

*County Council*  
Thursday, 2nd December, 2021



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**DEVON COUNTY COUNCIL**

To: Members of Devon County Council

County Hall  
Exeter  
EX2 4QD

24 November 2021

**Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 2nd December, 2021 at 2.15 pm.**

A handwritten signature in black ink that reads 'Phil Dorrey'.

Chief Executive

**AGENDA**

**1. Apologies for Absence**

**2. Minutes**

To approve as a correct record and sign the minutes of the meeting held on 7 October 2021.

**3. Announcements**

**4. Items Requiring Urgent Attention**

**5. Public Participation: Petitions, Questions and Representations**

Petitions, Questions or Representations from Members of the public in line with the Council's Petitions and Public Participation Schemes.

**6. Petitions from Members of the Council**

**7. Questions from Members of the Council**

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

## **FRAMEWORK DECISION**

### **8. Devon County Council's Vision, Ambition and Priorities: Our Strategy for 2021 - 2025 (Pages 1 - 4)**

To receive and approve the Report of the Chief Executive (CEX/21/1) together with Minute 68 of the Cabinet held on 10 November 2021 relating to the Council's Vision, Ambition and Priorities: Our Strategy for 2021 - 2025, attached.

The Council is asked

(a) that the vision, ambition, and priorities for 2021 – 2025 as set out on the webpages at Devon County Council Strategic Plan 2021-2025 (<https://beta.devon.gov.uk/devoncc-plan/>) be endorsed; and

(b) that the preparation and publication of an annual Council plan and progress report also be agreed.

*Electoral Divisions(s): All Divisions*

## **OTHER MATTERS**

### **9. Cabinet Member Reports**

To consider reports from Cabinet Members.

### **10. Minutes**

To receive, adopt and approve the Minutes of the under mentioned Committees, including any unstarred minutes and the recommendations contained therein.

**(a) Appointments, Remuneration and Chief Officer Conduct Committee - 20 October 2021 (Pages 5 - 6)**

Council is asked to endorse minute 10 and agree the recommendation of appointment of the Director of Finance.

**(b) Appointments, Remuneration and Chief Officer Conduct Committee - 16 November 2021 (Pages 7 - 8)**

Council is asked to endorse minute 13(b) and agree the recommendation of appointment of the Interim Monitoring Officer and Proper Officer and further endorse the post of Interim Returning Officer being included within that role.

**(c) Standards Committee - 4 November 2021 (Pages 9 - 14)**

**(d) Procedures Committee - 16 November 2021 (Pages 15 - 24)**

Including Council approval of Minute 12 – Member Development Strategy 2021 – 2025, attached.

(e) Audit Committee - 23 November 2021

The minutes will be published here shortly -

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=161&MId=4296&Ver=4>.

Council approval is required of minute 26 relating to the endorsement of Procurement Arrangements for External Audit 2023/24 to 2027/28.

(f) Public Rights of Way - 25 November 2021

The minutes of the meeting will be published here shortly.

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=171&MId=4241&Ver=4>

(g) Investment and Pension Committee - 26 November 2021

The minutes of the meeting will be published here shortly.

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=187&MId=4279&Ver=4>

(h) Children's Scrutiny Committee - 9 November 2021 (Pages 25 - 30)

(i) Health and Adult Care Scrutiny Committee - 11 November 2021 (Pages 31 - 38)

(j) Corporate Infrastructure and Regulatory Services Committee - 19 November 2021 (Pages 39 - 46)

## **NOTICES OF MOTION**

**11. Supporting Devon Residents into Homes of Their Own (Minute 53 - 7 October 2021)**

To receive and consider the recommendations of the Cabinet (Minute 73(a)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Connett and referred thereto in accordance with Standing Order 8(2), namely:

Devon County Council calls on the Government to:

1. End the tax dodge loop-hole of second home owners switching from Council Tax to Business Rates and then claiming 'small business' exemption, so they pay nothing at all.
2. To re-extend the notice period given to tenants to 6 months
3. Maintain the Local Housing Allowances at Covid-levels (plus cost-of-living increases) to support families into homes

and that the County Council will:

1. Work with Devon's District, City and Borough councils to establish a 'housing taskforce' working across the county to tackle the flight to Air BnB and holiday rentals
2. Support the provision of urgently needed rented housing on County owned land

**Council welcomes the research undertaken by property agents Colliers and published in August 2021, which confirms:**

Local authorities are losing out on millions of pounds of council tax income because the Government's business rates system is still giving many holiday home and second home owners the opportunity to avoid paying the tax, provided they make their properties available to rent. This situation has been made even worse by the pandemic.

Colliers estimates the total loss to local authorities from business rates relief for holiday lets in England and Wales alone is currently around **£110 million a year** - a significant sum that could certainly help bridge the gap in local authority finances, now suffering because of the pandemic.

Property owners who make their properties available to rent as holiday lets for 140 days of the year can claim they are a small business and as such can elect to pay business rates instead of council tax.

However, as small businesses they can claim for relief on 100% of the business rates payable if their properties have a rateable value of less than £12,000. Those properties with a rateable value between £12,000 and £15,000 are also entitled to a relief on a sliding scale in line with the Government's business rates relief policy.

Colliers has analysed the rating lists for the South West of England (Cornwall, Devon, Somerset and Dorset) where 9,600 new properties, claiming 100% business rates relief have entered the list in the last four years- an 82 % increase since the start of the 2017 Ratings List.

According to Colliers' estimates this flip from the council tax to the business rates list is costing the local councils an extra £16 million a year in council tax income. The South West now has 21,312 properties in the rating list that are eligible for 100% business rates relief and Colliers has estimated that if these properties at least paid council tax the local councils would benefit by £35.5 million a year!

### **Council also notes that the Office for National Statistics has reported:**

The number of households living in the private rented sector in the UK increased from 2.8 million in 2007 to 4.5 million in 2017, an increase of 1.7 million (63%).

Over this period, the number of owner occupier households remained broadly consistent at 17.7 million households.

However, households owned outright increased from 7.9 million to 9.4 million while households buying with a mortgage fell from 9.8 million to 8.3 million.

The number of social rented households decreased by 200,000 households to 4.5 million.

Younger households are more likely to rent privately, with those in the 25 to 34 years age group representing the largest group.

Households in the 45 to 54 years age group saw the biggest percentage increase from 11% in 2007 to 16% in 2017, an estimated increase of 384,000 households.

### **Council welcomed the protection for tenants but is concerned about a rise in evictions**

Due to Government action during the Covid pandemic, thousands of private sector tenants were protected from homelessness by the national ban on evictions.

However, that protective shield was removed on 31 May this year and, in addition, the notice period that a landlord must give a tenant was cut from six to four months

Citizens Advice said there's been a **17 per cent increase in people with issues about being evicted from their private rented accommodation**, comparing the first four months of this year with the same period a year ago.

It said there's also been a **36 per cent increase in the number of people seeking help with all types of problems in the rental sector**.

**Private rented homes are like Hens teeth...**

In Devon, we are seeing a dramatic shift in the availability of private rented homes.

In North Devon, the Reach Plc news organisation, reported on 8 August that there are 2000 residents looking for social housing on Devon HomeChoice but only 20 residential properties available for rent via Rightmove. In Teignbridge, there are 1000 applicants on the Devon HomeChoice register, a search of Rightmove on 9 August showed 5 rental properties available in Newton Abbot, 7 in Dawlish, 1 in Teignmouth, 1 in Ide, 1 in Bovey Tracey, 2 in Chudleigh and 1 each in Ashburton and Buckfastleigh with none in Exminster. In East Devon, there were 22 rental properties displayed on Rightmove. Anecdotal evidence from other districts suggests this pattern of high demand and very low supply is repeated across Devon.

And this is an extract from an online search on 09 August 2021 for Air BnB properties for let in Devon

[500+ Devon Holiday Cottages | House and Apartment ... - Airbnb](https://www.airbnb.co.uk)  
<https://www.airbnb.co.uk> > United Kingdom > England

Find the perfect self-catered holiday cottage for your trip to **Devon**. **Houses** with a kitchen and **apartments** with free parking await you on **Airbnb**.

The Guardian of February 2020 reported....

**Out-of-control' dominance of rentals in some communities depriving locals of homes, critics say**

- **The Devon village changed by Airbnb**

In England, the area with the highest rate of Airbnb lets was [Woolacombe](#), Georgeham and Croyde, in Devon, with 23 listings for every 100 properties.

<https://www.theguardian.com/technology/2020/feb/20/revealed-the-areas-in-the-uk-with-one-airbnb-for-every-four-homes>

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/15) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) that the County Council assess the potential for it to offer accommodation to new social and key workers to attract them to work for Devon County Council;

(b) that the County Council, as a member of Team Devon (Leaders and Chief Executives), propose to Team Devon that a Devon strategic housing taskforce be established to help draw together the work of existing pan-

Devon housing partnerships and focus on tackling homelessness and improving the availability of affordable housing in Devon; and

(c) that the County Council, as a member of Team Devon (Leaders and Chief Executives), proposes to Team Devon that it write to Devon Members of Parliament asking them to support changes to legislation and policy to address the housing problems in Devon described in the Notices of Motion. Team Devon's letter to MPs should propose strengthening the criteria on how a property becomes liable for Business Rates instead of Council Tax. Owners of these properties should have to show that they are commercially letting the property and not just declaring them available for rent.

**12. Devon's Housing Crisis (Minute 54 - 7 October 2021)**

To receive and consider the recommendations of the Cabinet (Minute 73(b)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely

Council notes with concern that Devon is in the grips of a serious housing crisis. Second home sales are soaring, private landlords are switching to holiday letting in huge numbers, significantly fewer homes are available to buy or rent, and both renters and buyers are being priced out of the county in an unprecedented way.

The post pandemic far South West property boom has especially compounded decades of systemic under investment in social and affordable housing, that has prevented local councils, housing associations, alms houses and charities from investing in more much needed homes for local people and families.

We know that across Devon we have thousands on the Devon Home Choice waiting lists, with thousands more not eligible to apply, and thousands more in often poor quality private rental stock. Home ownership is now only a distant dream for so many.

People who've lived here for generations are being pushed further away by property prices that they simply cannot afford.

Furthermore, we also risk our communities becoming unsustainable, we have a county wide recruitment and retention problem across all sectors, including at Devon County Council.

Council therefore resolves to;

- Set up a high level action group to look at using Devon County Council resources to provide some key worker accommodation for our own staff such as adult and children's social workers.
- That Devon County Council use its convening powers to host and coordinate a county wide Devon Housing Forum with all key partners to



develop a range of effective local and grassroots solutions to help solve Devon's housing crisis, including key workers such as nurses, care workers, teachers, hospitality and retail sector and those serving in the blue light services.

- Work with all our local Members of Parliament to ensure that new Secretary of State for Housing and Local Government fully understands the collective housing challenges that we urgently face in Devon, and to secure the necessary powers and resources through the Devon Devolution Deal to make significant and lasting progress to provide people in Devon with somewhere affordable, safe and secure to call home.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/15) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) that the County Council assess the potential for it to offer accommodation to new social and key workers to attract them to work for Devon County Council;

(b) that the County Council, as a member of Team Devon (Leaders and Chief Executives), propose to Team Devon that a Devon strategic housing taskforce be established to help draw together the work of existing pan-Devon housing partnerships and focus on tackling homelessness and improving the availability of affordable housing in Devon; and

(c) that the County Council, as a member of Team Devon (Leaders and Chief Executives), proposes to Team Devon that it write to Devon Members of Parliament asking them to support changes to legislation and policy to address the housing problems in Devon described in the Notices of Motion. Team Devon's letter to MPs should propose strengthening the criteria on how a property becomes liable for Business Rates instead of Council Tax. Owners of these properties should have to show that they are commercially letting the property and not just declaring them available for rent.

### **13. School Uniform Costs (Minute 55 - 7 October 2021)**

To receive and consider the recommendations of the Cabinet (Minute 73(c)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely:

Thousands of parents across Devon were again forced to pay over the odds for [school uniforms](#) this academic year.

The Government failed to issue legally binding guidance obliging schools to ensure that their specified clothing is reasonably priced in time for the start of the new term.

Under a new law passed by Parliament in April, schools will be required

follow statutory guidance on uniform costs, forcing them to keep prices down.

It was widely understood that this guidance would be in place in time for the start of the 2021/2022 academic year

In addition to encouraging schools to consider making second-hand uniforms available, the guidance will also instruct them to look into allowing parents to kit out their children in cheaper high-street alternatives and to also demonstrate that they obtained the best value for money possible from their suppliers.

Parents with children in state schools spend on average **£315 per year for each primary school child** and **£337 per year on uniform for each secondary school child**, according to [research from The Children's Society](#).

This is more than three times what parents think is a reasonable cost for primary (£85) and secondary (£105) uniform.

The new law, introduced as a Private Members' Bill by Labour MP Mike Amesbury, that had widespread cross party support, could save hard-pressed parents [hundreds of pounds](#) over the course of their children's academic careers.

Council therefore resolves to formally write to all Members of Parliament in the Devon County Council area, clearly raising all the ongoing issues and concerns around the rising cost of school uniforms, to urge them to actively support the implementation of these changes at the earliest opportunity.

Furthermore with cuts to universal credit, increasing fuel and heating costs, and rising inflation, we need to support our families now by making school uniforms more affordable in Devon as we cannot wait for government decisions.

Council therefore also resolves to write to all our schools this term to ask them to urgently reconsider their uniform policies, and check that parents and families have the option of buying school clothing that is less expensive. In line with previous Department of Education guidance to local authorities, governors and schools for setting school uniform policy.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/15) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council support the issues as raised and outlined in the Notice of Motion and accordingly;

(a) writes to Devon MPs; and

(b) that schools be reminded of the impending statutory guidance and ask that they take a proactive approach.

**14. Bovine Tuberculosis, Badgers and Vaccination (Minute 56 - 7 October 2021)**

To receive and consider the recommendations of the Cabinet (Minute 73(d)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Bradford and referred thereto in accordance with Standing Order 8(2), namely:

The badger cull is an attack on a native mammal without precedent in any country, in modern times.

As such – we shouldn't – and can't - stand by and watch from the sidelines. It is our wildlife, our natural heritage that is being decimated for no good reason at all.

I therefore propose that Council

1. recognises the impact of Bovine Tuberculosis on cattle, wildlife, and the farming community in the County
2. endorses good bio-security in the rural environment to reduce the risk of transmission of Bovine Tuberculosis;
3. confirms that this Council will not support the culling of badgers on Council land and will seek to amend its new leases accordingly. Any essential variation of such a lease clause will be subject to a formal request in writing and subsequent consent;
4. endorses vaccination as an important part of any long-term approach to reducing the general prevalence of the disease, risk to cattle or wildlife and its impact in Devon and resolves to support badger vaccination programmes, particularly in those areas most at risk of the spread of Bovine Tuberculosis, and to commit in principle to support them financially with Council and other resources.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/15) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to:

- (a) recognise the impact of Bovine Tuberculosis on cattle, wildlife, and the farming community in the County;
- (b) endorse good bio-security in the rural environment to reduce the risk of transmission of Bovine Tuberculosis through the continued promotion and dissemination of DCCs TB information packs for farmers;

(c) endorse vaccination as an important part of any long-term approach to reducing the general prevalence of the disease, risk to cattle or wildlife and its impact in Devon; and

(d) continue to assess the implications of the government's evolving strategy in relation to bovine TB and the resultant impact on the County Farms Estate.

**15. Divestment (Fossil Fuels and Local Government Pension Scheme) (Minute 57 - 7 October 2021)**

To receive and consider the recommendations of the Investment and Pension Fund Committee (Minute 35) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hodgson and referred thereto in accordance with Standing Order 8(2), namely:

**Devon County Council notes:**

- Devon County Council has around £157 Million invested in fossil fuels via the Local Government Pension Scheme. This is about 3.9% of its total fund and currently the 5<sup>th</sup> highest of all the Local Government Pension schemes in the UK[1]
- The United Nations Paris 2015 Agreement commits our governments to keep the global temperature increase to under 2 degrees and aim for 1.5 degrees. Carbon budgets produced by the Intergovernmental Panel on Climate Change, United Nations and the International Energy Agency show that preventing two degrees of warming relies on not burning 60-80% of all proven fossil fuels.
- With COP26 taking place in Glasgow in November 2021, there is increased emphasis by the UK government on showing global climate leadership, especially in relation to finance. Divesting our pension is a clear and meaningful action that can be taken at a local government level.
- Fossil fuel investments are financially risky as a result of both the Covid19 pandemic and the global transition to a more sustainable economic and environmental model. They are now being consistently out-performed by renewables.[2]
- Former Bank of England Governor Mark Carney warned in December 2019 that fossil fuel investments risk becoming “stranded assets” (i.e., worthless) as investors exit the sector. “A question for every company, every financial institution, every asset manager, pension fund or insurer – what’s your plan?”
- As continued investments in fossil fuels pose material financial risks to portfolios, funds have fiduciary duties to consider the benefits of decarbonising as part of their investment strategies. Fiduciary duty is defined by the Law Commission as ‘ensuring that pensions can be paid, ensuring that this is undertaken at the best possible value’.
- Pension funds have a legal duty to treat members “fairly as between them”. That means taking seriously the longer-term interests of younger

- members who may well be affected more by the climate transition.
- Continued engagement with fossil fuel companies does not stop them polluting and recent court action with Shell (DCC Treasurer's Investment Management Report to Pension Fund Committee 17.09.21) indicates that company's resistance to reduce its reliance on fossil fuels in line with the Paris Agreement.

**This Council commits to:**

1. Reviewing its Investment Strategy and developing and implementing a Responsible Investment Policy which rules out new investments in fossil fuel companies and divests as a matter of urgency from those fossil fuel companies it is currently invested in.
2. Calls on Devon County Council's Pension Fund to divest from fossil fuels by requesting its representative(s) on the Pension Fund Committee to call for the development and adoption of responsible investment policies which:
  - a. Immediately freeze any new investment in the top 200 publicly-traded fossil fuel companies.[3]
  - b. Divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds to achieve net zero by **2030**, in line with the aspirations of our Devon Carbon Plan. This requires a faster rate of change than the current 7% transition per annum.
  - c. Set out an approach to quantify and address climate change risks affecting all other investments.
  - d. Actively seek to invest in companies that will reduce greenhouse gas emissions and minimise climate risk.
  - e. Seek investment in the Paris Aligned Benchmark via Brunel as part of the transition.
3. Recognising that fossil fuel investments should be considered as part of the council's 'carbon footprint' and divesting our pension fund is one of the most impactful steps we can take to reduce our impact on our community and the world. A detailed report on the carbon footprint of the Devon Pension Fund investments will be provided to this Council
4. Requests the Devon Pension Fund to poll its individual investors for their views of divestment from fossil fuel companies and increased investment in companies that support sustainable initiatives such as renewable energy.

**Footnotes**

[1] 2021 figures taken from the report *Divesting to protect our pensions and the planet – An analysis of local government investments in coal, oil and gas*. Available at: <https://www.divest.org.uk/councils>

[2] *Energy Investing: Exploring Risk and Return in the Capital Markets*,

Joint Report by the International Energy Agency and the Centre for Climate Finance & Investment, Paris. Available at: <https://www.iea.org/reports/energy-investing-exploring-risk-and-return-in-the-capital-markets>

[3] As determined by the most recent Carbon Underground 200 list.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in [Report of the Director of Finance](#) and other suggestions and alternatives considered at that meeting, the Committee's **resolution** will be published here as soon as possible after the meeting - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=187&MId=4279&Ver=4>

## 16. **Restoring Railway Resilience**

Councillor Hannaford to move:

Council warmly welcomes and celebrates the restoration of the Okehampton to Exeter daily rail services after an absence of forty nine years.

After many years of strong cross party support at Devon County Council, we are especially pleased and proud that the first reopening under the governments " Restoring Your Railway Programme" has taken place at the heart of Devon.

Hopefully heralding a national railway service revival across the whole country, that will see a transformational change in commuter movements, and a substantial reduction in harmful emissions.

Council also welcomes the £50,000 to develop a business case to reinstate passenger rail links between Tavistock and Plymouth, and the new additional funding to reopen Cullompton Railway Station.

However, council is greatly concerned, that there is still an estimated huge gap in regional railway service investment of 4.5 billion for the South West Region, based on its ONS projected population over the period to 2045.

Therefore in order to continue to build upon the restoring your railway programme, increase the far South West's general connectivity, secure our railway resilience, and crucially assist with the climate emergency, council commits its active support, working with others to lobby, help facilitate, and advocate for the following projects ;

- The completion of the Great Western electrification programme.
- The development of the North of Dartmoor line, connecting Plymouth, via Okehampton and Tavistock.
- Additional passing loops, and an increase in line speeds, between

Exeter and Salisbury to improve journey times between Exeter and Waterloo Station.

- Encouraging and working with the logistics sector to commit to a serious switch to rail freight for the distribution of consumer goods, food, and industrial products.

Furthermore, Council resolves to make formal representations to the Government, national and regional transport bodies, the business sector, and our local Devon Members of Parliament, to secure the necessary funding and investment to progress these much needed and long awaited improvements.

## **17. After COP 26**

Councillor Atkinson to move:

The final draft of the COP26 agreement recognises " the urgent need for multilevel and cooperative action." which is understood by those negotiating on behalf of local government to refer to governance, and mean that action should include all levels of government from local to central.

This Council

- will work with Government and Local Government networks, to make sure the COP26 text is translated into meaningful local and national programmes to reduce carbon which are supported by agreed and sufficient financing by Government;
- demands that national plans formulated by the Government are discussed and negotiated between local and devolved Governments and not imposed centrally by Government;
- demands that when the Government promotes new financial measures addressing climate change, these should be discussed with local governments and associations before implementation to ensure that the resources are used effectively at a local level and provide value for money; and
- considers the current national Government competitive approach introduced in 2010, which has introduced an array of short-term and one-off funding pots for which Councils have to dedicate resources to bidding for to access to often small pots of money is not an effective way to address action to reduces global warming.

## **18. Behaviour Change and Phasing Out Fossil Fuels**

Councillor Hodgson to move:

Further to the outcomes of COP26, which failed to secure strong commitments to phase out fossil fuels, this council will seek to support behaviour change in residents and businesses in the County by

implementing initiatives modelled on the Welsh Government's One Planet Standard and associated Policies. This will include a commitment to switch funding from fossil fuel intense (e.g. new road building) projects to alternative (e.g. Active Travel) projects that will support low carbon, and healthier lifestyles.

Background information at this link -

<https://www.youtube.com/watch?v=eSDnAnpaGHs>

**19. Community Composting Initiatives**

Councillor Hodgson to move:

In the spirit of COP 26 to reduce the carbon footprint of waste recycling, this Council will encourage and support community composting initiatives that are supported by Parish Councils in the County.



## **MEETINGS INFORMATION AND NOTES FOR VISITORS**

### **Getting to County Hall and Notes for Visitors**

For SatNav purposes, the postcode for County Hall is EX2 4QD

[Further information about how to get to County Hall](#) gives information on visitor parking at County Hall and bus routes.

Exeter has an excellent network of dedicated cycle routes. For further information see the [Travel Devon Webpages](#).

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street), St David's and St Thomas's. All have regular bus services to the High Street.

Visitors to County Hall are asked to report to Main Reception on arrival. If visitors have any specific requirements, please contact reception on 01392 382504 beforehand.

### **Membership of a Committee**

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### **Committee Terms of Reference**

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### **Access to Information**

Any person wishing to inspect any minutes, reports or background papers relating to an item on the agenda should contact the Clerk of the Meeting. To find this, [visit the Committee Page](#) on the website and find the Committee. Under contact information (at the bottom of the page) the Clerks name and contact details will be present. All [agenda's, reports and minutes of any Committee are published on the Website](#)

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Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed. Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

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An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall.

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In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair.

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Contact Main Reception (Extension 2504) for a trained first aider.

### **Mobile Phones**

Please switch off all mobile phones before entering the Committee Room or Council Chamber

### **Alternative Formats**

If anyone needs a copy of an Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Customer Service Centre on 0345 155 1015 or email: [committee@devon.gov.uk](mailto:committee@devon.gov.uk) or write to the Democratic and Scrutiny Secretariat in G31, County Hall, Exeter, EX2 4QD.

### **Induction Loop available**



CEX/21/1

Cabinet

10 November 2021

## **Devon County Council's vision, ambition and priorities: our strategy for 2021 – 2025**

Report of the Chief Executive

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: that the Cabinet be asked to:

- (a) Endorse the Council's vision, ambition and priorities for 2021 – 2025 as set out on the web pages at [Devon County Council Strategic Plan 2021-2025](https://beta.devon.gov.uk/devoncc-plan/) (<https://beta.devon.gov.uk/devoncc-plan/>)
- (b) Agree the preparation and publication of an annual Council plan and progress report.

### **1. Summary**

Following the election in May 2021, the priorities for the new Council will provide the basis for: an annual plan and progress report for each of the next four years; the development of the Council's annual budgets; medium term financial strategy; service planning and partnership working as part of Team Devon.

The Cabinet is being asked to agree the vision, ambition and priorities and overall direction of travel set out in the web pages at <https://beta.devon.gov.uk/devoncc-plan/>

### **2. Introduction**

Covid-19 has presented local government with new and unprecedented challenges. Devon County Council has worked as part of Team Devon over the last 18 months to address widening gaps in income, health and opportunity in the county. Against this backdrop, it is important that local public services maximise opportunities to provide the best outcomes for Devon. This means finding sustainable ways to support the health and wellbeing of everyone in Devon; strengthening our local economy; protecting and enhancing our environment; and providing value for money for the Devon taxpayer.

Since the May 2021 election, the Cabinet has made it clear that over the next four years, the Council will be focussing on recovery and renewal, to make Devon a fairer and more equal place. The priorities for the new Council have therefore been developed to help Devon achieve the overall ambition to become the best place to:

- **Grow up** - We are committed to being a child friendly Devon where all children and young people are safe, healthy, ambitious, and can fulfil their potential.

# Agenda Item 8.

- **Live well** - We are committed to being a fairer Devon: inclusive, compassionate and caring, where everyone is safe, connected and resilient.
- **Prosper** - We are committed to being a greener and prosperous Devon, with opportunities to create a sustainable future for all.

### 3. Vision, ambition and priorities for 2021-2025

The vision, ambition and priorities for the next four years, set out on the web pages <https://beta.devon.gov.uk/devoncc-plan/>, take account of the Council's political aspirations and factors impacting the public service landscape at both national and local level. The pages detail the following priorities:

- Respond to the climate emergency.
- Be ambitious for children and young people.
- Support sustainable economic recovery.
- Tackle poverty and inequality.
- Improve health and wellbeing.
- Help communities be safe, connected and resilient.

For each of those priorities, the pages also describe the overall outcomes that will be achieved over the course of the next four years.

The webpages also set out how the Council's will be:

- **A trusted council** – that shows leadership, brings people together and collaborates well with our partners; a Council that makes good decisions, uses resources well, and is financially resilient
- **An inclusive council** – that is intolerant to prejudice and discrimination, is a good employer that invests in, develops and nurtures our workforce, and hears the voices of all our communities
- **An innovative council** – that is agile, listens and learns, uses data and intelligence well, and can transform the way we work in order to improve services for the people of Devon

### 4. Next Steps

The priorities for 2021 to 2025 provide the foundation for future planning. Further development is needed to translate them into an annual plan and progress report for each of the next four years. The annual plans will help the Council monitor progress in addressing its priorities and identify performance measures to report on. The annual plans will also inform the development of the Council's annual budget; its medium-term financial strategy; service planning and partnership working as part of Team Devon.

The Council will publish its annual plans alongside its budget so that people can hold the Council to account and assess the progress that it is making. The first annual plan will be published in February/March 2022.

## 5. Legal considerations

There are no specific legal considerations.

## 6. Environmental and equality impact considerations

Specifying tackling the climate emergency as one of the priorities for the next four years underlines the Council's commitment to addressing climate change and to becoming carbon neutral as an organisation.

The expectation is that the Council's priorities for 2021 – 2025 will have a positive impact on everyone living and working in Devon. The extent of the impact on each protected characteristic will be set out in Equality Impact Assessments for each area of work. The exact nature of the anticipated impact will be assessed as part of the annual plans and on a case-by-case basis.

## 7. Risk management considerations

The priorities need to be expressed sufficiently clearly to avoid the risk of sub-optimal delivery of the programmes of work designed to achieve them.

Phil Norrey  
Chief Executive

Electoral Divisions: All

Cabinet Member for Policy, Corporate and Asset Management: Councillor John Hart

### **Local Government Act 1972: List of Background Papers**

Contact for Enquiries: Phil Norrey

Tel No: 01392 383000 Room: County Hall, Exeter, EX2 4QD

Background Paper	Date File	Reference
Nil		



## APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

20 October 2021

Present:-

Councillors R Hannaford, J Hart (Chair), A Saywell, P Twiss and A Dewhurst

\* **6** Minutes

**RESOLVED** that the minutes of the meeting held on 19 July 2021 be signed as a correct record.

\* **7** Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

\* **8** Director of Finance

The Committee noted that recruitment process would commence in Part 2 of the meeting.

\* **9** Exclusion of the Press and Public

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 of Schedule 12A of the Act namely relating to any individual and information likely to reveal the identity of an individual and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**10** Director of Finance

The Committee undertook interviews for the post of Director of Finance with a view to making a recommendation upon an appropriate appointment to the County Council on 2 December 2021.

The process had been undertaken in line with the terms of reference of the Appointments, Remuneration and Chief Officer Conduct Committee, the Pay Policy Statement and the Chief Officer Employment Procedure Rules (set out at Part 6 of the Constitution).

# Agenda Item 10.(a)

2

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE  
20/10/21

The interviews having been completed and the suitability of the candidates for the post having been fully discussed and all relevant factors having been considered, such as the professional knowledge skills and behaviours required for the role and the Committee then being of the view that the press and public need no longer be excluded from the meeting for final determination of its recommendation to the County Council:

It was **RESOLVED** that the press and public be now re-admitted to the meeting.

It was then **MOVED** by Councillor Hart and duly **SECONDED** by Councillor Twiss, and

**RESOLVED** that the Council be recommended to appoint Angie Sinclair to the post of Director of Finance at grade L2 and the appointment, if approved, to commence at the earliest opportunity on a mutually convenient date, in line with the provisions of the Council's existing approved Pay Policy Statement.

## **NOTES:**

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2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 9.45 am and finished at 1.39 pm



## APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

16 November 2021

Present:-

Councillors A Connett, R Hannaford, J Hart (Chair), J McInnes (Vice-Chair) and A Saywell

\* 11      **Minutes**

**RESOLVED** that the minutes of the meeting held on 20 October 2021 be signed as a correct record.

\* 12      **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

13      **Interim Arrangements on the Retirement of the County Solicitor and Head of Digital Transformation and Business Support**

The Committee considered the Report of the Chief Executive on the proposed interim arrangements on the retirement of the County Solicitor: Chief Officer for Legal, Communications and Human Resources and Head of Digital Transformation and Business Support.

The Committee noted that the County Solicitor: Chief Officer for Legal, Communications and Human Resources had responsibility for legal services; registration of births, marriages and deaths; HM Coroners; communications, human resources and democratic support and scrutiny and was due to retire on the 3<sup>rd</sup> December 2021.

The current postholder Head of Digital Transformation and Business Support had responsibility for IT, procurement, property management, business support, customer relations, and Information Governance and was due to retire from the Council's employ on the 31<sup>st</sup> January 2021.

It was proposed that the Deputy County Solicitor during the interim period would be responsible for:

- Legal Services and to act as County Monitoring Officer;
- Democratic Services, Scrutiny and Member Support;
- Registration of Births, Deaths and Marriages and to act as Proper Officer;
- Coronial Services and resources to support the Senior Coroner for Exeter and Greater Devon; and

# Agenda Item 10.(b)

2

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE  
16/11/21

- the Council's insurance fund.

The Head of Human Resources and the Head of Communication would report to the Chief Executive until new leadership arrangements were in place.

In relation to the Head of Digital Transformation and Business Support, interim arrangements would be put in place from within the existing leadership team for this service area.

It was noted that interim arrangements would be put in place for both leadership roles, until such time as the Chief Executive recommended a new structure and the Committee and Council approved the appointment of related leadership posts. The interim solution ensured that statutory roles such as Monitoring Officer and Proper Officer were undertaken effectively.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes and

## **RESOLVED**

(a) that the interim arrangements as outlined in section 2 following the retirement of the County Solicitor: Chief Officer for Legal, Communications and Human Resources; and the Head of Digital Transformation and Business Support be noted and endorsed;

(b) that Council be recommended to agree the interim appointment of the current Deputy County Solicitor from the 4<sup>th</sup> December 2021 as the County Monitoring Officer and the Proper Officer for the Registration service; and

(c) that whilst it was anticipated that firm proposals on revised Leadership structures would be brought to the Committee in the new year, if any delay was encountered, then the Committee will review the interim arrangements again, no later than mid-March 2022.

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\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 9.30 am and finished at 9.45 am

## STANDARDS COMMITTEE

4 November 2021

### Present:-

Councillors M Asvachin, J Bailey, I Hipkin, R Hodgins, P Maskell, A Mayes, R Saltmarsh, L Samuel, C Slade and J Trail BEM (Chair)

### Apologies:-

Councillors A Connett and Sir Simon Day

### \* 6 Minutes

It was **MOVED** by Councillor Slade, **SECONDED** by Mrs Mayes, and

**RESOLVED** that the minutes of the meeting held on 29 June 2021 be agreed as a correct record.

### \* 7 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

### \* 8 Local Government Association Model Code of Conduct

The Committee discussed the Report of the County Solicitor which had analysed the content of the Local Government Association Model Code of Conduct and produced a comparison against the Council's current own Code of Conduct. Copies of the Local Government Association Model Code of Conduct and the Council's own Code had been circulated with the papers.

Members were asked to consider the various discussion points with a view to retaining the current Code or any suggested amendments which would be brought back to the next meeting.

Whilst the Council's Code was robust and had been updated over the last two years in line with national best practice and therefore covered most elements (and in some case more) than the Local Government Association Model Code, there had been some suggested additions to the Council's Code for consideration.

# Agenda Item 10.(c)

2

STANDARDS COMMITTEE

4/11/21

Members comments for additions and changes to the Council's current Code of Conduct were as follows:

- Joint statement - a supporting statement for the Council's Code should be produced, including reference to social media;
- Definition of Councillor – the Council's Code should include a definition of 'Co-opted' (voting and non-voting co-opted members);
- Purpose – the Council's Code should include an explanation as to the purpose of the Code;
- Application of Code – the scope of the Council's Code should be widened to include issues such as social media;
- (1) Standards of Councillor conduct – the Council's Code should be expanded to include a definition of respect, to include the reference to the public and representatives of partner organisations and volunteers as well as respect towards Councillors;
- (2) Bullying, harassment and discrimination – include a reference to the Protection from Harassment Act in the Council's Code;
- (8) Complying with the Code of Conduct - the Council's Code should include a reference to the importance of Code of Conduct training and that Members endeavour to attend, particularly induction sessions;
- (8) Complying with the Code of Conduct - the Council's Code should include reference to sanctions;
- (10) Gifts and Hospitality – ensure a cross reference from the Code of Conduct to financial regulations and other advice on gifts and hospitality. This included retaining the current guideline of £25 as the threshold for when gifts have to be declared and also ensuring the guidance places a duty on Members to declare a gift and / or hospitality that had been declined.
- Interests.....
  - ensure that unpaid directorships were included on the register of interests form (not currently explicit); and
  - that given the Council's Code was silent on the issue of the interests of family and / or friends, this should be strengthened;

Members also noted that the guidance which accompanied the Model Code outlined that Members who received an allowance from another Authority and or body (e.g. Fire Authority) should declare it as a Disclosable Pecuniary Interest. Members were asked to consider whether an amendment to both the declaration of Interests form was required as well as considering the general dispensation.

## RESOLVED

(a) that a revised Code of Conduct be brought back to the next meeting of the Committee, encompassing the issues raised above; and

(b) that the Declaration of Interests form and general dispensation be amended to deal with the issue of allowances received from another public body in line with the delegated powers of the County Solicitor.

\* **9**      **Ethical Governance Framework: Monitoring**

The Committee received the Report of the County Solicitor ([CSO/21/17](#)) summarising feedback from a Co-opted Members attendance at a meeting of the Devon Education Forum to monitor compliance by Member's and Officers with the Council's ethical governance framework.

The Committee were pleased to note that there had been no areas of significant concern or any indication of actions or behaviours that might be felt to have resulted in a potential breach of the Code. The feedback had been positive with good attendance (virtual), clear information and explanations by the Head of Service and other officers.

In terms of the future Standards rota, it was agreed that Co-Opted Members would only attend meetings that met remotely or where they could join an in person meeting remotely.

\* **10**      **Local Government & Social Care Ombudsman Annual Review Letter 20/21**

The Committee considered the Report of the LGSCO Link Officer on the Local Government & Social Care Ombudsman Complaints Annual Review Letter for 2020/21. The Letter received from the Local Government & Social Care Ombudsman was also attached to the agenda.

The LGSCO had continued to focus on the outcomes of complaints and what could be learned from them and included statistics on three key areas, being complaints upheld, compliance with recommendations and satisfactory remedy provided by the authority.

Finally, they compared the three key annual statistics for each authority with similar types of authorities to work out an average level of performance. The annual data was uploaded to their interactive map - [your council's performance](#).

The Report highlighted that the Ombudsman had continued to move focus away from volumes of complaints received and instead focus on the outcomes from complaints and what could be learned.

# Agenda Item 10.(c)

4

STANDARDS COMMITTEE

4/11/21

The number of complaints received by the Ombudsman in the last four years is shown below:

- 2020/2021 – 97
- 2019/2020 - 93
- 2018/2019 - 116
- 2017/2018 - 102

There had been 84 complaints decided on by the Ombudsman in 2020-21, with only 13 (15%) of those being upheld. This had been a decrease of 5% on the previous year, where of 104 complaints had been determined and 21 (20%) had been upheld. The Report also included a breakdown of complaints across Services. As Adult Care Services, Education and Children's Services and Highways and Transport were the largest Service areas, it was expected that these would also be the Services where most complaints had been received by the Ombudsman.

Adult Care Services experienced a decrease in the number of complaints received. Complaints about Education and Children's Services remained relatively static and Highways and Transport experienced a significant increase.

Of the 84 complaints the Ombudsman had made decisions on in 2020/21, 24 progressed to a full investigation and 13 had been upheld. Of these 13 complaints, there had been 12 where the Ombudsman felt that the fault identified had caused an injustice, with a remedy recommended. The table at Appendix A of the Report provided details of the 13 upheld decisions and the required actions by the Council.

The Council welcomed the oversight from the Ombudsman, and looked forward to further work to help drive improvements in services. This included greater measures to ensure it took a person-centred approach and evidence that the Council learned from complaints and used these to improve.

**RESOLVED** that the content of the Ombudsman's Annual Review Letter, the complaints made to the Local Government Ombudsman referred to the authority during 2020/21 and their outcomes be noted.

\* 11 **Local Determination of Complaints**

The County Solicitor reported that, since the last meeting, eight complaints concerning an alleged breach of the Members Code of Conduct had been received. Six of those had been resolved and two were outstanding.

These related to Councillors bringing the Council into disrepute, being influenced by previous business transactions, interference with Officers in planning issues, failing to treat others with respect, inappropriate / offensive content on social media, highways issues and using position to own advantage, a lack of response to emails or take action on concerns and an allegation of harassment.

Following an initial assessment of the complaints and consultation with an Independent Person appointed by the Council it had been agreed that no further action should be taken on any of the complaints on the basis that there had been no material breach of the code to warrant further investigation or that the allegations would not be a breach of the Code of Conduct or that the Member was not acting in their capacity as a Councillor and, accordingly, could not therefore be investigated. In some cases, an apology has been made for actions or further engagement with the member of the public had taken place, notwithstanding there had been no breach of the Code.

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\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.23 pm





## PROCEDURES COMMITTEE

16 November 2021

### Present:-

Councillors S Aves, F Biederman, A Connett, R Hannaford, J Hart, S Hughes and J Trail BEM (Chair)

### Apologies:-

Councillors C Leaver

### \* 10 Minutes

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and **RESOLVED** that the minutes of the meeting held on 14 September 2021 be signed as a correct record.

### \* 11 Items requiring urgent attention

There was no item raised as a matter of urgency.

### 12 Member Development Strategy 2021 - 2025

The Committee considered the Report of the County Solicitor: Chief Officer for Legal, Communications and Human Resources, which presented the Member Development Strategy for 2021-2025.

The highlighted the complex and rapidly changing world of Local Government which placed exceptional demands on its leadership, including Members.

The Council was committed to supporting the development of all Elected Members by providing a programme of development opportunities that assisted individuals to perform effectively in their role both as community leaders and as representatives of the Council.

The Strategy outlined the Key Principles to ensure that development activities supported the delivery of the Council's priorities and met individual learning needs, aligned with core principles and behaviours as well as addressing skills and knowledge requirements, that the process was Member owned and driven through the Member Development Steering Group.

The Strategy highlighted the delivery mechanisms, for example the role of the Member Development Steering Group in setting the strategic direction for Member Development and the role of Group Leaders in encouraging their

# Agenda Item 10.(d)

2

PROCEDURES COMMITTEE

16/11/21

Members to agree personal development plans and participate in development activities. Also, the work undertaken prior to Elections to provide information to prospective candidates and a very detailed and comprehensive Induction Programme for both new and returning Members, identification of learning needs, the role of personal development interviews and the production of an annual Members Learning and Development Plan.

The delivery methods of training and development would consider inclusivity, access to learning, subject matter and learning styles and evaluation of all learning and development activities would take place.

The Committee noted that the Council would continue to seek reaccreditation every 3 – 4 years for the SW Charter for Member Development as well as its role as a partner of the Shared Member Development Service since 2011.

The original Member Development Strategy was previously approved by the Procedures Committee and ratified by full Council on 8 March 2007. It was reviewed and revised in July 2009, March 2013 and May 2017.

The Strategy had been reviewed once again and was commended for adoption for the New Council.

Members discussed and asked questions in relation to the following:

- equality and diversity training;
- comparison and changes from the previous policy;
- attendance data and procedure for notifying non-attendance;
- an update on the charter for member development;
- membership of the shared service;
- attendance at conferences and the procedure for applying for non-approved events;
- compulsory and mandatory training;
- DBS checks for new Members;
- update on the race equality work; and
- thanks to both Marion Geare and Jan Shadbolt for their work and contribution to the Committee and Member Development over the years.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Hughes, and

**RESOVED** that the Member Development Strategy 2021 – 2025 be endorsed and recommended the Council for adoption.

\* 13

## **Members Allowances and Local Government Association Boards**

The Committee noted that on the 15 September 2021, the Committee had considered a Report of the Chief Officer for Legal, Human Resources and Communications on proposals for amending the Members Allowances

Scheme in relation to certain Local Government Association (LGA) commitments.

The Committee had noted that the LGA political groups made a number of appointments to other boards and forums of their own volition and it was felt appropriate to apply some consistency in the application of approval of travel expenses to such events as the allowances scheme did not recognise these Boards as an approved duty.

The Committee had considered the different appointment mechanisms by each of the political groups for making the appointments and had noted the Local Government Association (LGA) Allowances Scheme stated 'travel and subsistence costs for all other meetings should be met by the member's home authority.'

The Committee had considered three options, but **RESOLVED** to adopt option 2 as outlined below;

'that Option 2 (to adopt a similar approach to that of attendance at training events where Members seek approval before they accept the appointment as to whether the Council will pay for the travel expenses for the meetings of the Board. This would be via approval of the budget holder, the Head of Democratic Services, in liaison with the Leader of the Council. Members would be expected to make a case, outline the expected costs and frequency and also demonstrate the benefits to Devon County Council), be adopted'.

However, the Committee also asked that the position should be reviewed in 12 months time.

Members commented that the opportunities afforded by the Boards was to be welcomed and the expertise brought back to Devon from these events was also useful.

It was **MOVED** by Councillor Connett, **SECONDED** by Councillor Aves, and

**RESOLVED** that the current procedure, as outlined at option 2 above be adopted as policy, with another review in one years time.

**NOTES:**

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\* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 11.24 am



## **Devon County Council Member Development Policy 2021-2025**

### **1. Introduction**

The world of local government is rapidly changing and can place exceptional demands on its leadership. Members undertake a variety of complex roles and play a critical part in shaping future services for the benefit of the community and determining how these are delivered.

Devon County Council is committed to supporting the development of all Elected Members providing a programme of development opportunities that assists individuals to perform effectively in their role both as community leaders and as representatives of the County Council. Members take a leading role in their development both individually by engaging with the process and strategically through the Member Development Steering Group

### **2. Key Principles**

Through the processes in place to deliver Member Development we will ensure that:

- ❖ A comprehensive programme of development will support the delivery of the Council's priorities and meet individual learning needs as they evolve through the life of the Council.
- ❖ Development activities will be consistent with Equality and Diversity policies and deliver best value. They will be organised and delivered to align with core principles and behaviours as well as addressing the skills and knowledge requirements outlined in the Devon Members' Skills Framework and Senior Leadership Framework.
- ❖ Where possible local and national development initiatives will be utilised, including the LGA Leadership Academy, LGA online resource hub and the Shared Member Development Service.
- ❖ Tools are developed, utilised, and evaluated to support the development of elected Members.
- ❖ The process is Member owned and driven through the Member Development Steering Group. Individuals will be encouraged to take an active involvement in their own learning and development.

### **3. How we deliver this?**

Members will always be at different stages in their political careers, skills and knowledge will be different for each individual and their requirements for

development will vary. The learning and development programme will recognise this and assist in their development through the following processes:

### 3.1 Strategic Direction

The Member Development Steering Group will be responsible for setting the strategic direction for Member Development which will be implemented on their behalf by officers. This cross-party group will be chaired by the Cabinet Member with responsibility for Member Development and made up of other members representing geographical areas of Devon and providing political balance. The group will meet at least 3 times per year to discuss all aspects of Member development.

Group leaders will actively encourage party Members to agree personal development plans and participate in development activities. They will also be responsible for identifying suitable nominations for national/local conferences and external training opportunities.

### 3.2 Prior to Election

A variety of methods will be used to communicate with prospective candidates providing information about the role and how they will be supported should they be successful.

### 3.3 Induction

A comprehensive Induction Programme will be delivered following elections for new and returning Members. Skills and knowledge will be delivered in a timely manner using a variety of methods to allow for equality of access. The programme will cover the full range of activities that a Member will undertake and will be delivered incrementally to avoid overloading.

Preparations for the induction programme will take place in good time and will be influenced by feedback from the evaluation of the previous induction and good practice from other authorities.

### 3.4 Identifying development needs

All Members will be offered an annual personal development interview as a tool to identify their personal development needs. Members will be asked to use the Devon Members' Skills Framework to self-assess against, prior to the interview. A personal development plan will be produced for each Member, and this will form the basis of the Annual Members Learning and Development Plan.

Senior Leadership Development will be supported to identify their learning and development needs using the Devon Members Senior Leadership Skills Framework which includes a 360-degree review process

Organisational requirements to provide learning and development to Members will be considered through officer networks, existing committees, and the Member Development Steering Group.

### 3.5 Delivery of learning and development

Learning and development activities will be commissioned to meet individual committee and corporate development priorities.

- Generic skills to enable effective working as a councillor
- Service driven activities to support corporate priorities and committee roles
- Knowledge to support robust decision making
- Community leadership to enhance the community role
- Advanced development activities to enhance leadership skills
- Skills to meet new ways of working resulting from the changing shape of local government

We will provide learning in a way that meets individual needs through:

- Nationally recognised learning programmes
- Internal learning events
- Scrutiny masterclasses
- Briefings prior to or as part of the committee process
- Self-managed learning both paper and web based
- Officer briefings
- The Devon Shared Member Development Service
- Mentoring and Coaching arrangements

Delivery methods will consider inclusivity, access to learning, subject matter and learning styles offering both, face to face and online delivery and incorporating a variety of delivery methods.

### 3.6 Evaluation

Evaluation of all learning and development activities will take place against agreed objectives in accordance with the evaluation strategy (Appendix A). Action will be taken to make improvements based upon this feedback.

### 3.7 SW Charter for Member Development

Charter plus accreditation was achieved in October 2012 and April 2016 and these standards will continue to be applied to the work that we undertake in this field. This followed on from being awarded the SW Charter for Member Development in December 2008. We will continue to seek reaccreditation on a 3 – 4 yearly basis. SW Charter for Member Development is a nationally recognised standard developed by Local Government Improvement and Development and regionally administered by South West Councils.

### 3.8 Shared Member Development Service

Devon County Council has been a partner of the Shared Member Development Service since 2011 and leads on the organisation and development of the offer provided by this service. We will continue to promote and engage with the service taking up learning and development opportunities provided, using tools developed through the service and sharing best practice.

### 3.9 Support and implementation

Supported by a Senior Workforce Development Advisor to develop and facilitate a cost-effective member development programme and the Deputy Manager / Head of Scrutiny.

### 3.10 Access to Development Opportunities

- The Senior Workforce Development Advisor will offer all Members an annual personal development interview to identify individual learning needs.
- Member Learning and Development opportunities will be reported to the Member Development Steering Group for consideration and approval.
- Requests to attend non approved national/local conferences or courses with limited places will be considered in line with the process agreed by the Procedures Committee Minute 33 (5/6/18) requiring the approval of the budget holder, the Head of Democratic Services, in liaison with the Leader of the Council as appropriate and supported by a business case to ensure:
  - There is a fair allocation of opportunity
  - It is aligned with corporate priorities
  - It fits with individual roles and responsibilities
  - There is sufficient budget available to support the request
- Individuals attending the agreed events will need to ensure the:
  - Learning activity is has been identified as part of a personal development interview
  - Learning is shared/disseminated to all Members after the event.
- Information on additional development opportunities and officer briefing sessions will be communicated regularly throughout the year
- All Members should confirm whether or not they will be attending a learning and development session at least 2 weeks prior to the date of the event. In line with good practice Party Whips have asked to be kept informed of any non-attendance on the day, where no explanation or apologies are given.

### 3.11 Member Development Budget



The DCC Member development budget will be made up from two areas:

- An allocation for Learning and Development administered through Human Resources.
- A small allocation for approved Conferences administered through the office of the County Solicitor.

#### **4. Adoption of DCC Member Development Strategy**

The original strategy was approved by Procedures Committee and ratified by full County Council on 08/03/07.

The Member Development Steering Group Committee was first established and appointed at County Council on 25/05/07 to support the implementation of the strategy.

Members were appointed to Member Development Steering group at Full Council 25.06.09 these appointments are made and reviewed on an annual basis.

The Strategy was reviewed and revised in July 2009. approved by Procedures Committee 29.09.09 and ratified by Full Council 10.12.09.

The Strategy was reviewed and updated to a Member Development Policy in March 2013.

The Strategy was reviewed and updated in May 2017

The Strategy has been once again reviewed and is commended for adoption for the New Council with effect from May 2021.



## CHILDREN'S SCRUTINY COMMITTEE

9 November 2021

### Present:-

Councillors S Aves, J Bradford, J Brazil, P Bullivant, C Channon, R Hannaford (Chair), L Hellyer, F Letch MBE, P Sanders (Vice-Chair), M Squires and J Wilton-Love

### Apologies:-

Councillors G Gribble, J Hawkins, L Samuel and C Mabin (Church of England Representative)

### Members attending in accordance with Standing Order 25

Councillor A Leadbetter

\* 11 **Minutes**

**RESOLVED** that the Minutes of the meeting held on 7 September and the minutes from the 11 October Standing Over Group meeting, be signed as a correct record.

\* 12 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

\* 13 **Public Participation**

There were no oral representations from members of the public.

\* 14 **Scrutiny Committee Work Programme**

The Committee were updated as to the Scrutiny Work Programme and it was agreed that an SEND Task Group would be added.

\* 15 **In-Year Budget Position**

The Committee received the In-Year Budget Briefing Report of the Chief Officer for Children's Services (CS/21/17) outlining those areas of specific pressures on the budget and on action being taken to address this. The Report highlighted that as of September 2021, the forecast position for Children's Services, including Public Health Nursing (PHN), was an overspend of £43.3m, which included the Dedicated Schools Grant deficit of £36 million. The greatest cost pressures related to the availability of suitable

# Agenda Item 10.(h)

CHILDREN'S SCRUTINY COMMITTEE  
9/11/21

provision for children coming into care, the reliance on agency staff pending impact of the Recruitment and Retention Strategy and the SEND High Needs Block.

The Dedicated Schools Grant was showing a deficit overspend of just over £36 million for this financial year after £2.8 million of management actions. This cumulative deficit was expected to be £85 million by the end of the 2021/22 financial year. The Council (and Government) recognised the national context of rapidly escalating demand and a legal framework that increased demand without the corresponding investment.

School transport continued to be an area of significant pressure due to marketplace failings driving up the costs above inflation and with the current pandemic it could place more pressure on contract providers in the long term. The current predicted overspend on the school transport budget for 2021-22 was £2.5 millions. This budget sat within Children's Services but the operational delivery sat within Planning, Transport and Environment (PTE).

Children's Social Care was forecast to overspend by just under £5 millions. Operationally, the staffing position remained challenging. However, Cabinet had approved the Recruitment and Retention Strategy in September of this year and several measures, such as more competitive salaries for experienced social workers combined with a retention payment provided an immediate incentive.

The number of children in care had slightly reduced from a high of 840 down to just over 800. The greatest areas of concern continued to be the number and cost of children's placements. The Sufficiency Strategy 2022-2024 "Finding a place to call home" sets out the plan to address these issues.

The budget for the Public Health Nursing Service was £10.5 million, of which £10.4 million was funded from the Public Health grant. The Service was forecast to underspend by £300,000, largely due to vacant nurses positions. 12 new starters were expected to join the Service in January 2022.

Members Discussion points included:

- How the shortage of bus drivers within Stagecoach, as well as coach operators ceasing to trade due to current climate, would be managed moving forward to ensure children could still get to school. Members were advised that whilst the budget for school transport sat with Children's Services, the operational delivery sat within Planning, Transportation and Environment services – this would be a challenge moving forward with the current market climate, however, the Transport Team had found the best value school transport routes; therefore the overspend could have been much higher. It was noted that every school run had continued throughout the Pandemic, however with the

rising fuel costs it was anticipated there would be a higher overspend next year.

- How Devon compared to other Local Authorities (LA) - Members were advised that LA's counted their spend in different ways so it would be difficult to compare an exact like for like. The High Needs Block funding was calculated on 2-18 years population, and Devon was currently 125<sup>th</sup> of 150<sup>th</sup> funding for high needs block at £589 per pupil (the average being £609; the highest LA received £1000 per head, and the lowest LA received £500 per head). It was explained that if Devon received just the average value per head, the Council would receive an additional £11m in funding per year.
- How and what funding was based on – it was explained that deprivation was used, however it was currently based on historical calculations.
- Plans to reduce the overall High Needs Block deficit, sat outside of the Council budgets until 2023.
- The Council was still awaiting the Government's SEND review report, which had been due in September 2020 but delayed due to the pandemic.
- Numbers of Free School Meals (FSM) had started to increase again, which was seen as positive as there had previously been a stigma around claiming FSMs from some parents in rural areas.
- The recruitment and retention of social workers continued to be problematic, especially given the housing emergency in the South West with less private renting available, making it difficult to recruit people to Devon. This also related to the recruitment of Education Psychologists.
- The Council had received a grant of £2.2m to embed restorative practice across all social work and care, which included the introduction of champions, mentoring and training of staff.
- Challenges in the Courts system as a result of the Pandemic had resulted in delays. The national target to conclude cases was 26 weeks, however in Devon the timescale was currently around 40 weeks; therefore, children remained in care longer than they should.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Aves and

## **RESOLVED**

(a) that the Committee thanks the Cabinet Member and the Chief Officer for their prudent financial management over a very difficult year;

(b) that the Committee asks Cabinet to ensure sufficient funding for Children's Services in the 2022/23 Budget to take account of rising demand, pressure on services, ongoing improvement related projects and to minimise future overspend and further asks that there is sufficient capacity in the Council to complete a process-mapping exercise of the Eclipse Social Care Case Management System; and

# Agenda Item 10.(h)

CHILDREN'S SCRUTINY COMMITTEE  
9/11/21

(c) that the Committee requests that the following information is circulated to Members in preparation for the January 2022 Budget Meeting:

- I. A summary of the 2021 Budget and Spending Review and what it means for Devon's Children.
- II. A summary of the consultation of the proposed policy changes to School Improvement Grant.
- III. A summary of comparable local authority spending patterns used to benchmark where the Council compares as an authority on spending on Children's Services.

## 16 **Children's Services Performance Report**

The Committee received the Report of the Chief Officer for Children's Services which provided a performance update on Children's Social Care including key data demonstrating levels of demand and response across help, care and protection. The Report outlined key points such as referrals, the timeliness of assessments, the number of children in need, the number of children subject to a child protection plan, the number of children in care, care experienced young people, the number of caseloads for social workers, level of recruitment and an overview of the service's findings from practice week and audits.

The Report also included an Education and Learning Performance update, which provided an update on the take up of places in Early Years, Early Years Outcomes - 2018/19 data due to Covid, the number of school applications for 2020/21, number of school admission appeals, Children's Medical and Mental Health referrals, school attendance during Covid, attainment levels, the number of permanent exclusions, those in elective home education, and the number of pupils entitled to Free School Meals.

Members raised the following discussion points and questions with Officers in response to the Report:

- There were high numbers of children in need, with 686 young people on a Children in Need (CIN) Plan.
- Devon currently had the highest numbers it had ever seen of children on a Child Protection Plan, with 645 children – Members noted there needed to be more effective intervention at an earlier stage.
- The number of children in care had decreased from 840 to 807.
- Social Worker Caseloads had hit a peak in the summer, with a small number that had more than 30 children at assessment stage.
- Care Leavers – the Service was aware of 7 young people with no fixed abode – these were due to specific reasons for these young people and the Service area continued to work closely with them.

- Neglect had increased during the pandemic – 50% of young people on a Child Protection plan was due to neglect. Members were advised that the number of deaths amongst the younger age group (under 1s) and older teenagers predominantly through suicide, had increased nationally and in the South West – austerity measures had increased pressures on family, family networks were not available for new parents, new birth visits were taking place online rather than in person, and there had been a decrease in the amount of support and oversight available during the pandemic.
- The need to include comparator data with other local authorities that are performing well, to help Members understand where the Service needs to improve and examples of best practice.
- KS4 outcomes – the official results were very similar to those predicted within the Report – 73% achieved level 4 or above; 51% achieved level 5 or above (an increase on previous year). The Attainment 8 scores in Devon were just above national average, and the difference in performance between boys and girls result had reduced to approx. 6%
- Exclusions – Fixed Term Exclusions (FTS) remained much higher in boys compared to girls, the same with permanent exclusions. The gender gap was much higher in exclusions (as seen nationally); however, the introduction of the Exclusion Toolkit had reduced overall exclusion numbers in Devon.
- Recruitment and retention of teachers and school staff – schools were struggling to recruit staff, with many potential staff withdrawing applications once they see the cost of living in Devon. It had also impacted on TA posts and admin support posts – as changes to flexible working have meant more jobs were now available for admin staff to work from home, whereas previously the school term time hours would have been most beneficial.

## 17 **Corporate Parenting Strategies**

The Committee considered a Report (CS/21/15) of the Head of Children's Health and Wellbeing and the Senior Manager for Corporate Parenting outlining the Corporate Parenting Strategy and Sufficiency Strategy, explaining how every local authority had the unique responsibility to support children and young people in care, and care leavers, to feel safe, well and cared for. The whole Council, including all its staff and elected Members, should consider those children and young people as their own. The Report outlined the Council's vision, principles, and commitments for corporate parenting in Devon within the new Strategies.

Devon's vision was for all children and young people in Devon to have the best start in life and the opportunity to thrive. This meant they received the right support, at the right time, and in the right place. The Sufficiency Strategy described how this would be achieved by working restoratively with children and families to build on their strengths and resilience and help them remain safely at home together.

# Agenda Item 10.(h)

CHILDREN'S SCRUTINY COMMITTEE  
9/11/21

The vision for corporate parenting and the Council's commitments to ensuring sufficiency should be considered together. Both supported each other's aims for children and young people to be safe, well and achieving in life. Safety and stability at home, especially while living in care, underpinned good outcomes in all aspects of children and young people's lives. As such, sufficiency was a fundamental part of being the best possible corporate parents.

The strategies covered the three-year period of 2022-2024.

Members' discussion points included:

- A decrease in rates of adoption, currently below the national average, and the impact of issues around care proceedings, with large numbers of young people on special guardianship orders; this was being looked into by the service area.
- How other local authorities had more capacity in residential homes compared to Devon. It was noted that many other LAs used private residential homes rather than in-house providers and often placed out of county.
- Preparing children for adulthood and independent living – Members queried whether children in care received allowances or financial support to prepare them for independent living. Officers would provide a written response to be sent to all Members.
- Corporate Parenting Forum - Members felt strongly that meeting twice a year was not enough to effectively monitor services and maintain their duties as corporate parents. Members were advised that the Corporate Forum was open to all Members and would meet twice per year, with the Corporate Parenting Strategic Board, which had cross-party Membership, would meet bi-monthly. Officers would continue to speak with the LGA on how best to involve Members through this process.

It was **MOVED** by Councillor Hannaford **SECONDED** by Councillor Sanders and

**RESOLVED** that

The Committee welcomes both the Corporate Parenting Strategy and Sufficiency Strategy and places on record its thanks to those who were involved in the production of both strategies. The Committee commends both strategies to the Corporate Parenting Strategic Board for approval.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 1.15 pm



## HEALTH AND ADULT CARE SCRUTINY COMMITTEE

11 November 2021

### Present:-

Councillors S Randall-Johnson (Chair), C Whitton (Vice-Chair), T Adams, J Bailey, R Chesterton, D Cox, P Crabb, P Maskell, S Parker-Khan, R Peart, M Wrigley and J Yabsley

### Apologies:-

Councillors I Hall, P Henderson, R Scott and L Evans

### Member attending in accordance with Standing Order 25

Councillor J McInnes

\* 13

### Minutes

**RESOLVED** that the Minutes of the meeting held on 15 September 2021 be signed as a correct record.

\* 14

### **Matter of Urgency: Letter from the Department of Health & Social Care: Changes to Services in Teignmouth Community Hospital in Teignmouth, Devon along with Torbay Hospital and Community Hospitals in Dawlish as proposed by the Devon Clinical Commissioning Group.**

(An item taken under Section 100B (4) of the Local Government Act 1972)

The Chair had decided that the Committee should be apprised of a letter recently received from the Rt Hon Sajid Javid MP, Secretary of State for Health and Social Care. This confirmed that he had written to the Independent Reconfiguration Panel (IRP) asking them to undertake an initial assessment of this case. He had asked the Panel to report to him by the middle of December 2021 subject to them being in receipt of all relevant information.

The Committee noted this development.

\* 15

### **Public Participation**

There were no oral representations from members of the public.

# Agenda Item 10.(i)

HEALTH AND ADULT CARE SCRUTINY COMMITTEE  
11/11/21

## \* 16 Long Term Plan Thematic - Urgent Care

The Committee considered the Report of the Devon Clinical Commissioning Group which covered an overview of existing urgent and emergency care provision in Devon, integrated urgent care provision, the position in the short-term, plans for the longer term and local minor injury units and the system winter plan.

Member discussion points with the Devon Clinical Commissioning Group's Associate Director, Urgent Care; Locality Director South Devon; and Clinical lead for Urgent and Emergency Care included:

- the current and ongoing review by the Devon CCG of Urgent Care in regard to the Urgent Care Centres (Minor Injury Unity or Urgent Treatment Centres) and Members' disappointment about the lack clarity in regard to these centres in view of the time taken to resolve these longstanding issues and need for them across Devon as an appropriate alternative to over-stretched Accident and Emergency settings;
- the work-force challenges across health and care and the priority to ensure robust staffing and safe provision within the Units which was part of the Review with clearly evidenced continued increased demands and pressures, exacerbated by the pandemic;
- the role of the 111 services in diverting referrals from A and E to appropriate settings with the use of experienced clinicians, the increased demands on the service and the positive feedback from the work-force and assurance that these clinicians did not represent a diversion from front-line clinical care; and the need to promote the 111 service both locally and nationally; and
- a Healthwatch survey on the patient experience of urgent and emergency care which had been commissioned by the CCG which would be made available to Members of this Committee.

It was **MOVED** by Councillor J Bailey, **SECONDED** by Councillor S Randall Johnson and

**RESOLVED** that the Devon Clinical Commissioning Group be asked

(a) to involve Members in early and detailed engagement in regard to the review of urgent care provision in Devon prior to formal public consultation, and to include a Report on progress at the next meeting of this Committee on 20 January 2022; and

(b) the report to include information on the impact of the 111 service and local and national promotional campaigns to encourage its use by the public.

\* 17

## **South Western Ambulance Service Trust: Performance Update**

(Councillors Randall Johnson, R Chesterton, S Parker-Khan and R Peart declared a non-pecuniary interest by virtue of their membership of the Devon and Somerset Fire and Rescue Authority).

The Committee considered a report of the South Western Ambulance Service Trust on recent performance using National Ambulance Quality Indicator data, factors impacting on performance and demand in Devon, abstraction rates, handover delays at acute hospitals, the Trust's response to the pandemic, work with fire and rescue services, and a community first responder update.

Member discussion points with the Executive Director and Devon County Commander (both SWAST) included:

- an update by the Executive Director on recent activity in October and the increasing demand pressures (with data evidence) and since the Critical Incident announcement on 14 June 2021 the continuation of the highest alert level 'Black' in common with Ambulance Trusts nationally;
- the high levels of hours lost to delays in transfers at the acute hospitals in wider Devon and the impact on the service and personnel and their health and wellbeing;
- the additional recruitment of staff across call handling, graduate trainees and continued working with Devon and Somerset Fire and Rescue Service (to September 2022) to help mitigate demand pressures (on which further information would be provided in regard to assistance provided by the Fire and Rescue Service);
- differential demand impacts and pressures resulting from demography (elderly frail population), the pandemic and impact on mental health, and 111 referrals;
- the development of a pilot project with Mental Health input in call-centres which, if successful, could be rolled-out across the Trust area;
- operation by SWAST of the Tiverton Urgent Care Centre (commissioned by the Clinical Commissioning Group) a GP led model which was operating effectively with good staffing, and reducing the conveyance rate to acute settings and where Ambulances would also discharge patients when appropriate, with a positive patient experience (with 1815 patients in October, 59/day) and thereby mitigating pressures in acute settings and which had remained open during the pandemic;
- the valued work of co-responders, St John's Ambulance and other partners to support the Service and commissioning by the CCG of vehicles for lower acuity patients;
- the clear rules relating to waiting times both for SWAST and the Acute hospitals and the work of Acute hospital liaison personnel in managing the delays of transfers and the impact on patient wellbeing and the associated sharing of Clinical Quality information with commissioners; and
- the role of the Service as a key partner within the Devon Integrated Care System (ICS) and the complex management relations and planning with all

# Agenda Item 10.(i)

HEALTH AND ADULT CARE SCRUTINY COMMITTEE  
11/11/21

the seven ICS organisations across the SWAST footprint covering the wider south west region.

The Chair thanked the SWAST Officers for their very informative presentation and response to member questions.

It was **MOVED** by Councillor J Bailey, and **SECONDED** by Councillor M Wrigley and

**RESOLVED** that a Spotlight Review be undertaken to include reference to delays in transfers, response times, impact on patients and personnel, role of 111; and work with key partners within the Devon Integrated Care System.

## \* 18 **Devon Safeguarding Adults Partnership: Annual Report**

The Committee considered the Report of the Torbay and Devon Safeguarding Adults Partnership on its Annual Report 2020/21. The Report had been presented to the Devon Health and Wellbeing Board on 28 October 2021 and would be presented at Cabinet on 8 December 2021.

More detailed information about the work of the TDSAP was available on the TDSAP website: [Home - Torbay and Devon Safeguarding Adults Partnership](#)

The full annual report summarised TDSAP safeguarding activity undertaken throughout 2020-21.

The Annual Report would be published on the TDSAP website, alongside full details of Safeguarding Adult Reviews (SARs), which had been published during this and previous years.

The TDSAP was the strategic lead body for safeguarding, with an overriding objective to prevent and reduce the risk of significant harm to adults with care and support needs, from abuse or other types of harm or exploitation.

The TDSAP acted as the key mechanism for agreeing how these agencies work together to safeguard and promote the safety and wellbeing of adults at risk and/or in vulnerable situations. It did this by co-ordinating what each of the TDSAP partners did and made sure that they did it effectively.

The Care Act 2014 sets out that there are 3 key statutory requirements for the Partnership:

- To deliver and publish an Annual Report
- To ensure that the Partnership appropriately conducts Safeguarding Adult Reviews (SARs)
- To develop and publish a Strategic Business Plan

The Strategic Plan for 2021–2024 had been developed and published on [Strategic Business Plan 2021-2024 - Torbay and Devon Safeguarding Adults Partnership](#)

Member discussion points with the Independent Chair of the Board included relatively high number and emerging themes from the Safeguarding Adults Reviews (SARS) which required further research and strong partnership working.

The Chair referred to the potential for further a further detailed examination of the issues (potentially at a future Masterclass for all Members).

\* 19

## **Finance and Performance Mid-Year Update**

(Councillor J McInnes attended in accordance with Standing Order 25 (i) and spoke to this item with the consent of the Committee and referred to the need to recognise the professional role and promote the esteem of social care personnel. He also reported that the County Council would host a special live webcast event on 3 December 2021 to celebrate the county's adult social care workers and hear their experiences to which all members were invited).

The Committee considered the Report of the Chief Officer for Adult Care and Health, Devon County Council (ACH/21/140) on a mid-year update on the finance and performance of the Adult Care and Health service. The report referred to the reform of Adult Social Care and funding concerns, the continued challenges from the pandemic, refreshed priorities, work with key partners and key messages from the Association of Adult Social Services.

The Report also detailed finance information as at month 6. This showed an overspend of £5.193m subject to achievement of £3.204m of management actions. A total of £1.352 m savings had been achieved at month 6; and Government funding during the pandemic in 2021-22; and Devon County Council comparative performance.

Member discussion points with the Chief Officer and Locality Director North and East Devon (Adult Care and Health) included:

- the ever increasing demands and pressures with people with complex needs across the system, the impact of the pandemic and the risks and challenges from the upcoming winter and financial pressures (with £1/hr social care spend equating to £1.3m);
- possible impacts of the requirement of front-line care staff to be vaccinated, with exemption certificates required by 24 December 2021;
- the overall contribution of adult social care of £728m to the Devon economy;
- the need to recognise the value of social care, professional development and career progression, and to improve pay accordingly to help address the work-force issues within adult social care and affordable local housing

# Agenda Item 10.(i)

HEALTH AND ADULT CARE SCRUTINY COMMITTEE  
11/11/21

was also an important factor in Devon; and work with the NHS in developing recruitment and new career pathways for social care under the Health Service Trusts;

- the need to develop new ways of personal care and delivery with technology and equipment to promote independence with family support;
- recruitment using social media in local neighbourhoods and villages;
- in the event of unallocated care hours, alternative local solutions would be planned and no individual would be left without support; and
- the impact of the national living wage and national insurance increases which should be reflected in the forthcoming financial settlement expected in December and the need to ensure a balanced budget and address current projected overspends as detailed in the report.

The Chair thanked the Officers for their update.

## \* 20 **Service Delivery for Public Health Devon: In-Year Briefing**

The Committee the Report of the Director of Public Health on the position on the delivery of Public Health service during 2021-22, the delivery of the Council's strategic objectives across public health and health protection, and delivery of the budget.

Discussion points with the Director of Public Health included:

- additional pandemic grants from central government would cease at the end of the current financial year and to date no additional resources had been announced; and
- additional spending pressures were difficult to predict and dependent on the development of the pandemic notwithstanding the excellent impact of the vaccination programme; and all the current precautions should remain in place for the foreseeable future.

The Chair thanks the Director and his staff for all their valued and continued work during the pandemic.

## \* 21 **Health and Care General Update**

The Committee considered the Joint report from the County Council and Devon Clinical Commissioning Group (ACH/21/142) on the latest news from the Devon Health and Care system covering celebration of local success and achievements, a COVID-19 update, Skills for Carer annual report, and workforce challenges in Devon, additional workforce funding, the North Devon Link Services, a Proud to Care update and a LoveCare update; and on a new purpose-built GP practice in Crediton.

Member discussion points with the Locality Director North and East Devon included the merger of the Northern Devon Hospital Trust with the Royal

Devon and Exeter Hospital Trust which would help ensure the sharing of expertise and maintenance of good clinical standards.

\* 22 **Acute Care: Capacity and Devon ICS Finance Pressures**

In accordance with Standing Order 23(2) Councillor J Bailey had raised these items and referred to the need for further reports arising from recent masterclasses and briefings.

The Chair reported that these would be covered during a Winters Pressures update in March and current reviews which should also outline the impacts of longer waiting lists/cancellation of elective surgery within the context of the ICS NHS Long Term Plan.

\* 23 **Scrutiny Committee Work Programme**

The Committee noted the current Work Programme subject to inclusion of topics arising from this meeting.

[NB: The Scrutiny Work Programme was available on the Council's website at: Scrutiny Work Programme - Democracy in Devon]

\* 24 **Information Previously Circulated**

The Committee noted information previously circulated for Members, since the last meeting, relating to topical developments which had been or were currently being considered by this Scrutiny Committee:

(a) Risk Register for Health and Adult Care.

(b) Devon CCG: Coronavirus Vaccination in Devon Briefing: Updates.

(c) Masterclass Information covering: Deprivation of Liberty Safeguards, the Joint Strategic Needs Assessment; Devon Health and Care System Under Pressure; and Improving Support for People with Disabilities.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 1.42 pm





## CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

18 November 2021

### Present:-

Councillors A Dewhirst (Chair), Y Atkinson, M Asvachin, J Berry, P Bullivant, R Chesterton, M Hartnell, J Hodgson (virtually), R Radford and I Roome

### Apologies:-

Councillor C Slade

### Members attending in accordance with Standing Order 25

Councillors A Davis, R Gilbert, S Hughes and A Saywell

\* 14

### Minutes

**RESOLVED** that the Minutes of the meeting held on 23 September 2021 be signed as a correct record.

\* 15

### Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

\* 16

### Public Participation

There were no oral representations from members of the public.

\* 17

### Scrutiny Work Programme

The Head of Scrutiny reported as follows:

- Reminder for Members to register their interest in attending the forthcoming visits to the Network Operations Control Centre and, for next year, the Materials Laboratory.
- Opportunity for Members to be involved in the review on Loneliness and to get in touch if interested; and
- That the Budget meeting in January would commence at 9.30am.

# Agenda Item 10.(j)

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE  
18/11/21

## \* 18 **COVID-19 update and impact on Equality**

The Council's Chief Executive updated the Committee on the current position within Devon relating to the Covid-19 pandemic as follows:

### Prevalence

- As of today, Devon now had the highest positive reported cases per 100,000 population in the last 7 days of any upper tier authority in the country, with currently 560 cases per 100,000 population, largely driven by transmission in schools and associated household transmission;
- There were not currently high numbers in hospitals, and NHS modelling forecast showed 150 cases in hospital at month end;
- There were currently 21 patients in intensive care units across Devon (including Plymouth and Torbay); and
- Local numbers in hospitals were: 46 RD&E, 21 Torbay & Southern Devon and 13 North Devon.

### Impact

- Much higher vaccination rates within the population meant that Covid was having a less severe impact, but it was likely infection rates would be high through the winter period;
- Sickness rates within the Council remained low, with NHS rates now decreasing; and
- Important that disciplines were kept to mitigate the transmission rates of Covid-19 and other transmissible viruses.

### Vaccination

- Devon remained in a good position, with over 90% of 40+ year olds being double vaccinated;
- 80% of 18-30 year olds, 70% of 16-17 year olds; and around 33% of 12-15 years had now been vaccinated; and
- Devon had a good uptake of booster vaccinations, which were known to provide excellent protection.

### Resilience

- Workforce issues continued to be significant across both the private and public sector in particular, coupled with supply chain and inflation pressures; and
- Hospital occupancy continued to be under huge pressure as well as the Ambulance Service.

### Care homes

- Of the 320 care homes in Devon, there were currently 47 with Covid cases;
- Overall, Devon had the 3<sup>rd</sup> lowest rate of deaths in care homes of any upper tier authorities; and
- Unlike elsewhere, Devon had not seen a significant impact following the deadline for care home workers to be vaccinated.

### Impact on equality

- Although data was currently limited, impact was on workforce shortages; and

- Impact of mental health issues on work related absence, impacting employment and sickness rates.

Members' questions and discussion included:

- the Exeter Nightingale hospital was being repurposed to deal with hospital backlogs;
- the limited logistical support that had been provided by the military to the Ambulance Service;
- that the Health & Adult Care Scrutiny Committee would be carrying out a spotlight review on the Ambulance Service; and
- request for figures on employment pre and post-pandemic for both the Council and wider Devon would be provided post meeting.

The Chair thanked the Chief Executive for his attendance and update.

## \* 19 **Input to Council Priorities**

The Committee received a verbal report from the Chief Executive on the Council's [Strategic Plan 2021-25](#) which set out a framework for the coming years, which had been considered by the Cabinet on 10 November 2021.

It was noted that over the next four years, the Council would be focussing on recovery and renewal and the priorities had therefore been developed to help Devon achieve the overall ambition to become the best place to:

- Grow up - a commitment to being a child friendly Devon where children and young people were safe, healthy, ambitious, and could fulfil their potential.
- Live well - being a fairer Devon: inclusive, compassionate, and caring, where everyone was safe, connected, and resilient.
- Prosper - being a greener and prosperous Devon, with opportunities to create a sustainable future for all.

The Plan detailed six priorities, which were to:

- Respond to the climate emergency
- Be ambitious for children and young people
- Support sustainable economic recovery
- Tackle poverty and inequality
- Improve health and wellbeing
- Help communities be safe, connected, and resilient

The priorities would provide the basis for an annual plan and progress report for the coming years; the development of the Council's annual budgets; its medium-term financial strategy; service planning; and partnership working as part of Team Devon. It was important that Scrutiny were actively engaged in the reporting process, analysing performance and progress made.

# Agenda Item 10.(j)

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE  
18/11/21

Discussion with Members and the Chief Executive included:

- Devon's retention of young people and University graduates, and discussions with Exeter University.
- Lack of available housing and the close working with district councils, with a request that Members be informed of the issues affecting the delivery of housing in Devon.
- That housing issues in Devon be added to the work programme.

\* 20

## **In-year Service Briefings**

(Councillors Davis, Gilbert and Saywell attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee.)

### **(a) Corporate Services**

The Committee received a verbal update from the Chief Executive on the in-year position of budget and service delivery within Corporate Services (Digital Transformation and Business Support; Legal, Communications and Human Resources (including Democratic Services), Coroners and Registration, and Treasurer's Services).

The Chief Executive reported that overall Corporate Services would likely forecast an underspend this year. There had however been pressures in Legal relating to children's services legal proceedings; some higher costs in Coroners; and additional HR recruitment costs.

An update on the iTrent system and savings identified would be provided to Members.

### **(b) Planning, Transportation and Environment (PTE), Communities, and Economy, Enterprise and Skills (EES)**

The Committee received the Briefing Paper by the Head of Planning, Transportation and Environment, Head of Communities, and Head of Economy, Enterprise and Skills (PTE/21/41), which provided an in-year briefing on service delivery within respective service areas. Highlights and discussion points included:

#### **PTE**

- Work was continuing on the Devon Carbon Plan, with feed-in from the Citizens' Assembly;
- Government funding had been secured to retrofit five corporate estate buildings to delivery carbon, energy and cost reduction;
- Partnership working to install 400 electric charging bays across Devon;
- The Rural Electric Mobility Enabler project had just launched, led by EDF.

- Purchase of 30 acres of land in Mid Devon to plant trees which would also provide a net gain in biodiversity, for which Members requested information on location; and
- Work continued on the planning and delivery of major housing growth areas.
- Peninsula Transport had just completed a freight study, which was being considered at the next Board meeting, and partner working continued.
- Members requested that a briefing for local Members be provided before commencing largescale road schemes in the future, such as the A380.

## Communities

- The Household Support Fund had launched this week, to support families in need and supporting organisations.
- A Devon Libraries App was now available for download to mobile phones, providing in effect a self-service.
- DYS Space continued its support to young people throughout the pandemic, and an additional £600,000 was secured to deliver additional activity during the year,
- Multi-agencies had responded to the arrival of around 150 Afghan refugees in Exeter and Exmouth.

## EES

- A Green Innovation Fund had been launched encouraging businesses to support low carbon opportunities and investment in natural capital schemes.
- Delivery of a Careers Hub service, supporting all 157 state funded secondary schools and colleges.
- Expansion of the Work Hubs programme with five new projects in construction, with a further 10 locations to join in the coming year.
- A briefing note to Members would be provided on employment numbers pre and post-pandemic.
- A Trading Standards Service project that focused on farmers' mental health and wellbeing had been awarded the national Chartered Trading Standards Institute Award for best project.
- The Future Skills Centre (formerly Flybe Academy) was now full and delivering a range of courses through Exeter College.
- The Community Renewal Fund had been announced, with Devon receiving the largest allocation across the country, supporting 13 of 16 projects.
- CDS – the outcome was awaited on a recent government consultation on broadband in Hard to Reach Places, meanwhile CDS continued to work with communities on this.

# Agenda Item 10.(j)

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE  
18/11/21

## (c) Highways, Infrastructure Development and Waste (HIW)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/72), which provided an in-year briefing on budget and service delivery, covering those areas not previously reported this year through the Highways Dashboard reports.

Overall, HIW were forecasting an underspend of £214,000 but this was as a result of additional income from the design team of Infrastructure Development.

Waste tonnages had increased significantly during the year, but this element of the service area was currently expected to outturn to budget. Highways and Traffic Management was on track to fully deliver planned works programmes within budget, although this could be impacted by inclement weather over the winter period.

Particular points of highlight included:

- Budget pressures on maintaining current conditions of network, coupled with resource issues and inflation.
- Contractors were in place to deal with the backlog of lining and road markings.
- Devon experienced overall waste growth of 3% in 2020/21, the first time in over 4 years, thought to result from the pandemic impacting on people's behaviour.
- The Community Action Groups continued to grow across the whole of Devon.

## \* 21 **Food Insecurity & the Council's emerging response and strategy**

The Committee considered the Report of the Head of Communities (SC/21/4) on Food Insecurity and the Council's emerging response and strategy.

The Covid-19 pandemic had highlighted a range of inequalities across Devon, including a rise in levels of poverty and food insecurity. During the last year, the Council had invested over £5m in the provision of food and essential supplies, particularly to those families eligible for free school meals. A further £54m would be available for this autumn/winter.

The Council were intending to highlight the need to tackle poverty and inequality as one of its key strategic priorities. The report set out the current priorities for the Council to develop in partnership over the next 12 months.

The report highlighted the concern that levels of household food insecurity were at high levels across the County, with one in ten Devon households experiencing food insecurity.

The Head of Scrutiny clarified that Poverty was an existing item on the scrutiny work programme.

\* 22 **Highways Performance Dashboard**

(Councillor Hughes attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee.)

The Committee received the Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/21/73) on the Highways Performance Dashboard, which provided an overview of performance of Devon Highways in the following areas:

- Trials of Walk/Talk/Build approach to minor works
- Reactive works including potholes and drainage cleaning
- NHT Survey Results
- Local Area Capital Programme
- Recruitment for the future of the Service
- Development of Carbon Calculator Tool
- Review of Permit Scheme.

It was noted that the Doing What Matters defects project had gone live yesterday, which would address quality and performance issues, increasing the rate of first time repairs.

Members requested that future reports include a visible dashboard.

\* 23 **Treasury Management Stewardship Mid-year report 2021/22**

The Committee received the Report of the Director of Finance (Designate) (DF/21/11) on the Treasury Management Mid-Year Stewardship 2020/21, which updated key matters arising from the Council's Treasury and Debt Management activities during the first seven months of the 2020/21 financial year, to enable Members to satisfy themselves that agreed policy had been implemented.

The Report outlined the Borrowing Strategy and its aims for 2020/21 – 2023/24; Analysis of Long Term Debt; Investment Strategy, the Minimum Revenue Provision; the Council's compliance with the Prudential Indicators as laid out in the CIPFA Code of Practice; and Prospects for 2022/23.

In summary, the Report stated that no long-term or short-term borrowing had been undertaken to date in 2021/22, and the expectation was that no new borrowing would be required during the remainder of the 2021/22 financial year; and that investment income at the end of October stood at around £580,000 compared to the budget target for the year of £800,000.

# Agenda Item 10.(j)

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE  
18/11/21

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillor Radford and

**RESOLVED** that the Treasury Management Mid-Year Stewardship Report 2021-22 be endorsed and commended to the Cabinet.

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 2.08 pm.