
MEETING	CABINET
DATE	5 MARCH 2013
PRESENT	COUNCILLORS SIMPSON-LAING (VICE-CHAIR, IN THE CHAIR), CRISP, LEVENE, LOOKER, MERRETT AND WILLIAMS
APOLOGIES	COUNCILLORS ALEXANDER AND GUNNELL
IN ATTENDANCE	COUNCILLORS BARTON, FUNNELL, HEALEY, RUNCIMAN AND STEWARD

101. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda. No additional interests were declared.

102. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 12 February 2013 be approved and signed by the Chair as a correct record.

103. PUBLIC PARTICIPATION/OTHER SPEAKERS

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme, however three Members of Council had requested to speak on the following items:

8. Smarter York

Cllr Barton commended the contents of the Smarter York report to be considered at the meeting. He did however express reservations in respect of paragraph 10 k) which referred to 'community resilience' in relation to flooding. Referring to the serious effects that regular flooding had on the village of Naburn

with 95 dwellings being identified as in danger. Officers had confirmed that, with only a small number of dwellings at risk, Naburn was low down on the list for flood defence works which left the village with no emergency service or public transport access to the village during such times. He asked Members to note the devastating effects such flooding had on the village and not to leave Naburn to 'community resilience'.

Cllr Runciman referred to the comment of the Lib/Dem Group in respect of items on the Cabinet agenda. Particularly in relation to the Smarter York report and the decrease in staff and change in roles which it was felt was not in the best interests of residents. It was also questioned if the data protection breaches surrounding the use of the app, identified by the Information Commissioner, had now been addressed. During a tight budget the cost of rebranding vehicles was also questioned, as was the type of 'wardens' referred to in the report as there only appeared to be a reference to snow wardens.

As the Charter appeared to be a list of things the Council already did it was questioned why there was no frequency or service standards listed in the report and further information on these points was requested.

10. Council Response to Consultation on Police and Crime Plan

Cllr Steward confirmed his wholehearted support for the proposed CYC response to consultation on the Police and Crime Plan. His only concern related to Questions 2 and 3 which provided six priorities/options and requested rankings which had not been fully listed but which, if ranked would provide a better response.

Reference was also made to the role of the Community Safety Overview and Scrutiny Committee in relation to this consultation. Suggesting that gaining the support of the Scrutiny Committee would provide additional backing for the consultation response.

He also referred to the need to make more use of Scrutiny Committees prior to issues being considered at Cabinet meetings.

104. FORWARD PLAN

Members received and noted details of those items listed on the Forward Plan for the next two Cabinet meetings, at the time the agenda was published.

105. SCRUTINY REVIEW OF OUT OF HOURS CHILDCARE

Consideration was given to a report which set out the recommendations arising from the Scrutiny Review into Out of Hours Childcare, with a copy of the full final report attached at Annex 1.

Councillor Runciman, as a member of the Task Group attended the meeting and presented the report to Cabinet. She confirmed that after discussion it had been agreed to slightly move the focus of Cllr Douglas's original proposal to out of hour's childcare and the impact that a lack of this had on those working outside of standard hours.

Members were informed that this had been an interesting, quick review and that some of the changes were already in place. Cllr Runciman thanked the Family Information Service for their valued assistance and she asked Cabinet to support the following recommendations arising from the review:

- Recommendation 1 That the Family Information Service Manager, by means of the childcare audit, audit childcare providers to gather more detailed information on their out of hours availability
- Recommendation 2 That the Family Information Service Manager update search routes online to:
- Allow families to search for out of hours or flexible childcare
 - Introduce an advanced search feature allowing families to specify required windows of time
- Recommendation 3 That the Family Information Service Manager ensures that a new page be created on the YorOK website providing parents with advice on finding informal childcare/babysitters

- Recommendation 4 That as the Council has recently taken back in house the work relating to the recruitment of childminders the Family Information Service Manager ensure that future work targets existing and potential childcarers in key areas to highlight the need for some out of hours and flexible childcare
- Recommendation 5 That the Family Information Service Manager incorporates into the Family Information Service's Awareness Strategy support options around out of hours childcare to:
- parents and carers
 - potential providers of flexible childcare
- Recommendation 6 That the Family Information Service promote and market the additional information and search functions on out of hours childcare on its website to parents and carers through press releases and additions to any printed information such as leaflets and posters
- Recommendation 7 That the Family Information Service Manager organise a further event for employers around being family friendly as identified in option 3 at paragraph 16 of this report
- Recommendation 8 That the Family Information Service Manager report back to Economic and City Development Overview and Scrutiny Committee after the next Annual Childcare Audit to give an update on the outcomes of the audit and progress on the implementation of the recommendations arising from this review

The Cabinet Member confirmed that the Task Groups recommendations appeared to be by and large focussed and acceptable. Reference was made to the huge pressure on

families to work hours that were not considered normal and that consideration needed to be given to the effect of this on children, balancing the authorities child safety responsibilities with child care provision.

Officers confirmed their commitment to the 'Childcare Sufficiency Statement' which would highlight the shortfall in provision and enable them to secure additional resources, if required.

The Chair thanked the Task Group members for their work on this review and it was

RESOLVED: That Cabinet agree to:

- i) Note the contents of the final report of the Out of Hours Childcare Scrutiny Review at Appendix 1 of the report.
- ii) The implementation of recommendations 1 to 8, as listed at paragraph 4 of the report.¹

REASON: To fully inform the Cabinet of the outcome of this scrutiny review.

Action Required

1. Proceed with implementation of review recommendations.

NM

106. SCRUTINY REVIEW - END OF LIFE CARE REVIEW - 'THE USE & EFFECTIVENESS OF DNACPR FORMS'

Consideration was given to a report which set out the recommendations arising from the End of Life Care Scrutiny Review, with a copy of the full final report at Appendix 1.

Cllr Funnell, as Chair of the Health Overview and Scrutiny Committee, was in attendance and presented the report detailing the consultation process undertaken with health care partners about the issues facing them. It was confirmed that all had raised concerns about care for older people and end of life care.

Review Members had gone on to identify a focus on the DNACPR Forms to ensure that patients wishes and instructions were acted upon by health care professionals and carers at the end of life. The report and recommendations had involved a considerable amount of work and engagement with all the relevant health partners.

During the course of the review it had been learnt that York Hospital had started to look at a number of work streams that fitted well with the recommendations of the review. This included the setting up of a new York Hospital internal end of life care forum, the development of a new end of life care strategy and work plan and the employment of a lead nurse for end of life care.

Cllr Funnell went on to thank the Scrutiny Officer and colleagues for their hard work and perseverance following changes in staff and bodies responsible for this work arising from the Health and Social Care Act 2012. It was reported that the Vale of York Commissioning Group (VYCG) had confirmed their commitment to continue with the review recommendations.

The Director of Public Health, confirmed that the recommendations had been welcomed, with all health organisations working closely together. With support from the VYCG the recommendations would be shared with other Commissioning Groups.

Members referred to the need for communication with next of kin to ensure that peoples wishes were known at an earlier stage, which also involved additional training for families and health care staff.

Consideration was then given to the following recommendations:

Recommendation 1 – that key health partners, namely York Teaching Hospital NHS Foundation Trust, Yorkshire Ambulance Service, Independent Care Group and York GPs, led and co-ordinated by the Vale of York Clinical Commissioning Group look at ways of better publicising the existence of DNACPR forms and in doing this they make use of the wealth of experience and knowledge that already exists within voluntary organisations such as the Carer's Forum' and LINKs (soon to be HealthWatch) to assist them with holding public events. ¹.

Recommendation 2 - That key health partners namely York Teaching Hospital NHS Foundation Trust, Yorkshire Ambulance Service, Independent Care Group, York GPs and the Out of Hours (OOH) Service led and co-ordinated by the Vale of York Clinical Commissioning Group review whether the redesigned handover forms for the OOH Service GPs have improved the sharing of information around end of life care wishes (including DNACPR forms) and explore whether there are further improvements that can be made in relation to information sharing. ².

Recommendation 3 – That key health partners ensure that there are appropriate co-ordination arrangements in place to ensure that patients can discuss their end of life care wishes and those wishes are enacted. The Neighbourhood Care Teams should play a pivotal role in responding to this recommendation, in particular in terms of identifying patients most at risk of health problems and looking at ways of talking to patients about their End of Life Care needs, including DNACPR orders. ³.

Recommendation 4 – That the Multi-Agency Workforce Development Group within the city be asked to consider how they can support all care homes within the city to achieve this. ⁴.

Recommendation 5 – That once a DNACPR form is in place:

- i. there is a known protocol setting out who will undertake the review of the form and when
- ii. the review date should be clearly stated on the front of the form
- iii. there are processes in place within key health partners' internal policies to identify which forms are due for review and how these will be undertaken
- iv. it is ensured that the completion of planned reviews is monitored. ⁵.

Following further discussion, Members commended an excellent report and it was

RESOLVED: That Cabinet agree to:

- i) Note the contents of the final report of the End of Life Care Review – 'The Use and Effectiveness of DNACPR Forms', at Appendix 1 of the report.

- ii) The implementation of recommendations 1 to 5, as listed at paragraph 4 of the report.

REASON: To fully inform the Cabinet of the outcome of this scrutiny review.

Action Required

1-3. & 5. Inform relevant bodies of review recommendations (to be actioned by external bodies) TW

4. Give consideration to how support can be given to achieve this review recommendation and implement. NB

107. APPROVAL OF THE HOMELESS STRATEGY 2013-18

Consideration was given to a report which presented the proposed homeless strategy and action plan to cover the period 2013-18. The authority had a duty to publish a homeless strategy every five years, with the first being published in 2003.

Key targets of the 2008-13 strategy and the achievements to date were presented at paragraph 4 of the report. Nationally it was reported that rough sleeping had increased by 43% with an increase in York from 2 in 2011 to 8 in 2012, with the use of temporary accommodation increasing to 99 at the end of 2012.

The strategy and action plan had been developed by a multi-agency Homeless Strategy Steering Group in consultation with stakeholders and customers with feedback where appropriate incorporated in the plan.

The Cabinet Member referred to the increase in those presenting themselves as homeless and the need for CYC staff to report any instances of rough sleeping. With an increase in those out of work, increases in the cost of living and changes to the benefits system it was considered that this would be a challenging 5 year Plan.

Consideration was then given to the following options:

Option 1 – To approve the proposed strategy and action plan.

Option 2 – To ask officers to amend the strategy and action plan.

RESOLVED: That Cabinet approve Option 1, to adopt the Homeless Strategy 2013 – 18 and associated action plan. ¹.

REASON: To ensure that the council meet legal requirements and to adopt a framework on which to develop services for customers that are homeless or at risk of homelessness.

Action Required

1. Proceed with implementation of Strategy and action plan

BW

108. SMARTER YORK

Consideration was given to a report which updated Cabinet on progress with Smarter York and proposed two versions of a ‘Smarter Charter’, which set out what the authority encouraged residents and businesses to do, details of which were set out at Annex 1 of the report.

This type of working had been introduced last year to ensure joined up services over a number of areas, with the introduction of a new app and included a large number of projects, detailed at paragraphs 2 to 8 of the report. Key elements of the programme including the reorganisation and streamlining of enforcement roles together with the appointment of a co-ordinator, communication plan and establishment of a project board were set out in paragraphs 9 to 16.

In answer to earlier questions, the Cabinet Member confirmed that the Smarter York branding would only be provided on new vehicles at no additional cost to the authority. It was confirmed that the Information Commissioner was now happy with the proposed technological solutions for the app. The overall proposals would provide and facilitate new ways of working with local communities, whilst recognising the financial issues.

Members raised issues relating to the need to collect litter prior to undertaking grass cutting and the support required to ensure student housing was kept tidy and assistance provided with the end of term clearance.

Following further discussion it was

RESOLVED: That Cabinet agree to:

- i) Note progress to date with Smarter York.
- ii) Approve the “Smarter Charter” as set out at Annex 1 of the report. ¹.

REASON: To make York an even better place to live.

Action Required

1. Proceed with implementation of Charter.

CC

109. STATUTORY REPORT OF THE MONITORING OFFICER

Consideration was given to the statutory report of the Monitoring Officer in respect of the Local Government Ombudsman’s (LGO) finding of maladministration regarding the way the Council managed the provision of assistance in roofing works for a resident.

The full report of the LGO, attached at Annex 1 to the report, found that the provision of assistance with roofing works to a vulnerable women’s home had been inadequate, wrongly included solid insulation in the schedule of works when the loft was already insulated and allowed the works to be signed off.

The authority was now required to consider the report and, within 3 months, notify the Ombudsman of the action the authority had taken or which it proposed to take. It was confirmed that the Council had agreed to pay compensation of £2000, which the LGO had recommended as an appropriate remedy.

Officers confirmed that the recommendations had been noted and practices reviewed, with staff now being involved in providing technical support for the service.

Following further discussion it was

RESOLVED: That Cabinet agree to:

- i) Note the Local Government Ombudsman's findings and recommendations and to endorse the steps already taken by Officers by way of offering a remedy.
- ii) Take no further action in relation to the matters set out in the report.
- iii) Adopt this report as the Council's formal response under section 5A of the Local Government and Housing Act 1989 and section 31 of the Local Government Act 1974 and arrange for it to be sent to every member of the Council and the Ombudsman.¹

- REASON:
- i) To satisfy the legal requirement to consider the report and to confirm the appropriateness of the remedy recommended by the Ombudsman.
 - ii) The steps already taken have been accepted by the Ombudsman as representing an appropriate remedy.
 - iii) To comply with legal requirements.

Action Required

1. Send copy of LGO report to every member of the Council and the Ombudsman.

JP, AD

110. COUNCIL RESPONSE TO CONSULTATION ON POLICE AND CRIME PLAN

Cabinet considered a report which set out details of the draft Police and Crime Plan recently published by the Police and Crime Commissioner for North Yorkshire. The Plan set out the strategic priorities for the force area during the Commissioners term of office.

Draft responses to the consultation questions together with an overall response reflecting the specific relationship between the Council Plan, the Safer York Partnership Community Safety Plan and the draft Police and Crime Plan were set out at Annex A to the report.

The Cabinet Member confirmed that he largely welcomed the Plan as a good first step, pointing out that resident's top priority had been to address crime and anti social behaviour. There were however a couple points that required building on to reflect the importance of the Safer York Partnership. Reference was also made to the valid comments of the earlier speaker regarding the ranking of priorities/additions/changes in questions 2 and 3 but pointed out that it had proved difficult to separate the priorities.

RESOLVED: That Cabinet endorse the draft consultation response to the Draft Police and Crime Plan at Annex A of the report and delegate completion of the final response to the Director of Communities and Neighbourhoods in consultation with the Cabinet Member for Crime and Stronger Communities. ¹.

REASON: To ensure that the Council provides a timely response to the consultation in line with the Council Plan and priorities.

Action Required

1. Prepare final consultation response in conjunction with Cabinet Member.

SW, JM

Cllr T Simpson-Laing, Chair
[The meeting started at 5.30 pm and finished at 6.40 pm].