

A G E N D A

9. Cabinet Member Reports (Pages 1 - 16)

To consider reports from Cabinet Members.

Report of the Cabinet Member for Policy, Corporate and Asset Management

I have been asked to report as follows for Full Council on 29 April 2021:

By Councillor Shaw on:

- *How it is proposed to hold Council, committee and other meetings if the provisions for online meetings are not extended?*

Response

Members will be aware that with the onset of the COVID pandemic, the Government introduced the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) which applied to local authority meetings (and police and crime panel meetings) that were to be held before 7th May 2021.

The Regulations permitted that a Member 'in remote attendance' can attend a meeting as long as certain conditions were satisfied. A meeting was not limited to those present in the same place. The reference to a "place" included electronic, digital or virtual locations and the Council has since run its entire suite of Committee meetings remotely and the system has worked well.

Local Authorities received a letter dated 25 March 2021 from Luke Hall MP outlining that extending the regulations to meetings beyond May 7th would require primary legislation and there was insufficient room in the Parliamentary timetable to do this, leaving Authorities with a choice of reverting back to face to face meetings, potentially reducing Councillor attendance at meetings, hiring much larger venues or a greater use of delegated powers.

An evidence bundle was collated by a number of interested parties (LLG, ADSO, Hertfordshire County Council and the LGA) to challenge the position and a court case took place on 21 April. It was hoped that a judge would give a direction that supported the updated interpretation proposed of the word 'place' which would have enabled councils to continue providing the option of remote attendance.

The judgement arrived on 28 April 2021 and the case was dismissed.

The full Judgement can be read here - [Hertfordshire County Council & Ors v Secretary of State for Housing, Communities And Local Government \[2021\] EWHC 1093 \(Admin\) \(28 April 2021\) \(bailii.org\)](#)

But in essence, the court concluded that:

"... the Secretary of State was correct in November 2016 and July 2019 to say that primary legislation would be required to allow local authority "meetings" under

Agenda Item 9.

the 1972 Act to take place remotely. In our view, once the Flexibility Regulations cease to apply, such meetings must take place at a single, specified geographical location; attending a meeting at such a location means physically going to it; and being “present” at such a meeting involves physical presence at that location. We recognise that there are powerful arguments in favour of permitting remote meetings. But, as the consultation documents show, there are also arguments against doing so. The decision whether to permit some or all local authority meetings to be conducted remotely, and if so, how, and subject to what safeguards, involves difficult policy choices on which there is likely to be a range of competing views. These choices have been made legislatively for Scotland by the Scottish Parliament and for Wales by the Senedd. In England, they are for Parliament, not the courts”.

ADSO / LLG have said they will continue to lobby government to quickly bring forward the necessary legislation to ensure that councils have local choice to determine how they run meetings, not just during the pandemic, but for the long term. Government had supported the position of those interested parties.

However, the Council will now need to look at a range of options to maintain the decision-making process in an open and transparent way.

Whilst no concrete decisions have been made, contingency plans had been made to book a larger venue (Exeter Chiefs) to accommodate an ‘in person’ annual meeting following the Elections, which, as Members will know, will be the 27th May. Whilst the letter from Government suggested that Local Authorities move their annual meetings to take place before the 7th May (expiry of the Regulations), this isn’t possible for Devon due to it being an Election year.

There are, however, a number of issues that Officers are currently considering and assessing which include practical matters such as:

- larger venues / rooms
- reconfiguration of committee room layouts
- overspill rooms
- limiting the use of shared microphones
- no provision of refreshments
- further risk assessments of the rooms / ventilation
- ensuring that agendas only contain items of key business to reduce the amount of time that people need to be physically present

There may be some meetings that can continue remotely. For example, the Devon Education Forum has recently been given permanent legislation to continue to hold meetings remotely. Furthermore, consideration will need to be given as to whether a remote / virtual meeting may still be appropriate for some of our non decision-making bodies and other forums.

There may need to be other measures taken to reduce the number of people physically in the meeting room, for example, the Council could make use of hybrid meeting technology and ask non committee members or the public / press to utilise this and remote in (acknowledging the rights of individuals to attend in person if they wished).

Much of this will depend on the risk assessments of the rooms and what can be done safely, but it is likely a range of options could be implemented moving forwards.

I understand that all meetings will continue to be webcast / livestreamed, even those that were not webcast prior to COVID (e.g. HATOCS, Audit, Investment and Pension to name but a few).

However, as a Council, I hope we do not reduce the numbers of committee members in the room or cancel large numbers of meetings (meetings would only be cancelled if there was no business to be transacted, as would be normal) or arranging for decisions that would normally be taken by a committee to be made under delegated powers.

But as I say, all of this is subject to further discussion and the views of the new Council being considered.

Councillor John Hart

Cabinet Member for Policy, Corporate and Asset Management

**Report of the Cabinet Member for
Infrastructure Development and Waste**

1. Introduction

I have been asked to report as follows for Full Council on 29 April 2021:

By Councillor Hannaford on:

- *any opportunities to work with Great Western Railway and Network Rail to make St Thomas Railway Station more accessible for disabled people and those with mobility issues.*

1. Response

I have sought advice from our rail industry partners who have explained that the St Thomas Station site has significant complexities which would make delivery of lifts on both platforms challenging. Such a scheme would need external funding and there is huge competition for funds as numerous stations across the UK were not constructed to current accessibility standards. The Government's Access for All programme specifically supports delivery of obstacle free, accessible routes from station entrances to the platform. While national funding has been allocated for 2019-2024, I would be happy to explore with Network Rail and GWR what scope there is for including Devon stations, including St Thomas in future rounds. That said, through working with rail partners, we have ensured that new stations at Cranbrook, Newcourt and Marsh Barton Station are designed to enable step-free access for all to leisure, retail, work and education opportunities. Also, as part of the South West Rail Resilience Programme between Teignmouth and Dawlish, there will be a new accessible footbridge with lifts installed at Dawlish station as well as ramped access to the beach from the promenade.

Councillor Andrea Davis

Cabinet Member for Infrastructure Development and Waste

Report of the Cabinet Member for Economy and Skills

Introduction

I have been asked to report to Council by Councillor Hannaford as follows:

“Youth Unemployment – The latest government figures show a further national loss of 800,000 jobs as a result of the so called covid employment gap. It is estimated that around 80% of these losses were bourn by young people.

Can the Cabinet Member please update council on the latest figures, trends and statistics regarding youth unemployment in Devon. Furthermore what work we are doing with partners to help get our young people back into work, including retraining and upskilling.”

Response

In line with the rest of the UK, Devon has experienced an increase in youth unemployment over the past 12 months due to the ongoing impact of the pandemic. As of March 2021 (the latest data available), 6.7% of those aged between 18-24 within the County were claiming universal credit (or 4,135 individuals). This represented an increase of 4 percentage points on March 2020, when just 2.7% of young people (1,350 individual) were claiming similar unemployment benefits. However, youth unemployment in Devon remains below both the South West and UK average (at 7.3% and 9.2% respectively).

With regards trends in youth unemployment, the County has been subject to some variability over the past 6 months. Following the immediate economic shock from the onset of the pandemic in March – July 2020, youth unemployment across the county rapidly increased to 7.5%. However, since this initial shock, the county has seen its youth unemployment rate gradually fall back to around 6.4%, though a small increase (0.3%) has occurred over the past two months as the third lockdown has been implemented. In the short term, it is expected that this temporary increase will disappear as the County continues along the Government's current unlocking roadmap.

With regards projections and patterns for the balance of 2021 and into 2022, as announced at the Budget in March, it is currently anticipated that the overall unemployment rate will increase slightly in the second half of 2021 as normal conditions return, and emergency assistance programmes / furlough assistance ends. However, it is anticipated that this increase will be short lived, with a steady drop in unemployment then expected during 2022 and 2023.

With regards direct support for young people and unemployment, Devon County Council has been extremely active over the COVID period supporting programmes and pathways to allow young people to access work and other training and learning opportunities. This includes supporting partner organisations across the area around delivery of the Government's Kickstart programme, with over 1,000 jobs created or in the process of being created across the County for those aged between 18-24; working with schools and colleges through our shared Careers Hub and Post 16 Transitions programme to support movement into college and other opportunities outside of work; direct commissioning of the Devon and Cornwall Training Provider network to work with the Council around the promotion and support of apprenticeships; and direct support for individuals and employers facing end of furlough / redundancy.

Of particular note, Devon County Council working with Exeter City Council / Exeter Works opened the new Exeter Youth Hub on Wednesday 21st April, based within the previous Tourism Information Centre within Central Exeter. A joint project between the two councils and Job Centre Plus, the hub is due to support at least 500 young people from across the County over the next year with advice and wider support services which allow them to enter work, training or a wider learning opportunity. The centre is the latest addition to a peninsula wide network of youth centric hubs across the Greater Devon area, which includes activity within North Devon, Torbay and Plymouth. Engagement is now ongoing with partners (including the Youth Service, National Careers Service, CSW, Colleges and other key providers) to ensure that Devon County Council and Exeter City Council can maximise the impact of this capacity over the next twelve months.

Looking ahead, following Council's decision to support an economic recovery programme planning is currently ongoing around a supplementary programme of support to be rolled out over the next 6-9 months. This will include additional support for young people preparing to leave full time education or move onto further and higher education; targeted support for young people with additional needs or barrier to work or other progression; supplementary advice and support for those considering an apprenticeship or other traineeship approach; additional basic skills and functional skills opportunities for those aged 18-24 with Learn Devon; and broader support for youth enterprise, graduate innovation and the Government's ongoing Kickstart and other employment support programmes.

Councillor Rufus Gilbert

Cabinet Member for Economy and Skills

Report of the Cabinet Member
Children's Services and Schools

I will be reporting as follows for Full Council on 29 April 2021:

1. By Councillor Hannaford as follows:

Concerned parents and carers in Exwick and St Thomas have contacted me recently about the very poor quality of school meals and snacks offered to their children. Including West Exe School.

I understand that a number of schools have recently changed their contractors and suppliers.

Can the Cabinet Member please report to council on these specific matters, and more generally across the county. Including any current issues around sub standard cuisine, unhealthy ingredients and inadequate portion sizes.

Also can he please confirm what proactive work we do to monitor these important matters as corporate parents, and the process to rectify operational performance when required.

2. By Councillor Aves as follows:

Please could I have an update on how transitions are going for our children and young people having to change schools or go to college who have EHCPs in the age range of 0-25. Including:

- *What is the average waiting time for getting the statutory changes made on the EHCP ready in time for any transition?*
- *Are all the EHCPs that need to be updated completed for transition in Sept 2021? If not how many are left to do for this July/September 2021?*
- *Transition is best when planned for with time for visits and good planning for the children and young people with EHCPs transitioning, because this is a very stressful time for them and their family if not done in a timely manner. What support is there in place for these families?*
- *The online hub was supposed to provide up to date information for families and staff to know what is happening but I am getting emails that say the information is not updated often enough which causes anxiety for families and school staff when EHCP updates are not completed by the Easter holidays. Is there a problem with the online hub being updated appropriately? Do we need to give DCC staff more time to do this?*
- *How does Devon compare with other comparable Local Authorities with how well we complete our EHCPs?*
- *I appreciate how hard our staff work and how difficult it has been to complete this work during the pandemic so I ask: Do we have enough resources to keep up with demand?*

Response

1. School Meals

School Governing bodies and Academy Trusts are responsible for the provision of school meals and it is for them to choose their catering provider and ensure that the lunches, and other food or drink served, meets the Standards for school food in England. DCC do not take a role in this and direct parents to the school leadership or governing body if there are concerns raised. We will only discuss the issue with the school if there seems to be a wider concern regarding quality or provision.

It should however be noted that a large number of Devon schools are contracted with Devon Norse to provide their school meals. As Devon Norse is Joint Venture with Devon County Council, we have more control over the meals provided and pick up any concerns at monthly management meetings.

In regard the specific query there are 6 PFI (Private Finance Initiative) schools in Exeter and the contract for the provision of Facilities Management (including catering) changed to a new provider on 1st April 2021.

It is understood that food served, in a school, on one of the days in the first week of delivery did not meet the new providers, the school's or parental expectations and a complaint was received. The provider has apologised to the school concerned and has put a plan together which includes further training in regard to quality and portion control. The schools working with the new provider will continue to monitor the standard of meals provided.

2. Transitions for pupils with EHCP's

Since this question was submitted members of Children's Scrutiny will have received a briefing paper which covers many of the areas outlined above in detail.

I can further clarify that timeliness for transition plans are based on a completion date which is the same regardless of when the review date was due. In some cases, this means that the plan is completed before it's annual due date.

While there is work between primary and secondary phases from the end of year 5, the majority of transition work for all pupils takes place in the summer term when secondary schools and colleges have completed the exam season and then start to work in more depth with their feeder primary schools.

In Devon, secondary schools and FE Colleges normally organise open days and open evenings, and many now do virtual tours when onsite visits are not possible. When permitted, they also organise welcome days before the end of term so young people can meet their new tutors. Many FE Colleges set up virtual groups for young people to discuss any areas of concerns. For transition to secondary school the new tutor may also meet the children at their primary school.

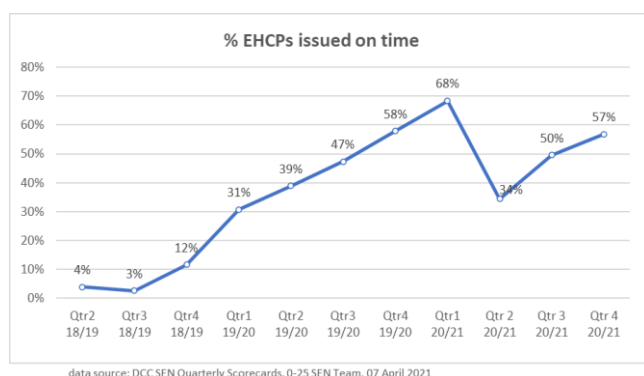
There is specific advice and guidance offered to children with SEND who are moving to secondary school and packages of support have also been put in place for children who are particularly anxious and this may involve support from an Educational Psychologist or other specialist advisor. SENDCO's at both schools will work closely together and when necessary the family to help ensure the transition is as smooth as possible

Specifically, for children with special education needs who are moving to FE, there is a partnership reference group which meets fortnightly to discuss issues and raise and concerns about the provision and transition planning.

Prior to any transition work however, Colleges and our Careers services will have supported young people to make their applications, prepare them for moving and discussed with them the options and choices they have. This work needs to take place before the Education Health and Care plan is finalised as their work will inform the content of the plan.

The EHC Hub is a case management system introduced about 12 months ago. It provides access to the child's parents and appropriate professionals to information as it is submitted. However, before information can be put onto Hub the case work and health or care assessments still have to be completed and a report then has to be provided by the relevant professions. This can mean that there is a delay before the information is submitted. We are also aware that some parents are HUB are not finding as helpful as anticipated and there is a meeting planned with parents to discuss their technical issues or access problems.

The last National published data for the timeliness of education health and care plans was for the year ending Jan 2020. The National Data for the year ending Jan 2021 will be published in May. Devon's performance in relation to timeliness is shown below. The dip in quarter 2 of 2020/21 reflects the impact of the first lock down when many assessments could not take place, and this led to less plans meeting the 20 week deadline.



There is currently no national data collection for Annual Reviews although we understand this is planned for Jan 2023.

The additional capacity in the SEND team was agreed on a temporary basis until the SEND Hub had become embedded. The pandemic has added a significant amount of complexity to the work of the SEND team and the demand for Education Health and Care plans is currently unsustainable. We are planning to evaluate the capacity of our staff alongside the impact of the pandemic and implementation of the SEND transformation work.

James McInnes
Cabinet Member
Children's Services and Schools

Report of the Cabinet Member Adult Social Care and Health Services

Introduction

I have been asked to report as follows for Full Council on 21 April 2021:

1. By Councillor Ackland on the consequences of the White Paper: 'Integration and Innovation' and a report on Devon's Health System's up to date plans on ICS governance.
2. By Councillor Ackland as follows: The Proud to Care Campaign has been running for some time now. Could we please have a report that updates Members on the impact it has had on the provision of the domiciliary care market across Devon and the adequacy of the workforce to fulfil the needs of our residents.
3. By Councillor Hannaford as follows:

The Laurels NHS gender identity clinic (GIC), is one of only seven in the entire country, and has assessed just two patients in a year, with one person left on the waiting list for almost six years. The shocking figures were revealed when a service user submitted a Freedom of Information (Fol) request to the Devon Partnership NHS Trust, which runs the West of England Specialist Gender Identity Clinic in Exeter.

The Fol response by the NHS trust showed that between 1 December, 2019, and 30 November, 2020, 495 referrals for new patients were accepted by The Laurels, yet just two patients were assessed by the clinic. However, there are currently 2,592 people on the waiting list for the clinic, with one patient having been on it 2,092 days, almost six years. This is 17 times the NHS legal guideline for waiting times of 18 weeks. At its current assessment rate, it would take The Laurels 1,296 years to assess every patient on its waiting list.

Can the Cabinet Member please confirm what work we are doing with key partners, including local members of parliament, to lobby for more resources to effectively deal with these serious issues, to help those who rely on our own services such as children's services and the wider community.

Response

1. Devon's Health System's up to date plans on ICS governance.

- In February, the Department of Health and Social Care published the legislative proposals for a Health and Care Bill.
- Measures to be brought forward include to place Integrated Care Systems (ICS) on a statutory footing. An ICS will be comprised of an ICS Health and Care Partnership and an ICS NHS Body. Further details are set out within the [white paper](#).
- The white paper is in line with the recent national policy direction and builds on the closer working and collaboration between the NHS and local government at a system level.
- On the 1 April 2021 Devon was approved by NHS England and NHS Improvement to be designated as an Integrated Care System for Devon (ICSD).
- Significantly more detail is pending including guidance on key undertaking such as the arrangements and establishment of the ICS Health and Care Partnership and an ICS NHS Body. We expect to receive this guidance throughout the year.
- The ICS Devon Partnership Board has established a [task and finish group to develop a proposed governance model](#) that will help in this next 12 months of transition and be ready to potentially take on statutory functions next April. The Task & Finish Group is scheduled to complete during Q1 21/22.
- Currently the up-to-date ICS governance arrangements remain the same as those presented to the [Health and Adult Care Scrutiny Committee in March this year](#)

2. The Proud to Care Campaign

Introduction

[Proud to Care Devon](#) has a number of aims:

- To attract job seekers to jobs, education and careers in care and health in Devon.
- To raise the profile of the care and health sector in Devon, particularly for those new to the sector.
- To work with a range of partners, including Department of Work and Pensions and Learn Devon, to offer CV preparation, interview skills and information sessions on opportunities in the sector (e.g. to support those who have been made redundant or are changing careers).

- To bid for funding as a partnership of Devon health and social care providers (e.g. European Social Fund Health and Social Care Skills Accelerator Programme)

Impact

Over the last 12 months, Proud to Care trialled a new matching service to match job applicants with provider vacancies in order to provide better evidence of success. This approach was devised after research into different schemes, including [Kirklees council's award-winning In2Care](#).

In the last 12 months, 302 job seekers have been recruited through Proud to Care for the [Devon Integrated Care System area](#), including 85 in domiciliary care in Devon County Council's geographical area, 65 in residential care, 4 in social care reablement and 13 in a care hotel in Devon County Council's geographical area (Total of 167). The remainder have been recruited to work in the NHS in Devon (59) and with adult social care providers in the Plymouth area (52) and Torbay area (24).

In addition, many job seekers have continued to apply directly to providers for vacancies advertised on the [Proud to Care jobs board](#).

On-going challenges

The significant efforts of the Proud to Care team including the numerous campaigns are having an impact as detailed above. That said, on-going workforce sufficiency challenges are continuing.

Over the last year we have contained a potentially worsening situation rather than reducing overall sufficiency challenges; in Devon there is persisting domiciliary care worker shortage of c90-100 staff as well as challenges in wider markets.

As the economy starts to open up, particular hospitality and tourism in the South West, recruitment and retention challenges within the caring workforce will re-emerge as new and competing employment opportunities become available.

On-going response

The Workforce Development Commissioning (Care and health) team is continuing to look at new ways to support care providers with meeting their recruitment and retention needs:

- Using the Workforce Capacity Fund to pilot the Care Friends App Employee Referral scheme
- Working with the Department of Health and Social Care to maximise the benefit of the national Every Day is Different campaign
- Promoting value and reward of care workers, including fair pay, as part of the new Love Care work
- Working as a Devon Integrated Care System to hold joint virtual recruitment and careers events.

3. The Laurels NHS Gender Identity Clinic

This service is not commissioned by Devon County Council. It is an NHS service commissioned directly as part of the NHS's arrangements for specialist services. Locally, charitable organisations provide social and wellbeing support for people waiting for an appointment, but are unable to provide the medical support such as hormone replacement or blockers, or diagnosis to obtain a Gender Recognition Certificate.

The Laurels is the only NHS service of this kind in the South West. There are other clinics across the country and people will often travel around to try to find shorter waiting times. People are also privately funding due to the NHS waiting times, but the costs are very high meaning this isn't an option for everyone and can often result in financial hardship. There are still waiting times in the private sector due to a shortage of clinicians and specialist medics.

The local charitable organisations providing social and wellbeing support include Devon Youth Service who run X-Plore LGBT Youth Group which helps provide a safe space for young transgender people and the Intercom Trust who run a help and advocacy service. In addition, DCC has produced [an LGBT Toolkit](#) to help services understand and meet the needs of transgender people.

This is an important issue and as a Council we will do what we can to work jointly with partners for additional resources where appropriate.

Councillor Andrew Leadbetter
Cabinet Member
Adult Social Care and Health Services