

Agenda Reports & Other Papers

Presented to the
Meeting of the
County Council on
**Tuesday
18 July 2017**



HERTFORDSHIRE COUNTY COUNCIL

THE COUNTY COUNCIL

SUMMONS AND AGENDA

for the meeting to be held on Tuesday, 18 July 2017 at 10.00 a.m. in the Council Chamber, County Hall, Hertford.

GROUP MEETINGS

Conservative Group	10.00am Monday, 17 July 2017 Council Chamber
Liberal Democrat Group	8.30 am Tuesday, 18 July 2017 Committee Room C
Labour Group	9.00 am Tuesday, 18 July 2017 Group Room

PRAYERS at 9.50 a.m.

Prayers led by Canon Terence Phipps, The Immaculate Conception & St Joseph, Hertford Parish

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

Members are reminded that:

- (1) if they consider that they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting they must declare that interest and must not participate in or vote on that matter unless a dispensation has been granted by the Standards Committee;
- (2) if they consider that they have a Declarable Interest (as defined in paragraph 5.3 of the Code of Conduct for Members) in any matter to be considered at the meeting they must declare the existence and nature of that interest but they can speak and vote on the matter.

PART I (PUBLIC) AGENDA

1. MINUTES

- (a) To confirm the Minutes of the Annual Meeting of the Council held at 10.00am on 23 May 2017 (circulated separately); and
- (b) To confirm the Minutes of the Extraordinary Meeting of the Council held at 2.00pm on 23 May 2017 (circulated separately).

2. CHAIRMAN'S ANNOUNCEMENTS

3. PUBLIC QUESTIONS - STANDING ORDER 8(10)

To deal with questions from any member of the public being resident in or a registered local government elector of Hertfordshire, to the Leader of the Council and Executive Members about the policies and /or strategic priorities of the Council or about any matter over which the Council has power or which directly affects the County.

3A. David Josephs to ask Teresa Heritage, the Executive Member for Children's Services, the following question:-

"In light of Herts Valleys Clinical Commissioning Group's decision to withdraw funding from Nascot Lawn from 31st October and, in light of the unrealistic timescale given to Herts County Council to make assessments and make alternative provision when at the time of writing, despite claims to the contrary, only 7 out of 22 families who responded had even been contacted to say an assessment would be arranged, that

- a) *Herts County Council works with Herts Valleys Clinical Commissioning Group and Herts Community Trust to ensure funding is maintained until at least 31st March 2018; and*
- b) *for Herts County Council to consider use of part of its reserve/underspend to ease the risk of a serious health and safeguarding issue resulting from this threatened withdrawal of funding."*

4. PUBLIC PETITIONS - STANDING ORDER 15

The opportunity for any member of the public, being resident in Hertfordshire, to present a petition relating to a matter over which the County Council has control, containing 1,000 or more signatories who are either resident in or who work in Hertfordshire.

Notification of intent to present a petition must have been given to the Chief Legal Officer at least 20 clear days before the meeting where an item relating to the subject matter of the petition does not appear in the agenda, or at least 5 clear days where the item is the subject of a report already on the agenda.

[Members of the public who are considering raising an issue of concern via a petition are advised to contact their local County Councillor <http://www.hertfordshire.gov.uk/your-council/>

The Council's arrangements for the receipt of petitions are set out in [Annex 22 - Petitions Scheme](#) of the Constitution].

If you have any queries about the petitions procedure for this meeting please contact Elaine Shell, Democratic Services Manager, by telephone on (01992) 555565 or by email to elaine.shell@hertfordshire.gov.uk

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- 4A.** A petition containing more than 1000 signatures will be presented on the following matter:-

“SAVE NHS Nascot Lawn Children's Respite Services

On Friday 16th June, many families across Hertfordshire received the devastating news that due to NHS budget cuts funding for Nascot Lawn Children's Respite Service will be no more. Nascot Lawn will therefore close on 31st October 2017.

Nascot Lawn Respite Services provide regular overnight respite and care for children and young adults with severe learning and physical disabilities with additional complex medical needs. A day care service for children under 5 is also provided.

Nascot Lawn allows parents and carers to take a much needed break, confident in the knowledge that their child is receiving the highest standard of care by familiar staff. The staff are made up of an experienced team of qualified Learning Disability and Sick Children Nurses and trained Health Care Support Workers. The staff strive to meet all children's and young adults emotional and physical care needs along provided them with activities that they enjoy. Many of the Parents and Carers see the staff as an extension of their families. Nascot Lawn is described as 'Home from Home'. It deeply saddens us that the well-loved staff face losing their jobs also.

Looking after a loved one can be enormously rewarding, But it can also be both utterly physically and mentally exhausting. Without vital breaks provided by Nascot Lawn Respite Services, carers can often reach breaking point where they can no longer continue and their own physical and mental health deteriorates as a result.

On the NHS Nascot Lawn website itself they quote "This care enables families to continue to look after children with very complex needs in their own home".

What is more vital than that?

Trust us, we understand how strained the NHS is at the moment. We have first-hand experience of this. BUT how can it be right to cut vital services from the most vulnerable of society."

The report of the Director of Children's Services on the background to the subject of the petition is attached.

5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

5A. COUNTY COUNCIL CORPORATE PLAN 2017 - 2021

Portfolio: Leader of the Council

Report of the Director of Resources (attached)

6. EXECUTIVE REPORT TO COUNTY COUNCIL

Report of the Executive (attached).

7. QUESTIONS TO EXECUTIVE MEMBERS

To deal with questions from Members of the Council to the Leader of the Council and Executive Members.

8. REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE

Report of the Chairman of the Overview and Scrutiny Committee (attached)

9. REPORT FROM THE HEALTH SCRUTINY COMMITTEE

Report of the Chairman of the Health Scrutiny Committee (attached)

10. MEMBERS' ALLOWANCES 2017/18 – Report of the Independent Panel on Members' Allowances

Report from the Independent Panel on Members' Allowances (attached)

11. CHANGES TO THE COUNTY COUNCIL'S CONSTITUTION

Report of the Chief Legal Officer (attached)

12. NOTICES OF MOTION – STANDING ORDER 9 (6)

12A. M A Watkin to move (seconder: S Jarvis):-

“This Council notes that Headteachers in Hertfordshire were amongst the 4000 across England who recently wrote to parents highlighting the growing crisis in school funding and that the government’s current proposals will lead to a year terms cut in per pupil funding over the next

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five years. It supports these efforts by Hertfordshire Headteachers to secure adequate funding for their schools and resolves that the Executive Member for Education, Libraries and Localism write to the Secretary of State for Education expressing this view.”

A handwritten signature in black ink, appearing to read 'K. Pettitt', with a stylized, cursive script.

KATHRYN PETTITT
CHIEF LEGAL OFFICER

Full copies of all reports may be found on the internet at

<https://cmis.hertfordshire.gov.uk/hertfordshire/CabinetandCommittees.aspx>

Minutes



To: All Members of the Council
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

MINUTES of the Annual Meeting of the County Council held at County Hall, Hertford, on Tuesday, 23 May 2017.

MEMBERS IN ATTENDANCE

D Andrews	E M Gordon	R G Parker
D A Ashley	R I N Gordon	S Quilty
D J Barnard	S Gordon	N A Quinton
S Bedford	J M Graham	I M Reay
N Bell	J S Hale	R M Roberts
J Bennett Lovell	D Hart	A F Rowlands
P Bibby	K M Hastrick	R Sangster
J Billing	T C Heritage	R H Smith
S N Bloxham	D J Hewitt	A Stevenson
S J Boulton	F R G Hill	S J Taylor
A P Brewster	C K Hogg	R A C Thake
M Bright	N A Hollinghurst	R G Tindall
S Brown	T W Hone	A S B Walkington
E H Buckmaster	T Howard	M A Watkin
F Button	T R Hutchings	C J White
L A Chesterman	S K Jarvis	A D Williams
C Clapper	J R Jones	J D Williams
R C Deering	J S Kaye	T J Williams
T L F Douris	A K Khan	C B Woodward
D S Drury	J G L King	C B Wyatt-Lowe
M A Eames-Petersen	P V Mason	W J Wyatt-Lowe
S J Featherstone	G McAndrew	J F Wyllie
B A Gibson	M B J Mills-Bishop	P M Zukowskyj
S B A F H Giles-Medhurst	A J S Mitchell	

Upon consideration of the agenda for the Annual Meeting of the County Council held on 23 May 2017, as circulated, action was taken or decisions were reached as follows:-

**CHAIRMAN'S
INITIALS**

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1. ELECTION OF CHAIRMAN OF THE COUNCIL

- 1.1 The Chairman, **F Button**, not being herself a candidate for election, called for nominations.
- 1.2 **R A C Thake** was nominated by **R I N Gordon** and this was seconded.
- 1.3 There being no other nominations, **R A C Thake** was declared ELECTED Chairman of the Council to hold office until the Annual Meeting of the Council next following.
- 1.4 He signed his declaration of acceptance of office, thanked the Council and took the Chair.
- 1.5 The outgoing Chairman, **F Button**, paid tribute to her Vice-Chairman (**R H Beeching**) and the Council's Honorary Aldermen, thanked the Members and officers who had supported her during her Chairmanship, and gave her best wishes to the Council and her successor.
- 1.6 **R I N Gordon** was joined by **S B A F H Giles-Medhurst** and **J Billing** in paying tribute to the outgoing Chairman and her many years of service as a Member of the County Council and for her Chairmanship of the Council over the last two years.

2. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

- 2.1 The Chairman called for nominations.
- 2.2 **W J Wyatt-Lowe** was nominated by **R I N Gordon** and this was duly seconded. There being no other nominations, **W J Wyatt-Lowe** was declared ELECTED Vice-Chairman of the Council to hold office until the Annual Meeting of the Council next following. He signed the declaration of acceptance of office and thanked the Council.

3. MINUTES

- 3.1 The Minutes of the meeting of the Council held on 21 March 2017 were confirmed as a correct record and signed by the Chairman.

4. CHAIRMAN'S ANNOUNCEMENTS

- 4.1 Before continuing with the formal business of the meeting the Chairman made the following announcements:-

CHAIRMAN'S
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(i) Terrorist Attack at Manchester Arena

The Chairman referred to the morning's news reporting of the terrorist attack at Manchester Arena the previous evening which had resulted in the death of several concert goers, including children. Council conveyed its sympathies to those affected and their families.

(ii) Death of former County Councillor Janet Anderson

The Chairman advised that Council had received the sad news that former County Councillor Janet Anderson had passed away on 17 March 2017 aged 84 years. Janet, who represented Kings Langley, was elected to the Council in a by-election in September 1996, taking the seat of her husband Iain Anderson who had passed away earlier that year. She served as a county councillor until 2003 when she stood down due to ill-health. Her great passions were education and the environment and during her time as a county councillor she served on the Council's Development Control Committee and on the Hertfordshire Waste Panel, on which she also served as Chairman.

R M Roberts, S B A F H Giles-Medhurst and J Billing spoke in tribute.

Council stood in memory of those killed at Manchester Arena and Janet Anderson.

(iii) County Council Photograph

Members were reminded by the Chairman that the annual group photograph of all councillors would be taken on the rising of that meeting of Council.

(iv) Member Technology Support Training and Demonstration

The Chairman advised Council that Member Technology Support Training and Demonstrations would be available in the Mimram Bar and Chairmans Dining Room on the rise of the Extraordinary Meeting of Council that afternoon.

**CHAIRMAN'S
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5. ELECTION OF COUNTY COUNCILLORS

- 5.1** Council paid tribute to those Members of the Council, who had stood for re-election in the May 2017 local government elections but who had not been returned, for the service they had given to their communities.
- 5.2** The following motion proposed by **R A C Thake** as Chairman was CARRIED:-

“That Council notes the report.”

6. ELECTION OF LEADER OF THE COUNCIL

- 6.1** The Chairman called for nominations.
- 6.2** **R I N Gordon** was nominated by **J D Williams** and this was seconded.
- 6.3** There being no other nominations, **R I N Gordon** was elected Executive Leader of the Council in accordance with Section 7 of the Constitution, to hold office for the period ending on the day of the Annual Meeting of the Council following the next ordinary election of County Councillors in 2021.
- 6.4** **R I N Gordon** addressed Council and confirmed Executive Members and Executive Member Portfolios as follows:-

Executive Member	Portfolio
D A Ashley	Environment, Planning and Transport
T L F Douris	Education, Libraries and Localism
T C Heritage	Children’s Services
T W Hone	Community Safety and Waste Management
R M Roberts	Public Health, Prevention and Performance
R Sangster	Highways
J D Williams	Resources, Property and the Economy
C B Wyatt-Lowe	Adult Care and Health

7. APPOINTMENT OF DIRECTOR OF ADULT SOCIAL SERVICES AND CHANGES TO THE COUNTY COUNCIL CONSTITUTION

- 7.1** The following motion proposed by **R I N Gordon** and duly seconded was CARRIED:-

“That Council:

**CHAIRMAN’S
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- (a) *appoints the post of Director of Adult Care Services as the Council's Director of Adult Social Services;*
- (b) *agrees the changes to the Council's Constitution as set out in Parts 1 and 2 of Appendix 1 and Appendix 2 to the Report;*
- (c) *notes the changes made to the Council's Constitution by the Chief Legal Officer as set out in Part 3 of Appendix 1 the Report;*
- (d) *agrees the changes to the Council's constitution set out in Part 4 of Appendix 1 to the Report."*

8. APPOINTMENT OF AN INDEPENDENT PERSON

- 8.1 The following motion proposed by **R I N Gordon** and duly seconded was CARRIED:-

"That Terry Morris be appointed as Independent Person for the County Council for a four year term with an option to extend the term for a further two years".

9. REVIEW OF POLITICAL PROPORTIONALITY

- 9.1 The following motion proposed by **R I N Gordon** and duly seconded was CARRIED with no Member voting against:-

- "(1). That Council adopts the draft scheme of proportionality for 2017/18 as set out in the Appendix to the Report; and*
- (2) that, in respect of Overview & Scrutiny Committee and Health Scrutiny Committee and any topic group or sub-committee of Overview & Scrutiny Committee or Health Scrutiny Committee, the Council waives the requirements for proportionality so as to agree the arrangements set out in Part B of the Appendix to the Report for Overview & Scrutiny Committee and Health Scrutiny Committee provided that the Leader of any of the three largest political groups on the Council can request at any time a review of political proportionality in respect of Overview & Scrutiny Committee and Health Scrutiny Committee."*

10. APPOINTMENTS TO COMMITTEES

- 10.1 The Council made the following appointments to Committees for the ensuing year (nominations having been proposed on behalf of each Group and duly seconded); Members to remain in office unless there is a resolution to the contrary at a future Annual Meeting of the Council or

**CHAIRMAN'S
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following a review of political proportionality:-

<u>Committee</u>	<u>Conservative Group Nominees</u>	<u>Liberal Democrat Group Nominees</u>	<u>Labour Group Nominees</u>
Audit Committee (6:3:1)	P Bibby S N Bloxham F Button J M Graham A J S Mitchell W J Wyatt-Lowe	C K Hogg T J Williams P M Zukowskyj	A K Khan
Development Control Committee (7:2:1) (and substitute members)	D Andrews D J Barnard S J Boulton M D M Muir S Quilty I M Reay A Williams <u>Substitutes</u> J R Jones A J S Mitchell R H Smith	D S Drury J S Hale <u>Substitutes</u> S Bedford	E M Gordon <u>Substitutes</u> M A Eames-Petersen
Employment (3:1:1)	R I N Gordon R M Roberts J D Williams	S B A F H Giles-Medhurst	J Billing
Health Scrutiny (7:2:1) <i>(The Committee also includes 10 District Council representatives)</i>	S Brown E H Buckmaster F Guest D Hart M S Hearn D J Hewitt S Quilty	R G Tindall C J White	M A Eames-Petersen
Health & Wellbeing Board <i>(Leader of the Council's nominations)</i>	T C Heritage R M Roberts C B Wyatt-Lowe		
Overview and Scrutiny (7:2:1) <i>(The Committee also includes 4 parent governor and 2 church representatives when considering education matters)</i>	D Andrews F Button H K Crofton R C Deering D J Hewitt J S Kaye I M Reay	K M Hastrick N A Quinton	J Bennett Lovell
Pensions Committee (7:2:1)	S J Boulton J M Graham C M Hayward	D S Drury R G Parker	J G L King

**CHAIRMAN'S
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	A J S Mitchell S Quilty R Sangster J D Williams		
Standards Committee (3:1:1)	D J Hewitt A Plancey W J Wyatt-Lowe	R G Parker	N Bell

- 10.2** The Council also resolved that the non-County Councillor Members of the Overview and Scrutiny Committee and Health and Wellbeing Board be appointed as follows:

Overview and Scrutiny Committee: Non-County Councillor Members -

Church representatives (2): John Sloan (Archdiocese of Westminster Schools Commission) and David Morton (Education Board of the Diocese of St Albans).

Parent Governor Representatives (4): Andrew Charlwood and Jan Cameron [2 positions currently vacant]

Health and Wellbeing Board: Non-County Councillor Members –

B Flowers, H Pathmanathan, K Magson, N Small, Clinical Commissioning Groups,
J Coles, Director of Children's Services,
I MacBeath, Director of Adult Care Services
J McManus, Director of Public Health,
M Downing, Healthwatch Hertfordshire,
L Haysey, L Needham, District Council representatives,
N Carver, NHS Provider representative
D E Lloyd, Hertfordshire Police and Crime Commissioner

11. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

- 11.1** The following Members were appointed as Chairmen and Vice-Chairmen of Committees for the ensuing year, having been proposed and duly seconded:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit Committee	F Button	W J Wyatt-Lowe
Development Control Committee	I M Reay	M D M Muir
Employment	R I N Gordon	J D Williams
Health & Wellbeing Board	C B Wyatt-Lowe	

**CHAIRMAN'S
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Overview and Scrutiny	D Andrews	Lib Dem: K M Hastrick Labour: J Bennett Lovell
Health Scrutiny	S Quilty	C J White
Pensions Committee	J D Williams	C M Hayward
Standards Committee	D J Hewitt	W J Wyatt-Lowe

12. APPOINTMENTS TO JOINT COMMITTEES

- 12.1** The following motion proposed by **R I N Gordon** and duly seconded was CARRIED:-

*“That **C B Woodward** be appointed as the County Council’s representative on the Hertfordshire Police and Crime Panel”.*

- 12.2** The following motion proposed by **R I N Gordon** and duly seconded was CARRIED:-

*“That **J D Williams** be appointed as the County Council’s representative on the Local Government Pension Scheme ACCESS Joint Committee”.*

13. REPRESENTATION ON THE LOCAL GOVERNMENT ASSOCIATION AND COUNTY COUNCILS’ NETWORK

- 13.1** The following Members, having been proposed and duly seconded, were APPOINTED as follows:-

1. **R I N Gordon, J D Williams, R M Roberts** and **C J White** to serve as the representatives of the County Council on the Local Government Association General Assembly until the Annual Meeting of the Council next following.
2. That all the available votes at the Local Government Association General Assembly be allocated to the Conservative Group representatives present at each Assembly Meeting.
3. **R I N Gordon, J D Williams, R M Roberts**, and **S B A F H Giles-Medhurst** to serve as the representatives of the County Council on the Council of the County Councils’ Network with all available votes being allocated to the Conservative Group representatives present at each Council Meeting.

KATHRYN PETTITT
CHIEF LEGAL OFFICER

CHAIRMAN’S
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CHAIRMAN.....

**CHAIRMAN'S
INITIALS**

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Minutes



To: All Members of the Council
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

MINUTES of the Extraordinary Meeting of the County Council held at County Hall, Hertford, on Tuesday, 23 May 2017 for the purpose of appointing Honorary Aldermen.

MEMBERS IN ATTENDANCE

D Andrews	S Gordon	A Plancey
D A Ashley	J M Graham	S Quilty
N Bell	J S Hale	I M Reay
J Bennett Lovell	D Hart	R M Roberts
P Bibby	K M Hastrick	A F Rowlands
J Billing	T C Heritage	R Sangster
S N Bloxham	D J Hewitt	R H Smith
A P Brewster	F R G Hill	A Stevenson
S Brown	C K Hogg	S J Taylor
E H Buckmaster	T W Hone	R A C Thake (Chairman)
F Button	T Howard	R G Tindall
L A Chesterman	T R Hutchings	A S B Walkington
C Clapper	S K Jarvis	A D Williams
R C Deering	J R Jones	J D Williams
T L F Douris	J S Kaye	T J Williams
M A Eames-Petersen	A K Khan	C B Woodward
S J Featherstone	G McAndrew	C B Wyatt-Lowe
S B A F H Giles-Medhurst	M B J Mills-Bishop	W J Wyatt-Lowe
E M Gordon	A J S Mitchell	P M Zukowskyj
R I N Gordon	R G Parker	

Upon consideration of the agenda for the Extraordinary Meeting of the County Council held on 23 May 2017, as circulated, action was taken or decisions were reached as follows:-

CHAIRMAN'S INITIALS

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1. **MINUTES**

- 1.1 Council agreed to defer consideration of the Minutes of the Annual Meeting of the Council held at 10.00am on 23 May 2017 to the next meeting of the Council on 18 July 2017.

2. **APPOINTMENT OF HONORARY ALDERMEN FOR HERTFORDSHIRE**

2.1 **Roger Hugh Beeching**

The following motion proposed by **F Button** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 Roger Hugh Beeching be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services he has rendered to the people of Hertfordshire through the performance of his duties as a member of the County Council from 2009 to 2017 including his service from 2015 to 2017 as Vice-Chairman of the County Council.”

2.2 **Geoffrey Roy Churchard**

The following motion proposed by **S B A F H Giles-Medhurst** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 Geoffrey Roy Churchard be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services he has rendered to the people of Hertfordshire through the performance of his duties as a member of the County Council from 1997 to 2017.”

2.3 **Aislinn Lee**

The following motion proposed by **S B A F H Giles-Medhurst** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 Aislinn Lee be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services she has rendered to the people of Hertfordshire through the performance of her duties as a member of the County Council from 1993 to 2017.”

**CHAIRMAN'S
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2.4 John Lloyd

The following motion proposed by **S J Taylor** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 John Lloyd be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services he has rendered to the people of Hertfordshire through the performance of his duties as a member of the County Council from 1981 to 1989 and again from 2005 to 2017.”

2.5 Peter Alan Ruffles

The following motion proposed by **R H Smith** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 Peter Alan Ruffles be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services he has rendered to the people of Hertfordshire through the performance of his duties as a member of the County Council from 2001 to 2017 including his service from 2013 – 2015 as Vice-Chairman of the County Council.”

2.6 Alan Maurice Ronald Searing

The following motion proposed by **R I N Gordon** and duly seconded, was unanimously CARRIED:

“That in pursuance of Section 249 of the Local Government Act 1972 Alan Maurice Ronald Searing be admitted as an Honorary Alderman of the County of Hertfordshire in recognition of the eminent services he has rendered to the people of Hertfordshire through the performance of his duties as a member of the County Council from 1997 to 2017.”

The Chairman presented each of the Honorary Aldermen with an engraved pendant to mark their appointment.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN.....

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INITIALS**

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BACKGROUND TO THE PETITION 'SAVE NHS NASCOT LAWN CHILDREN'S RESPITE SERVICES'

Report of the Director of Children's Services

Author: Marion Ingram, Operations Director, Specialist Services (Tel: 01992 588620)

Executive Member: Teresa Heritage, Children's Services

1. Purpose of report

- 1.1 To advise the County Council of the receipt of a petition entitled 'SAVE NHS Nascot Lawn Children's Respite Services' and to set out for Members the background and other relevant information of which officers are aware relating to the subject matter of the petition.

2. Summary

- 2.1 Notice of intention to present a petition concerning this matter containing 1,000 or more signatures has been received pursuant to the County Council's Petition Scheme. The petition states:-

"SAVE NHS Nascot Lawn Children's Respite Services

On Friday 16th June, Many families across Hertfordshire received the devastating news that due to NHS budget cuts funding for Nascot Lawn Children's Respite Service will be no more. Nascot Lawn will therefore close on 31st October 2017.

Nascot Lawn Respite Services provide regular overnight respite and care for children and young adults with severe learning and physical disabilities with additional complex medical needs. A day care service for children under 5 is also provided.

Nascot Lawn allows parent and carers to take a much needed break, confident in the knowledge that their child is receiving the highest standard of care by familiar staff. The staff are made up of an experienced team of qualified Learning Disability and Sick Children Nurses and trained Health Care Support Workers. The staff strive to meet all children's and young adults emotional and physical care needs along provided them with activities that they enjoy. Many of the parents and carers see the staff as an

extension of their families. Nascot Lawn is described as 'Home from Home'. It deeply saddens us that the well-loved staff face losing their jobs also.

Looking after a loved one can be enormously rewarding, but it can also be both utterly physically and mentally exhausting. Without vital breaks provided by Nascot Lawn Respite Services, carers can often reach breaking point where they can no longer continue and their own physical and mental health deteriorates as a result.

On the NHS Nascot Lawn website itself they quote "This care enables families to continue to look after children with very complex needs in their own home".

What is more vital than that?

Trust us, we understand how strained the NHS is at the moment. We have first-hand experience of this. BUT how can it be right to cut vital services from the most vulnerable of society."

- 2.2 The County Council's Petition Scheme provides that officers will prepare a Report for Members setting out the background and other relevant information of which they are aware relating to the subject matter of the petition.

3. Procedure

- 3.1 The petition which is the subject of this report has been received in accordance with the Council's Petition Scheme (Annex 22 to the Constitution).
- 3.2 The deadline for receipt of motions from Members in respect of this Report under Standing Order 9 (3) is noon on Thursday, 13 July 2017.
- 3.3 Paragraph 54 of the Petition Scheme provides that the Petition Organiser will be given three minutes maximum to present the petition and will not otherwise be allowed to speak at the meeting. There is then a short debate by Council.
- 3.4 Paragraph 57 of the Petition Scheme states:

The Council will decide how to respond to the petition at the meeting. It may decide to take the action the petition requests or not to take the action requested for reasons put forward in the debate. Where the issue is one on which the Council Executive is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. If the Council does not decide to deal with the petition in some other way, it will (at the discretion of the Chairman) be referred to the Overview and Scrutiny Committee, the appropriate Cabinet Panel or to officers for consideration and report to the Local Member and Group Spokesmen.

- 3.5 The subject matter of the petition relates to an Executive function and as such Council cannot make a decision on it but may make a recommendation to the Executive if it so wishes.

4 Background and Other Relevant Information

- 4.1 During 2015 a review of Overnight Short Breaks (OSB) Services was carried out under the 'Hertfordshire 0 – 25 Integrated Commissioning Strategy'. In April 2016 OSB Providers were advised, by letter, that initial findings indicated reduced demand for OSB services to meet specific social care needs; however, there has been no decline in the number of children and young people with complex health needs eligible to use overnight short break services commissioned by both the County Council and the Hertfordshire Clinical Commissioning Groups (CCGs).
- 4.2 The letter outlined further work which was required to inform future commissioning decisions. This work included consultation with children and their families, the development of a joint assessment and decision making process, an options appraisal regarding jointly commissioning OSB and the intention to co-produce the future model and the volume of OSB services to be commissioned with children, young people and their families and key partners including both CCG's, and the County Council . The letter was signed by the Council and both CCG's.
- 4.3 On 22 September 2016 a report was prepared by Herts Valleys CCG (HVCCG) and the County Council which was taken through the respective programme/management boards. The paper made the following recommendation: ***To jointly commission a fully integrated Overnight Short Breaks service model for health and social care.*** The recommendation was agreed by both programme boards.
- 4.4 On 2 February 2017, John Wood, County Council Chief Executive received a telephone call from the then Chief Accountable Officer of HVCCG, Cameron Ward. During the call Mr Ward questioned why HVCCG paid for Nascot Lawn respite provision for children and their carers. Mr Wood was advised by Council officers of the joint review and the proposal as it stood at that time. On 7 February 2017, Mr Wood advised Jenny Coles, Director of Children's Services, that he and Mr Ward had agreed that the funding of Nascot Lawn would be picked up as part of the review.
- 4.4 The County Council continued to work with the two CCGs, meeting on 28 March and 9 April. On 10 April 2017, officers received an email from HVCCG confirming actions from the meeting on 9 April. The list of action notes included the development of a single referral process, the costing of the model and further meetings scheduled for the 26 April and 11 May 2017. Due to the pending local elections, parent carers were not involved in the work at that time.
- 4.5 On 21 April 2017 the County Council received an email from HVCCG stating *"The CCG has concluded we will no longer fund respite services because*

we are not legally able to do so". The Director of Children's Services was formally notified of the decision to cease funding on 3 May 2017 in a letter from Kathryn Magson, Chief Executive Officer, HVCCG. The letter stated "Despite our financial position, the CCG can only commission services that the relevant legislation permits it to do". It also included the sentence "The CCG funding for Nascot Lawn will cease on 1 November 2017."

- 4.6 Since receipt of HVCCG's notification of intention to cease funding officers have met with East and North Herts (E&NH) CCG, HVCCG and Hertfordshire Community NHS Trust (HCT) on an almost weekly basis.
- 4.7 The County Council recognises that it has a duty in respect of the provision of social care to deliver short breaks services and a range of such services are available across the County.
- 4.8 The responsibility for commissioning Health Services and its provision is detailed in legislation and case law as the responsibility of Health Bodies such as HVCCG. Recent legal guidance from the Council for Disabled Children sets out that CCG's are under an obligation *"to assess disabled children to see if it is necessary to meet their reasonable requirements for short breaks"*.
- 4.9 It is clear, therefore, that there is an obligation to provide respite provision on both the County Council and HVCCG depending on the identified need. The County Council maintains an ambition to proceed as had been previously agreed with the CCG to deliver an integrated service to children and young people.
- 4.10 The Council's budget for overnight short-breaks is used to fund the three units already commissioned by the Council; West Hyde in Rickmansworth; Jubilee (Peartree) in Welwyn Garden City; and the Pines in Hertford. These settings provide OSB which primarily address social care needs.
- 4.11 All parents using the Nascot Lawn service have been contacted by the Council's 0 – 25 Together Service and both CCGs have committed to undertaking joint assessments, wherever possible, during July. Families will not need to ask for a reassessment and neither will they need to repeat information that is already held by the County Council. The purpose of the assessments is to develop plans as to how the child and family will be supported going forwards. Each plan will be personalised for the individual child and their unique situation.
- 4.12 The County Council funded overnight short breaks units mentioned above are able to meet the needs of a number of children with complex health needs. To date this has been mainly for children from E&NHCCG, however this 'specialist' provision can be extended and officers are currently working with providers to consider this. A working group including the Parent Carer Forum, Hertfordshire Parent Carer Involvement (HPCI), parents who use Nascot Lawn and relevant practitioners is being established to consider how best to move forward together at this very difficult time. Officers

recognise the distress that the current situation is causing and is working hard to reassure parents wherever possible and to make joint plans for the future involving parents and both CCGs.

5. Financial Implications

- 5.1 HVCCG and E&NHCCG jointly commission HCT to deliver Nascot Lawn OSB Service. The value of the contract is £660,000. HVCCG contribute £600,000 whilst E&NHCCG contribute £60,000. Senior officers from HCT have confirmed that the contract value covers the delivery of the service including all nursing care. They note that some central functions, such as a number of senior management hours, may be enhanced by the much larger, overarching contract that HCT has with the two CCG's. This is important to note since some of the parents who attended the meetings arranged by HVCCG gained an understanding that the nursing care was delivered outside the £660,000 main contract. HCT own the Nascot Lawn building.
- 5.2 The closure of Nascot Lawn has financial implications for the Council in a number of ways. Additional, unscheduled assessments of children will require additional staffing. Extending current contracts with providers of OSB services, if this is possible, will require, as yet unquantified, additional expenditure. Increased short breaks of other kinds either for families currently using Nascot Lawn or families using other settings (to free up capacity) will also incur additional expenditure. Nascot Lawn currently delivers approximately 1400 nights of care per year.

6. Equalities

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 6.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

- 6.4 An Equalities Impact Assessment (EqIA) has been completed by HVCCG and is attached as an Appendix to this report. The County Council will work with the two CCGs to minimise any adverse impact on children and their families affected by this decision.

7. Health Scrutiny Committee – Meeting on 19 July 2017

- 7.1 The County Council's Health Scrutiny Committee will also consider a report on this matter at its meeting on 19 July 2017. The agenda and reports for this meeting can be viewed here
<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/612/Committee/12/Default.aspx>
[X](#)

Background Information

Letters from HVCCG and E&NHCCG to parents

<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/519/Committee/4/Default.aspx>

HVCCG letter of 3/5/17 to the County Council's Director of Children's Services

<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/519/Committee/4/Default.aspx>

Equality Analysis

Title of policy, service, proposal etc being assessed:

Decommissioning of Nascot Lawn overnight respite unit – for children and young people (CYP) with Learning Disability (LD) and complex health needs

What are the intended outcomes of this work? Include outline of objectives and function aims

To ensure that health funding is spent on health care needs, there is no statutory requirement for CCG to fund respite provision.

CYP with LD and complex health needs and their parents will be offered an assessment by Hertfordshire County Council (HCC) for alternative respite in a HCC provision. HCC currently offer 3 overnight respite facilities – 2 of which offer overnight respite for CYP with LD and complex health needs.

Parents will continue to receive overnight respite care for their CYP via an alternative provider

CYP will continue to enjoy overnight respite with other CYP with similar needs.

How will these outcomes be achieved? What is it that will actually be done?

Funding for respite care by HVCCG will cease as this does not meet health needs - This provision is currently provided for Hertfordshire CCGs by Hertfordshire Community Trust (HCT) at Nascot Lawn.

The process for decision making will be via the HVCCG investment committee.

Process:

- Agreement for decommissioning via HVCCG investment committee
- Strong support from CCG Communications dept.
- Consultation with:
 - E&NCCG
 - HCC
 - HCT
- CYP and parents currently using Nascot Lawn for overnight respite care
- CYP and their parents will be redirected to HCC for assessment for respite care

Who will be affected by this work? e.g. staff, patients, service users, partner organisations etc. If you believe that there is no likely impact on people explain how you've reached that decision and send the form to the equality and diversity manager for agreement and sign off

- Parents/carers of children and young people attending Nascot Lawn for overnight short

breaks .

- CYP currently attending Nascot Lawn as they will need to be reassessed by HCC and move to another respite unit offered by HCC
- Parents of CYP 5-7years, and CYP 5-7years of age will not meet HCC criteria for overnight respite unit provision – HCC overnight respite provision is offered to CYP 8 years of age and over. However, this group of CYP may meet HCC criteria for an alternative respite provision.
- Herts Community Trust staff working in Nascot Lawn
- East and North Herts CCG, (ENHCCG) who also commission Nascot Lawn as part of their block contract with HCT (currently have 11 CYP in the unit)
- Hertfordshire County Council as commissioners of overnight short breaks for children and young people

Evidence

What evidence have you considered? Against each of the protected characteristics categories below list the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic).

This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on page 9 of this template.

If you are submitting no evidence against a protected characteristic, please explain why.

Age Consider and detail age related evidence. This can include safeguarding, consent and welfare issues.

- Respite care in Nascot Lawn is offered to CYP 5-19 years of age.

Disability Detail and consider disability related evidence. This can include attitudinal, physical and social barriers as well as mental health/ learning disabilities.

- Respite care is primarily for the benefits of parents/carers is not dependent on parental disability

CYP with LD and complex health needs will need to be reassessed against HCC criteria.

Gender reassignment (including transgender) Detail and consider evidence on transgender people. This can include issues such as privacy of data and harassment.

N/A

Marriage and civil partnership Detail and consider evidence on marriage and civil partnership. This

can include working arrangements, part-time working, caring responsibilities. N/A
Pregnancy and maternity Detail and consider evidence on pregnancy and maternity. This can include working arrangements, part-time working, caring responsibilities. N/A
Race Detail and consider race related evidence. This can include information on difference ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers. N/A
Religion or belief Detail and consider evidence on people with different religions, beliefs or no belief. This can include consent and end of life issues. N/A
Sex Detail and consider evidence on men and women. This could include access to services and employment. N/A
Sexual orientation Detail and consider evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers. N/A
<p>Carers Detail and consider evidence on part-time working, shift-patterns, general caring responsibilities.</p> <p>Impact on parents/carers -</p> <ul style="list-style-type: none"> • They will be required to engage with HCC assessment process • Parents/carers of CYP aged 5-7years of age may be offered an alternative respite solution rather than out of home overnight care as HCC only offer out of home respite care to CYP 8 years and older • Parents and carers hold respite care at Nascot Lawn in high regard (previous parent/carer survey conducted by HCC in conjunction with HVCCG/E&NHCCG - 2016) and may be anxious about change • Parents/carers will be required to support their CYP through a change in respite provision in conjunction with HCC •
Other identified groups Detail and consider evidence on groups experiencing disadvantage and

barriers to access and outcomes. This can include different socio-economic groups, geographical area inequality, income, resident status (migrants, asylum seekers).

N/A

Engagement and involvement

How have you engaged stakeholders with an interest in protected characteristics in gathering evidence or testing the evidence available?

No consultation or engagement with stakeholders/patients or the public has taken place on proposals to decommission Nascot Lawn.

HVCCG, ENHCCG and Herts County Council have worked together on a review of all overnight short break provisions. Parent/carers feedback on Nascot Lawn was extremely positive. It is important to note that whilst this review involved feedback from parents/carers it was not specific to the potential decommissioning of Nascot Lawn. (2016)

How have you engaged stakeholders in testing the policy or programme proposals?

No involvement to date

For each engagement activity, please state who was involved, how and when they were engaged, and the key outputs:

Summary of Analysis

Considering the evidence and engagement activity you listed above, please summarise the impact of your work. Consider whether the evidence shows potential for differential impacts, if so state whether adverse or positive and for which groups and/or individuals. How you will mitigate any negative impacts? How you will include certain protected groups in services or expand their participation in public life?

- Parents and carers of CYP with LD and complex health needs will no longer be able to benefit from overnight respite care for their CYP at Nascot Lawn
- CYP with LD and complex health needs will no longer be able to access overnight respite care at Nascot Lawn.
- HCC will be required to offer CYP who currently access a respite service at Nascot Lawn an assessment for HCC respite provision
- HCC will be required to fund the provision if CYP meet criteria.

Mitigating circumstances:

All of the following services, commissioned by HVCCG, support children with LD and complex health conditions

- Clinical care of CYP will not be adversely affected – CYP will continue to have full access to clinical care in community; acute and tertiary health services.
- Palliative care for CYP with life limiting conditions (which may include overnight respite +/- symptom care within the hospice environment),
- Children's Continuing Health Care,(which may include overnight health care within the CYP's own home)
- Children's community nursing (which provides nursing care, advice and support for CYP within their own homes, schools or nurseries)
- Special school nursing. (nursing care/support in the school environment)
- CYP aged 8-19 years will be highly likely to meet HCC respite care provision criteria.
- HVCCG will continue to fund joint packages of respite care in conjunction with Hertfordshire County Council.
- CYP who currently access Nascot Lawn will be eligible for assessment for overnight respite in a HCC provision.
- HCC have the statutory responsibility to fund respite care provision to this group of CYP.
- Benchmarking - Our surrounding CCG's are not offering 100% health funded respite facilities for children with LD and complex health needs
- CCG's do not have a statutory responsibility to provide respite care for CYP.

Now consider and detail below how the proposals could support the elimination of discrimination, harassment and victimisation, advance the equality of opportunity and promote good relations between groups (the General Duty of the Public Sector Equality Duty).

Eliminate discrimination, harassment and victimisation

N/A

Advance equality of opportunity

N/A

Promote good relations between groups

N/A

Next Steps

Please give an outline of what you are going to do, based on the gaps, challenges and opportunities you have identified in the summary of analysis section. This might include action(s) to eliminate discrimination issues, partnership working with stakeholders and data gaps that need to be addressed through further consultation or research. This is your action plan and should be SMART.

- Depending on the decision from the Investment Committee an action plan identifying next steps will be developed.
- The plan will include actions and timetables against the following key areas:
- Communication with stakeholders
- Contract arrangements
- Risks and mitigations

How will you share the findings of the Equality analysis? This can include sharing through corporate governance or sharing with, for example, other directorates, partner organisations or the public. The completed EqlA will be published on the Herts Valleys CCG website either as part of the report on the proposals or separately on the equality and diversity pages.

- No further action will be taken or wider dissemination until the decision from Investment Committee
- Sharing through corporate governance
- Commissioning Executive
- Children, young people's and maternity leadership group
- Herts Valleys CCG website

Health Inequalities Analysis

Evidence

1. What evidence have you considered to determine what health inequalities exist in relation to your work? List the main sources of data, research and other sources of evidence (including full references) reviewed to determine impact on each equality group (protected characteristic). This can include national research, surveys, reports, research interviews, focus groups, pilot activity evaluations or other Equality Analyses. If there are gaps in evidence, state what you will do to mitigate them in the Evidence based decision making section on the last page of this template.

- There is no CCG statutory requirement to fund the provision of overnight respite care for children and young people with learning disabilities and complex health needs.
- CCGs in the region do not fund standalone overnight respite care units for children and young people with learning disability and complex health needs.
- Under the Children and Families Act 2014, from September 2014 CCGs must:
 - commission services jointly for children and young people (up to age 25) with SEND (Special Educational Needs and Disability), including those with Education Health and Care plans (EHCP)
 - work with the local authority to contribute to the Local Offer of services available - <https://directory.hertfordshire.gov.uk/kb5/hertfordshire/directory/localoffer.page>
 - have mechanisms in place to ensure practitioners and clinicians will support the integrated EHC needs assessment process, and
 - agree Personal Budgets where they are provided for those with EHCPs
- Nascot Lawn respite provision is an additional service to children and young people who meet the Department of Health (2016) criteria for Continuing Health Care will continue to receive care packages to support their clinical needs.

Impact

2. What is the potential impact of your work on health inequalities? Can you demonstrate through evidenced based consideration how the health outcomes, experience and access to health care services differ across the population group and in different geographical locations that your work applies to?

- Clinical care of children and young people will not be adversely affected.

3. How can you make sure that your work has the best chance of reducing health inequalities?

Children and young people will continue to have full access to clinical care in community; acute and tertiary health services.

Monitor and Evaluation

4. How will you monitor and evaluate the effect of your work on health inequalities?

All HVCCG commissioned clinical services for children and young people will continue to be delivered and monitored as part of contract and quality monitoring arrangements.

Name of person(s) who carried out these analyses:

Elizabeth Biggs – Programme Lead – Children, young people and maternity

Yvonne Arnold – Commissioning Manager – Children, young people and maternity

Date analyses were completed: 07.012.16

OPTIONAL Date passed to equality and diversity lead for sign off: 03.01.17

OPTIONAL Equality and diversity Leads statement: This explains what is proposed and the reasons for it. It identifies the possible impacts and mitigating actions. There is enough there for decision makers to know and understand the possible impact of their decisions.

Paul Curry – Equality and Diversity Manager

Charter House
Parkway
Welwyn Garden City
Hertfordshire
AL8 6JL

13 June 2017

Dear parent,

I am writing to you about your child's short break services at Nascot Lawn, which is provided by Hertfordshire Community NHS Trust, (HCT).

The organisation I work for - East and North Hertfordshire Clinical Commissioning Group (CCG) - which buys and monitors healthcare services for local patients, has been informed that the services at Nascot Lawn will cease on 31 October 2017 and no new referrals to the unit are being accepted.

This situation has come about because Herts Valleys CCG, which provides the majority of funding for the unit, is unfortunately unable to continue this funding beyond October. Hertfordshire County Council has a duty to provide a range of Short Breaks services (including day-time and overnight care as well as education or leisure activities and services to assist carers in the evenings, at weekends and during the school holidays). Short Breaks services are provided for eligible children across Hertfordshire. In view of this Herts Valleys CCG will be ceasing funding for Nascot Lawn from 31st October 2017.

We are looking into future arrangements for those families from the east and north Hertfordshire area who use Nascot Lawn and want to work with you and interested stakeholders, including Hertfordshire County Council (HCC) to explore other options which will meet your family's needs.

The county council may or may not already be involved with your son or daughter and, if required, an assessment will be undertaken to understand if any further support is needed. As part of this, with your consent, HCT will provide health information to help inform this assessment.

If your child is in receipt of NHS Continuing Health Care, the arrangements for your overnight short breaks and support will need to be reviewed by the lead matron for Children's Continuing Health Care at East and North Hertfordshire NHS Trust.

I understand that you may have concerns and questions about this and so we are arranging three 'drop in' meetings for parents and carers on the following dates and times:

- Friday 23 June at 10am – 12pm
- Monday 26 June at 6 – 7.30pm

- Tuesday 27 June at 10am – 12pm

The meetings will explain next steps and will be an opportunity for you to ask questions.

We are currently confirming the venues for these meetings and will share these details with you in a follow up letter shortly. Please come along to whichever meeting date and venue is most convenient for you.

If you would like to find out details about the services offered by Hertfordshire County Council, you can contact the 0-25 Together service before the meeting. The contact details are:

- Website: www.hertfordshire.gov.uk/microsites/local-offer/services/0-25-together-service.aspx
- Email: 0-25_central@hertfordshire.gov.uk
- Telephone: 0300 123 4043 - for young people up to 17 years old; 0300 123 4042 - for anyone 18 or older.

I am sorry for this unfortunate news as I understand how upsetting this will be for you and your family.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kate Barker', with a horizontal line underneath.

Kate Barker Assistant Director - Maternity, Children and Young People
East and North Hertfordshire CCG

Dear Parent/Carer

We are writing to inform you of funding changes that will affect the respite provision that your child currently receives at Nascot Lawn.

At the moment, the service at Nascot Lawn is funded by the two clinical commissioning groups (CCGs) in Hertfordshire, the local NHS organisations that plan and pay for health services. It is provided by Hertfordshire Community Trust whose staff deliver the service. Hertfordshire County Council has a duty to provide a range of Short Breaks services (including day-time and overnight care as well as education or leisure activities and services to assist carers in the evenings, at weekends and during the school holidays). Short Breaks services are provided for eligible children across Hertfordshire.

In a situation where NHS budgets are under huge pressure Herts Valleys CCG needs to control spending to balance our budget and this means focusing on health services for which we are legally responsible. In view of this Herts Valleys CCG will be ceasing funding for Nascot Lawn from 31st October 2017.

Herts Valleys CCG will continue to fund a range of health services that support the needs of children and young people. The county council may or may not already be involved with your child and, if required, an assessment will be undertaken to understand if any further support is needed.

We fully understand that you will feel anxious about what this means for your child and your family and three meetings for parents and carers who are currently receiving respite provision at Nascot Lawn have been arranged. These will take place on the following dates and times.

- **Friday 23rd June at 1.00 – 2.00pm**
- **Tuesday 27th June at 6.30 – 7.30pm**
- **Wednesday 28th June at 9.00 – 10.00am**

The meetings will take place at the Boxmoor Trust Centre, London Road, Hemel Hempstead, HP1 2RE. Please find enclosed map. Free parking is available at the Centre.

These meetings will explain next steps and there will also be an opportunity to put questions to the CCG representatives. Parents and carers are invited to attend whichever meeting date and time is most convenient. We would be grateful if you could let us know which of the meetings you will be attending. Please contact Annette Pullen by email to annette.pullen@hertsvalleysccg.nhs.uk or by phoning 01442 898867 to confirm your attendance.

If you would like to find out details about the county council's local offer you can contact the 0-25 Together service before the meeting. The contact details are as follows:

- Website: www.hertfordshire.gov.uk/microsites/local-offer/services/0-25-together-service.aspx
- Email: 0-25_central@hertfordshire.gov.uk
- Telephone: 0300 123 4043 - for young people up to 17 years old; 0300 123 4042 - for anyone 18 or older.

For your reference please find enclosed information for the 0-25 Together Service.

Yours sincerely

3 May 2017

Jenny Coles
Director of Children's Services
Hertfordshire County Council
VIA EMAIL

Hemel One
Boundary Way
Hemel Hempstead
HP2 7YU

Tel: 01442 898868

www.hertsvalleysccg.nhs.uk

Dear Jenny

CCG funding of respite provision for children and young people

Following previous conversations that have taken place with my predecessor Cameron Ward, and our discussion last week, I wanted to take the opportunity to formally communicate our position regarding respite provision and our agreed actions.

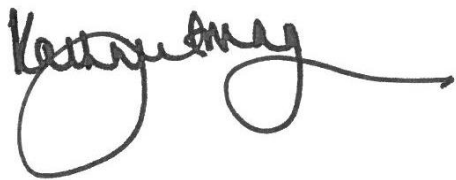
I understand from our conversation that the County Council were not aware formally regarding the CCG's funding position around Nascot Lawn, but the CCG is clear that this has been very much part of the discussions held over many months. This letter is to formalise our position.

As discussed we have concluded we will no longer be funding historical arrangements regarding respite services reflecting the legal obligations of the CCG. Commissioning and funding for respite provision is the responsibility of Hertfordshire County Council. Despite our financial position, the CCG can only commission services that the relevant legislation permits it to do; if it steps outside those lawful bounds it will by definition be exceeding its power. The CCG commission palliative care, Children's Continuing Health Care and Children's Community Nursing. All of these health services support children with learning disability and complex health conditions and would be available to support this patient cohort.

In line with the plan agreed by our teams we are very much committed to continue to work with Hertfordshire County Council, Children's Services on the Hertfordshire offer of respite provision in light of this decision. I understand discussions have taken place regarding transition arrangements of up to 6 months. In order to meet the 6 month transition period and the relevant contract notice period, the CCG has written to HCT to serve notice. The CCG funding for Nascot Lawn will cease on 1 November 2017. The County Council may of course decide to continue funding beyond this date.

The CCG would welcome involvement in any discussions between the Trust and the Hertfordshire County Council in order to help facilitate the next steps for this provision and for the families, children and young people affected.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kathryn Magson', with a long horizontal flourish extending to the right.

Kathryn Magson
Chief Executive Officer

cc John Wood, HCC
 David Evans, HVCCG
 Dr Rami Eliad, HVCCG
 Liz Biggs, HVCCG

0-25 SEND Commissioning

Children Services
Hertfordshire County Council
2nd Floor Farnham House
Six Hills Way, Stevenage SG1 2FQ
Postal Point SFAR204
7th April 2016

Dear provider,

Review of Hertfordshire's Overnight Short Break Services

We are writing to provide a brief update on the review that has been undertaken in 2015 of Hertfordshire's Overnight Short Break (OSB) services for children and young people with disabilities. This review forms part of the Hertfordshire 0-25 Integrated Commissioning Strategy which aims to give every child, young person and young adults (CYPA) with or without additional needs the opportunity to thrive in their families, in their schools and in their communities.

The integrated commissioning strategy also has the following strategic priorities for commissioning:

- **Personalisation** - Building on the strengths of the family and their community to find solutions through a person and family-centred planning approach.
- **Integration** - Working to keep children and young people with additional needs in education and care local to their home by providing coherent and joined up arrangements across services and the community.
- **Localism** - Based and developed with local communities by families, children and young people with additional needs.

The review of Overnight Short Break services was undertaken to analyse the current usage of these commissioned services and the factors that impact upon usage ahead of a future tender for these services. The following findings were identified:

- The current trends of usage for overnight short break services and future population predictions indicate that there will be less demand for overnight short break services to meet specific social care needs. Monitoring data of these services shows that usage of the social care commissioned services has decreased by 60% in Hertfordshire since 2011-12 and this is expected to continue to decrease further in the coming years due to population trends, an expected increase in take up of community and more personalised services.
- Based upon current trends and future population predictions there is not expected to be a decline in the number of children and young people with complex health needs

that are eligible to use overnight short break services commissioned by both HCC and the CCG's

- There are currently different processes for assessing need and determining access to commissioned overnight short break services within Hertfordshire. For instance health and social care services have separate processes for assessing a child and family's needs and their eligibility for these services. This may cause inconsistency in the decision making process and could also impact upon the choice of services available for children, young people and their families to meet their needs.
- Staff resource allocation and operational practice will need to be considered in more detail as part of the recommissioning process.

This review has identified that further work is required to inform future commissioning decisions. These tasks are outlined below:

- To consult with children and young people that use overnight short break services and their families about the service they receive and to understand the outcomes that these services bring to their lives
- To develop a joint assessment and decision making process between both CCG's and HCC where care planning decisions are personalised and made based upon a set criteria of need and children and young people are able to access the most appropriate service to meet their needs.
- To test the option or appraise the benefits of jointly commissioning overnight short break services and the viability of retaining the current delivery model i.e. a separate health provision.
- To co-produce the future model (including consideration for the personalisation of these services) and the volume of OSB services to be commissioned with children, young people and their families and key partners including both CCG's, HCC and Public Health.
- The HCC social care contracts to be reviewed and extended to enable the above processes to be completed before OSB services are re-commissioned.

Yours sincerely,



Patricia Walker
Children's Services



Liz Biggs
Herts Valleys Clinical
Commissioning Group



Kate Barker
East and North
Hertfordshire Clinical
Commissioning Group

HERTFORDSHIRE COUNTY COUNCIL

COUNTY COUNCIL
TUESDAY, 18 JULY 2017 AT 10.00AM

Agenda Item No.

5A

COUNTY COUNCIL CORPORATE PLAN 2017 - 2021

Report of the Director of Resources

Report Author: Alison Brown, Senior Policy Officer (Tel: 01992 555642)

Executive Member Robert Gordon, Leader of the Council

1. Purpose of report

- 1.1 To present the Corporate Plan 2017-2021 to Council for endorsement.

2. Summary

- 2.1 In February 2017 County Council approved a new Corporate Plan covering the years 2017-2021 and resolved that *“The County Council’s new Administration following the local government elections in May 2017, be invited to endorse the new Corporate Plan at a future County Council meeting, should it wish to do so”*
- 2.2 The Corporate Plan 2017 – 2021, approved by Council in February 2017, is attached to this report.
- 2.2 Changes to the Constitution agreed by Council in May 2017 mean that the Corporate Plan is no longer required to be adopted by Council as part of the Council’s policy framework, but Council can endorse the Corporate Plan if it wishes to do so.

3. Recommendation

- 3.1 If Council wishes to endorse the Corporate Plan:-

“That County Council endorses the Corporate Plan 2017 – 2021.”

4. Financial Implications

- 4.1 There are no financial implications arising from this report.

Background Information

[County Council - February 2017](#)
[Cabinet - February 2017](#)

Corporate Plan 2017-2021

The Vision

We want Hertfordshire to continue to be a county where people have the opportunity to live healthy, fulfilling lives in thriving, prosperous communities.

Our services touch the lives of every Hertfordshire resident, business and community. As the democratically accountable authority covering the whole of the county, we act as an advocate on residents' behalf, provide leadership and deliver a huge variety of services that make a difference to people's lives.

We offer support to Hertfordshire's schools to ensure children get a good start in life; we help people to live healthier, resilient lives and we look after people as they get older. We run services such as libraries and fire and rescue and we maintain the roads and dispose of household waste.

This plan sets out our key priorities for the county and how we intend to deliver our vision for Hertfordshire – County of Opportunity.

This is underpinned by the following four ambitions:

- Opportunity to Thrive
- Opportunity to Prosper
- Opportunity to be Healthy and Safe
- Opportunity to Take Part

The Hertfordshire context

The last few years have been particularly challenging for local government. We have had to reduce our spending by £250 million since 2010/11 whilst protecting the services that are important to you.

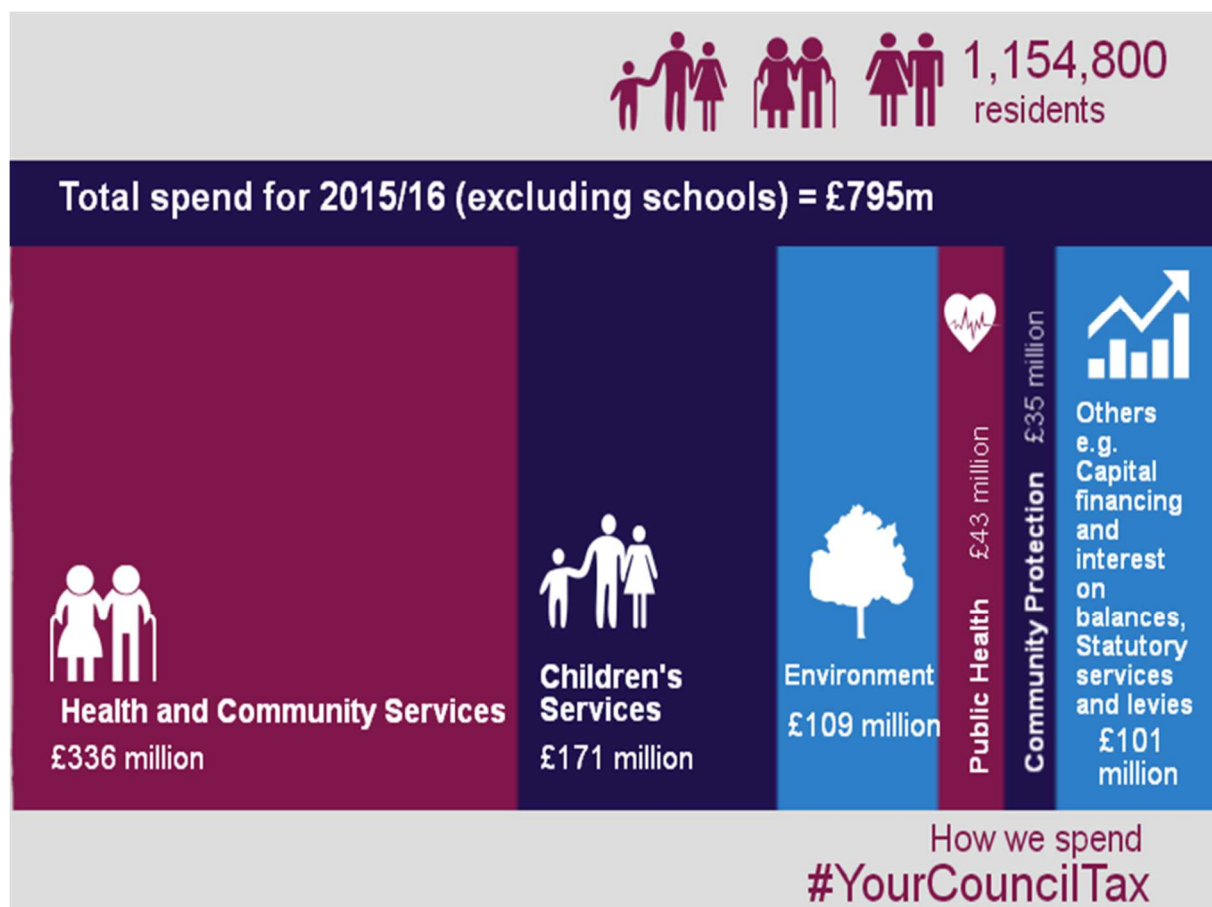
The next few years will also be tough. The grant we receive from Government from national taxation may be phased out and increasingly our services may be funded solely from council tax, business rates and fees. We are confident we can deliver some further savings by continuing to find efficiencies, by thinking differently about how we design and deliver services, by working better and more closely in partnership and by intervening earlier. However, we will have to continue to judge the right balance between funding services and the level of the council tax you have to pay.

We also face significant pressures due to the changing nature of our population as many people are living longer and need more care in older age.

We can't stand still. To meet the challenges ahead requires us to continue to improve the way we work and our services in the coming years.

This plan focuses on the development of prevention strategies to influence residents' behaviour in a way that helps prevent, reduce or delay demands on public services.

Key facts about Hertfordshire and Hertfordshire County Council services



Running services and helping people

Each year

- **902,000** adults live in Hertfordshire....
....and our social care services support **28,000** of these
- **750,000** calls made to our Customer Service Centre
- **42,700** school admissions applications (97% online)
- **15,000** free schools meals applications (90% online)
- **19,000** blue badge disability parking permit applications (35% online)
- **18,600** social care clients receive a review of their support
- **20,800** requests for help from new social care clients
- **3,200** carers provided with services, support or advice
- **1,600** people receive support to help them with their memory or cognition
- **3,200** people with a learning disability receive services
- **12,300** people receive help because they have a physical support requirement
- **6,700** referrals to children's social care
- **800** children put on child protection plans
- **60** adoptions and **50** Special Guardianship Orders to give these children a better, safer future
- **700** children, young people and their foster carers supported with an additional **100** in residential homes
- **960** children ceased being on a child protection plan through support from Children's Services
- **80** unaccompanied asylum seeking children being looked after by the County Council
- **25,000** school children weighed and measured as part of the National Child Measurement Programme

- **5,800** young people attending “Learn 2 Live” safer driving education projects
- **2,600** people accessing drug and alcohol treatment
- **12,000** vaccinations to school age children
- **60,800** attendances at local sexual health and contraception services
- **70,000** people working in Hertfordshire benefiting from workplace health programmes
- **20,000** birth and death registrations
- **3,200** civil marriages registered
- **3,200** sudden or unexplained deaths referred to the Coroner
- **460** Road Traffic Collisions attended by Fire and Rescue service
- **6,000** home fire safety visits
- **1,700** fire protection consultations
- **8,600** emergency calls handled by Fire and Rescue service
- **2,400** fires attended
- **2,055** home security service visits
- **8,077** hours of Community Protection volunteers’ time
- **30** trading standards call blockers installed
- **500** trading standards visits to scam victims
- **1,000** highways maintenance schemes delivered, including more than **10,000** potholes filled, across Hertfordshire’s **3,000** miles of road that the County Council maintains
- **51%** of household waste recycled

Each month:

- **300,000** loans from libraries

- **50,000** visits to the HCC careers/jobs pages with an average of **190** vacancies being recruited to HCC

Each day:

- **15,000** home care visits a day, **1,200** people a day in day centres
- **110,000** street lights, **680** sets of traffic lights, **165,000** road gullies, **2,500** bridges to maintain
- **10,000** visits to libraries
- **11,000** visits (per week) to children's centres

(The above are based on 2015/16 figures and rounded to nearest 10 or 100)

Opportunity to Thrive

We want every Hertfordshire resident to have the opportunity to maximise their potential and live a full life as a confident and resilient citizen.

Where people encounter difficulties or challenges, we will offer them the support to tackle these issues early on, minimising the impact on their lives, the lives of their families and the communities around them.

We also want everyone to have the opportunity to live in communities where the value of Hertfordshire's clean and green environment is respected.

Across Hertfordshire, we want to see:

- A cleaner and greener county with a reduced carbon footprint and increased levels of re-use and recycling with the disposal of household waste managed effectively.
- Our natural environment and diverse habitats protected from excessive or inappropriate growth, including the negative effects of airport expansion.

For children, young people and their families, we want to see:

- Those children who need more help at school, supported to catch up with the achievements of their classmates.
- Children looked after by the local authority, those with special educational needs and disabilities and others who face disadvantages, enjoying happy fulfilling lives, both in childhood and as they grow up.
- More families able to help themselves when problems first emerge through access to good information, advice and support when they need it.
- A good start in life for every child in Hertfordshire by ensuring they are ready for school and have a place in a good school.
- Young people who are inspired to learn new skills, through, for example, local intervention fire education courses.

For those of a working age, we want to see:

- Effective measures to support families with complex problems.
- Those who require on-going care provided with personalised support to enable them to live as independently as possible in housing that meets the needs of each individual.

For older people, we want to see:

- More people supported to live independently, with those who need care able to choose and control it through personalised budgets.
- A greater choice of housing options that meet the needs of each individual.
- Strong advocacy for older people, ensuring they are treated with dignity and respect and receive information to help them make the right decisions for their own future.

Opportunity to Prosper

We want Hertfordshire's economy to be strong, with resilient and successful businesses that offer employment opportunities to residents, helping them to maintain a high standard of living.

When people are affected by difficult economic circumstances, we want to help them respond and have the opportunity to share in Hertfordshire's future and growing prosperity.

We want Hertfordshire to be recognised as a great place to do business, with a skilled workforce and infrastructure that supports the developing needs of the local economy.

Across Hertfordshire, we want to see:

- A transport network which enables reasonable and predictable journey times, with reduced congestion and reliable passenger transport services with future developments underpinned by a long term transport vision.
- A business-friendly environment where initiative is encouraged and celebrated and local businesses are able to effectively bid for public service contracts
- Inward investment attracted through the promotion of Hertfordshire as a great place to live and do business.
- Appropriate capacity for business and economic growth.
- Further development of high-value, high-skill sectors, including life sciences; Advanced engineering/manufacturing; agri-science and agri-tech; sustainable construction; creative industries (film, TV, and digital sectors).
- Housing developments of the appropriate design, location and scale, built to meet the needs of Hertfordshire's economy and residents.
- High speed broadband internet access rolled out across the county.
- Close working with the Local Enterprise Partnership to support the right type and scale of economic growth in the county.

For children, young people and their families, we want to see:

- An even higher proportion of young people in education, employment or training particularly those who have been in care.
- Schools and education services working with employers to ensure young people in Hertfordshire are equipped with the relevant skills to contribute to the local economy.

For those of a working age, we want to see:

- Vulnerable adults, carers and those with disabilities assisted to find work and build careers.
- Local employers providing a wide range of opportunities for workplace training, with an increased number and type of apprenticeships.

Opportunity to be Healthy and Safe

We want Hertfordshire residents to have the opportunity to live as healthy lives as possible for as long as possible and to live safely in their communities.

We recognise the significant effect that remaining healthy has on the happiness and life chances of our residents but that some are significantly less healthy than others.

We want all services to work together to improve the overall health and wellbeing of people in Hertfordshire, with early measures taken to tackle health inequalities.

Across Hertfordshire, we want to see:

- Joined-up health and social care services tailored around individual needs assessed locally by the right person at the right time.
- Those who work in vital caring roles to be valued and for the work that they do to be recognised for its importance to our community.
- Wellbeing promoted through prevention strategies; by developing and supporting services that can prevent, reduce or delay the need for health and social care.
- Reduced levels of unhealthy weight, through encouraging active healthy lifestyles across all age groups including participation in sport and all forms of recreation, specifically targeting inactivity.
- A reduction in the number of people who smoke or have problems with alcohol or illegal drugs.
- Further reductions in the number of accidental deaths through increased preventative work around community safety.
- A county free from rogue trading.
- Even lower levels of crime, anti-social behaviour and domestic violence.
- Effective measures in place to respond to emergencies and robust counter-terrorism arrangements.
- Resilient communities who are well prepared for emergencies such as flooding.
- Equal importance placed on mental and physical health, supporting more schemes to help people of all ages to access appropriate services and recover from mental health issues.

For children, young people and their families, we want to see:

- Children protected from abuse and neglect and supported in their recovery from any resulting trauma.
- Children and young people provided with the right information and support to enable them to flourish and cope with the pressures they face in today's world.
- A county free from unlawful sales of harmful age-restricted products to young people.

For those of a working age, we want to see:

- Earlier diagnoses of dementia, with those with the condition and their families receiving the support they need to live well.

For older people we want to see:

- Fewer hospital admissions, with agencies working together so patients can be supported to return to their own homes wherever possible.
- Safer homes, to promote independent and healthy living aided by technology, equipment and safety checks helping to prevent avoidable falls and injuries.
- Dignified and happy lives, safe from neglect and abuse with high quality care delivered in a respectful way.

Opportunity to Take Part

We want to enable all Hertfordshire residents to make a more active contribution to their local areas, working with elected representatives and other community activists to tackle local issues and ensure that council services are more responsive to their priorities and ambitions.

We want to help people help each other so that people are supported by their own family and community whenever possible, and so that people have a range of activities and opportunities in which to participate.

We will offer relevant, clear information about local public services and opportunities to volunteer and influence in ways which are meaningful for them and beneficial for their communities.

Across Hertfordshire, we want to see:

- All residents encouraged to get involved with local issues; influencing, shaping, and even running public services to make them more efficient, effective and attuned to local needs.
- Communities supported by initiatives such as locality budget grants.
- More volunteers making their own contributions to the county and its communities recognising the contribution of volunteering towards improving health and wellbeing, the prevention of isolation and mental health problems, and supporting individuals in both their personal and career development
- Families and services working together to identify how best to meet their individual needs and shape how future services are delivered.

For children, young people and their families, we want to see:

- Local democracy actively promoted in schools, through initiatives such as the UK Youth Parliament.
- New skills learnt and community projects undertaken, giving something back through the National Citizenship programme.

For those of a working age, we want to see:

- Employers making it easier for employees to volunteer.

For older people, we want to see:

- Residents drawing on their own community networks to help them stay independent at home for as long as possible.

Delivering our vision

We have outlined our priorities for Hertfordshire and recognise that we can only achieve what we want for our county with partners from the public sector, business and voluntary and community groups.

We are ambitious for our residents and communities and are demanding of ourselves as an organisation. We seek to demonstrate that we are a forward thinking council through the quality of services we provide and the way we deliver them, reflecting the following values and behaviours:

Citizen focused

Our primary purpose is to make a positive difference to Hertfordshire and its people. We strive to involve our residents, working with them to shape and design the delivery of services and employing volunteers in a range of roles to help improve life in our communities and get things done.

By supporting families to help themselves by building their sense of responsibility and resilience; and by investing in prevention strategies; providing information and support when problems first emerge, we aim to reduce their dependency on services.

We are committed to continually improving the customer experience at every opportunity. We welcome feedback about our services so that we can improve.

Every penny counts

We aim to have a high performing, engaged and committed workforce, who are commercially aware and deliver value for money, high quality, citizen- focused services.

Like all those who spend taxpayers' money, the County Council has to play its part in responding to the need to strike the right balance between levels of taxation and funding of public services.

Making the best use of all available resources is vital. We take a planned approach to spending taxpayers' money wisely and make smart use of our resources, investing in prevention and long-term solutions.

We focus on getting the greatest return on the money we spend; including generating new income streams and reviewing the way we use our property assets.

Acting with integrity

We are committed to acting in an open, honest and ethical way and respect the value and diversity of others in everything we do.

Our core purpose as a Council is to make life even better for all of Hertfordshire's diverse communities. As a provider of vital services and large employer, we recognise, respect and celebrate the fact that the people we serve and our staff are all different, whether due to their ethnic background, family setting, gender, sexual orientation, religion and belief, or other factors.

[Our Equality Strategy](#) sets out the ways in which equality and diversity are fundamental elements of our purpose and functions.

We are also committed to publishing accurate and reliable data so that the way we work is transparent and accountable.

We trust our staff to get the job done, promoting flexible working and embracing new technology to enable it.

Getting things right

We aim to get things right first time and learn fast from our experiences when we need to improve.

We embrace the fast changing pace and environment of user focussed public service delivery. We seize opportunities to try new ways of delivering services. We take measured risks, supporting staff to trial new ideas to improve services, including responding to public demand for more digital ways of interacting with us.

Extensive processes are in place to provide assurance that taxpayers' money is spent effectively. The lessons and recommendations from these processes are monitored and used to inform ongoing improvements that will benefit Hertfordshire.

Continuing to innovate

We pride ourselves on being an innovative council. We embrace change through being creative.

Through innovative partnerships with the private sector we have been able to benefit from their expertise. We continue to look for potential to join up more back office functions and frontline service delivery with other local public services.

Through our [website](#) we help people to self-serve. By providing information and digital services 24/7 we can reduce demand for other services in other ways.

We are developing further opportunities for increased revenue generation and ensuring the organisation has sufficient skills and knowledge to make the right commercial decisions to deliver innovative and value for money services.

We also recognise the importance of valuing and developing our staff. We know that we can only provide the best services if we recruit and retain excellent employees. We actively manage talented individuals within the council, operating award-winning apprenticeship schemes and a highly regarded graduate programme

How to Contact Us

To find out more about the services we provide you can:

- **Look at our website** www.hertfordshire.gov.uk where you can use lots of our services online.
- **Email or telephone**
If you wish to contact us you can [email enquiries](#) or call **0300 123 4040**
- **Write to us**
Hertfordshire County Council, County Hall, Pegs Lane, Hertford SG13 8DQ
- **Visit Us**
Maps and directions to our main offices are available at <http://www.hertfordshire.gov.uk/contact/address/> and you can get information by visiting your local library.

We want to hear from local people about the issues and decisions that affect their lives. Visit [here](#) to find out how we consult with the community and how you can give your views and comments about county council services.

Our Commitment to Equality

We are committed to achieving diversity and equality of opportunity both as a large employer and as a provider of services. We have a public duty to promote equality and to combat the unfair discrimination that still exists in society. We also believe that this helps us do our job better.

We recognise, respect and celebrate the fact that our staff and the people we serve are all very different, whether this is in our ethnic background, family setting, gender, religion and belief or other factors. We believe that diversity can drive innovation, a culture of fairness and respect and equality of opportunity for all.

We demonstrate our commitment to tackling inequality and promoting diversity in everything we do. In line with the Public Sector Equality Duty, we publish evidence of the impact of our policies and practices on people with protected characteristics as well as the objectives we have set to continue this work.

HERTFORDSHIRE COUNTY COUNCIL

**COUNTY COUNCIL
TUESDAY, 18 JULY AT 10.00 A.M.**

Agenda Item No.

6

EXECUTIVE REPORT TO COUNTY COUNCIL

LEADER OF THE COUNCIL

This report is made by the Leader of the Council and, together with separate reports from each member of Cabinet, comprises the report under Standing Order 7.

1. Cabinet decisions since the last meeting of County Council

- 1.1 There will have been four Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council on 21 March 2017. The only item of business specifically attributed to me was:-

➤ Cabinet Panels - establishment

2. Employment Committee

- 2.1 On Monday 10 July, I will chair the Employment Committee the only agenda item being:

➤ Annual update report on Local Government Pension Scheme and Firefighter Pension Schemes employer discretions usage

3. Committee of the Regions

- 3.1 I have participated in Plenary and Commission meetings of the Committee of the Regions. No matters particularly relevant to Hertfordshire have arisen but an e-newsletter on recent activities is available at:
<http://cor.europa.eu/en/news/Pages/enewsletter.aspx>

4. Devolution: Local Collaboration

- 4.1 I have continued to be involved in a number of conversations which seek to identify the best way forward for Hertfordshire particularly with the lack of clarity at national level regarding formal devolution on two-tier, shire areas. Nonetheless, there seems to be sustained local interest in working better together.
- 4.2 As part of this work, I chaired the third Public Sector Leaders' Partnership event which took place on Thursday 23 March. It was attended by almost 100 people representing over 26 organisations from across the Public Sector in Hertfordshire and provided an opportunity for attendees to be given an update on the strands of work within the Hertfordshire Public Sector Action Plan. The workshops that followed enabled each organisation to comment on how they could contribute further to the progression of this work.
- 4.3 On Tuesday 4 April, I chaired a meeting of the Hertfordshire Public Sector Leaders' Steering Group. Membership of this group includes representatives from

the Hertfordshire Leaders' Group, Hertfordshire LEP, the Police and Crime Commissioner, Hertfordshire Partnership Foundation Trust, Herts Valleys Clinical Commissioning Group and myself. Discussion took place regarding the Hertfordshire Public Sector Action Plan, along with feedback from the event mentioned above.

5. National Commentary

- 5.1 Along with other colleagues, I will attend the annual LGA Conference in Birmingham on 4 - 6 July.

6. Local / Internal events

- 6.1 The annual County Show took place over the weekend of 27/28 May. The event was well attended and a resounding success. I would like to thank colleagues, members of staff, partners, volunteers and performers, all of whom helped to ensure our marquee was lively, interesting and full of energy all weekend.
- 6.2 On Thursday 15 June I took part in a Q&A session at a senior staff political management training session to help them better understand the interrelation of their roles and those of elected members.

7. Hertfordshire Forward

- 7.1 I chaired meetings of the Hertfordshire Forward Strategy Group on Tuesday 4 April and Tuesday 27 June. The key items for discussion were scams and frauds, the Criminal Justice Board, the annual Hertfordshire Forward Conference, an update on the Strategic Transformation Plan, and the future governance of Hertfordshire Fire & Rescue service; along with the usual strategic updates.
- 7.2 The annual Hertfordshire Forward Conference took place on Wednesday 21 June. Around 100 people attended on the day with representation from local government, other local public services and voluntary sector organisations. The key focus of the agenda was on prevention and demand management.

8. Forward Plan – July 2017

- 8.1 I invite the County Council to receive the updated Forward Plan dated 5 July 2017.

9. Cabinet

- 9.1 The matters discussed at the Cabinet meetings held since the last Executive Report to Council can be found at the following locations:

[Cabinet - 10 April 2017](#)

[Cabinet - 23 May 2017](#)

[Cabinet - 26 June 2017](#)

[Cabinet - 10 July 2017](#)

Robert Gordon, CBE
Leader of the Council
July 2017

EXECUTIVE PORTFOLIO: ADULT CARE AND HEALTH

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. The items of business specifically attributed to this portfolio were:-

10 April 2017 Cabinet

Departmental name change of Health & Community Services– Cabinet endorsed the change of name of Health & Community Services to Adult Care Services, and recommended that Council designate the post of Director of Adult Care Services as the Council's Director of Adult Social Services; and authorised the Chief Legal Officer to make the appropriate changes to the constitution to reflect the above, and also such other changes to the constitution as are required to give effect to the change of name of the department to Adult Care Services.

26 June 2017 Cabinet

Assistive Technology Strategy – Cabinet agreed the Assistive Technology Strategy for Adult Care Services.

Revised ACS budget proposals – Cabinet agreed the revised Adult Care Services budget proposals for 2017/18 as detailed within the report.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 **Hertfordshire Home Improvement Agency (HHIA) Project: delegation of functions to the Council at 13 March Cabinet** – Cabinet agreed to the Council entering into the HHIA Partnership Agreement with East Herts Council, North Hertfordshire District Council, the Borough of Broxbourne, Watford Council and Stevenage Borough Council. They authorised the Director, Adult Care Services, in consultation with the Executive Member for Adult Care and Health, to sign the Partnership. Cabinet approved arrangements to be made under the provisions of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, to allow the County Council to exercise powers under the Housing Grants, Construction and Regeneration Act 1996, and any other functions relating to the implementation of the HHIA Partnership Agreement that the Council would not otherwise have the statutory power to exercise, on behalf of district and borough councils who are, or become, parties to the Agreement.

3. Anticipated/ future decisions to be made by Cabinet

3.1 **Cabinet to be held on 10 July 2017**

Learning Disability Transformation – Cabinet will be asked to agree closure of an Invest to Transform Bid for the 'Accommodation for Independence Project'; and to agree a new Adult Disability Service Efficiency Programme Invest to Transform Bid, designed to deliver better choice and control in relation to

accommodation for people with learning disabilities, and improve value for money in this area by taking a 'whole systems' approach.

Supported Accommodation Strategy for Hertfordshire – Cabinet will be asked to adopt the Hertfordshire Supported Accommodation Strategy.

Joined-up Care: Aligning Adult Social Care with Health – Cabinet will be asked to approve the Council's medium term priorities for joined up care with the NHS.

Strategic Outline Case of West Herts Hospital Trust (WHHT) – Cabinet will be asked to agree that a formal response is made to the letter received from WHHT stating that the Council recognises the attraction of an entirely new hospital on a site that would be convenient to the residents of the whole area served by the Trust, but understands that, if early funding is not available to progress such a project, patient services and safety may be put at risk.

4. Key Partnerships

4.1 Health & Wellbeing Board held on 14 June 2017

Hertfordshire Home Improvement Agency (HHIA) – a report providing overview of work undertaken to establish an HHIA shared service, a collaboration between the County Council and 5 District councils, to make better and more efficient use of disabled facilities grant money.

Update on Children's Commissioning Priorities – an update on progress of the children's commissioning work programme under the Health & Wellbeing Board strategic priorities of Starting Well & Developing Well.

Better Care Fund sign-off – a report presenting the Better Care Fund plan for sign-off by the HWB, before submission to BHSE.

STP Update – a report updating on progress of the Hertfordshire and West Essex Sustainability and Transformation Partnership (STP).

5. Other comments

5.1 None.

6. Cabinet Panels

6.1 Since the last Executive Report to Council, the Adult Care & Health Cabinet Panel has met on 16 June and 3 July. The matters discussed can be found at the following locations:

[Adult Care & Health Cabinet Panel - 16 June 2017](#)

[Adult Care & Health Cabinet Panel - 3 July 2017](#)

Colette Wyatt-Lowe
Executive Member for Adult Care & Health
July 2017

EXECUTIVE PORTFOLIO: CHILDREN'S SERVICES**1. Cabinet decisions since the last Executive Report to the County Council**

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. There will have been one item attributable to this portfolio during this period, set out a paragraph 3 below.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 Nothing to report.

3. Anticipated / future decisions to be made by Cabinet**3.1 Cabinet – 10 July 2017**

Children's Centre, Health Visiting and School Nursing Services Commissioning – Models for Consultation. Cabinet will be invited to consider a joint report between the Director of Public Health and the Director of Children's Services and agree an approach to the future commissioning of these services and to commence public consultations on the Family Service Centres, Family Support and Public Health Nursing.

- 3.2 There are currently no other anticipated Cabinet decisions required in the near future.

4. Key Partnerships

- 4.1 I sit on the Hertfordshire Health & Wellbeing Board and Hertfordshire Safeguarding Children's Board.

5. Other comments**5.1 Health Visiting Service, School Nursing and Children's Centres Re-Commissioning**

The Council's contracts for the Health Visiting service, the School Nursing service (Public Health Nursing Service) and Children's Centre programme, currently expire on 30th September 2018 and need to be re-procured. Lead commissioners from both Children's Services and Public Health have been exploring opportunities for the services to be more aligned in their delivery to support our ambition to enable every child to have the best possible start in life, giving them the best opportunities throughout their education and working lives. Children's Services and Public Health have undertaken considerable preparatory work to transform and align these services so that the Council can meet its statutory and mandated duties to support babies, children, young people and their families, and to address wider issues in the education, health and social care system. To support this it is proposed that the new services be delivered under one overarching offer: Hertfordshire Family Centre Service.

Subject to Cabinet approval at its meeting on 10 July, as part of the proposed approach, we will be beginning a formal consultation period to inform families, providers and professionals of the intentions for the Family Centre Service and this will be the opportunity for them to respond to those intentions. The consultation will take place between July and September 2017 with officers from both Children's Services and Public Health promoting the consultation throughout the summer.

5.2 Special Educational Needs and Disability (SEND)

We continue to respond to the findings of the Ofsted/CQC area inspection of support for those with special educational needs (SEND) in Hertfordshire, improving information advice and guidance (IAG) and ongoing dialogue with parents. A conference for parent carers of children, young people and young adults with an SEND was held in May. This was the second conference that has taken place since the inspection and families were invited back to learn about what work we have done since the initial feedback and explore ways to keep moving forward. 37 parent carers attended and 93% of these felt that the event overall was Excellent or Good, an improvement of 3 percentage points since the first conference.

The new SEND Local Offer website <http://www.hertfordshire.gov.uk/localoffer> was launched in January 2017. This was the result of consultation with parents and carers during 2016 and co-produced with stakeholders.

5.3 Nascot Lawn – Decision by Herts Valleys Clinical Commissioning Group

We have been working with providers across the county to ensure the best provision of Short Breaks services for children across Hertfordshire. It was previously agreed with Herts Valleys CCG and East & North Herts CCG that we would work together on reviewing Overnight Short Breaks services across the county with a view to developing integrated health/social care provision which would help combine the CCGs responsibility for health and the County Council's for social care. We are disappointed that Herts Valleys CCG has since decided to cease their funding contribution to short breaks services and we will be working closely with partners, staff and parents to minimise the impact of this decision. The Council with Herts Valleys CCG and East & North Herts CCG will carry out an assessment of children currently attending Nascot Lawn to understand whether new or additional health and social care support is required. In the short term we will recruit additional staff to help carry out these assessments.

5.4 Youth Justice Services Thematic Inspection

In May, Hertfordshire Youth Justice participated in a Youth Public Protection inspection involving 6 local authorities which was conducted by HM Inspectorate of Probation. The report will be published in September 2017 but a letter following the Hertfordshire element of the inspection has highlighted that all public protection issues are being well managed and there are strong processes for managing risk. In addition a lot of evidence of creative practice was seen, along with effective join up and links across Children's Services.

5.5 Virtual School Annual Report

The progress and attainment of children looked after in education is a high priority for the Council. The successful Agents of the Hertfordshire Virtual School has

enabled a closer working relationship with partners in schools enabling colleagues in social care and fostering to benefit from improved partnership arrangements and communication. Successful meetings managed by the Virtual School and the Senior Regional Ofsted Inspector and schools have evidenced the impact of this new relationship. New work with colleges of further and higher education and employers contracted with the Local Authority has also produced a greater number of opportunities for care leavers.

There are a total of 58 young people at University and a further 21 preparing to attend in the autumn 2017. The full annual report on the Virtual School is available [here](#).

5.6 Families First Update

Families First, Hertfordshire's brand for early help services in Hertfordshire, continues to be successfully rolled out across the county. The multi-agency IT system to support the use of consistent whole family assessments and co-ordinated support planning and working, went live in Autumn 2017 and since then 1186 practitioners (as of 12th June 2017) have been trained to use it. Triage panels are established across the county; feedback from the Taking Stock exercise with partners in the pathfinder areas (Watford and Three Rivers, Stevenage and Broxbourne) in Spring 2017 indicated that partners are valuing these new meetings to help families access the most appropriate support in a timely manner.

The Department for Communities and Local Government visited the team in April 2017 and met with internal and external partners to help understand the journey Hertfordshire is embarking on to transform early help services and discuss ideas to increase the number of Troubled Families programme outcomes.

5.7 Children Looked After

The Children Looked After Service have introduced the '[Achieving the Best for Our Children: CLA Work Programme](#)'. Whilst working alongside Hertfordshire's Social Work Procedures and Guidance for Children Looked After, this programme aims to empower children and young people in our care using motivational interviewing; to support children and young people to understand their history, drive their care planning, and work towards their aspiration as they become adults.

In recognition that children who are looked after are statistically more likely than children in the general population to experience mental health issues, every child looked after over the age of 4 is the subject of a **Strengths and Difficulties Questionnaire (SDQ)**. This is an initial assessment tool which measures emotional wellbeing. The completion of this in Hertfordshire has been reviewed to ensure that SDQ scores are not only collected from the parent / carer, but also from the young person themselves and the designated teacher within the child's education setting. This newly triangulated process ensures that all children looked after who are identified as needing a therapeutic input are offered the right support in a timely way. This also ensures that an accurate up to date measurement of emotional and behavioural health is considered when care planning and when making decisions in respect of the child's health; education and placement.

5.8 Family Safeguarding Update

In February 2017, the Department for Education (DfE) announced it would be making a grant of £11.6m to Hertfordshire and four other local authorities to test whether they could achieve similar outcomes by adopting our transformed model of child protection, as well as to expand the County Council's teams to include a focus on emotional wellbeing of children and virtual school support to improve their attainment at KS2. A project team from Children's Services, HR, Finance and Performance, supported by IT, Legal Services, Data Protection and Communications are working with Luton, Peterborough, Bracknell Forest and West Berkshire to support their implementation of Family Safeguarding. Their authorities, partners and staff have received our team with great excitement and enthusiasm.

Two different delegations from the DfE as well as other local authorities are visiting the service during June to learn from front line staff what their work now involves and the initiative was shortlisted for a major national award organized by the Municipal Journal, for which we were highly commended.

5.9 Key Performance – March 2017

- The number of children subject to a child protection plan has reduced to 520, a 29% reduction on March 2016 and Hertfordshire now has one of the lowest rates in the country.
- The number of children looked after in Hertfordshire has reduced to 840 plus 78 unaccompanied asylum seeking children (the lowest overall number since 2009) and one of the lowest rates in the country.
- In 2016/17, 22.7% of children looked after who left care did so via an adoption or special guardianship order compared with 13.9% in 2015/16. 89 children were adopted during the year, a 37% increase on 2015/16.
- The percentage of Care Leavers aged 17-21 who are in Education, Employment and Training (EET) was 56.2% in March, an increase on 51% in March 2016 and higher than our statistical neighbour average of 51%.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Children's Services Cabinet Panel has met on 28 June 2017. The matters discussed can be found at the following location:

[Children's Services Cabinet Panel - 28 June 2017](#)

- 6.2 A joint meeting of the Children's Services Cabinet Panel and the Public Health, Prevention and Performance Cabinet Panel was also held on the 28 June 2017. The matter discussed can be found at the following location:

[Joint Meeting of the Children's Services Cabinet Panel and the Public Health, Prevention & Performance Cabinet Panel - 28 June 2017](#)

Teresa Heritage
Executive Member for Children's Services
July 2017

EXECUTIVE PORTFOLIO: COMMUNITY SAFETY AND WASTE MANAGEMENT

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. The items of business specifically attributed to this portfolio are detailed in paragraph 3 below.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 There are no consequences of cabinet decisions taken before 23 May 2017.

3. Anticipated/ future decisions to be made by Cabinet

3.1 Cabinet – 10 July 2017

Regulation Of Investigatory Powers (RIPA) Annual Report.

This report will inform Members of the use of the Regulation of Investigatory Powers (RIPA) within Hertfordshire County Council over the period 1st April 2016 to 31st March 2017; Cabinet will be invited to agree the use of policies on:

- (a) Directed Surveillance and Covert Human Intelligent Sources; and
- (b) Acquisition and Disclosure of Communications Data from communication service providers.

3.2 Cabinet – 18 July 2017

The potential transfer of governance of Hertfordshire Fire and Rescue Service from Hertfordshire County Council to the Office of the Police and Crime Commissioner.

This report will inform Members that the Police and Crime Commissioner for Hertfordshire's Local Business Case entitled 'Hertfordshire Police and Fire Governance Options' has been published for public consultation. Cabinet will be asked to agree the County Council's response to the consultation.

4. Key Partnerships

- 4.1 There are no items to report at this time.

5. Other comments

- 5.1 With the recent tragic fire at Grenfell Tower, West London, in Hertfordshire we have worked with Government, the National Fire Chief's Council (NFCC), the Local Resilience Forum (LRF) and the Association of Chief Trading Standards Officers (ACTSO) and taken a measured approach to ensuring that the people of Hertfordshire are informed and protected.

We are supporting local authorities, housing associations, and landlords to ensure that fire risk assessments are up to date and being properly implemented to protect all residents. Community Protection has written to all of the persons responsible for high rise (higher than 6 floors) premises in Hertfordshire reminding them of their responsibilities in this respect. We continue to promote fire safety advice and offer free Safe and Well visits, offering smoke alarms fitted free of charge. We have also carried out reassurance and familiarisation visits to high rise premises in the County.

- 5.2 Hertfordshire Fire and Rescue Service were awarded first place at the annual Volunteer in Management Awards on 6th June 2017. This award is presented by the Volunteer Centres in Hertfordshire and recognises the commitment that organisations provide to support their volunteering staff. This recognises the continued strength and breadth of the Directorate's volunteering offer.
- 5.3 The planning application, from Veolia Environmental Services Ltd, for an Energy Recovery Facility (ERF) at Rye House, off Ratty's Lane, Hoddesdon remains with the Waste Planning Authority (WPA). Stakeholder responses are notably still awaited from the Environment Agency and Highways Authority, however, the anticipation remains that the planning application will be determined at the Council's Development Control Committee in the Autumn this year.
- 5.4 The County Council, in its capacity as Waste Disposal Authority, is in the process of concluding the necessary paperwork for the extension of its Interim residual waste disposal contracts. This will provide surety of disposal until March 2021 and is set to deliver significant reductions against the identified short term pressures in the Council's Integrated Plan in the order of £1.7m per annum.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Community Safety & Waste Management Cabinet Panel has met on 30 March 2017, 27 June 2017 and 13 July 2017. The matters discussed can be found at the following locations:

[Community Safety & Waste Management Cabinet Panel - 30 March 2017](#)

[Community Safety & Waste Management Cabinet Panel - 27 June 2017](#)

[Community Safety & Waste Management Cabinet Panel - 13 July 2017](#)

Terry Hone
Executive Member for Community Safety & Waste Management
July 2017

EXECUTIVE PORTFOLIO: EDUCATION, LIBRARIES AND LOCALISM

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. The items of business specifically attributed to this portfolio were:-

10 April 2017 Cabinet

Cabinet authorised the Director of Children's Services to publish statutory notices:

- to lower the admission age of Tenterfield Nursery School, London Road, Welwyn, AL6 9JF, to enable the school to offer nursery provision to 2-year-old children from 1 September 2017; and
- to enlarge the premises of Millfields First School, Buntingford; St. Catherine's Primary School, Hoddesdon; and St. Joseph's Primary School, Bishop's Stortford, each by 0.5 form of entry from September 2018. Cabinet also authorised the capital costs of those schemes.

26 June 2017 Cabinet

Cabinet resolved that the County Council conclude an agreement with the Goffs 'Generations' Multi-Academy Trust around the sponsorship of Cheshunt School, with the final details of the financial contributions required to be agreed by the Director of Resources, in consultation with the Director of Children's Services and the Executive Members for Resources, Property and the Economy and Education, Libraries and Localism, within the parameters set out in the Part II report.

10 July 2017 Cabinet

see paragraph 3 below.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 None.

3. Anticipated/ future decisions to be made by Cabinet

3.1 10 July 2017 Cabinet

Cabinet will be notified that there have been no objections to the statutory proposals it agreed in April to enlarge the premises of three primary phase schools and that the Director of Children's Services has determined the proposals using her delegated powers. (It is worth noting too that there were no

objections to the proposal approved at the same time to lower the age range of Tenterfield Nursery School which has also been determined by the Director).

Cabinet will also be asked to agree to:

- the application of S106 funds to various school expansion projects; and
- the acquisition of Land in Buntingford for a 2 f.e. first school site.

4. Key Partnerships

4.1 Schools Forum

I attended a meeting of Schools Forum on 28 June 2017.

4.2 Hertfordshire Armed Forces Covenant

I am delighted to have been appointed as the new Chairman of the Covenant Board and am looking forward to my first meeting with this important partnership on 26 July 2017.

In the past month we have supported the Armed Forces Day flag raising ceremony at County Hall, Reserves Day, and the promotion of the Covenant at the Herts County Show. Over the next year we will again be running the Christmas schools' competition (this year celebrating the RAF's centenary).

The Board will also continue to support WW1/WW2 commemorations, most notably the forthcoming Battle of St Julien centenary, where the Hertfordshire Regiment lost over 450 men. A memorial for the Hertfordshire Regiment will be unveiled in Belgium on 31 July 2017 to mark the anniversary of this battle at Ypres. There will also be a Special Evensong at All Saints Church, Hertford on 30 July and on 31 July a short service will take place at the Hertford Town Memorial for the last post and wreath laying.

5. Other comments

5.1 Bishop's Hatfield Girls School

On 19 June, I attended the opening of the newly re-built Bishop's Hatfield Girls School by Lady Salisbury. The school is one of 7 schools in Hertfordshire to be re-built under the Government's Priority Schools Building Programme.

5.2 Volunteering

The Year of Volunteering came to a close during Volunteers Week (1-7 June 2017). The week was marked by sharing some fresh new case studies via our social media channels and blog, as well as circulating a final monthly newsletter to over 500 partners summarising the achievements of the campaign.

Most service areas that work with volunteers have recorded an increase in their volunteer numbers from 2015/16 to 2016/17, in conjunction with the campaign. For example, the number of library volunteers increased from 1,007 to 1,164 and

the number of Countryside Management Service volunteers rose from 403 to 443.

5.4 Local Partnerships

We hosted our annual partnership meeting with Parish and Town Councils on 3 July at Hertfordshire Development Centre, Stevenage. Organised in conjunction with the Hertfordshire Association of Parish and Town Councils, the event offered the opportunity for the County Council to meet with Parish and Town Councils to discuss how we can work better together in relation to the following key themes: planning, community resilience and managing flood risk.

I have also begun to attend district Local Strategic Partnership meetings, at which my Deputy and I act as the County Council's representatives. So far, I have attended meetings of St Albans on 9 June, Hertsmere on 13 June and Three Rivers on 14 June.

5.5 Hertfordshire Compact

Since the previous report, I am pleased to announce a further seven organisations have signed up to the Hertfordshire Compact; a total of 34. The refreshed Compact was launched one year ago this month and the first annual survey to gauge its success is due to be 'live' from July to September.

The Community Wellbeing team continue to work closely with the voluntary and community sector to increase the role it has in working in partnership with statutory agencies to support the most vulnerable in our society. Examples of work currently being undertaken is the development of a 'Social Prescribing' approach with Health colleagues, upskilling of voluntary organisations to work more effectively with personal budgets and effective partnership work with the Fire Service in the countywide roll out of Safe and Well visits.

5.6 Libraries

On 16 March, the previous Executive Member with responsibilities for Libraries, Teresa Heritage, welcomed Rob Wilson MP, Minister for Civil Society, to officially open the new state-of-the-art Hemel Hempstead Library, and Hertfordshire's first CreatorSpace facility in the newly refurbished Watford Central Library.

On 6 June, I responded to the recommendations of the Scrutiny Topic Group on Inspiring Libraries held on 20 March 2017.

I have begun to visit our libraries across the county and in the week beginning 19 June, I visited three public planning exhibitions to meet residents in Sawbridgeworth, Redbourn and Wheathampstead and discuss plans to co-locate libraries with retained fire stations in these towns.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Education, Enterprise & Skills Cabinet Panel has met on 6 April 2017. The matters discussed can be found at the following location:

[Education, Enterprise & Skills Cabinet Panel - 6 April 2017](#)

- 6.2 Since the last Executive Report to Council, the Education, Libraries & Localism Cabinet Panel has met on 20 June 2017. The matters discussed can be found at the following location:

[Education, Libraries & Localism Cabinet Panel - 20 June 2017](#)

Terry Douris

Executive Member for Education, Libraries & Localism
July 2017

EXECUTIVE PORTFOLIO: ENVIRONMENT PLANNING AND TRANSPORT

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. There were no items of business specifically attributed to this portfolio.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 There have been no additional consequences for this Portfolio, regarding Cabinet decisions taken before May 2017.

3. Anticipated/ future decisions to be made by Cabinet

- 3.1 The September meeting of Cabinet will be considering a Draft Local Transport Plan, which will be subject to public consultation later this year.
- 3.2 The September Cabinet will also be considering a report on the Approval of sites to be identified within the forthcoming Draft Minerals Local Plan, which will also be subject to public consultation later this year.

4. Key Partnerships

- 4.1 On 22 March I attended a meeting of the Hertfordshire Infrastructure and Planning Partnership. The meeting received a presentation on the Hertfordshire Water Study and also a presentation on Rail issues in the County. The meeting also agreed to proposals for taking forward work on examining the potential for joint planning in Hertfordshire.
- 4.2 On 13 April I attended a meeting of the West Essex Economy and Infrastructure Board.
- 4.3 On 2 June I attended the Abbey Line Community Rail Fund Day.

5. Other comments

- 5.1 The Lead Local Flood Authority's Local Flood Risk Management Strategy remains on programme to be presented to the September Environment, Planning & Transport Cabinet Panel. This will be accompanied by an update on the Preliminary Flood Risk Assessment for Hertfordshire which has been developed in consultation with the Environment Agency and, further to consideration by Panel, will be submitted to Government
- 5.2 The Bus Services Act 2017 was given Royal Assent in April 2017. The Act has three key elements concerning Franchising, Partnership and Open Data. Announcements on the secondary legislation and guidance for franchising are expected shortly. A paper on the potential opportunities presented by the Act

was presented to Members of the Environment, Planning and Transport Panel in June; a more detailed paper to be presented later in the year outlining options for Members to consider on how Hertfordshire can maximise the full potential for Hertfordshire

- 5.3 Rights of Way Improvement Plan – all stakeholder engagement has been completed with officers assessing and incorporating the feedback before bringing a final paper to a future Environment, Planning & Transport Panel in the autumn.
- 5.4 Transport Review - a comprehensive review of the Council's passenger transport operations is being conducted to explore opportunities to identify ways to sustainably reduce underlying revenue costs whilst preserving or improving service levels and quality standards. Working with consultants the objective is to identify a program of change that will deliver efficiency options, cost reductions, income generation and service improvements. An initial report is expected in late July.
- 5.5 I have written to the Secretary of State for Transport following a meeting I had with senior civil servants in April, setting out our emerging proposals for the A414 Corridor and the need to give support to Local Authorities to deliver innovative approaches to the funding of infrastructure to support growth.
- 5.6 I remain extremely concerned about the revised timetable for the Govia Thameslink Services in the County, which will lead to the cessation of trains between Watton at Stone and Stevenage. I will continue to work with partners to lobby for the proposal to be revised.
- 5.7 Given the enormous development pressures emerging from the local planning process, I have continued to emphasise to Local Planning Authorities the importance of effective partnership working in order to deliver essential supporting infrastructure. The County Council will be working with the Hertfordshire Infrastructure and Planning Partnership to investigate how to fund future investment in infrastructure provision and a workshop on this topic, with councillors and officers from the 11 planning authorities in the county, will be taking place on 25 July.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Environment, Planning & Transport Cabinet Panel has met on 29 March 2017 and 30 June 2017. . The matters discussed can be found at the following locations:

[Environment, Planning & Transport Cabinet Panel - 29 March 2017](#)
[Environment, Planning & Transport Cabinet Panel - 30 June 2017](#)

Derrick Ashley
Executive Member for Environment, Planning & Transport
July 2017

EXECUTIVE PORTFOLIO: HIGHWAYS**1. Cabinet decisions since the last Executive Report to the County Council**

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. The item of business specifically attributed to this portfolio is set out at paragraph 3 below.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 On 13 March 2017 Cabinet approved the Integrated Works Programme for 2017/18.

3. Anticipated/ future decisions to be made by Cabinet**3.1 Cabinet – 10 July**

Cabinet will be invited to approve the Transport Asset Management Plan Annual Progress Report for 2016.

- 3.2 No other Cabinet decisions are anticipated at this stage.

4. Key Partnerships

- 4.1 Nothing to report.

5. Other comments**5.1 Road Condition**

Hertfordshire has some of the Country's busiest roads. Our 3,000 miles of road see more than five billion car trips each year and support two-and-a-half times the national average of lorry journeys. It is therefore inevitable that our roads require more frequent maintenance and we know that neither we, nor the rest of the Country can afford to have perfect roads, but it is comforting to know that the condition of our roads is in line with - or better than - the national average, according to a new Department for Transport (DfT) survey.

The DfT's report 'Road Conditions in England 2016' found that three per cent of Hertfordshire's 'A roads' have reached the point where they should be considered for maintenance, which is the same as the national average. The County's 'B and C roads' are better than average for the East of England, with six per cent requiring maintenance compared to seven per cent regionally. The survey found that 15 per cent of Hertfordshire's 'Unclassified roads', which make up the majority of the network and include most country lanes and local urban roads, should be considered for work, which is better than the national average of 17 per cent and the regional average of 20 per cent.

5.2 Integrated Works Programme

By the end of May the Highways service had completed construction of just under a quarter of the Integrated Works Programme. This is slightly ahead of our initial programme set at the beginning of April.

Completed schemes include:

- 125 Surface dressing schemes
- 69 Micro surfacing schemes
- 39 Resurfacing schemes
- 30 Footway treatment schemes
- 5 Integrated transport schemes
- 4 drainage schemes
- 2 Structures scheme

A significant amount of planning and coordination went into the development of this 2017/18 programme. This is paying dividends as we are well on target to complete our programme to plan. Our surface dressing programme is already complete and our micro programme is planned for completion in September.

5.3 More Holes in the Ground

Hertfordshire's geology continues to challenge us with another deep hole opening up in Hemel Hempstead. Whilst we do not own the sub soil below the road construction we have been taking on the role of 'good neighbour' and co-ordinating the investigations and remediation works, as we did at Fontmell in St Albans.

The ultimate solution for these holes can often be fairly low tech – filling them with foam concrete - but the investigations to establish the exact nature, extent and cause of them can be quite complex. On that basis, the investigation we undertook at Fontmell has been shortlisted within Ground Engineering Magazine's awards for a "Ground Investigation Project with a Geotechnical Value of up to £500k".

5.4 A10 Kingsmead Viaduct – Barrier Renewal Works

The 12-week barrier renewal works on the A10 Kingsmead Viaduct were completed on the 16 June, one week ahead of schedule. The project has involved the replacement of the central reserve safety barrier, and improvements to the drainage both on and off the bridge. This also included drainage works inside the bridge itself, which would not have been obvious to the public.

Owing to the disruptive and extensive nature of the works we took every opportunity to carry out other highway maintenance operations at the same time. These included road markings, carriageway patching repairs, bridge parapet repairs, vegetation clearance, replacement of old signs and litter picking. The County Council undertook a very active press and social media campaign during the construction works. This was to both inform our customers on the progress and problems, but also to give them an insight into what the works involve, along with a bit of history behind the viaduct and its original

construction. Customer engagement has demonstrated that we have reached a far greater audience, with a positive outcome.

All this effort will extend the life of the bridge for many years; preserve its safe use by the public and reduce the need for us to return and do other works on the structure in the near future.

5.5 Road Safety Strategy

The County Council is leading a review of the road safety strategy on behalf of the Road Safety Partnership which will be circulated to Panel Members for review in October. The review will be based on an extensive strategic needs assessment of all relevant and available data and will outline the key priorities for the partnership to address the safety risks to road users and pedestrians.

5.6 Street Lighting Awards

As you know we are investing £18m over the next three years to convert all our remaining street lights to LED and CMS technology as well as keeping our ageing columns safe and operational into the long term. All of this has been at a fraction of the cost of the original PFI deal that was originally awarded and then withdrawn in 2010. Our approach to providing an economically and environmentally sustainable solution has been recognised nationally with the winning of the Chartered Institute of Highways & Transportation's 'Sustainability' award in June.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Highways Cabinet Panel has met on 22 June 2017. The matters discussed can be found at the following location:

[Highways Cabinet Panel - 22 June 2017](#)

Ralph Sangster
Executive Member for Highways
July 2017

EXECUTIVE PORTFOLIO: PUBLIC HEALTH, PREVENTION AND PERFORMANCE

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been 4 Cabinet meetings (10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. There were no items of business specifically attributed to this portfolio.

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

- 2.1 There are no consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017 for this portfolio.

3. Anticipated/ future decisions to be made by Cabinet

- 3.1 The following items from this portfolio are scheduled for consideration by a joint Children's Services and Public Health, Prevention and Performance Cabinet Panel on 28 June 2017, and by Cabinet on 10 July 2017.

- Children's Centre, Health Visiting and School Nursing Services Commissioning – Models for Consultation [Forward Plan Ref: A024/17]

- 3.2 The following items from this portfolio are scheduled for consideration by the Public Health, Prevention and Performance Cabinet Panel on 28 June 2017, and by Cabinet on 10 July 2017.

- Approval of the Hertfordshire Public Health Strategy 2017-21 [Forward Plan Ref: A034/17]

4. Key Partnerships

- 4.1 Nothing to report.

5. Other comments

- 5.1 24 Members attended the Public Health, Prevention and Performance induction session on Tuesday 13 June. The overview presentations given by Jim McManus, Director of Public Health, and Owen Mapley, Director of Resources, together with the materials from the showcase are available as part of the [Public Health Member induction pack](#) on the Public Health intranet page.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Public Health, Prevention & Performance Cabinet Panel has met on 13 June 2017. The matters discussed can be found at the following location:

[Public Health, Prevention & Performance Cabinet Panel - 13 June 2017](#)

- 6.2 A joint meeting of the Children's Services Cabinet Panel and the Public Health, Prevention and Performance Cabinet Panel was also held on the 28 June 2017. The matter discussed can be found at the following location:

[Joint Meeting of the Children's Services Cabinet Panel and the Public Health, Prevention & Performance Cabinet Panel - 28 June 2017](#)

Richard Roberts
Executive Member for Public Health, Prevention & Performance
July 2017

EXECUTIVE PORTFOLIO: RESOURCES, PROPERTY AND THE ECONOMY

1. Cabinet decisions since the last Executive Report to the County Council

- 1.1 There will have been four meetings of Cabinet (on 10 April 2017, 23 May 2017, 26 June 2017 and 10 July 2017) since the last Executive Report to County Council. There were no items related to this portfolio at the April and May Cabinet meetings. At the June Cabinet meeting, the items of business attributed to this portfolio were:

Cabinet - 26 June 2017

2016/17 Finance Report Q4 and Carry Forward Reprogramming Requests

[Forward plan reference: A011/17]

Cabinet noted the Quarter 4 (January – March) budget monitor report, summarising the final outturn position against revenue and capital budgets for 2016/17. For revenue, the forecast outturn position (subject to any adjustments as a result of the external audit of the 2016/17 accounts) is an under-spend against budget after proposed carry forwards of £3.265m. Cabinet approved the proposed carry forwards items and agreed to transfer the net underspend to the Invest to Transform Reserve, to fund initiatives that will help deliver savings required in the Integrated Plan.

Revised 2017/18 Adult Care Services Budget following additional Social Care Funding [Forward plan reference: A013/17]

Cabinet approved the revised Adult Care Services budget proposals for 2017/18. County Council agreed the Integrated Plan for the period 2017/18 to 2019/20 at its meeting on 21 February 2017. In agreeing the Integrated Plan, County Council was advised by the Director of Resources that proposals were contingent on receiving £8.5m funding from Herts Valleys Clinical Commissioning Group (HVCCG). Following the budget setting meeting a number of changes occurred; HVCCG confirmed on the 9 March 2017 the withdrawal of its funding of £8.5m to Hertfordshire County Council with a one-off transitional amount of £4.5m to be made available for the 2017/18 financial year. East and North Herts Clinical Commissioning Group (ENH CCG) indicated their intention to remove £4.25m of funding from 2017/18.

In addition, at the March Budget, the Chancellor of the Exchequer announced additional funding for Social Care services, which have since been referred to as the new improved Better Care Fund (iBCF). For Hertfordshire, the additional funding in 2017/18 was £13.2m.

Given the significance of all of these changes it was determined that a revised budget should be brought forward for agreement at June Cabinet.

- 1.2 Items of business attributed to this portfolio at the July Cabinet are set out at paragraph 3 below:

2. Consequences of Cabinet decisions before the last meeting of the County Council on 23 May 2017

2.1 Integrated Plan (IP): the 2017/18 IP has been approved and work continues on refreshing the IP for the period 2018/19 – 2021/22, including developing proposals to meet the forecast funding gap over this period. The 2017/18 budget has been adjusted for £13m additional government funding for social care, announced after the IP was approved. As noted above, the amended budget was approved at the meeting of Cabinet in June.

2.2 To Consider Whether to Obtain Land in Stevenage for Strategic Purposes [Forward Plan ref: A067/16]: Further to Cabinet agreement at its December meeting, the freehold title land at Q3 building, Caxton way, Stevenage has been acquired. Strategic options for potential short and longer term uses of this site are being developed.

3. Anticipated/ future decisions to be made by Cabinet

3.1 Cabinet - 10 July 2017

Acquisition of Land in Buntingford for a 2 Form Entry (FE) first school site [Forward plan reference: A031/17]

Cabinet will be invited to approve the acquisition of land at London Road, Buntingford for the purposes of securing a new 2fe first school site to ensure there is sufficient capacity to meet future demand in the area, on terms to be approved by the Director of Resources in consultation with the Executive Members for Resources, Property & the Economy and Education, Libraries and Localism.

Hertfordshire County Council Property Development Programme – Property Company [Forward plan reference: A033/17]

In March 2017 Cabinet agreed that the Director of Resources should commence a formal procurement process (known as an OJEU – based on placing a notice in the Official Journal of the European Union) to seek a preferred partner for a joint venture property development vehicle by December 2017. This process has commenced and is on schedule. Cabinet also agreed the Director of Resources should bring a Business Case and associated papers back to Cabinet to approve the setting up of a wholly County Council owned subsidiary company that will work directly with a joint venture partner and other providers to develop land and building assets that are surplus to operational need.

At its meeting on 10 July, Cabinet will be asked to approve the establishment of the wholly owned subsidiary, including authorising the appointment of directors of the company, providing indemnities to Officers appointed as directors of the company and to delegate authority to the Director of Resources to exercise the rights of the County Council as shareholder and authorise the Chief Legal Officer, in consultation with the Director of Resources, to take such steps as may be reasonably necessary to finalise the documentation required to establish the company.

3.2 Cabinet – 25 September 2017

Review of Financial Regulations [Forward plan reference: A010/17]: Finance Regulations are reviewed regularly and any changes brought to full Council for approval. The regulations are currently being reviewed and although no significant changes have been identified, the proposed draft will include some clarifications and improvements to make the Regulations easier to navigate.

4. Key Partnerships

4.1 Hertfordshire Local Enterprise Partnership (LEP):

The LEP has been working to appoint four new business leaders to join the LEP Board. Details of appointees will be shared as soon as they are confirmed.

The LEP Board on 29 June took place at East Herts District Council's Wallfields offices. The Board reviewed the new Herts LEP website which went live on 4 July <http://www.hertfordshirelep.com/>, approved the revised Strategic Economic Plan, and approved a number of funding bids including the BRE Open Innovation Hub and projects to support the regeneration of Stevenage.

4.2 London Stansted Cambridge Consortium:

Following the appointment of LSCC Chair Alexandra Jones to the role of Director of Industrial Strategy at the Department for Business, Energy and Industrial Strategy, the recruitment of a new chair has commenced.

The Annual LSCC Conference took place on 20 June with sessions on Space to Grow – the challenge for Cambridge; Promoting the Global hi-tech cluster in the corridor; Improving Connectivity and Infrastructure; Future priorities for growth – the Jobs, Homes or Greenbelt tension; Skills – meeting the needs of the hi-tech economy.

The LSCC board will next meet on 12 July [papers not yet received at the time of drafting this report].

4.3 Visit Hertfordshire:

The Visit Herts Partnership Group met on 11 May and reviewed the Herts Big Weekend event held in the Spring and the recent UKinbound Destination Workshop where 20 Hertfordshire tourism businesses had one to one meetings with key international tour operators to put Hertfordshire firmly on the map. The Group also agreed to hold a Workshop on developing apprenticeships and careers in the Tourism and Hospitality business in response to emerging staff and skills shortages in the sector. The Partnership is also in the process of bidding for Discover England Funding to take forward two new projects/campaigns.

Since then, I have been delighted to confirm that Go to Places (Visit Kent) have been awarded a three year contract to continue to deliver Hertfordshire's Destination Management organisation Visit Herts. The new contract begins on 1 August and was awarded following a rigorous 107 EU (Official Journal of the

European Union) procurement process by Hertfordshire Local Enterprise Partnership and the County Council. <http://visitherts.co.uk/>

5. Other comments

- 5.1 The County Council and the Hertfordshire Local Enterprise Partnership have both responded to the consultation framed by the Government's Green Paper, *Building our Industrial Strategy*.

6. Cabinet Panels

- 6.1 Since the last Executive Report to Council, the Resources, Property and the Economy Cabinet Panel has met on 23 June 2017. The matters discussed can be found at the following location:

[Resources, Property & the Economy - 23 June 2017](#)

David Williams

Executive Member for Resources, Property and the Economy
July 2017

REPORT FROM THE OVERVIEW & SCRUTINY COMMITTEE

The Committee met on 28 March 2017 at 10.00 a.m.

1. Scrutiny of the Integrated Plan 2017/18 – 2019/20: Feedback

- 1.1 The Committee received a report providing details of feedback from both Members and officers following the scrutiny of the Integrated Plan (IP) 2017/18 – 2019/20.
- 1.2 Members noted the feedback as detailed in the report and the consensus was that the overall process should remain the same with a few refinements to improve next year's IP scrutiny. These are detailed below:
 1. To revise room allocation for groups with larger numbers of officers attending;
 2. To rethink the reconvened meeting e.g. allowing an extra day to finalise the report and for discussions to take place on cross-cutting themes;
 3. That written guidance notes be distributed to Members earlier; and
 4. To remind the Chairmen of the IP groups and Graduate Trainees to leave 5-10 minutes at the end of the group gathering sessions to finalise wording for feedback to the Committee.

Members also agreed that Executive Member Portfolios with multiple strands would remain as this year when being scrutinised.

- 1.3 The Assistant Director, Resources, gave feedback and agreed that the process had worked well and that it would be helpful to know how officers could help make the IP packs slimmer. It was suggested that 'tablets' would make the process more interactive and would reduce the paper content used. It was also suggested that members might find it helpful to have a briefing to guide them through the IP pack before the IP scrutiny commenced.
- 1.4 Members noted that responses to the information requests made by the Committee in relation to the 'High Impact Gangs' had been circulated.
- 1.5 The Committee agreed the following scrutinies, proposed as a result of the IP scrutiny, be included in the Committee's future work programme:
 - (i) A review of the provision of day services
 - (ii) Hertfordshire Safeguarding Adults Board (HSAB) annual scrutiny – to

- (iii) consider self-esteem amongst teenage girls as its 2017 focus
 - (iii) A review of whether the nine Delivering Special Provision Locally Areas are performing consistently across the county
 - (iv) A review of the effectiveness of the Herts Infrastructure and Planning Partnership (HIPP)
 - (v) A review the Intelligent Transport Solutions (ITS) project
 - (vi) A review of the planning approach to identify and seek damages from individual drivers and organisations causing a hazard or damage to verges and footways in accordance with the Highways Act 1980.
- 1.6 The Committee also requested that the Health Scrutiny Committee consider including in its work programme a review of the Integrated Budget for Mental Health Services, and a scrutiny of consistency of social prescribing offered by GPs across the County.
- 2. Scrutiny Recommendations: Update**
 - 2.1 The Committee received a report providing the recommendations from the 'Public Health Reduced Budget' Topic Group; the Annual 'Crime & Disorder' Topic Group on Scamming; the 'Children Looked After' Topic Group and the 'Integrated Plan 2017/18 – 2019/20' Scrutiny.
 - 2.2 Members noted that the Executive Member responses to the 'Herts Waste Partnership' Topic Group, 'Public Health Reduced Budget' Topic Group and the Annual 'Crime & Disorder' Topic Group on Scamming had been received; Members further noted that all scrutiny recommendations and Executive Member responses would be considered by the Monitoring of Recommendations Topic Group in due course.*

**This work will now be carried out by the Overview and Scrutiny Committee Impact of Scrutiny Sub-Committee; see paragraph 7 below.*
- 3. Scrutiny work programme 2017 – 2018**
 - 3.1 The Committee considered its work programme 2017 – 2018 noting those scrutinies recently concluded and those scheduled for the forthcoming period.
 - 3.2 The Committee agreed that a number of scrutinies, proposed as a result of the IP scrutiny, be added to its work programme (see paragraph 1.5 above).
 - 3.3 The Committee also received an Addendum to this item of business advising that 3 motions relating to highways matters put to full Council on 21 March 2017 had been referred to the Committee; Members agreed that these be considered for inclusion in the work programme at the first meeting of the Committee in the new County Council.
 - 3.4 The draft scoping document for the Community Protection Topic Group scrutiny was received; it was agreed that the objective of this scrutiny would be changed to 'To scrutinise the partnership work of Community Protection Directorate (CPD) with Public Health, Health & Community Services (HCS) and others in developing a safe and well programme'.

- 3.5 Members agreed that the focus of the 2017 Crime and Disorder scrutiny will be domestic abuse, as listed on the work programme.
- 3.6 The Committee noted that a scrutiny member induction pack was being prepared and would be available for the new Committee in June 2017.

The Committee met on 21 June 2017 at 10.00 a.m.

4. Induction to Overview & Scrutiny

- 4.1 The Committee received a comprehensive induction to the Overview and Scrutiny Committee process setting out the role of scrutiny and how it was undertaken by the County Council, the expectations of Members as part of the Committee and the importance of their input in ensuring that the scrutiny process continued to be effective.

5. Scrutiny Recommendations: Update

- 5.1 The Committee received a report providing the recommendations from the 'Disability Support for Bus Users' Topic Group and the 'Inspiring Libraries Strategy' Topic Group, and the Executive Member responses to the 'Children Looked After', 'Disability Support for Bus Users' and the 'Inspiring Libraries Strategy' scrutiny recommendations.
- 5.2 Members noted that all scrutiny recommendations and Executive Member responses would be considered by the Monitoring of Recommendations Topic Group in due course.*

**This work will now be carried out by the Overview and Scrutiny Committee Impact of Scrutiny Sub-Committee; see paragraph 7 below.*

6. Joint Scrutiny Work Programme

- 6.1 The Committee noted the scrutinies on the work programme agreed by its predecessor. Members further noted that, in order to assist the new Committee in setting its work programme, the Head of Scrutiny had been tasked by the outgoing Committee to meet with chief officers to seek views on what scrutinies remained relevant. The Committee considered these views in agreeing its work programme and in ensuring that the matters for scrutiny reflected the new Committee's focus.
- 6.2 The Committee also considered the motions referred to it by the County Council on 21 March 2017. The Committee agreed the following actions for the Motions:
1. *"This Council requests the Highways Cabinet Panel to review the current Highways contracts to ensure they are fit for purpose and to identify changes to improve the performance of the said contractors."* (Motion 16A) – to be added to the work programme for scrutiny Autumn 2018. Reports on this matter are to be discussed at the Highways Panel in June and November 2017. These are to be forwarded to members of the

Committee.

2. *“This Council requests the Highways Cabinet Panel to review the outcome of the changes to the fault reporting system and responses brought in last year that has elongated the time for repairing faults and to consider what effect these changes have had on service delivery, complaints and performance.”* (Motion 16B) – this was not added to the work programme. Members would receive the Highways Cabinet Panel report.
 3. *“Whilst noting that the Enhanced Maintenance Programme brought for the current financial year was to also undertake a one-off clearance of gullies Council notes that many are still outstanding and thus requests that the Highways Cabinet panel undertakes a review of this process that has meant an 18 month cycle of gully cleaning and also to review if this is cost effective or adequate. As part of the review the Highways Cabinet Panel should review the inability of reported faults being shown on the fault reporting system.”* (Motion 16C) - This was not added to the work programme. Members requested a written information bulletin.
- 6.3 The Committee has now agreed its work programme for 2017/18 (full details of the changes and updates to the work programme are set out in the Minutes here <http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/592/Committee/6/Default.aspx>).
- 6.4 The Committee has also requested information bulletins for the following:
- The Hertfordshire Care Quality Standard – expectations on quality
 - Information and advice provision for social care self-funders in Hertfordshire, including in hospitals. This to be widened to an overview of adult social services including assessments, eligibility criteria, charging, services and reviews.
- 6.5 The Committee agreed to the following lunchtime seminars:
- An overview of the two safeguarding boards to clarify members responsibilities and the role and purpose of the annual scrutiny – already programmed for 7 September 2017
 - Outlining the work of the Local Enterprise Partnership - Late autumn 2017
 - Social services’ interface with the NHS and options for integration to include input from health bodies
- 6.6 The Committee was invited to consider whether it wished to invite chief officers to attend future committees to give an overview of items on the work programme; Members have agreed that the Chief Fire Officer attend a future OSC to outline the cost and benefits of Rescue Service staff being trained in medical trauma care when responding to ambulance call-outs and the Day-Crewing Plus initiative.

7. Proposed Impact of Scrutiny (OSC) Sub-Committee

- 7.1 The Committee considered a report setting out a proposal to establish an OSC Impact of Scrutiny Sub-Committee to replace the current Monitoring of Recommendations Topic Group. The Committee also considered proposals setting out how it is intended that the Sub-Committee will undertake its work.
- 7.2 Members have agreed the establishment of an Overview and Scrutiny Committee Impact of Scrutiny Sub-Committee; the Sub Committee will be made up of five Members and will be politically proportionate (3.1.1). Members noted that it will run consecutively with the Health Scrutiny Committee (HSC) Impact of Scrutiny Sub-Committee and that both sub-committees will have the same membership. The first meeting of the Sub-Committee is likely to take place in the autumn.

8. Annual Scrutiny Report

- 8.1 The Committee received the Annual Scrutiny Report detailing the work of scrutiny throughout 2016/17.

David Andrews
Chairman of the Overview & Scrutiny Committee
July 2017

REPORT FROM THE HEALTH SCRUTINY COMMITTEE

The Committee held a Budget Scrutiny Committee on 16 & 30 March 2017

1. Herts Valleys Clinical Commissioning Group's decision on the continued Funding of Care Services for the Financial Year 2017/18

- 1.1 The Committee welcomed the new Chief Executive of Herts Valleys Clinical Commissioning Group (HVCCG) Kathryn Magson, who confirmed the decision of the Herts Valleys CCG's Board on the continued funding of care services for the financial year 2017/18.
- 1.2 Ms Magson advised that at the HVCCG Board meeting on the 9 March 2017, the Governing Body had made two decisions:
1. To cease the discretionary payment for social care funding from HVCCG to Hertfordshire County Council from 2018/19. This was unanimously agreed by the Board.
 2. To make a reduced discretionary payment for social care funding to Hertfordshire County Council of £4.5m in 2017/18. This was agreed further to a long discussion with a majority decision, with one board member choosing to abstain.
- 1.3 Members were assured by Ms Magson of the CCG's commitment to repair the relationship with Hertfordshire County Council.
- 1.4 The Committee also heard from Iain Macbeath, Director of Health & Community Services for Hertfordshire County Council, who welcomed and endorsed Ms Magson's commitment for the future of joint working, and also assured the Committee of Hertfordshire County Council's commitment to joint working.
- 1.5 The following motion, proposed by the Chairman and duly seconded (by CJ White) was unanimously agreed:-

"The Health Scrutiny Committee recommends to Council that:-

- (1) *Council should not report the decision of Herts Valleys Clinical Commissioning Group (HVCCG) to withdraw funding for social care to the Secretary of State in accordance with its powers under Regulation 23(9) of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 ("the Regulations"), but that the Council should make a report to HVCCG in relation to the matters that*

the Health Scrutiny Committee has scrutinised in accordance with its powers under Regulation 22 of the Regulations; and

- (2) *That the Chief Legal Officer be authorised to take all necessary steps prepare and submit the report referred to in (1) above in consultation with the Chairman of Health Scrutiny Committee; and*
- (3) *Council notes the Committee's disappointment that the full £8.5m will not be paid, but also notes that the Committee is content that HVCCG has moved its position significantly with £4.5m to be paid in relation to 2017/18 and that the Committee looks forward to the County Council working together co-operatively with the CCG moving forward with stronger governance around any future funding and partnership arrangements."*

This was considered by County Council at its meeting on 21 March 2017 where the motion was carried unanimously.

2. Annual Scrutiny of Health Organisations 2017/18 (incorporating the Quality Accounts)

- 2.1 Members received an introduction to the scrutiny and a summary by the Scrutiny Officer, reminding members of the format for the Committee's scrutiny. The Committee then adjourned to gather its evidence. The Committee broke into three groups to gather its evidence and focussed on six local trusts.

- West Herts Hospital Trust
- North Herts Hospital Trust
- Herts Partnership Foundation Trust
- Herts Community NHS Trust
- East of England Ambulance Trust
- Herts Urgent Care

At the end of the evidence gathering process on the 16 March 2017 the session closed and then reconvened on 30 March 2017 to consider its recommendations, information requests and additions to the work programme.

- 2.2 The Committee agreed that it should receive a report at its meeting in June 2017 reviewing the process used for this year's Annual Scrutiny of Health Organisations 2017/18 (Incorporating the Quality Accounts)

The report can be found [here](#)

The Committee met on the 15 June 2017

3. New Health Scrutiny Committee Member Induction

- 3.1 The Head of Scrutiny, presented a comprehensive induction package to the Health Scrutiny Committee with the purpose of ensuring that Members were

fully briefed on the purpose of the Health Scrutiny Committee and fully understood the role and expectations of them as Members as part of the Committee, and how they needed to work make the scrutiny process effective.

4. Review of responses from Health Scrutiny Committee Annual Scrutiny 2016/17

- 4.1 Members were advised that further to the Annual Scrutiny in March, the six Health Trusts that had been scrutinised had been invited to respond to the report of the scrutiny written by the Scrutiny Team.
- 4.2 Members noted the responses from:
 - Hertfordshire Partnership Foundation Trust
 - East & North Herts Trust
 - East of England Ambulance Trust Service
 - West Herts Hospital Trust
- 4.3 Members expressed particular thanks to East & North Herts Trust for responding and noted that this had been challenging for the organisation as it had been subject to the cyber-attack that had affected a number of health organisations during May 2017.
- 4.4 Members expressed surprise that no responses had been received by Herts Urgent Care (HUC) and Herts Community Trust (HCT). The Chairman stated his intention to write to the Chief Executives of HUC and HCT to make clear his disappointment on behalf of the Committee regarding the lack of responses from their organisations.
- 4.5 Members unanimously supported the Chairman's intention to write to both Chief Executives of the HUC and HCT.
- 4.6 Members were advised that the Chairman would also be meeting the Chief Executives from both organisations who had not submitted their responses over the summer and would also raise the lack of response in discussion with them.

5. Scrutiny Recommendations Update

- 5.1 The recommendations of scrutinies held since the last meeting and the Executive response were noted by Members.

6. Scrutiny Work Programme Review 2017/18

- 6.1 Members learned that the Scrutiny Team will liaise with chief officers from the County Council and health organisations to establish areas and themes for consideration for the work programme for the Health Scrutiny Committee for 2017/18. A report will then be presented at the Health Scrutiny Committee in July 2017 which members will consider and agree their work programme.

7. Proposed Impact of Scrutiny Sub-Committee

- 7.1 Members have agreed the establishment of an HSC Impact of Scrutiny Sub-Committee. The Sub-Committee will replace the current Monitoring of Recommendations Topic Group and will be a more streamlined and focused way of monitoring action taken on the recommendations arising from Topic Groups.
- 7.2 The Sub Committee will be made up of five Members and be politically proportionate. Members noted that it would run consecutively with the OSC Impact of Scrutiny Sub-Committee and will have the same membership.

8. Scrutiny Annual Report 2016/17

- 8.1 Members noted the Scrutiny Annual Report for 2016/17.

**Seamus Quilty,
Chairman
July 2017**

Hertfordshire County Council

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

*01 June 2017
(for the 2017/18 Scheme of Allowances
04 May 2017 onwards)*

HERTFORDSHIRE COUNTY COUNCIL

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES FOR 2017/18 (04 May 2017 onwards)

1. Introduction

- 1.1 The report of the Independent Panel to the February 2017 meeting of Council included the following comment in relation to the County Council Election on 04 May 2017:

11.3 The Panel noted that they may need to meet again after the County Council election in May 2017 to consider changes to the Scheme of allowances. This would be the case particularly if there were any significant changes to the balance of political groups on the Council or to member roles which might attract a special responsibility allowance.

- 1.2 The reconvened Independent Panel on Members' Allowances comprised 4 independent members: Hazel Bentall, Michelle Drapeau, Nicholas Eldred and Christopher Clark. Apologies were received from Alan Lawrence. Nicholas Eldred chaired the meeting. The Panel met on 01 June 2017, and was supported by Kathryn Pettitt, Chief Legal Officer and Steven Charteris, Head of Democratic & Statutory Services.
- 1.3 The Group Leaders on the Council had been invited to make submissions to the Panel regarding their groups' views on the content of the Members' Allowances Scheme following the election.
- 1.4 Robert Gordon, Leader of the Council, provided written comment. Stephen Giles-Medhurst, Leader of the Liberal Democrat Group provided a written submission and attended the meeting. Judi Billing, Leader of the Labour Group attended on behalf of the Labour Group. The Panel greatly appreciated the attendance and the oral and written submissions of members.
- 1.5 The Panel were informed that the effect of the May 2017 election was to change the composition of the Council from:

Conservative 46: Liberal Democrat 16: Labour 15, to

Conservative 51: Liberal Democrat 18: Labour 9

- 1.5 The Panel considered:
- Whether the level of Executive Member Special Responsibility Allowances (SRA) remain appropriate considering the changes to portfolios.
 - The distribution of Group Spokespersons (eligible for an SRA) assigned to each Group considering the changes in proportionality.

2 Summary of Recommendations

- 2.1 The Panel recommends to Council that the Scheme for Members' Allowances be amended as follows:
- (a) Liberal Democrat Group to increase to 5 Spokespersons who are eligible to receive an SRA. All Spokespersons to continue to receive £4,989 per annum (0.5 x Basic Allowance).
 - (b) Labour Group to reduce to three Labour Spokespersons eligible to receive an SRA.
 - (c) All changes to SRAs to be applied from date of appointment to specific roles.
 - (d) Save as mentioned above, the terms of the Scheme currently in place should continue.

3. Submissions from Groups

- 3.1 The Panel received written comment from Robert Gordon, Leader of the Council, on behalf of the Conservative Group. Stephen Giles-Medhurst, Leader of the Liberal Democrat Group provided a written submission and attended the meeting. Judi Billing, Leader of the Labour Group attended on behalf of the Labour Group.
- 3.2 Robert Gordon (RG) wrote:
- 3.2.1 *As I understand it, the only issue before the Panel will be the opposition SRAs. In particular, I understand that the Liberal Democrat Group will be seeking an extra SRA. I do not have a particularly strong view on this and am content for the Panel to judge whether greater responsibility falls on the Liberal Democrat Group because they have 18 members (rather than 16 in the last Council; and 17 in the one before that). The changes are very marginal and, as SRAs (other than for the Group Leader) are not based on Group size (relative or absolute), it would not seem to be a strong case.*
- 3.2.2 *That said, I appreciate that it might seem odd for the minority opposition Group of 9 to receive the same SRAs (apart from Health Scrutiny and Group Leader) as the major opposition Group of 18. Again, the Panel will have to decide whether proportionality plays a part. Clearly, they concluded it did in the 2009-13 Council where the Labour Group of just 3 had no SRAs (except that for the Group Leader).*
- 3.3 Stephen Giles-Medhurst (SGM) provided a written submission to the Panel:
- 3.3.1 Overview.
Following the County Council Elections on May 4th I am making a submission that the Liberal Democrat Special Responsibility Allowances should be increased by one to reflect its increased opposition status and need to hold the administration to account especially with the councils increased responsibility for public health issues.

- 3.3.2 *In the former Council both the Labour and the Liberal Democrat Group had been allocated 4 Special Responsibility Allowances each. This however reflected the make-up of the council being 15 Labour, 16 Liberal Democrats. The new make-up is 9 Labour 18 Liberal Democrats.*
- 3.3.3 *I have discussed this at one of our Group Leaders meetings with the other party leaders from both Conservative and Labour and proposed that given our increased official opposition status we would like to bid for an additional 5th SRA. The Labour Group Leader accepted that they may be reduced to 3 SRAs if the Allowances panel were not mindful to increase the total number of opposition SRAs The Conservative Group Leader was content with this increase to the Lib Dem Group if the Allowances Panel were mindful to agree to it.*
- 3.3.4 *Need for accountability and opposition questioning.*
The Council has 8 Executive Members and 8 Deputy Executive Members with 8 Cabinet Panels of which these members Chair and Vice Chair. They receive 2 X the Basic Allowance and 1 X the Basic Allowances as SRAs for these roles. The Opposition spokespersons receive half a basic allowance.
- 3.3.5 *In the case of the Liberal Democrat Group the opposition Spokespersons perform the role of the Lead member of the Group questioning the decisions of the officers, putting forward proposals and holding the Executive Member to account. They act as official spokespersons to the media, In addition they form, with the myself as Leader and with other senior members - the two Committee Vice Chairs- what is known as a Shadow Cabinet. This meets in-between Council meetings, shadows the Cabinet of the County Council. At its meetings it has briefings from Senior Officers of the Council and Directors on issues facing the authority and this enables us to understand and better question the decisions taken. In particular as part of the budget cycle it will draw up an alternative budget to present to council.*
- 3.3.6 *The four roles are at present- to mirror the Panels and Executive members:*
- *Resources, Property & Enterprise,*
 - *Education, Children Services,*
 - *Adult Care and Health,*
 - *Environment, Planning & Transport.*
- 3.3.6 *However this does mean by and large covering two Panels. I as Group Leader take on the role for Highways.*
- 3.3.7 *Given the increased responsibility and the interface with the primary care trusts on Public Health, a new development over the last four years and the allocation of resources to the county council for this, I feel that a separate SRA covering Public Health and Community Safety is called for the official opposition to enable a 5th member to spend time to take on this role and receive an applicable allowance. If this were to be agreed I understand it would be backdated to the start of the Council year.*
- 3.4 *SGM attended the Panel and reiterated the case made in the written submission. He also noted the disparity between the SRA given to Deputy Executive Members (1XBA) and Spokespersons (0.5XBA).*

- 3.5 The Panel requested SGM's view regarding the distribution of SRAs within the Group. SGM noted that 5 SRA's does not allow the opportunity to give one SRA per Cabinet Panel (8). The Liberal Democrat Group therefore distribute the allowances according to focus of their group and distribution of responsibilities.
- 3.6 The Panel requested views as to the impact of non receipt of SRAs. SGM noted that members of his Group primarily carry out their duties based on their public service ethos rather than remuneration. However, he is of the view that SRAs are recognition of the additional effort and responsibility associated with the duties of a Spokesperson. He also noted that the additional SRA would allow the Group to bring in an additional member to the shadow cabinet and assist with succession planning.
- 3.7 In response to a question from the Panel, SGM expressed the opinion that responsibilities remained consistent across the Cabinet Panel portfolios.
- 3.8 The Panel thanked SGM for attending.
- 3.9 Judi Billing (JB) expressed the view that the changes to the portfolios were consistent with the previous distribution of executive responsibilities and therefore responsibilities remained equal across the portfolios.
- 3.10 JB noted that considering the result of the election her Group would not argue against a reduction of one Spokesperson SRA for the Labour group.
- 3.11 JB was content with the suggestion to increase the number of Spokespersons for the Liberal Democrat Group in line with the submission from SGM.
- 3.12 JB raised the remuneration for leader of the Labour group. The current calculation of 3.5XBA divided by 78 and multiplied by number of group seats has resulted in the Leader of the group receiving a smaller SRA than Spokespersons within the Group. She noted that the responsibilities and brief of the Opposition and the remit of the Council remained the same. She expressed the view that Group size could be considered as a component of the formula for calculating the SRA for Opposition Group Leaders rather than the sole variable.
- 3.13 The Panel thanked JB for attending.

4. Executive Member Special Responsibility Allowances.

- 4.1 The Panel reviewed the changes to the Executive Member portfolios as detailed in Annex 2 of the Constitution.
- 4.2 Having given due consideration to the revised portfolios, the Panel considered that the level of responsibility for all Executive Members remained similar and therefore recommends that the SRAs remain the same and at the same level for all Executive Members.

5. Group Spokespersons (eligible for an SRA).

- 5.1 The Panel considered the distribution of Group Spokespersons who are eligible for an SRA assigned to each Group, considering the changes to proportionality following the Council election in May 2017.

- 5.2 The Panel recommends that the Liberal Democrat Group increase to 5 Spokesperson SRAs (from 4) and the Labour Group reduce to 3 Spokesperson SRAs (from 4). The Panel are of the opinion that the recommendations are consistent with changes to proportionality within the Council and reflect the responsibilities of the Opposition Groups.

6. Other matters.

- 6.1 The Panel considered the submission by the Labour Group regarding the calculation of the SRA for Group Leaders. The Panel has requested that the matter be fully considered at the annual Independent Panel on Members' Allowances in November. The Panel requested that the following information be provided ahead of that meeting:

- Benchmarking information from other local authorities, to include information regarding the calculation of Group Leaders' SRAs.
- Specific submissions from each group on the matter ahead of the meeting.

- 6.2 The Panel recommends that all changes in SRAs be applied according to date of appointment to each role.

7. Costs

- 7.1 The additional cost of implementing the Panel's recommendations concerning Special Responsibility Allowances would be nil.

8. Future meetings

- 8.1 The Panel agreed the following date for their next meeting:
- Friday 17 November 2017 at 10am.

**Hazel Bentall,
Michelle Drapeau
Nicholas Eldred
Christopher Clark**

JUNE 2017

CHANGES TO THE COUNTY COUNCIL'S CONSTITUTION

Report of the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

Executive Member: Robert Gordon, Leader of the Council

1. Purpose of report

- 1.1 To seek Council's approval to revisions to the County Council's Constitution set out in the Report
- 1.2 To inform County Council of changes made to the County Council's Constitution by me as Chief Legal Officer under my delegated power in Section 12 of the Constitution.

2. Summary and Background

Health & Well Being Board

- 2.1 Under the relevant provisions in the Health and Social Care Act 2012 the '2012 Act') any "relevant clinical commissioning group" ("relevant" being defined in the regulations as a "clinical commissioning group whose area coincides with or falls wholly or partly within the area of the local authority") should be a member of the Health and Wellbeing Board for that area. The Cambridgeshire & Peterborough CCG (C&PCCG) includes GP practices in Royston and so should formally be a member of the Health and Wellbeing Board.
- 2.2 The membership of the Health & Wellbeing Board is set out in paragraph 4 of the Health & Wellbeing Board's Constitution (which is annexed as Annex 11A to the County Council's Constitution). Using the power delegated to the Chief Legal Officer in Section 12 of the Constitution to make changes to the Constitution in order to comply with the law I have amended paragraph 4.1.2 of the Health & Wellbeing Board's Constitution to provide that C&PCCG is a mandatory member of the Health & Wellbeing Board.

Overview & Scrutiny and Health Scrutiny Sub-Committees

- 2.3 At their meetings on 21 June and 15 June Overview & Scrutiny Committee and Health Scrutiny Committee respectively agreed to establish a sub-committee to oversee and review recommendations from scrutiny topic

groups (the 'Impact of Scrutiny (OSC) Sub-Committee' and the 'Impact of Scrutiny (HSC) Sub-Committee'). OSC and HSC each agreed that standing orders for the sub-committees would be as per the standing orders for committees of the Council. These standing orders are set out in Annex 11 to the Council's Constitution and Council's approval is required to amend the Constitution to refer to the Impact of Scrutiny (OSC) Sub-Committee and the 'Impact of Scrutiny (HSC) Sub-Committee in Annex 11.

Whistleblowing Procedure

- 2.4 The Council's Whistleblowing Procedure which was last updated in May 2013 has been refreshed during the course of the year. The revised Whistleblowing Procedure is annexed to this Report. The Whistleblowing Procedure is included as an annex to the Council's Constitution and so Council's approval is required to include the revised procedure in the Constitution.
- 2.5 The key changes to the Whistleblowing Procedure are:
 - a) Inclusion of a section which advises on the approach to be taken by school based staff when raising a concern in their workplace
 - b) Updating the details of the Reporting Officers (i.e. the officers responsible for operating the Whistleblowing Procedure)
 - c) Updating the procedure concerning how the Reporting Officers consider whistleblowing allegations when first made
 - d) The inclusion of a section identifying those external bodies to whom a worker can raise concerns and still obtain protection under the Public Interest Disclosure Act 1998
 - e) Inclusion of specific provision for feedback from the person making the whistleblowing allegation on the process
- 2.6 Audit Committee are to consider the revised Whistleblowing Procedure at their meeting on 7 July and their recommendation/s to County Council will be set out in the County Council Order of Business.

Generally

- 2.7 There are no legal requirements that need to be met or consultation undertaken before the changes referred to paragraph 2.3 or 2.4 above can be made.

3. Recommendation

- 3.1 That Council:
 - (a) agrees the changes to the Council's Constitution as set out in paragraph 2.3 the Report;
 - (b) notes the changes made to the Council's Constitution by the Chief Legal Officer as set out in paragraph 2.2 of the Report;

- (c) authorises the Chief Legal Officer to make any consequential amendments as may be necessary to the Constitution to give effect to the decisions at (a) and (b) above.

The recommendation from Audit Committee will be included in the Order paper for County Council

4. Financial Implications

- 4.1 None arising directly from this report.

Background Information

Health and Social Care Act 2012

<http://cc.bingj.com/cache.aspx?q=health+and+social+care+act+2012&d=4603235976151470&mkt=en-GB&setlang=en-GB&w=Qfl0KsrtnCwtTxLzBniY7e-6VBq2Sn-u>

1. Key Points

The Whistleblowing Procedure sets out the framework for dealing with allegations of illegal and improper conduct.

2. Introduction

Hertfordshire County Council is committed to the highest standards of transparency, probity, integrity and accountability.

This procedure is intended to provide a mechanism for making serious allegations about standards, conduct, financial irregularity or possible unlawful action. It does so in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged. This procedure is intended to ensure that the County Council complies with its duty under the Public Interest Disclosure Act 1998.

3. Scope

This procedure applies to:

- all County Council employees (with the exception of school based employees as referred to below)
- agency workers working for the County Council,
- contractors working for or providing services to the County Council
- a person providing goods or services to the County Council under a contract, including anyone providing goods or services on their own or a third party's premises
- County Councillors

This procedure **does not** replace other County Council policies or procedures including:

- the Grievance Policy
- the Harassment and Bullying Policy
- Safeguarding Adults at Risk Policy
- those relating to Safeguarding Children

You should only consider raising concerns through this procedure if:

- you have genuine reasons why you cannot use the above policies and procedures
- you have reason to believe that these policies are failing or are not being properly applied
- there is a public interest aspect to your concern

This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is an offence or breach of the law
- Alleged miscarriage of justice
- Serious Health and Safety risks
- The unauthorised use of public funds
- Possible fraud and corruption
- Witnessing sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users
- Abuse of authority
- Other unethical conduct

Schools

This procedure does not apply to schools, to whistleblowers based in schools or to others acting on behalf of the County Council based in schools other than in the circumstances mentioned in the next paragraph (*Maintained Schools*).

Maintained Schools

Individuals employed or working in maintained schools (e.g. community schools, community special schools, pupil referral units, voluntary controlled schools and maintained nursery schools) should raise their concerns with the school using the school's own whistleblowing policy and reporting arrangements rather than directly with the County Council. If the employee, however, has a concern which they feel they cannot discuss with the management of the school or have good reason to consider that their complaint or disclosure will not be properly handled, then they may report their concerns direct to the County Council or prescribed regulator.

If the concern relates to a child protection issue this should be reported to the Local Authority Designated Officer (LADO) and in line with the specific guidelines outlined in the school's safeguarding policy.

Foundation and Voluntary Aided Schools.

This policy does not extend to staff employed in these schools as in these schools the governing body is the employer not the County Council. It is therefore the responsibility of the governing body to adopt a whistleblowing policy. In a foundation or voluntary aided school it is for the governing body to decide how, within its policy, employees and workers may make a qualifying disclosure which they do not feel able to share with the Head Teacher or Chair of Governors.

Academies, Sixth Form Colleges, Further Education Establishments and Free Schools

The Council has no legal powers to investigate a disclosure made in respect of academies, sixth form colleges or free schools (except for disclosures made in respect of safeguarding issues and Special Educational Needs). If the County Council receives any disclosures relating to these institutions we will acknowledge these and seek to advise on an appropriate course of action on the matters raised.

Generally

In respect of disclosures of serious misconduct or wrong doing relating to safeguarding children or adults at risk and/or Special Educational Needs the Council has a legal obligation to investigate and will do so irrespective of the status of the school.

4. Contact Details for Reporting Officers

In this procedure reference is made to Reporting Officers. The following County Council officers are Reporting Officers:

- The County Council's Monitoring Officer (the Chief Legal Officer)
- The Assistant Director of HR
- The Head of Assurance Services

The contact details for the Reporting Officers are as follows:

The Monitoring Officer (Chief Legal Officer)

Kathryn Pettitt	
Postal Address:	Room 212, County Hall, Hertford, SG13 8DE
Postal Point:	CHO 241

Telephone:	01992 555527
Comnet:	25527
E-mail:	whistle@hertfordshire.gov.uk

This is a dedicated e-mail address for whistleblowing complaints to which only the Monitoring Officer and her two nominated Deputy Monitoring Officers will have access.

Assistant Director of HR

Sally Hopper	
Postal Address:	Room 202 County Hall, Pegs Lane, Hertford, SG13 8DE
Postal Point:	Postal Point CH0243
Telephone:	01992 556653
Comnet:	26653
E-mail:	sally.hopper@hertfordshire.gov.uk

The Head of Assurance Services

Terry Barnett	
Postal Address:	First Floor, Robertson House, Six Hills Way, Stevenage, SG1 2FQ
Postal Point:	SROB 105
Telephone:	01438 845508
Comnet:	55508
E-mail:	terry.barnett@hertfordshire.gov.uk

The County Council's employee assistance service, Carewell, is available to support and counsel whistleblowers or those considering using the Whistleblowing Procedure. While this service can provide useful support in what can be a difficult and worrying process, it cannot be used to make an allegation (the way to do this is set out in section 'Procedure for making an Allegation' below).

Carewell contact numbers are: 0800 731 0905 (minicom 0800 854 739).

5. Safeguards

The County Council recognises that the decision to make an allegation can be a difficult one to make. However, whistleblowers who make serious allegations in the reasonable belief that it is in the public interest to do so should be reassured that they are doing their duty either to their employer and/or to those for whom they are providing a service.

The County Council will take appropriate action to protect a whistleblower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

6. Confidentiality

All allegations will be treated in confidence and every effort will be made to not reveal a whistleblower's identity unless the whistleblower otherwise requests or unless there is a legal requirement to do so.

If the matter is subsequently dealt with through other County Council procedures such as the Disciplinary Procedure, the whistleblower's identity may have to be revealed in accordance with that procedure if the matter is to be effectively dealt with. Similarly, if the allegation results in court proceedings then the whistleblower may have to give evidence in open court if the case is to be successful.

A Reporting Officer will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than another Reporting Officer or to a person who has been asked by a Reporting Officer to investigate the allegation. A Reporting Officer, who intends to ask another person to carry out an investigation, will, as far as is practicable, inform the whistleblower before disclosing the whistleblower's identity to the person to be asked to carry out the investigation. Any person asked to carry out an investigation by a Reporting Officer and to whom a whistleblower's identity has been disclosed, will not further disclose that identity to any person without the whistleblower's consent.

Reporting Officers will take the utmost care to ensure that the identity of a whistleblower is not inadvertently disclosed. In particular, Reporting Officers will ensure that they only communicate with a whistleblower through means agreed with the whistleblower and will also ensure that the content of any communication to a third party about the allegation could not lead to inadvertent disclosure of the identity of a whistleblower.

7. Anonymous Allegations

This procedure encourages whistleblowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove.

Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the Monitoring Officer.

In exercising discretion to accept an anonymous allegation the factors to be taken into account by the Monitoring Officer would include:

- The seriousness of the issue raised
- The credibility of the allegation; and
- Whether the allegation can realistically be investigated from factors or sources other than the complainant

8. Untrue Allegations

No disciplinary or other action will be taken against a whistleblower who makes an allegation in good faith genuinely believing it to be true even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

9. Procedure for Making an Allegation

It is preferable for allegations to be made to an employee's immediate manager, if the whistleblower is an employee, or to the County Council employee to whom they report if the whistleblower is not an employee. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the whistleblower believes that management is involved it would be inappropriate to raise the matter directly with them. The whistleblower may then make an allegation direct to any one of the three Reporting Officers.

If an officer who is not a Reporting Officer (e.g. the whistleblower's line manager) receives an allegation he/she will discuss the allegation with the whistleblower. If, following discussion, the whistleblower wants to proceed with the allegation, the officer who received the allegation will inform the Monitoring Officer who will then deal with the allegation under this Procedure as if the allegation had been made direct to the Monitoring Officer.

An allegation may be made to a Reporting Officer orally or in writing. If an allegation is made orally the Reporting Officer to whom it is made may ask that it be confirmed in writing. Whether a written or oral report is made it is important that relevant information is provided including:

- The name of the person making the allegation and a contact point. As referred to above it will be more difficult for the County Council to pursue issues if allegations are made anonymously;
- The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);
- The specific reason for the allegation.

Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information to the Reporting Officer to establish that there are reasonable grounds for the allegation.

The earlier the allegation is made the easier it is to take action.

Someone making an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another County Council procedure the right to be accompanied will at that stage be in accordance with the relevant procedure (e.g. the Disciplinary Procedure gives the right to be accompanied by a trade union representative or work colleague).

10. Action on receipt of an Allegation

The Reporting Officer will record details of the allegation using the pro-forma record form approved by the Monitoring Officer. If not the Monitoring Officer, the Reporting Officer will, within 5 working days of receipt of the allegation, inform the Monitoring Officer in writing that the allegation has been made and forward to the Monitoring Officer copies of:

- The record of the allegation;
- The acknowledgement of the allegation;
- Any documents supplied by the whistleblower.

The Reporting Officer will ask the whistleblower for his/her preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

The Reporting Officer who received the allegation will notify the other Reporting Officers and work with them to determine whether the allegation should be investigated and, if so, the best way of investigating the allegation. If the Allegation relates to fraud, potential fraud or other financial irregularity the Head of Assurance Services will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence the Monitoring Officer, will discuss the matter with the other Reporting Officers and a decision will be made as to whether to inform the Police.

If the allegation concerns suspected harm to children, the Monitoring Officer will consult the Local Authority Designated Officer (LADO). If the issue is around suspected harm to vulnerable adults, the Monitoring Officer will consult with the Head of Adult Safeguarding (Health & Community Services).

Some allegations may be resolved by agreed action without the need for investigation. Where this is the case the Reporting Officer(s) will document the justification for this decision.

The Reporting Officer to whom the allegation has been made will acknowledge the allegation in writing within 10 working days by sending the whistleblower an acknowledgement in the standard format approved by the Monitoring Officer and containing the following information:

- An indication of how the County Council propose to deal with the matter
- An estimate of how long it will take to provide a final response
- An indication of whether any initial enquiries have been made
- Information on whistleblower support mechanisms, and
- Indicating whether further investigations will take place and if not, why not

Where the allegation has been made anonymously, obviously the County Council will be unable to communicate what action has been taken.

The amount of contact between the Reporting Officer and the person making the allegation will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the County Council will seek further information from the person making the allegation.

The County Council will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if a whistleblower is required to give evidence in criminal or disciplinary proceedings the Council will

arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

The County Council accepts that whistleblowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation. On conclusion of any investigation feedback will also be requested from the whistleblower on the process set out in this procedure for considering their allegation.

11. Responsibility for the Procedure

The Monitoring Officer has overall responsibility for the operation of this Procedure and for determining the administrative processes to be followed and the format of the records to be kept.

12. The Register of Whistleblowing Allegations

The Monitoring Officer will maintain a Register of whistleblowing allegations made under this procedure.

The Register will be in a format determined by the Monitoring Officer and will record the following details:

- The name and status (e.g. employee) of the whistleblower
- The date on which the allegation was received
- The nature of the allegation
- Details of the Reporting Officer who received the allegation
- Whether the allegation is to be investigated and, if yes, by whom
- The outcome of the investigation
- Any other details determined by the Monitoring Officer

The Register will be confidential and only available for inspection by another Reporting Officer.

The Monitoring Officer will report annually to the County Council's Audit Committee on the operation of the Procedure and on the whistleblowing allegations made during the period covered by the report. The report will be in a form which does not identify whistleblowers and will normally be considered by the Audit Committee in public.

13. Raising your concerns externally

Whistleblowers are encouraged to raise their concerns internally. The Public Interest Disclosure Act (PIDA) 1998 provides protection to workers from dismissal, harassment or victimisation if such treatment occurs as a result of having made a whistle-blowing disclosure **to their employer** considered to be in the public interest. Protection is also available to workers who report a disclosure to a '**prescribed person/body**'. The list of prescribed persons/bodies is available on the gov.uk website <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies> and includes the NSPCC in relation to child welfare and protection.