

## EXECUTIVE BOARD

*At a meeting of the Executive Board on Thursday, 24 March 2016 in The Boardroom, Municipal Building*

Present: Councillors Polhill (Chair), D. Cargill, Harris, R. Hignett, Jones, T. McInerney, Philbin, Wharton and Wright

Apologies for Absence: None

Absence declared on Council business: Councillor Nelson

Officers present: A. Scott, G. Cook, D. Parr, I. Leivesley, G. Meehan, M. Reaney, E. Dawson and S. Wallace-Bonner

Also in attendance: Councillor Dennett

### ITEMS DEALT WITH UNDER POWERS AND DUTIES EXERCISABLE BY THE BOARD

*Action*

EXB128 LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 URGENT BUSINESS

The Board was advised that a matter had arisen which required immediate attention by the Board (Minute EXB 140 refers), therefore, pursuant to Section 100 B (4) and 100 E and the urgent need to determine the actions that the Council wished to take in the continued operation of the Madeline McKenna Court Care Home, the Leader ruled that this item would be considered at this meeting.

EXB129 MINUTES

The Minutes of the meeting held on 10 March 2016 were taken as read and signed as a correct record.

### COMMUNITY SAFETY PORTFOLIO

EXB130 AMALGAMATION OF THE CHESHIRE WEST, HALTON AND WARRINGTON YOUTH OFFENDING SERVICE WITH CHESHIRE EAST'S YOUTH OFFENDING SERVICE FROM APRIL 2016 - KEY DECISION

The Board considered a report of the Strategic Director, People and Economy, which advised Members of

developments in the delivery of the plan for Youth Justice Services.

The Board was advised that the 1998 Crime and Disorder Act required each local authority to establish a multi-agency partnership to deliver Youth Justice Services. The current partnership was formed in 2012, following an extensive scoping exercise assisted by the Youth Justice Board for England and Wales. It was reported that the original plan included Cheshire East services, who subsequently adopted an alternate strategy, leaving Cheshire West, Halton and Warrington (CWHWYOS) to establish their own partnership.

It was reported that in May 2015, the Cheshire Police and Crime Commissioner requested the two Youth Offending Services (YOS) in Cheshire to consider proposals for a single YOS in order to improve consistency and resilience to potential future changes in both the criminal justice systems and Councils. Both YOS Boards had agreed the principle of amalgamation in line with the scoping exercise carried out in 2010-12, with formal agreement expected in March 2016.

#### Reason(s) for Decision

To formally validate the decision by the current CWHWYOS partnership to extend its agreement to include Cheshire East.

#### Alternative Options Considered and Rejected

To remain as two separate Youth Offending Services.

#### Implementation Date

1 April 2016 for formal amalgamation of the two YOS Management Boards who would then oversee a review of the service with an action plan being identified by 1 October 2016 and implemented by 31 March 2017, following any necessary consultations with partners, stakeholders and staff.

RESOLVED: That the decision of the Cheshire West, Halton and Warrington Youth Offending Service (CWHWYOS) to extend the partnership to include Cheshire East Youth Offending Service, be approved.

Strategic Director  
- People and  
Economy

## **CHILDREN YOUNG PEOPLE AND FAMILIES PORTFOLIO**

### **EXB131 DEVELOPMENT OF THE REGIONAL ADOPTION AGENCY FOR WARRINGTON, WIGAN, ST HELENS, HALTON AND CHESHIRE WEST AND CHESTER - KEY DECISION**

The Board considered a report of the Strategic Director, People and Economy, on plans for the development of a Regional Adoption Agency (RAA), for Warrington, Wigan, St Helens, Halton and Cheshire West and Chester.

The Board was advised that the Government had outlined its expectations that local authorities establish Regional Adoption Agencies in an announcement on Regionalising Adoption. The rationale for this was that a greater pool of adopters would be available and that children would have a better chance of being matched with a family that could meet their needs.

It was reported that Halton and Cheshire West and Chester were full partners in the development of the new RAA, together with Wigan, Warrington and St Helens (WWIISH). Together, the five local authorities would provide the scale required by Government for an RAA. Further, the inclusion of Adoption Matters and Caritas Care, (both Voluntary Adoption Agencies), in the development of the RAA, provided the partnership with an opportunity to build an RAA drawing on best practice from each of the partners and to meet changing demands through the pooling of expertise and resources.

The report provided further detail for Members' consideration on:-

- Aims and objectives of the RAA;
- Benefits of the RAA;
- Project Governance arrangements;
- Key project activities, milestones and update on progress;
- The Communications and Engagement Plan;
- An Options appraisal for the delivery vehicle of the

RAA; and

- The Transition Plan and Next Steps.

#### Reason(s) for Decision

A decision was required for Halton's agreement to progress with a plan for a regional adoption agency. This was in partnership with four other local authorities and two voluntary agencies and services for adoption which were currently delivered directly by Halton, would be delivered on its behalf by the regional adoption agency.

#### Alternative Options Considered and Rejected

An options appraisal had been undertaken by the Project Board for the regional adoption agency.

#### Implementation Date

The proposed implementation date would be October 2016.

RESOLVED: That

- 1) the contents of the report be noted;
- 2) the approach being taken be agreed;
- 3) the proposed scope and function of the RAA be agreed;
- 4) the approach of the RAA Board to set out a transition plan and the bid for further funding in March 2016 be agreed; and
- 5) any further requirements to achieve the RAA are delegated to the Strategic Director, People and Economy, in conjunction with the Portfolio holder for Children, Young People and Families.

Strategic Director  
- People and  
Economy

#### EXB132 ACADEMIES UPDATE - KEY DECISION

The Board considered a report of the Strategic Director, People and Economy, which provided a brief from the Scrutiny Topic Work undertaken by the Children, Young People and Families Policy and Performance Board, on "*How we work with our family of schools*".

Members were advised that the Scrutiny Group held four meetings between December 2014 and September

2015, in which they considered the role of the Local Authority (LA) in all schools, including its relationship with Academies. The Group considered whether there should be a differentiated approach between officer roles, service provision and charges for maintained schools and Academies.

Councillor Dennett, Chairman of the Children, Young People and Families Policy and Performance Board attended the meeting to present the report. The recommendations that emerged from the process were noted as follows:

That, to ensure that the LA can share information and provide a level of influence across all schools:

- All schools should receive the e-circular;
- All Head Teachers and Principals to be invited to the Head Teacher meetings with the Director;
- Consideration be given to the charges that were currently levied to Academies for access to Council Services, charged at full cost recovery only; and
- Officers continue to promote partnership working, encouraging Academies to work with the Council, including the purchase of services through HBC Service Level Agreements.

Councillor Dennett dealt with Members' questions before being thanked for his attendance.

#### Reason(s) for Decision

Working in partnership with all the schools across Halton would provide a more coherent, consistent offer for children and young people and the Borough.

#### Alternative Options Considered and Rejected

It was not considered appropriate to treat Academies and the Free School differently as the Halton offer could only be strengthened by all schools and the local authority working together.

#### Implementation Date

April 2016.

RESOLVED: That

- 1) the work undertaken by the Scrutiny Topic Group be noted; and
- 2) the recommendations of the Children, Young People and Families Policy and Performance Board be approved.

Strategic Director  
- People and  
Economy

## **HEALTH AND WELLBEING PORTFOLIO**

### **EXB133 HALTON BOROUGH COUNCIL AND NHS HALTON CLINICAL COMMISSIONING GROUP : JOINT WORKING AGREEMENT**

The Board considered a report of the Strategic Director, People and Economy, which presented an overview of the new Joint Working Agreement (JWA) between Halton Borough Council (HBC) and NHS Halton Clinical Commissioning Group (CCG).

The Board was advised that in April 2013, HBC and Halton CCG entered into a three year JWA for the commissioning of services for people with complex care needs. A revised JWA was presented to the Board on 26 March 2015, following the introduction of the Better Care Fund. However, it was reported that the focus on joint working and the pooling of resources had continued to develop and strengthen since the original JWA in 2013, and that there was a commitment to further develop an integrated approach to service delivery and transformation to improve the health and wellbeing of Halton residents.

It was noted that both organisations wanted to continue with the current arrangements in place and approval was sought to continue with this arrangement for another three years until 31 March 2019.

RESOLVED: That

- 1) the contents of the report and Appendix be noted; and
- 2) delegated authority be approved for the Health and Wellbeing Portfolio holder and the Director of Adult Social Services to approve the new Joint Working Agreement.

Strategic Director  
- People and  
Economy

## EXB134 BARKLA FIELDS BUNGALOWS

The Board considered a report of the Strategic Director, People and Economy, which sought approval to enter into an agreement with Halton Housing Trust in connection with specifically adapted bungalows at Barkla Fields.

The Board was advised that Halton Housing Trust (HHT) had developed five specially adapted bungalows at Barkla Fields, with the handover due in mid-March 2016. The Council and HHT sought to enter into an arrangement which would allow Social Care to nominate adults it supported, as tenants of HHT to include an equal risk share relating to the filling of voids including lost rent. Members were advised that provision would be included to revisit this arrangement if Local Housing Allowance was removed by Government. The specialist bungalows supported the Transforming Care agenda (Winterbourne View) and minimised the need for assessment and treatment beds and distant placements.

RESOLVED: That

- 1) the report be noted;
- 2) the entering into of an arrangement with Halton Housing Trust to share risks relating to voids at Barkla Fields bungalow be approved; and
- 3) delegated powers be given to the Strategic Director, People and Economy, in consultation with the Portfolio holder for Health and Wellbeing to implement this arrangement.

Strategic Director  
- People and  
Economy

## RESOURCES PORTFOLIO

### EXB135 REVENUES AND BENEFITS SYSTEM CONTRACTS

The Board considered a report of the Strategic Director, Community and Resources, which sought approval to extend three contracts currently provided by Northgate Public Services (UK) Limited, relating to the Council's Revenues and Benefits Computer System.

The Board was advised that the Council had successfully operated the Northgate system for over 15 years, for the provision of housing benefits, council tax support, council tax and business rates. There were three contracts with Northgate in relation to the revenues and

benefits computer system, as set out in the report.

Members were advised that the scale of the system meant that any changes would require significant preparatory work, a lengthy lead-in time, additional staff resource and significant costs. Initial discussions had been held with Northgate regarding the extension of all three contracts in order to have a co-terminus end date of 31 March 2021. A number of factors would support this extension in terms of value for money, which included that as well as being the market leader, Northgate were the Council's existing supplier; the system was compatible with the Council's Home Working Policy; and the likelihood of increased capital and revenue costs in terms of the implementation of a new system.

RESOLVED: That

- 1) the extension to the Northgate DOL.mailroom over 4 years and 7 months be approved;
- 2) the extension of the Northgate Information@work contract over 4 years and 2 months be approved;
- 3) the extension of the Northgate Revenues and Benefits contract over 3 years and 8 months be approved; and
- 4) the Waiver of Procurement Standing Order 4.1, Competition Requirements, be approved in the light of the exceptional circumstances and on the basis that compliance would result in a clear financial detriment to the Council, as set out in paragraphs 3.4 to 3.10 of the report.

Strategic Director  
- Community &  
Resources

#### EXB136 PENSIONS DISCRETIONS STATEMENT

The Board considered a report of the Strategic Director, Community and Resources, on the annual publication of the Pensions Discretions Statement (the Statement).

The Board was advised that the Statement for 2016/17 was based upon the Statement for 2015/16. No new discretions had been added or removed. In addition, there had been no material changes to the Local Government Pension Scheme Regulations 2013 which would result in a change to the Statement.

It was reported that minor drafting changes had been



made to the Statement for the purpose of adding clarity and to reflect a change in the Staffing Protocol effective 1 April 2016, as detailed in the report.

RESOLVED: That

- 1) the Pensions Discretions Statement for 2016/17 be approved; and
- 2) those discretions be exercised by the appropriate Strategic Director, in consultation with the Portfolio holder for Resources and the Operational Director, Finance. (In the case of applications from the Strategic Directors/Chief Executive, replace appropriate Strategic Director with Chief Executive/ Strategic Director, Community and Resources, respectively).

Strategic Director  
- Community &  
Resources

EXB137 'UNLOCKING OUR POTENTIAL - AN ORGANISATIONAL DEVELOPMENT STRATEGY FOR HALTON BOROUGH COUNCIL 2016-20'

The Board considered a report of the Strategic Director, Community and Resources, which sought endorsement of the document '*Unlocking Our Potential – an Organisational Development Strategy for Halton Borough Council 2016-2020*' (the Strategy).

The Strategy document was the successor to the People Plan. In line with the public sector generally, despite significant constraints in funding, the Council needed to maintain an effective, professional and motivated workforce, whilst at the same time creating opportunities for the workforce to maximise their potential. In formulating the Strategy the future needs of the community, our values and ways of working were considered as well as information on the workforce composition and feedback from the Staff Survey 2014.

It was noted that the Strategy was built around the following 5 Key Strategic Aims and each contained a number of objectives and actions with linked outcomes and timescales which would enable progress to be monitored:

- Workforce Skills and Development;
- Recruitment and Retention;
- Engagement and Recognition;
- Health and Wellbeing; and
- Innovation and Flexibility.

RESOLVED: That the implementation of the Council's 'Unlocking Our Potential – an Organisational Development Strategy for Halton Borough Council 2016-2020' be endorsed and implemented in April 2016.

Strategic Director  
- Community &  
Resources

*(N.B. Councillor Wharton declared a Disclosable Other Interest in the following item of business as he had a family member employed as a casual worker for Halton Borough Council, and did not speak or vote on the matter).*

#### EXB138 NATIONAL LIVING WAGE - UNDER 25S

The Board considered a report of the Strategic Director, Community and Resources, which sought approval to pay the National Living Wage to members of staff aged under 25.

The National Living Wage (NLW) was announced as part of the Government's Budget in July 2015 as a compulsory payment to workers aged 25 and over effective from 1 April 2016. It was reported that the NLW rate of pay would have no link with the cost of living but was instead based around median earnings. The NLW would apply to all categories of individual that were currently eligible for the National Minimum Wage; these included employees, most 'workers' (working under contract) and agency workers.

The report contained details of the policy implications and the provision of the NLW to all individuals working for Halton under an employment contract or a contract to personally perform services. It was reported that, given the practicalities of implementing the NLW from April 2016, Halton had prepared for the potential impact on pay structures, even though new pay structures under offer through the National Local Government pay negotiations were subject to agreement.

Members were advised that, on balance, there was insufficient justification to pay those under 25 less for doing exactly the same job. There would however, be a number of on-costs associated with this, including pension, National Insurance Contributions, auto enrolment and the need to maintain pay differentials within the workforce. For Halton, based on current staffing levels and ages, this would equate to an additional total cost of £34,734 in 2016/17. These estimated costs showed a steady cumulative increase in the total cost over the four year period, with an estimated annual cost of implementing the NLW of £1.1m by 2020/21.

RESOLVED: That the payment of the National Living Wage to members of staff aged under 25 be agreed and implemented from 1 April 2016.

Strategic Director  
- Community &  
Resources

#### EXB139 CONSTITUTION UPDATE 2016/17

The Board considered a report of the Strategic Director, Community and Resources, which sought the approval of the Council to a number of changes to the Constitution.

Members were advised that the revised version picked up the changes to the Council's working arrangements that had taken place during the year, as well as other changes which were intended to assist the Council to operate more effectively.

The proposals for change had been considered by the Chief Executive and the Executive Board Member for Resources in accordance with Article 16.02. It was reported that, apart from the purely technical changes, the proposed amendments that were considered to be of particular significance were listed as an appendix to the report.

Members considered a further recommendation to be added to Appendix 1 as follows:-

- (a) All references in the Constitution to the term "Chairman" be replaced by the term "Chair"; and
- (b) All references in the Constitution to the term "Vice Chairman" be replaced by the term "Vice Chair".

RESOLVED: That Council be recommended to approve the revised Constitution, including the matters set out in Appendix 1 attached to the report and with the additional recommendation as set out at (a) and (b) above.

Strategic Director  
- Community &  
Resources

#### EXB140 MADELINE MCKENNA COURT CARE HOME

RESOLVED: That the Chief Executive be authorised, in consultation with the Leader, the Operational Director Legal and Democratic Services, the Operational Director Finance, and the Director of Adult Services, to explore all options and to take all and any steps as may be required, insofar as it is reasonably practicable after applying due diligence, to ensure the continued operation of the Madeline McKenna Court Care Home.

Chief Executive

**MINUTES ISSUED: 30 March 2016**

**CALL - IN: 6 April 2016**

**Any matter decided by the Executive Board may be called in no later than 5.00pm on 6 April 2016**

*Meeting ended at 2.30 p.m.*