

CABINET

13 September 2023

Present:-

Councillors R Croad, R Gilbert, J Hart (Chair), S Hughes, A Leadbetter, J McInnes (Vice-Chair), L Samuel, A Saywell and P Twiss

Apologies:-

Councillors A Davis

Members attending in accordance with Standing Order 25

F Biederman, J Brazil, A Connett and C Whitton (in person)
A Dewhirst (remote attendance)

* 371

Minutes

RESOLVED that the minutes of the meeting held on 12 July 2023 be signed as a correct record.

* 372

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 373

Announcements

The Chair welcomed Councillor Lois Samuel to her first Cabinet meeting in her new role of Cabinet Member for SEND Improvement.

* 374

Petitions

The Leader was presented, by Rachel Waddilove with a petition organised by local residents containing 42 signatures and a number of representations regarding the condition of Kingsford Lane in Holcombe Burnell, requesting urgent repairs and resurfacing.

The Director would be asked to respond direct to the petitioners on the issues raised, within 15 days.

[NB: The relevant Director would be asked to respond direct to the petitioner on the issues raised, within 15 days, in line with the [Council's Petition Scheme](#)].

* **375** **Question(s) from Members of the Council**

There was no question from a Member of the Council.

* **376** **Working Well Together for a Sustainable and Stronger Council**

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Strategic Leadership Team (CEX/23/1) on how the Council must work for a sustainable future. The Chief Executive and Director of Finance and Public Value gave a presentation to accompany the Report which set the context of the current position of the Council.

The Report highlighted the significant change and opportunity for English local government, but a combination of high inflation and rising demand had left local authorities facing some of their toughest budgetary decisions to date.

The next financial year would be critical and the Council had agreed that it must improve the current arrangements for decision-making and governance, achieve, as far as possible, financial sustainability and support and empower staff to deliver the best outcomes.

Cabinet had previously agreed six corporate priorities, one of which was value for money and financial sustainability covering: staffing; contract management; efficiency of services; income generation and full cost recovery; and use of assets and buildings, which was the focus of the Report.

The background of the Report referred to the cost-of-living crisis and geopolitical situation as well as growing demand with increased complexity and inflationary pressures. The health system in Devon continued to face operational and financial challenges as well as fiscal pressures within the Dedicated Schools Grant.

The authority's workforce had also increased by over 1,400 since 2018/19, and a team working on the matter had identified duplication with corporate roles and functions including contract management and commissioning, HR, data, project management and business support.

The areas of focus moving forward were:

- Property - officers had been conducting visits as part of a Property Change Programme to review the estate and identify buildings which could be relinquished as part of a 'rolling' change programme. The first of a series of reports from this workstream would be presented to Cabinet in October.

- Contracts - Directorates had been working to review all external spend. Early signs were positive that a plan for the reductions would prove achievable, albeit not straightforward to achieve.
- Staffing - a number of workstreams were underway to reduce spend, which included a pay and allowances review, benefits platform, and recruitment approval processes.
- Agency – continued focus was required to address the high proportion of agency staff in use.
- Transformation and Best Value – some service areas had dedicated resource in relation to some areas such as project management, data, administration, recruitment, and learning and development. Work was underway to scope staff who delivered this work and reshape them into central areas to streamline activities.

The Report also updated on SEND and Safety Valve progress, with the Council carrying a significant financial risk in the form of the SEND accumulated deficit. A second round of discussions with the Department for Education (DFE) were underway as part of the Safety Valve Intervention programme, with final submission taking place in the Autumn.

In summary, extensive work was underway in line with the ‘One Council’ approach to ensure a sustainable and stronger council was achieved. It was also positive that work was underway early in the current year to ensure the organisation was as well placed as possible to address the challenges faced.

A variety of options were being considered and those requiring Cabinet endorsement would be presented for consideration as part of the budget setting process, or as a separate report and at this time full consideration would be given to the options available, consultation processes, how the proposal aligned with the Strategic Plan, further financial and legal considerations, environmental impact and equality considerations as well as identifying risks and mitigation.

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

RESOLVED that the challenges being faced by the authority and the steps being taken to secure Best Value are noted.

377 **Youth Justice Plan**

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Interim Service Manager of the Devon Youth Justice Service (YJS) (CS/23/10), which presented the Annual Youth Justice Plan, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Section 39 (1) of the Crime and Disorder Act 1998 required the co-operation of the named statutory partners to form a YJS. Section 38 (1, 2) identified the statutory partners which were the local authority, education, police, probation service and health.

The national Youth Justice Board required each Youth Justice Service in England and Wales to submit an annual report to inform the strategic oversight of the service and set out the ambitions for the upcoming year. This plan had to be agreed by the Chair of the local Youth Justice Management Board, prior to submission to the YJB for scrutiny (completed 30th June 2023). The 'sign off' by the Chair was an indication that the wider management board had approved the submitted plan and all sections outlined in the [Youth Justice Plan Structure](#) had been covered.

There was also a requirement for full Council sign off, which had been in place since the Crime and Disorder Act 1998 enabled Youth Offending Services (the national title).

The autumn 2022 inspection process by HMI Probation recorded a GOOD rating with several outstanding features (see appendix 1).

The work of Devon YJT was driven by the YJ Management Board and its annual objectives (outlined at appendix 2) and objectives and progress were regularly reviewed in quarterly Board meetings.

The Devon YJT was a statutory service with multi partner funding sources together with a national YJB grant and completion of the sign off process was necessary to ensure the grant was received in a timely fashion, to enable the effective operation of YJ services.

The YJ Plan previously submitted to the national YJB contained performance data for the 2022/2023 year as required, as could be seen at appendix 3.

Section 5 of the Report also outlined the feedback which formed an integral part of YJT evaluation, from children, parents and carers as well as anonymised case studies and good practice examples being regularly shared with the Board (appendix 4 denotes).

The strategic plan of Devon Youth Justice system was well aligned with a range of the Council's Strategic Plan priorities and the table at section 6 outlined those priorities aligned to various actions in being ambitious for children and young people, supporting sustainable economic recovery, tackling poverty and inequality, improving health and wellbeing and helping communities be safe, resilient and connected.

The Devon YJS operated under a 5 part pooled budget – the core membership plus the YJB grant. The Budget for 2023 – 24 was reported in section 7 with the agency, staffing costs, and delegated funds.

The Cabinet noted that children from a range of backgrounds were over-represented in the youth justice system. Nationally it was known that Black and Mixed ethnicity boys were over-represented and a recent HMIP thematic report made a number of recommendations which Devon were taking in to account in service delivery because tackling disproportionality in the criminal justice system in Devon would remain an ongoing target for DYJS.

The Cabinet further noted that the proposal had been assessed and all necessary safeguards or action had been taken / included to safeguard the Council's position (see appendix 5).

In summary, agreement to the annual YJ Plan was necessary for full release of the YJB annual Grant and it was a requirement under Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Furthermore, agreement to YJT funding was necessary to continue to run a high performing (HMIP GOOD rated) service and develop further to OUTSTANDING.

The matter having been debated and the other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Report having been considered:

it was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the 2023/2024 Youth Justice Service Plan be endorsed and in accordance with 'Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000', be recommended to the Council for adoption;

(b) that the existing contribution to a pooled budget to part finance Youth Justice Services in Devon of £299,200 be agreed, noting that no additional funding is being sought through the Report; and

(c) that in order to maintain an informed dialogue on youth justice matters within communities to achieve the ambitions of the plan to the greatest effect, for both the benefit of children and society as a whole, the Report be further endorsed.

* **378** **Budget Monitoring - Month 4**

(Councillors Biederman, Brazil, Dewhurst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Finance and Public Value (DFP/23/77) presenting the Budget Monitoring position at Month 4, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report outlined the financial position and forecast at month 4 (to the end of July) of the financial year and it was estimated that budgets would overspend by £9.3 million, excluding the Dedicated Schools Grant (DSG) deficit (the DSG projected deficit, relating to Special Educational Needs and Disabilities (SEND), was forecast to be £36.6 million).

The table at section 4 of the Report summarised the month 4 forecast position by directorate (excluding the DSG forecast overspend), but in summary, Integrated Adult Social Care services were forecast to overspend by £2.2 million, Children's and Young People's Futures services were forecasting an overspend of £2.7 million (excluding £36.6 million on SEND), Climate Change, Environment and Transport directorate were forecasting a small underspend of £275,000 generated by staffing and other operational savings within the planning service.

Public Health, Communities and Prosperity were anticipated to outturn to budget and Corporate Services forecasting an underspend of £104,000.

Non-service items, which included capital financing charges, interest earned and business rates pooling gain, were currently forecasting an overspend of £4.8 million, reflecting assumptions around final pay awards and the non-delivery of transformation and best value savings.

The approved capital programme for the Council was £245.6 million, which incorporated amounts brought forward from 2022/23 of £54.7 million and approved in-year changes totalling a net of £17.8 million. The year-end forecast was £210.6 million of which £183.5 million was externally funded and slippage was forecast at £35.0 million.

Corporate debt stood at £4.1 million, being just under 2% of the annual value of invoices, against the annual target of 1.9%. The balance of debt owed would continue to be pursued with the use of legal action where appropriate to do so.

Work was ongoing for all services to achieve in year balance against the budgets agreed by Council in February. Early discussions with the DfE had indicated that any agreement reached in the safety valve programme would require a local contribution from the Authority to fund part of the accumulated deficit. It was therefore recommended that an in-year contribution of £10 million to reserves was made and establish a Safety Valve Support Reserve. This would be achieved by reducing all Directorate budgets by an apportioned share of the £10 million required.

The Cabinet noted it was early in the financial year and much would inevitably change as the year progressed. The current forecast position of £9.3 million carried much risk but work continued across the Council to manage the challenges being faced.

The matter having been debated and the other relevant factors set out in the Director's Report having been considered:

it was **MOVED** by Councillor Twiss, **SECONDED** by Councillor Hart, and

RESOLVED

- (a) that the month 4 budget monitoring forecast position is noted;
- (b) that the update on the Safety Valve Intervention programme also is noted;
- (c) that an in year virement from service budgets of £10 million, as detailed in section 8 of the report, is agreed; and
- (d) that a Safety Valve Support reserve is created and a contribution to it of £10 million is made in year.

* **379** **People First Strategy - Action Plan**

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of People and Culture which presented the Action Plan to accompany the People First Strategy, which had been previously presented to Cabinet. The Report had been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Cabinet approved the new [People First Strategy](#) for the Council in June 2023 which had been identified as a priority in response to a number of issues, for example the Race Equality Audit (2021) coupled with other behavioural related concerns identified in Children's Services, which had driven the need to refocus on activities in relation to staff and the organisation's culture.

A key priority for the People First Strategy was to outline how the Council would ensure there were appropriately skilled and talented people to deliver services to communities and ensure the Council was fit for the future, as well as embodying values of care and kindness, and a responsibility to provide good value for the people of Devon.

It was also critical to focus on the quality of relationships and engagement with key stakeholders and partners.

The Strategy had been designed and based around a focus on the six key themes of Voice, Recruitment, Wellbeing, Belonging, Learning and Reward, having been shaped by staff surveys, findings from the Race Equality Audit, benchmarking, the recruitment market and exit interviews.

The Action Plan detailed how the Council would deliver against the Strategy's aims over the next three years.

Some of the actions listed had been in progress this year already, which Cabinet had been previously cited on. For example, a Scrutiny Spotlight Review on the 'Cost of living crisis' made a recommendation to Cabinet, on the implementation of a staff-wide discount scheme. This Benefits Platform would go live later in the year.

It was further proposed that progress against the Action Plan be reviewed as follows:

- People & Culture Leadership Team on a monthly basis;
- Cabinet Member for Organisational Development, Workforce & Digital Transformation on a monthly basis;
- Senior Leadership Team on a quarterly basis; and
- Cabinet on a six-monthly basis.

Key Performance Indicators would be developed in relation to each theme to monitor progress against as each activity was developed.

The delivery of the People First Strategy had been identified as one of the six areas of focus for the next 12 months, and its successful implementation would enable staff to be best placed to deliver the outcomes in the Strategic Plan. It would also contribute to supporting the delivery of the Corporate Equality, Diversity & Inclusion agenda.

The People First Strategy explicitly highlighted the Councils' collective role as corporate parents and responsibility to the Council's care leavers and the Action Plan outlined work both underway and planned in relation to each theme of the Strategy.

The Strategy had been developed in liaison with the Equality Team and an overarching high level impact assessment completed - <https://www.devon.gov.uk/impact/published/>. However, different elements of the Action Plan would require full Equality Impacts Assessments as they were scoped, designed and rolled out.

The Cabinet noted that 'The People First Strategy' had been adopted and delivery of the Action Plan would provide a more effective and organisation wide collaborative approach to address workforce related issues.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact, risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Saywell, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the People Strategy Action Plan and all of the activities / projects contained therein be endorsed; and

(b) that the Director of People and Culture, in consultation with the Cabinet Member for Organisational Development, Workforce & Digital Transformation, be given delegated authority to make minor amendments to the action plan.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).

* 380 **Proposal for the Future Council Contribution to the Wellbeing Exeter Partnership Fund**

(Councillors Biederman, Brazil and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Integrated Adult Social Care, (IASC/23/180) on proposals for the future Council contribution to the Wellbeing Exeter Partnership Fund, the Report having been circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet noted the work of the Council in achieving financial sustainability and focussing on the things the Council must do. In developing a savings Strategy, the Council had tried wherever possible to reduce investment that limited the impact on residents, communities and partners. However, there were still difficult choices to make, but the Council had acted as a system partner and engaged with those potentially impacted, including all District and City authorities across Devon and being active in conversations that sought solutions.

Whilst the Report recommended the withdrawal of funding from Wellbeing Exeter, it was not a withdrawal from working in partnership with the VCSE, or Exeter City Council.

The Report outlined the establishment of Wellbeing Exeter, the previous funding arrangements and the three main services provided. The Council's current funding commitments to Wellbeing Exeter were coming to an end, and in February 2023 Wellbeing Exeter's commissioning organisations came together to make decisions about its future role in the city and the wider health and care system.

Exeter City Council had been preparing a funding prospectus with the aim of recruiting additional philanthropic investors and a new organisational form such as a Community Interest Company for April 2024 and beyond and the Council committed to working with Wellbeing Exeter to do this.

The recommendation of the Report meant that people with [eligible needs as defined within the Care Act](#) would continue to have eligible needs met.

The table set out in section 4 of the Report set out the analysis of options for the future Council contribution towards the Wellbeing Exeter Fund. With every option, the Council remained committed to working with partners to bring more funding into Devon to support them to deliver statutory duties.

Option 1 was to cease funding, option 2 was to do nothing and option 3 was to find alternative funding sources. In all cases the impact and financial implication was highlighted. Section 7 of the Report summarised the financial considerations of the proposals, noting that the cost of the Council's contribution to the Wellbeing Exeter Partnership fund had been £395,000 per year, reducing in 2023-24 to £270,000.

Section 5 of the Report outlined the Consultation that had been launched on 9 March 2023 on the ['Have Your Say'](#) page of the Council website. A [Report to the Health and Adult Care Scrutiny Committee](#) further provided an overview of the public consultation process, the level of engagement and the themes of the feedback received.

The Cabinet noted that the budget for 2023/24 did not include funding for options 2 and 3 and financial pressure of £270,000 would be experienced in the current year. They further noted that whilst the Council had contributed to the Wellbeing Exeter Partnership Fund since its inception, through the Integrated Adult Social Care budget, the service did not directly contribute to adult social care's statutory duty to meet eligible needs.

The Cabinet further noted that the Health and Adult Care Scrutiny had also considered this matter, at its meetings on [13th June 2023](#), where an update on the Integrated Adult Social Care consultations on service changes was given.

An impact Assessment had been circulated for Members at the meeting and was available on the web at - [Wellbeing Exeter Partnership - Impact Assessment](#). This also highlighted potential mitigations for the impacts of the decision on users and the community.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

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

RESOLVED that the Council contributions to the Wellbeing Exeter Partnership Fund be ceased, as outlined in option 1 at section 4 of the Report.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Wellbeing Exeter partnership - Impact Assessment](#)).

* 381 **Special Guardianship Policy - Supporting Families to Apply for Special Guardianship Orders (Support Package)**

Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Children and Young People's Futures (CS/23/06) relating to proposals for financial support packages and Special Guardianship Orders, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Special Guardianship offered a child who had been looked after by a local authority a greater degree of permanence than foster care without the finality of adoption and a number of children currently looked after by the Council and placed with foster carers could be offered permanence through an SGO, as long as their special guardians received an appropriate support package.

The Report outlined the additional costs of achieving permanence for that group of children together with the savings that would result from that.

The Council had identified 24 children who were currently residing in foster care, whose carers were willing to consider an application for a Special Guardianship Order, however a lack of defined support, including financial, was a rationale for many not being willing or able to proceed.

The Report outlined that for two years following the granting of an SGO, the (now former) foster carer(s) would receive a continuation of their fostering allowance at the same rate. Following this two-year transition period, they would receive the basic fostering allowance until the child's 18th birthday provided the child continued to reside with them. Additional financial support may also be payable where the child had additional health or care needs which would incur a direct additional cost to the special guardian(s).

When the young person turned 18, they could be eligible, as a qualifying care leaver, to access practical and financial support, including grants and bursaries, to help them with the transition to adulthood and independence.

The Report further outlined the additional guidance and support available from Devon's Special Guardianship team, for example contact arrangements, transitions and / or ongoing additional support.

Section 7 of the Report focussed on the financial considerations referring to the Special Guardianship Regulations, 2005 (as amended by the Special Guardianship (Amendment) Regulations 2016). This included costs and savings as well as service costs associated with social work, quality assurance, education, and health as well as benchmarking with other neighbouring authorities and case study examples.

The Council previously made a commitment to providing a protected allowance at the same level the foster carers currently received for the duration of their childhood which was financially unsustainable. Following this, potential Special Guardians were not offered any flexibility with the regulations which resulted in several foster carers not pursuing SGO's due to the lack of perceived support. The proposal aimed to support foster carers to provide permanence through a financially sustainable method.

The proposals being presented to Cabinet fitted with the strategic priorities of being ambitious for children and young people, tackling poverty and inequality and improving health and wellbeing.

In summary, the proposal sought to offer children a level of normalcy not experienced as children in care. The emotional security provided through a reassurance that carers wanted to commit to their long-term care far exceeded any statutory support that could be offered to them as children in care.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED that foster carers applying for a Special Guardianship Order in respect of a looked after child for whom Devon is the Corporate Parent receive an enhanced, guaranteed financial support package as outlined in the Report to encourage them to apply for the Special Guardianship Order, thereby providing a permanent placement for that child.

* 382

Calculation of Allowances for Special Guardians, Child Arrangement Order and Adoption Allowances - the Government Calculator

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Children and Young People's Futures (CS/23/05) which sought agreement to the adoption of the Government recommended calculator for allowance reviews for kinship care from 1st January 2024, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report highlighted that children that were unable to live with their birth families benefitted from a stable, permanent family placement, which could be provided in a number of ways such as Special Guardianship, Child Arrangement Order or Adoption. The Council had been using a locally devised formula for the calculation of kinship allowances, however, legal precedent and best practice suggested that the means test should be undertaken using the Government recommended allowance calculator for SGO, CAO and Adoption Allowances which would result in the payment of higher levels of allowance.

The Local Authority was required to publish a policy that detailed the support they would provide to special guardians, including financial support and the Kinship charity (formerly Grandparents Plus) had highlighted the disparity of financial support offered between Local Authorities.

The DfE recommended calculator was a suggested model and was not a statutory requirement. However, it was recommended and there had been increasing spotlight on its use by the Courts and the Local Government Ombudsman. Recent case law, Sarah Becker v Plymouth City Council, recommended that the DfE model means test and guidance was used when calculating SG payments and the financial recompense was ordered to be backdated. This Council had received a letter from the Local Government Ombudsman asking why the Council did not follow the Government recommendations. This anonymised letter was attached for reference.

There were also other examples of where the recommended calculator was promoted (report of the Kinship charity April 2022, BBC Tonight program regarding the Plymouth ruling, heightened scrutiny of processes and procedures and the Local Government and Social Care Ombudsman report giving advice for special guardians - [Firm Foundations \(lgo.org.uk\)](https://www.lgo.org.uk))

The adoption of the DfE calculator was likely to have a positive outcome for most special guardians and kinship carers, particularly those on a lower income. A sample of SGO allowances were reviewed using the government recommended calculator. The sample set indicated that around half of Special Guardians would receive an increase in allowance payments.

The proposals fitted with the Strategic Plan priorities to be ambitious for children and young people, tackle poverty and inequality and improve health and wellbeing.

This proposal had a projected full year financial impact of £412k and implementation from January 2024 would cost approximately £103k and costs would be ongoing. There was no allocated budget within 2023/24 to fund the conversion costs which would therefore contribute to existing budget pressures.

In summary, the recommendation to adopt the Government calculator for all kinship allowances reflects the explicit Government advice that the model should apply to special guardianship and adoption allowances. If the calculator was not adopted, the Council remained open to reputational and legal challenge.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED that the Government recommended calculator for allowance reviews for kinship care be adopted with effect from 1st January 2024.

* 383 **Staying Close Pilot for Care Experienced Young People**

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Children and Young People's Futures (CS/23/07) which sought approval for the Staying Close implementation plan, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report provided a summary of the matter which included that the Council had been awarded a revenue grant of £1.147 million in May 2023 from the Department for Education (DfE) to pilot Staying Close in Devon. This was a national initiative which provided an enhanced support package for young people leaving care. It was designed to be a comparable offer to the option of Staying Put (for young people who wished to remain with their foster carers following their 18th birthday).

Staying Close provided an offer of move-on accommodation, alongside a package of practical and emotional support, provided by someone who they knew and trusted. The bespoke packages of support help develop confidence and skills for independent living, as well as emotional health and wellbeing.

The grant would cover the cost of employing Accommodation Support Workers, and other commissioned support services for young people leaving care in properties funded separately by rent and/or benefits that the young people were entitled to. Any posts funded by the grant would be 100% externally funded for the 2-year pilot and did not require additional financial contribution from the Council. The Report set out that the bid had outlined how the Council would use up to 6 buildings to accommodate a minimum of 24 care experienced young people aged 18+ in high and medium needs provision.

The Sufficiency Strategy was the mechanism by which Children's Services sought to anticipate the need for a range of different accommodation for looked after children and care leavers. Devon currently had a number of young people who were unable to leave high-cost care placements due to a lack of alternative provision for young people age 18+ which could meet their support needs.

£203,000 could be needed to be funded from existing council budgets within the pilot period. The estimated potential savings over the lifetime of the project from providing a suitable alternative for the young people was £2.167 million, with the potential for an ongoing saving of £746,000 per year after the DfE funding ended.

The Council's Staying Close sustainability plan after 2025 would in part depend on DfE's decision to fund Staying Close, however the model was more financially sustainable compared to the arrangements currently in use.

Developing such a 'Staying Close' offer in Devon using DfE funding would support the objectives of the Council's Sufficiency Strategy, Corporate Parenting Strategy and recommendations made in the Independent Social Care Review.

The Council would be required to provide quarterly returns to the DfE on the progress and expenditure associated with the grant. There was also an expectation that services would commence between October 2023 and January 2024.

The Cabinet noted that the business case and proposal had been presented to the Children's Scrutiny meeting in June 2023 who RESOLVED that "the Committee welcomes the sufficiency initiatives outlined in the Report and recommends the programme to Cabinet when it considers the Report".

They further noted there would be two main categories of supported accommodation provided, being Higher Level Support (12 young people): and Medium Level Support (12 young people).

Work was ongoing with housing providers and District Councils to identify properties that would be suitable for the Staying Close programme. This could include DCC buildings which could be supported by District Councils with expertise in property management. As soon as a suitable property was identified, the relevant Local Members would be consulted.

Employment, education, and training were key components of the initiative.

Whilst the Council did have some contracts in place for young people aged 16-18, and care experienced young people aged 18+, these did not meet the needs of all care experienced young people aged 18+.

The staffing implications were outlined in section 3.15 of the Report and the Consultations Engagement at section 5 onwards, including feedback from care experienced young people on housing and support and with District Councils and other Partners. The timescale for the submission of the bid did not allow for formal consultation.

The submitted budget for the Staying Close programme for 2023/24 – 2024/25 was outlined at 7.1 of the Report, showing the total revenue cost £1.147m. Paragraph 7.6 onwards highlighted the forecast saving based on 80% occupancy of 12 Staying Close places.

In conclusion, the Staying Close initiative provided an opportunity for the Council to secure accommodation for 24 care experienced young people aged 18+ with medium to higher needs. This would enable a move on from

high cost supported accommodation for 16–17-year-olds and residential care homes. This would be appropriate accommodation when leaving care where they could get emotional and practical support to improve their outcomes as they transitioned to independent living.

An impact Assessment had been prepared for Members at the meeting and was available on the web at - [Published Impact Assessments](#). This highlighted the initiative would result in improved access to supported accommodation for care experienced young people who were not yet ready to live independently.

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the securing of £1.14 million of funding from the Department for Education for the Wave 3 Staying Close initiative be noted; and

(b) that the Staying Close implementation plan be approved.

* 384 **South Hams Highways and Traffic Orders Committee - Local Waiting Restrictions Programme**

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that at its meeting on 30 June 2023 in considering the Report of the Director of Climate Change, Environment and Transport (CT/23/43) on Traffic Regulation Order (TRO) restrictions, the South Hams Highways and Traffic Orders Committee discussed the matter of obstructions of footpaths and highways and a Government Consultation on the matter. They RESOLVED '(c) that Cabinet be requested to write to Devon's Chief Constable and MPs, expressing concern at the problems encountered by local highways authorities, seeking their support in lobbying Government to make it a criminal offence to obstruct a footpath or highway at the earliest opportunity and further requesting the police to take action against obstruction on a more regular basis'.

The Cabinet Member commented that the Department for Transport had consulted on "Proposed options to tackle pavement parking at a local authority or national level" in 2020 and the Council had responded. He added that the Department for Transport were evaluating the feedback received and further information would be issued in due course.

The Cabinet Member further added that the issue of parking on pavements remained of interest to the Council and all Local Highway Authorities and proposed a letter be sent to Devon's Chief Constable and local MPs seeking their support.

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

RESOLVED that the Cabinet Member for Highway Management writes to the Chief Constable and local MPs seeking their support in lobbying Government to provide Local Authorities with civil powers to enforce against 'unnecessary obstruction of the pavement' and copies the letter to the PATROL (Parking and Traffic Regulations Outside London) Joint Committee.

* **385** **Question(s) from Members of the Public**

There was no question from a Member of the public.

* **386** **Minutes**

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

RESOLVED that the Minutes of the following be endorsed and any recommendations to Cabinet therein be approved:

Devon Audit Partnership - 13 July 2023

* **387** **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members under delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [Decisions taken by Officers](#) under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution.

* **388** **Forward Plan**

In accordance with the Council's Constitution, the Cabinet reviewed the [Forward Plan](#) and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

* 389 **Exclusion of the Press and Public**

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

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely the financial or business affairs of persons tendering for the provision of council goods or services and of the County Council, in both cases, 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.

* 390 **Part 2 - Supported Living Options Framework Agreement - Contract**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

(Councillors Biederman, Brazil, Dewhirst and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Children and Young People's Futures (CS/23/08) regarding the Supported Living Options Framework Agreement, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Supported Living Options was a service that included both supported accommodation and supported lodgings. The service was specified to meet the support needs of young people from 16 – 18 years of age who were transitioning from being in care to independent living.

The proposal was for a continuation of the current contracting arrangements with 16+ Supported Accommodation providers for Supported Living Options services for an additional 12-month period with a revised framework end date of 31st January 2025. It was further proposed that an additional entry point was included to allow new providers to join the framework, or existing providers to add new provisions.

The projected financial expenditure during the 12-month extension was £8.7 million, which assumed estimated growth and inflation.

An impact Assessment had been previously prepared for the attention of Members at the meeting at - [Supported living - Impact Assessment \(devon.gov.uk\)](#)

The matter having been debated and the options and alternatives and other relevant factors (e.g. financial, sustainability and carbon impact), risk management, equality and legal considerations and alignment with the Council's Strategic Plan) set out in the Director's Report having been considered:

it was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED that a twelve-month extension, with an additional entry point, to the existing Supported Living Options Framework Agreement for 16-17-year-old children in care and eligible care leavers be approved.

(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Supported living - Impact Assessment \(devon.gov.uk\)](#)).

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
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 10.30 am and finished at 12.50pm