

EXECUTIVE BOARD

At a meeting of the Executive Board on Thursday, 16 October 2008 in the Marketing Suite, Municipal Building

Present: Councillors McDermott (Chairman), Gerrard, Harris, McInerney, Nelson, Polhill and Wright

Apologies for Absence: Councillors D. Cargill and Swain

Absence declared on Council business: Councillor Wharton

Officers present: L. Cairns, B. Dodd, G. Cook, D. Johnson, I. Leivesley, G. Meehan, D. Parr, M. Reaney and D. Tregoe

Also in attendance: None

ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

Action

(NB Prior to the start of the meeting the Chairman welcomed back Councillor Nelson who had been absent for some time due to ill health.)

EXB58 MINUTES

The Minutes of the meeting of the Executive Board held on 25th September 2008 were taken as read and signed as correct record.

CHILDREN AND YOUNG PEOPLE PORTFOLIO

EXB59 STANDARD SCHOOL YEAR JOINT CONSULTATION WITH GREATER MERSEYSIDE LOCAL AUTHORITIES

The Board considered a report of the Strategic Director – Children and Young People providing information regarding a proposed joint consultation with the Learn Together Partnership to implement a standard school year from September 2010.

It was advised that the standard school year, which was championed by the Local Government Association (LGA), required splitting the school into six terms of roughly

equal length, fixing them regardless of the Easter celebration. The benefits of this were outlined for Members' consideration.

In May 2008, Liverpool City Council had tabled a proposal at the Greater Merseyside Directors of Children's Services meeting to conduct a joint consultation across all Greater Merseyside Local Authorities (LAs) to implement this change. The Directors present agreed in principle to this proposal, which was outlined within the report, and Liverpool City Council was piloting this system for the 2009/10 academic year.

All Local Authorities in the Learn Together Partnership had been invited to be part of the joint proposal. At Halton's request, Cheshire had also been invited. The Partnership agreed that each LA would co-ordinate its own consultation based on agreed documentation and timescales, and a consultation letter had been drafted for all LAs involved to use. This would be headed with Halton's logo and have a proforma for stakeholders to return. The consultation process would begin week commencing 3rd November with a co-ordinated press launch, and close on 18th December 2008.

RESOLVED: That Halton participates in the joint consultation process.

COMMUNITY PORTFOLIO

EXB60 PROCUREMENT OF CONSUMER PROTECTION (TRADING STANDARDS) SERVICE - KEY DECISION

The Board considered a report of the Strategic Director – Health and Community seeking support for the procurement of the Consumer Protection (Trading Standards) Service from Warrington Borough Council and the associated transfer of the officers of Halton's Consumer Protection team to the employ of Warrington Borough Council.

It was noted that, during the budget-setting process for the financial year 2008/09, a savings target of £75,000 had been included, based on the proposal that Warrington Borough Council would provide the Consumer Protection Service. The ultimate business objective of this project was to deliver a single Trading Standards Service of optimum size, "fit for purpose" in delivering good outcomes, and which would develop and continually improve to meet the present and future Trading Standards needs of the Halton

and Warrington communities. The aim was to provide an enhanced quality of service by combining the best of two very good but relatively small services, delivering economies of scale and flexibilities through a larger team. Financial implications of this change were outlined within the report for Members' consideration.

To date, the project had been delivered through a Project Board with sub-groups focusing on legal/human resources, finance, IT and technical trading standards matters. Colleagues from both authorities had supported managers to progress the project and Warrington had provided a lead project manager. Officers who would be subject to transfer had played active roles in the IT and technical trading standards sub-groups. In addition, a joint Halton/Warrington visioning day had been held for both sets of staff and a number of on-going information/consultation meetings had been held with officers of Halton's Consumer Protection team.

The Heads of Terms Document, which included governance arrangements, was included at Appendix 1 of the report. The foundation for the service on which the contract was based was provided by a comprehensive specification document appended to the contract that provided the background, overview, current strengths and outcomes of the present Halton and Warrington Services, and key joint service objectives. The latest version of this document was attached to the report at Appendix 2.

Between the date of transfer and 31st March 2009, the two teams would operate side by side and all officers would be involved in the design of a new, single Service structure that would provide full integration on 1st April 2009. The first five months of operation would see a focus on delivering the front line job whilst at the same time creating the new structure with existing officers and recruiting to vacant posts. The specification at Appendix 2 was intended to take the Service through to 31st March 2010. From then on, whilst the specification would continue to have some relevance, it would effectively be updated and taken forward via an annual Service Plan.

The Board was advised that the terms of the contract would ensure satisfactory governance arrangements for Halton. The initial contract term was five years with a formal review every two years and, subject to satisfactory review, the option to extend the contract by a further two years at each review. In addition to this formal review, a selection of objectives and milestones/performance indicators and

targets would be agreed by the Halton and Warrington contract managers and performance against these would be reported quarterly to the relevant Halton Policy and Performance Board (PPB). Further reporting mechanisms in relation to attendance at meetings, half year and year end performance and service plans were also outlined for Members' information.

Reason for Decision

To provide an enhanced quality of service by combining the best of two very good but relatively small services, and delivering economies of scale and flexibilities through a larger "Trading Standards" team. This would deliver a single Trading Standards service of optimum size which was "fit for purpose" in delivering good outcomes and which would develop and continually improve to meet the present and future Trading Standards needs of the Halton and Warrington communities.

Alternative Options Considered and Rejected

Partnership arrangements had been explored with three neighbouring authorities with a view to:

- 1) jointly providing a single, cross boundary Trading Standards service;
- 2) Halton providing a single, cross boundary Trading Standards service; or
- 3) the other authority providing a single, cross boundary Trading Standards service.

The only expression of interest came from Warrington Borough Council which was keen to pursue option 3.

Implementation Date

1st November 2008 or as soon as practicably possible thereafter.

RESOLVED: That

- (1) Warrington Borough Council be requested to provide the Consumer Protection (Trading Standards) service within Halton Borough Council's administrative area under Contract, for an initial period of five years, with provisions for review/ extension etc. as outlined in the Heads of Terms attached to the report as Appendix 1;

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- (2) an annual cost of £405,000 be paid, pro rata for 2008/2009, with a Contract start date of 1st November 2008 or as soon as practicably possible thereafter;
- (3) all authorisations, powers and duties relevant to Halton Borough Council's Consumer Protection function be discharged by Warrington Borough Council; and
- (4) all ancillary actions be taken by the Strategic Director – Health and Community, in consultation with the Executive Board Member for Community and to the satisfaction of the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources).

CORPORATE SERVICES PORTFOLIO

EXB61 EQUALITY AND DIVERSITY PROGRESS REPORT

The Board considered a report of the Strategic Director – Health and Community providing an update on the current position on the equality and diversity agenda in Halton.

It was noted that equalities were a dynamic area of public policy and there had been major recent legislative changes in this area. The Equality Bill "A Framework for a Fairer Future" had been presented to Parliament in June 2008 and provisions of the Bill were outlined for Members' information. It was noted that the legislation had strengthened the requirement to not only tackle discrimination but to actively promote diversity.

In December 2006, the Council adopted a new Corporate Equalities Scheme. This encompassed all its then legal duties in terms of promoting the race, gender and disability equality schemes. The scheme was currently being revised to ensure that the Council fulfilled all its legal obligations.

In May 2008 the Council invited the I&DeA to undertake a Peer Challenge and had subsequently been judged to have progressed to Level 3 of the Equality Standard for Local Government. Following this, the Corporate Equality and Diversity Group had agreed, and was progressing, an Action Plan to move forward to Level 4 of the Standard, acknowledging at the same time that the system may be amended in 2009-10.

Progress had been made in a number of areas, which were outlined within section 4 of the report for Members' consideration, in respect of:

- the training of officers and Members;
- use of service plans;
- updates to the intranet and Website;
- involvement in an equalities forum with other Merseyside authorities; and
- a benchmarking exercise currently underway.

The Board noted that a conscious decision had been taken to carry forward equality and diversity work in the day-to-day task of service delivery and Halton's progress in respect of the equalities agenda would be proportionate to the effort and resource expended. Therefore, all services would need to continue to demonstrate how they would effectively and efficiently encourage their teams to positively incorporate equality and diversity issues into their attitudes, behaviour, culture and all aspects of service delivery in order for this to have a beneficial impact on our communities.

In receiving the report, Members considered the proposal to provide a multi-faith prayer room, which would be available to all staff and members of the public. It was advised that this would be funded from within existing budgets and would be available for use by all faiths, filling a current gap in provision and helping to provide equality for all.

The Board was also advised that Riverside College had entered into a partnership with various companies in Libya to provide teaching opportunities in this country. This had resulted in a number of Libyan families moving into the area for a minimum of three months and it was hoped that this would offer opportunities for exchange learning around issues such as faith, business and commerce. The Strategic Director – Children and Young People reported that he had met with representatives of the College in order to consider implications for Halton as a result of this arrangement, for example learning needs of younger children within these families.

RESOLVED: That the report be noted and the actions outlined in section 4 of the report be endorsed in order for the Council to move forward to Level 4 of the Equality Standard for Local Government.

HEALTH AND SOCIAL CARE PORTFOLIO

EXB62 THE RELATIONSHIP BETWEEN HEALTHY HALTON POLICY AND PERFORMANCE BOARD AND HALTON'S LOCAL INVOLVEMENT NETWORK (LINK)

The Board considered a report of the Strategic Director – Health and Community outlining the proposal to establish formal links between the Healthy Halton Policy and Performance Board (PPB) and the newly established Local Involvement Network (LINK).

A report had been presented to the Healthy Halton PPB on 16th September 2008, outlining the expectation that there would be a formal relationship between the Healthy Halton PPB and LINKs as set out in Government guidance. In particular, it was noted that the PPB had a duty to acknowledge any referral from LINK within 20 days on areas that could warrant scrutiny. The PPB had also noted it would be beneficial for both bodies that the PPB and LINK worked in parallel to avoid duplication of work streams.

It was proposed that, to ensure that the PPB and LINK worked closely, a LINK representative should be appointed as a non-voting co-optee for a period of one year. The Board was advised that Halton Voluntary Action would decide who this person would be.

RESOLVED: That Full Council be recommended that a LINK representative (name to be confirmed once LINK formalised) be appointed as a non-voting co-optee on the Healthy Halton Policy and Performance Board for a period of one year, commencing from the date of approval.

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EXB63 HOME CARE SERVICES

The Board considered a report of the Strategic Director – Health and Community outlining a proposal to develop a re-ablement service.

It was advised that Adult Social Care Services were increasingly establishing re-ablement services as part of their range of home care provision. Typically, home care re-ablement was a short-term intervention, provided free of charge, that aimed to maximise independent living skills.

The evidence suggested that the use of short-term re-ablement care had achieved an overall 28% reduction in the number of long-term domiciliary hours subsequently commissioned, which equated to financial savings on the number of long-term hours commissioned. In addition,

qualitative evidence from service users suggested that re-ablement care could make a significant difference to their lives.

The current in-house home care service consisted of two teams, one in Runcorn and one in Widnes, delivering care and support to approximately 80 service users at any one time. Further details about the existing service were provided for the Board's information. It was advised that the in-house home care service in its current format was not viable; unit costs were too high and the staff rota was too inflexible to meet the needs of the service users.

It was advised that the Authority needed to modernise quickly to keep pace with change but also to be more efficient, and an options appraisal had therefore been completed to consider the potential future provision of services. Details of the consultation were outlined for the Board's consideration and it was noted that five options had arisen from this:

- Option 1 – continue as now;
- Option 2 – amendments to the rota;
- Option 3 – to merge the two teams at Runcorn and Widnes;
- Option 4 – re-ablement Service; and
- Option 5 – contract with the independent sector.

It was recommended that the Council implement Option 4.

The Board noted that the views and suggestions identified by the teams had been taken into consideration and amendments had been made to the initial option and service specification. A number of staff working groups would be established to ensure full staff involvement in the changes required.

Members were advised that the new service would enable the Council to deliver a more intensive approach to re-ablement with the quality of the existing service being retained, if not improved in the future.

An implementation plan had been completed in respect of Option 4. It was estimated that approximately £450,000 worth of savings could be delivered, although in the absence of the true costs of premium pay, which had yet to be resolved, the Board noted that the costs identified were estimates.

RESOLVED: That the outcome of the consultation be agreed and Option 4 and the next steps be approved.

EXB64 VALUING PEOPLE NOW

The Board considered a report of the Strategic Director – Health and Community regarding the recently issued Government Guidance on the transfer of responsibility for commissioning social care services from the Primary Care Trust (PCT) to the local authority (LA) and the implications for Halton.

It was noted that, in August 2008, the Department of Health had issued guidance on the transfer of responsibility for commissioning social care for adults with a learning disability from NHS to local government and the transfer of appropriate funding. Halton and St. Helens PCT and the LA were now required to:

- a) reach agreement via PCT and LA respective governance arrangements on the amounts to be transferred for 2009/10 and inform the Department of Health by 1st December, 2008; and
- b) put arrangements in place (if they did not already exist) so that the transfer was effective from April 2009 and local transfers of the amount agreed could be made for 2009/10 (and 2010/11).

It was expected that the transfer would include an appropriate allowance to meet commissioning and planning costs previously incurred by the PCT and that the transfer would be based on the actual spend in 2007/08 and amended by any other changes locally agreed to reflect necessary investment decisions. The amount transferred would be agreed locally and not by a national formula.

The Board was advised that this transfer of funding would be made locally for two years and would include an uplift for inflation beyond 2011. Once agreements had been reached and results analysed at a national level, the Department of Health would consult on determination of allocations for the future.

Halton PCT and the Council had already entered into a Section 75 Agreement on all service areas. For learning disabilities this meant that the LA was the lead commissioner. A pooled budget arrangement had been in place since 2003 and was currently subject to a three-year financial plan. This pooled budget stood at £12.5m but had

been subject to pressure, which was likely to continue giving growing need and cost. However, the Council and the PCT had agreed a number of issues which would facilitate this current negotiation and these were outlined for Members' information.

The Board noted that a working group made up of Directorate and Corporate representatives had been established to drive forward the agreement with the PCT and it was anticipated that the work would be completed by the end of November 2008. It was advised that there were a number of issues which remained to be resolved which would need to be considered as integral to the negotiations including:

- a) retraction of Supporting People funding;
- b) infrastructure costs; and
- c) current contributions by the PCT.

RESOLVED: That

- (1) the requirements to reach agreement by 1st December 2008 be noted; and
- (2) powers be delegated to the Portfolio Holder, Health and Social Care and the Strategic Director - Health and Community to settle and submit the Council's submission to the Department of Health in response to the Valuing People Now consultation document.

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EXB65 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- (1) whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraphs 1, 2, 3 and 4 of Schedule 12A of the Local Government Act 1972; and
- (2) whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public

interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it is likely that, in view of the nature of the business, exempt information will be disclosed, being information defined in Section 100 (1) and paragraph 1, 2, 3 and 4 of Schedule 12A of the Local Government Act 1972.

COMMUNITY PORTFOLIO

EXB66 PROCUREMENT OF CONSUMER PROTECTION (TRADING STANDARDS) SERVICE - PERSONNEL IMPLICATIONS

The Board considered a report of the Strategic Director – Health and Community outlining the personnel implications relating to the Divisional Manager, Consumer Protection arising from the procurement of the Consumer Protection (Trading Standards) Service from Warrington Borough Council.

RESOLVED: That the report be noted.

MINUTES ISSUED: 23rd October 2008

CALL IN: 30th October 2008

Any matter decided by the Executive Board may be called in no later than 30th October 2008

Meeting ended at 2.50 p.m.