

County Council
Thursday, 23rd May, 2024



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To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

15 May 2024

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 23rd May, 2024 at 2.15 pm.



Chief Executive

AGENDA

16. Questions from Members of the Council (Pages 1 - 6)

Answers to questions from Members of the Council pursuant to Standing Order 17.



**QUESTIONS TO THE
LEADER OF THE COUNCIL, CABINET MEMBERS
AND CHAIR'S OF COMMITTEES**

Thursday 23 May

**1. QUESTION FROM COUNCILLOR CONNETT
Re: Numbers in Foster Care**

Devon County Council currently has approximately 381 fostering households – with each household registered to foster between 1, 2 or 3 children. Given the number of children in care in Devon at present (approximately 891, I understand), how many children were placed in the care of Devon’s own foster carers in 2022/23 and 2023/24 compared with the number of children placed Independent Fostering Agency carers during the same period?

REPLY BY COUNCILLOR LEADBETTER

The table below sets out the number of children currently in foster care by provision type with a comparison to 31 March last year.

Fostering Provision	Snapshot	
	31/03/2024	31/03/2023
Parents or other person with parental responsibility	2	0
Own provision (local authority)	392	416
Other local authority provision	1	0
Other public provision	0	0
Private provision (Independent Fostering Agency)	178	173
Voluntary/third sector provision	5	8

As of 7 May 2024, DCC have 877 children in care, 64% of those children in care are placed in foster care, 44% in house fostering and 20% with a fostering agency. There are a total of 345 fostering households, 311 mainstream fostering households, which includes 60 ‘connected carers’ (defined as ‘a relative, friend or other person connected with a child’). We also have 34 temporarily approved connected carer households.

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2. QUESTION FROM COUNCILLOR LEAVER

Re: Mental Health Provision and North Devon Link Centres

What progress has been made in identifying and securing sustainable alternative mental health support provision in the community that will meet the needs of service users of the Link Centres in Barnstaple, Bideford and Ilfracombe that are due to be closed later this summer?

REPLY BY COUNCILLOR BULLIVANT

Following the Cabinet decision in March to close the North Devon Link Centres, officers undertook to provide an interim update for Health and Adult Care Scrutiny Members on how service users will be supported in the transition to alternative services and activities. The Council and DPT are working hard to manage a smooth and supportive process for everyone affected. Current service users and staff were immediately advised that the service will be closing, we then needed to hold the redundancy and redeployment meetings with the staff before we could confirm the final day and closure arrangements more publicly.

We can now confirm that the service will formally close on 26th July – meaning that service users will have been able to continue accessing the current services for four months following the date of the Cabinet decision. Link Centre staff will be supporting them throughout that period, along with visits from the Devon Mental Health Alliance (DMHA) team. We have tried to be as considerate as possible in agreeing that date, including aligning all staff notice periods to ensure a single closing date for all.

Officers are working with the DMHA to agree short term funding to increase capacity in this handover period through to the end of March 2025, during which time the DMHA will also be developing their wider offer across Devon. That transition support period will take us to a full year from the date of the Cabinet decision. The DMHA team are working with service users to co-design that, which is why it is taking some time; it is important we get it right for people. The DMHA are also holding conversations with local partners to provide some additional capacity to support people post-closure.

The plan is as follows:

- The centres will be open and operating as usual through the notice period but, at the suggestion of Link Service staff, there will be some reduction in drop-in sessions in the last couple of weeks to allow staff to finalise closing arrangements.
- We aim to maintain at least one weekly drop-in session in each town, ideally two, depending on need. Each community is being fully engaged as this develops
- The DMHA is developing a wider open access drop-in offer across the county, including supporting provision in areas previously served by Devon Recovery Learning College. These will be available to all people accessing the Link Centres, with a particular focus on providing goal-based outcomes like helping with PIP payments/bus passes

- The DMHA also have an ongoing learning offer in North Devon, which they will promote through the link centre network and aim to hold some courses in these venues. The DMHA will ensure they maintain a visible presence alongside this as a connector into wider resources.
- Mental Health Matters are also providing proactive support in this space to encourage engagement with their services
- The DMHA staff will regularly visit the centres in the meantime to start the conversations to agree how people can be supported once the service closes, including connecting people to that support now, where appropriate. The DMHA provide a mix of support themselves as well as connecting people to other groups and activities.
- The support conversations and subsequent plans will look different for each person based on their needs, their interests and what they would like to do. That includes peer support groups, which service users have expressed interest in already.
- DCC Estates team will manage any arrangements related to the physical buildings and are holding conversations with community groups who have expressed interest in making use of the space.

As requested by the Health and Adult Care Scrutiny Committee in March, a six month update will be reported to the Committee, [Agenda item - Call In of Cabinet Member Decision - North Devon Link Service - Democracy in Devon](#)

3. QUESTION FROM COUNCILLOR HODGSON
Re: Investment and Pension Fund (Palestine and Israel)

Given the huge public concern about the impact on Palestine of Israel's offensive in Gaza, what steps have been taken to identify investments in firms supplying arms to Israel within Devon County Council's Pension and Investment funds portfolios and can we divest from these firms as a matter of urgency?

REPLY BY COUNCILLOR MCINNES

The Devon Pension Fund is indirectly invested in the following companies through its investment in the LGIM (Legal and General Investment Management) Global Developed Paris Aligned Benchmark Fund.

Companies believed to be supplying arms to Israel:

- Boeing
- BAE Systems
- General Dynamics

Components for Mekava tanks

- Ametek

It should be noted that the Devon Pension Fund's investment is in a fund that tracks an index of global companies, constructed using set metrics, including a company's market capitalisation and climate metrics, and it is not possible for the Devon Pension Fund to divest from individual companies that are held in the fund.

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The index used by the LGIM (Legal and General Investment Management) Global Developed Paris Aligned Benchmark Fund does exclude certain companies based on set criteria. This includes exclusion of companies that manufacture controversial weapons. Controversial weapons are defined as those meeting the following criteria:

- Biological & Chemical weapons: Companies producing chemical or biological weapons and their components, including all precursors, munitions, devices or equipment specifically designed for, and used directly in connection with, these weapons. Secondary products and services to chemical & biological weapons that are specific to chemical & biological weapons.
- Cluster Munitions: Companies producing cluster munitions as defined in the Convention on Cluster Munitions and their components, including all precursors, munitions, devices or equipment specifically designed for, and used directly in connection with, these weapons. - Secondary products and services to cluster munitions that are specific to cluster munitions.
- Anti-Personnel Landmines: Companies that produce anti-personnel mines as defined in the “1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction” (“Ottawa Convention”). Secondary products and services to anti-personnel mines that are specific to anti-personnel mines.

The companies listed as supplying arms to Israel do not fall within those definitions and are therefore not excluded from the fund. It is also worth noting that these companies are also likely to be supplying arms to Ukraine.

4. QUESTION FROM COUNCILLOR CONNETT Re: Rooms for Foster Children

I understand that Devon foster carers report the number of bedrooms rooms they have registered as available for foster children has been reduced. What are the reasons for room registrations being reduced and does the council understand that foster carers believe this is being done as a 'punishment' in some cases for questioning the service or being considered 'challenging'.

REPLY BY COUNCILLOR LEADBETTER

Firstly, following the pandemic there has been a reduction nationally in the number of fostering households, and Devon has been no different in that overall reduction of fostering capacity.

Foster carers are registered to care for a specified number of children (up to 3) in a specified age range, not by the number of rooms available.

Changes to the terms of approval will be made following discussion with the foster carer, often as part of the foster carers' annual review. If there have been changes to the terms of approval for a foster carer (increase or decrease in the number of

children or changes to the age range), they will have been as a consequence of the discussion with the carer and in response to changes in their circumstances or experience of fostering.

Agreement and approval to place a child in foster care is based on the needs of the child or children. While some carers may have additional space there is a need to consider the 'matching' of children. As a result, the actual number of children placed with a foster carer at any one time will vary according to the needs of the children, their ages and gender and the carers terms of approval.

In summary, mainstream foster carers are approved for one, two or three children of specified age groups. Younger children or siblings may be able to share a bedroom; older children or children of different gender should usually have their own bedroom. Foster carers are subject to an annual review when the terms of approval are reviewed. This may result in a recommendation to increase or decrease the number of children that they care for.

Any foster carers who may have specific concerns, should raise them with the relevant Head of Service via their allocated social worker.

5. QUESTION FROM COUNCILLOR HODGSON
Re: Article 27 Letter for Planning Application DCC/4101/2018

Concerns have been raised about the issuing of the Article 27 Letter of Approval for Planning Application DCC/4101/2018 which led to the threat of a Judicial Review by Whitestone Parish Council, further to which I'm informed Devon County Council has now conceded to the case against the Council and will now face high legal costs for the errors. How did this arise and how much will the costs be?

REPLY BY COUNCILLOR BROOK

Following the Council's decision to discharge conditions attached to a planning permission for Lower Hare Farm, Whitestone, a claim for judicial review was received from Whitestone Parish Council. While the Council has contested parts of that claim, it has accepted that its decision contained some errors and is proposing to agree a Consent Order with the claimant.

In the question, Cllr Hodgson suggests that the Council will now face high legal costs, however, the matter of costs is still under consideration.

Improvements to the Council's process for discharging conditions have been put into place to limit the likelihood of similar claims in the future.

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6. QUESTION FROM COUNCILLOR CONNETT Re: Government Provision of Additional Funds

To support the valued work of foster carers who faced particular challenges in the Cost-of-Living Crisis, in March 2023 the Government provided Local Authorities with additional funds to provide foster carers with an emergency cost of living uplift in their fostering allowances. I understand, many carers were only made aware that the Government had provided Devon County Council with this uplift at the first Rates and Allowances Re-Structure consultation in October 2023.

Will the council explain what, if any delay, there was in informing foster carers of the cost of living uplift and confirm that all payments have now been made (or when they will be made) and as part of the response to this question, will the council publish its fostering payments and comparisons to the fostering payments made by other councils in the South West region?

REPLY BY COUNCILLOR LEADBETTER

The increase that is being referred to is actually the Qualifying Relief Tax for foster care and this doesn't involve any form of payment from the local authority, so there hasn't been any delay in us informing foster parents. The tax relief is realised through foster carer's tax assessments. Every year the fostering service issues a reminder and advice about their responsibilities for their taxes and it is through this mechanism that they will receive the benefit from this government policy.

In March 2023, the government increased the Qualifying Care Relief Tax for foster carers which took effect in the 2023/2024 tax year. In April 2023's newsletter to foster families, we included our annual reminder to foster carers about their tax responsibilities as any benefit would be realised through their tax returns. There is further information on Devon County Council's Fostering website here [Fostering payments - Fostering in Devon](#) about the changes in March 2023, alongside general tax advice for foster carers.

The national minimum allowance rates for foster carers are set by the Department for Education and change at the beginning of every financial year. They are the minimal allowance we must pay foster carers, and this cost is funded solely by the council.

The additional money available to increase fostering allowances that was discussed with foster carers in the autumn of 2023 was additional funds provided by the council. The additional money has now been allocated to an increase in fostering allowances (back dated to April 2023) which was approved by cabinet in April 2024.

A comparison of the allowances paid to foster carers in Devon compared to those in neighbouring local authorities was included in the report on fostering allowances presented to the Council's Cabinet as Agenda Item 12 in April 2024. A link to the reports for that Cabinet session is available ([Public Pack](#))[Agenda Document for Cabinet, 10/04/2024 10:30 \(devon.gov.uk\)](#).