids but staff found it difficult to encourage her to drink.
75. The Council sent an email to Mr X on 1 September 2014 attaching a letter dated 6 July 2014 informing him of its findings of the safeguarding investigation. The letter referred to the safeguarding alert having been received by the Council on 7 June 2014. The Council says both these dates were incorrect and this had been due to human error.
76. The Council sent a subsequent email to Mr X on 1 September 2014 attaching a copy of its findings letter dated 1 September 2014. The letter explained the outcome of the safeguarding investigation.

77. It said *“I have been unable to identify events that led to your wife’s severe dehydration and admission to hospital as fluid charts show your wife had been given fluid by staff at regular intervals”*. It explained the care home’s report set out the actions it would take to prevent other concerns being raised about fluid intake.
78. The letter went on to say that in order for Mr X to receive copies of his wife’s care plans and fluid charts *“you would need to formally lodge a complaint regarding your wife’s care”*.
79. During our investigation the Council took the following action. It has:
- written to Mr X to acknowledge and apologise for its failure to deal with the safeguarding investigation properly and set out the action it has taken as a result.
  - introduced new best practice safeguarding procedures which emphasise the importance of involving people /and/or their relatives fully in the safeguarding process.
  - introduced standards around response times and completion times for adult safeguarding enquiries.
  - introduced monthly meetings between the Safeguarding, Complaints, Health and Safety and Quality and Contracts Team to review information arising from safeguarding alerts and concerns, complaints, recent Care Quality Commission inspections and health and safety issues. A serious concerns / standards of care framework has been developed to support this.
  - strengthened the management arrangements of the safeguarding service to ensure better management oversight of cases and the timescales for undertaking and completing safeguarding work.
  - introduced a clearer process for escalating issues and maintaining oversight of provider services.
  - introduced systems whereby the Care Quality Commission and the Council’s Quality and Contracts Team will always be notified of the outcomes and conclusions of safeguarding investigations as a matter of course.
80. To ensure the above learning points are implemented the Safeguarding Team managers will review these points during their monthly case audits of safeguarding investigations.
81. Additionally the Council recently introduced quarterly Care Governance meetings. A representative of the Care Quality Commission and the Clinical Commissioning Group attend these meetings.

## Conclusions

### **The care home's actions**

#### ***The care provided to Mrs X***

82. The safeguarding investigation completed by the Council into the care Mrs X received during her stay at the home concluded 'partial neglect'.
83. A finding of neglect is a serious failing and one which only a Court or a safeguarding investigation can find.
84. We have considered the documentary evidence supplied by the Council as part of its safeguarding investigation. We are satisfied the Council considered all the relevant evidence as part of its safeguarding investigation.
85. In light of the Council's findings we uphold Mr X's complaint about the quality of care provided to his wife at the care home.

#### ***How the care provider dealt with Mr X's complaint***

86. The care home did not provide Mr X with a written response to his complaint until nine months after he had made his complaint. This falls short of effective complaint handling.
87. We have considered the comments contained within the care provider's written response to Mr X's complaint. The author makes reference to the completion of food/fluid records to support his findings. The records are incomplete and do not support the claims made by the author that food and fluid was offered but declined.
88. The author concluded there were no shortfalls in the care provided to Mrs X, when in fact there had been a finding of partial neglect. The author appears not to be aware of the outcome of the Council's safeguarding investigation.
89. The care provider has not explained why it refused to provide Mr X or his GP with Mrs X's care records, specifically the fluid/food records.

### **The Council's actions**

90. There are a number of elements in this complaint which require consideration. Whether the Council responded appropriately to the safeguarding alert, if the process to investigate the concerns was timely and proportionate, and the action it took following the conclusion of the investigation.
91. The Council failed to engage with Mr X throughout the safeguarding investigation. This is fault.
92. When the Council received the safeguarding alert from the hospital it acted promptly. A safeguarding manager made relevant and timely enquiries of the hospital. Prompt contact was also made with the care home manager, to inform the manager of the allegations and

to ask that the manager investigate the matter and provide the Council with a report. There is no fault by the Council here.

93. The Council did not receive a report or any response from the care home by the deadline date, 16 April 2014. The Council took no action to chase the care home until 2 May 2014. This is not adequate. At this time the Council did not know the full extent of the events complained about and if there was a possible risk to other vulnerable residents at the care home.
94. The care home failed to respond to the Council's reminder. This should have given the Council cause for concern. It should have taken a proactive and firm approach in seeking a response from the care home. It failed to do this.
95. The Council took no further action until 28 July 2014, 14 weeks after it received the initial alert. Even then it did not act appropriately. It emailed the care home to say it would close the complaint and uphold the complaint if it did not receive the report. This is fault and is contrary to government guidance and the Council's policy.
96. This may have had grave consequences had other residents been at risk.
97. When the Council received the report from the care home it says it considered it alongside the supporting documents the care home provided, Mrs X's care records, including the food/fluid recording charts.
98. From this point on the Council's actions and decisions become contradictory and somewhat chaotic.
99. The Council appeared not to take any action whatsoever in response to the care home's report. It appears the matter never progressed beyond the initial investigation stage. Much of the paperwork is incomplete.
100. At this point in time there was conflicting information. The care home reported there was no deterioration in Mrs X's condition during her stay, yet she was admitted to hospital clearly unwell within a few hours of her discharge from the care home. The Council appeared to accept the care home's version of events without question.
101. The Council took no further action until Mr X contacted the Council on 29 July 2014 to ask about the progress of the investigation and express his concern.
102. The Council telephoned Mr X on 1 August 2014 to inform him the safeguarding alert would be closed as the charts showed his wife had been offered fluids but staff found it difficult to encourage her to drink.
103. It is difficult to know how the Council came to this decision if it had examined the fluid charts as it said it had. The charts did not support this finding. The Council was merely repeating the version of events given by the care home. The Council told Mr X it would discuss the fluid charts with the care home's GP when he returned from holiday.

104. On 28 August 2014, 18 weeks after the initial alert, a safeguarding manager had a telephone conversation with the care home's usual GP. The GP had not seen Mrs X throughout her stay. His opinion was that the actions of the care home were not adequate in this situation. He also commented that the food/fluid charts were not completed adequately. This contradicts the information the Council gave to Mr X on 1 August 2014.
105. This should have raised serious questions for the Council about the reliability of the report that had been produced. Also about the quality of care this home was providing to vulnerable residents who required support with diet and nutrition. The Council failed to identify the inconsistency in the records or give weight to the GP's comments. The Council failed to act on this information. This is fault.
106. The Council then closed the initial assessment. It took no further action. It recorded no organisational failure, neglect or abuse by the care home. However it upheld a finding of partial neglect. This is inconsistent and a failure to follow safeguarding procedures.
107. It appears the Council accepted without question the care home's proposal to implement actions as a 'learning outcome' from the complaint.
108. It is not clear if the Council told the care home it had come to a finding of partial neglect. The Council has no records to show whether it shared this information with the care home.
109. The Council did not inform its contract monitoring department of its findings. Neither did it inform the Care Quality Commission. This is fault which may have placed other residents at risk.
110. During this investigation the Council has acknowledged it failed to inform the relevant bodies of its finding of partial neglect. It did this in January 2016.
111. In September 2015 the care home was inspected by the Care Quality Commission and found to be in breach of three regulations, relating to record keeping of food and fluid intake and the usage, recording and storage of thickening agents used for people with swallowing difficulties.
112. If the Council had notified the relevant bodies of its findings the care at the home could have been monitored and prevented the continuation of poor care in this area being provided to other residents.

### **The Council's response to Mr X**

113. The Council wrote to Mr X on 1 September 2014 to say it had not been able to establish the cause of his wife's dehydration. This is inaccurate and contrary to its findings.
114. The Council told Mr X he could obtain his wife's care records only if he lodged a formal complaint about her care. Why the Council had this view is unclear given Mr X had complained to the care home and pursued the Council for a response to the safeguarding alert. This is fault and added to Mr X's frustration and distress.

115. The Council's actions have caused Mr X a significant injustice. It has denied him a truthful outcome to his complaint. He has also suffered the stress and anxiety of pursuing this complaint which has impacted on his grief at losing his wife.

### **Care Quality Commission Inspection of the care home 2015**

116. Huntercombe Hall is a care home which is registered to provide both nursing and residential care. Its website says it specialises in providing care for various conditions, including care for older adults with dementia.

117. In October 2015 the Care Quality Commission carried out an unannounced inspection of the home. This concluded the home provided a caring service, rated as good, but identified five areas of concern which required improvement.

118. Under '*Is the service safe*' the Care Quality Commission found "*Thickening agent is used to reduce the risk of choking or older people with swallowing difficulties. The thickening agent was not stored safely... The containers of thickening agent did not have the details of the person it was prescribed for or the consistency required*".

119. Under '*Is the service responsive?*' the Care Quality Commission found "*Records were not always accurate and legible...*". "*Monitoring forms were not always completed in a timely manner. For example, on one unit people's food and fluid charts contained no entries at 11:00am...*".

120. The Care Quality Commission Inspectors found three breaches of regulations of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. It made numerous recommendations for improvement.

## **Decision**

### **The care home's actions**

121. The care home is at fault for failing to provide Mrs X with adequate care during her stay, which has been found to amount to partial neglect.

122. The care home failed to respond to Mr X's complaint properly.

### **The Council's actions**

123. The Council is at fault for failing to act in accordance with the law and relevant government guidance. It:

- did not adhere to the guidance as set out in the Department of Health statutory guidance (No Secrets) on safeguarding adults;
- failed to follow its policy and procedure relating to safeguarding investigations;
- failed to inform its monitoring department of its finding of partial neglect;

- failed to inform the Care Quality Commission of its finding of partial neglect
- failed to engage with Mr X throughout the safeguarding investigation and failed to inform him of its findings.

124. The Council's actions caused Mr X a significant injustice.

## Recommendations

125. The care provider should:

- provide Mr X with a full written apology for its failure to provide adequate care to his wife;
- apologise for its failure to deal with Mr X's complaint properly; and
- waive the full fee for Mrs X's stay at the care home.

126. The Council should pay Mr X:

- £250 for his time and trouble pursuing this complaint; and
- £500 for his distress

127. During this investigation the Council has voluntarily implemented robust and extensive improvements to its policies and procedures (see paragraphs 80, 81 & 82). This action is welcomed.

128. The Council has also written to Mr X to provide him with a full written apology for its failings and set out the action it has taken as a result.