

County Council
Thursday 15th February 2024



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

7 February 2024

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 15th February, 2024 at 2.15 pm.

A handwritten signature in purple ink, appearing to be 'Jon Curtis', written over a small circular stamp.

Chief Executive

[Dr Jon Curtis, Founder Member of Exeter Food Action will speak on the value of foodbanks **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

AGENDA

1. Apologies for Absence

2. Minutes

To approve as a correct record and sign the minutes of the meeting held on 7 December 2023.

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. **Revenue Budget, Medium Term Financial Strategy 2024/2025 - 2027/2028 and the Capital Programme for 2024/2025 - 2028/2029**

In the exercise of its Public Sector Equality Duty, as set out below, the County Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required. The overview of the impact assessments for all service areas entitled '2024/25 Budget Impact Assessment' has been circulated separately and is available to all Members of the Council for consideration under this item (alongside any specific equality impact assessments undertaken as part of the budget's preparation) at [Budget 2024-2025 - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/impact/budget-2024-2025/) (<https://www.devon.gov.uk/impact/budget-2024-2025/>)

To receive and approve the Report of the Director of Finance (DFP/24/16) together with the Minutes of the Cabinet held on 9th February 2024 relating to the budget.

Minutes from the recent Scrutiny Budget meetings (Children's Scrutiny – 18th January 2024, Health and Adult Care Scrutiny – 24 January 2024 and Corporate Infrastructure and Regulatory Services on 25 January 2024) are also attached for the information of Members which contain the Scrutiny Budget Resolutions.

The Report of the Director of Finance and Public Value will follow.

The Cabinet Minutes will be available to view at [Cabinet - 9th February 2024](https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=133&MId=4713&Ver=4) (<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=133&MId=4713&Ver=4>) shortly after the meeting takes place on the 9th February 2024.

Electoral Divisions(s): All Divisions

- (a) Budget Impact Assessment (Pages 1 - 24)
- (b) Children's Scrutiny Committee Minutes (Budget) - 18 January 2024 (Pages 25 - 32)
- (c) Health and Adult Care Scrutiny Committee (Budget) - 24 January 2024 (Pages 33 - 42)
- (d) Corporate Infrastructure and Regulatory Services Scrutiny Committee (Budget) - 25 January 2024 (Pages 43 - 52)

9. **Pay Policy Statement 2024/2025** (Pages 53 - 60)

To receive and approve the Councils Pay Policy Statement, as recommended by the Appointments, Remuneration and Chief Officer Conduct Committee (15 January 2024) (Minute 85 refers). The minutes of that meeting and Pay Policy Statement are attached to the agenda.

Electoral Divisions(s): All Divisions

10. **Corporate Performance Management Framework and Local Government Association Corporate Peer Challenge** (Pages 61 - 72)

To Council is asked to receive and approve the proposed Corporate Performance Management Framework and proposal for a LGA Corporate Peer Challenge, as recommended by the Cabinet (13 December 2023) (Minute 433 refers and replicated below).

(a) that the development and introduction of the corporate performance management framework described in this Report be agreed and commended to Council; and.

(b) that the proposal for a Local Government Association Corporate Peer Challenge in June 2024 be endorsed.

The Joint Report of the Director of Transformation and Business Services and Head of Economy, Enterprise and Skills, is attached.

The Leader will move an amendment to the above resolution (b) with a new date of December proposed for the Corporate Peer Challenge.

Electoral Divisions(s): All Divisions

OTHER MATTERS

11. **Cabinet Member Reports**

To consider reports from Cabinet Members.

12. **Minutes**

To receive and adopt and / or approve the Minutes of the under mentioned Committees.

(a) Appeals Committee - 4 December 2023 (Pages 73 - 74)

(b) Appeals Committee - 5 February 2024

The minutes will be published here -

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=160&MId=4859&Ver=4> shortly.

(c) Development Management Committee - 6 December 2023 (Pages 75 - 78)

- (d) Appointments, Remuneration and Chief Officer Conduct Committee - 15 January 2024 (Pages 79 - 80)
- (e) Procedures Committee - 1 February 2024 (Pages 81 - 98)

Matters for Consideration

- Minute 50 relating to the recommendations of the Report of the Independent Members Allowances Remuneration Panel for 2024/2025 and the endorsement of the Procedures Committee that Council accepts the recommendations (any revised scheme would take effect from May 2024).
 - The Council is being asked to approve Minute 51 relating to the Bailey Report and a suggested update to the Council's Policy on Disclosure and Barring Service (DBS) Checks for Elected Members, following endorsement and recommendation thereof by the Procedures Committee.
 - The Council is being asked to approve Minute 52 relating to Revised Guidance and Operating Procedures for Delegated Member Decisions, following proposals of the Council's Governance Working Group and subsequent recommendations of the Procedures Committee. The amended text is included in full at Minute 52.
 - The Council is being asked to approve Minute 53 relating to Member Questions at Council Meetings, following proposals of the Council's Governance Working Group and subsequent recommendations of the Procedures Committee. The amended text is included in full at Minute 53.
 - The Council is being asked to approve Minute 54 relating to Cabinet Member Reports at Council Meetings, following proposals of the Council's Governance Working Group and subsequent recommendations of the Procedures Committee. The amended text is included in full at Minute 54.
 - The Council is being asked to approve Minute 55 relating to the new arrangements for Health Scrutiny and ensuring the Constitution was reflected of the legislative changes, as recommended by the Procedures Committee. The amended text is included in full at Minute 55.
- (f) Children's Scrutiny Committee (Ordinary) - 18 January 2024 (Pages 99 - 102)
 - (g) Health and Adult Care Scrutiny Committee (Ordinary) - 24 January 2024 (Pages 103 - 110)
 - (h) Corporate Infrastructure and Regulatory Services Scrutiny Committee (Ordinary) - 25 January 2024 (Pages 111 - 116)

NOTICES OF MOTION

13. Gaza Crisis (Minute 244 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(a)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Dewhirst and referred thereto in accordance with Standing Order 8(2), namely.

Council condemns the awful terrorist attacks carried out by Hamas in Israel on 7th October.

Council is horrified by the scenes of violence in relation to all individuals who reside in the area in the weeks and days since, in particular the devastating humanitarian situation and the potential effect on the residents of Devon.

Council supports the implementation of international law, which means targeting terrorists, not civilians, and ensuring that innocent citizens do not pay the price.

Council expresses its concern at the UK Government's failure to attempt to ensure that the Israeli government and its military adhere to the requirements of international law and the UK Government's refusal to publish legal advice it has received in relation to the conflict.

Council further calls for the international community to revisit UN Resolution 242, supporting a long term, peaceful, two-state solution for both Israel and Palestine.

Council also believes:

- Essential supplies of aid, water, food, medicine and electricity must continue to be provided to Gaza.
- The UK Government must, with others, work for a lasting ceasefire to:
 - A - Facilitate the delivery of humanitarian aid into Gaza, and
 - B - Allow for an intensive period of diplomacy to realise a political solution, aimed at achieving two states and a lasting peace.

Council accordingly resolves to:

- Ask the UK Government to work towards a lasting ceasefire.
- Note with deep concern the severe reverberations of this crisis in the UK, with Jewish, Muslim and Palestinian communities all fearing and grieving, and condemns the rise in antisemitism and Islamophobia since 7th October. This could have the potential to affect our communities in Devon.

- Thank community leaders for the role they are playing in reducing tensions at this sensitive and difficult time.
- Call upon community leaders and public figures to act responsibly and work to bring communities together at this sensitive time.
- Recognise the role Devon & Cornwall Police are playing at the current time in supporting communities in Devon.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to:

- (a) support the Government in its efforts to find a ceasefire solution in this situation;
- (b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;
- (c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and
- (d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

14. Tackling "Box Shifting" (Minute 245 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(b)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Adams and referred thereto in accordance with Standing Order 8(2), namely.

The bankruptcy of Birmingham City Council was partly attributed to "dramatic reductions in business rates income" - an issue facing all councils across the UK, to the tune of £250 million a year. The unethical "Box Shifting" practice is a loophole that allows businesses to avoid paying business rates. Closing this loophole will allow local authorities to put back these business rates in their own pockets.

Key information:

- Box shifting involves landlords placing boxes in vacant commercial properties for a six-week period to trigger a three- or six-month rates-free period. Annually, this costs councils around £250 million (*Local Government Association Survey, 2019*)
- This cycle is often repeated, resulting in local councils losing over two-thirds of their empty rates incomes, and properties remain empty for

- months on end.
- Some landlords put a broadband box, an empty fish tank, or even snail farms in the property to trigger rates avoidance.

This Council pledges to:

Send a letter to the Chancellor of the Exchequer to propose extending the occupation period for business rates exemption from six weeks to six months to tackle the unethical practice of “Box Shifting”.” This follows the example of the Welsh and Scottish governments, who have already introduced legislation to tackle the issue.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**;

‘that County Council asks the Director of Finance and Public Value to liaise with the Districts in Devon, as the billing authorities in the County for business rates, to explore whether there is a concern around the scale of empty property rates relief in Devon and assess whether the practice of ‘box shifting’ is an issue locally. This will inform any further information and recommendations to the Cabinet Member for Finance for further consideration’.

15. Local Government and Social Care Ombudsman (LGSCO) findings on Special Educational Needs and the Role of Scrutiny (Minute 246 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(c)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Bailey and referred thereto in accordance with Standing Order 8(2), namely.

This Council notes that there has been a concerning high number of Local Government and Social Care Ombudsman (LGSCO) findings against Devon County Council relating to Special Educational Needs provision this year, with 26 complaints being upheld against DCC (15 of these have been since June alone).

This Council believes that it is important that each of its three main Scrutiny Committees are furnished with complete information to enable them effectively to scrutinize the various services of Devon County Council and that each committee agenda should include a standing item provided by DCC officers on any LGSCO findings.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**:

'that the County Council supports the independence of Scrutiny in carrying out the important role of critical friend challenge whilst recognising the importance of taking an evidence-based approach to work programming and asks the Chairs and Vice Chairs Committee to consider if the current approach to incorporating Local Government Ombudsman reports is as comprehensive as it needs to be'.

16. Hospiscare Funding (Minute 247 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(d)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely

Hospiscare which provides humane respectful end of life care and management costs almost 10M a year to run with just 18% of that funded by the ICB. This is well below the national average of 37% other hospices receive.

Despite ongoing discussions with the ICB they have refused to provide additional funding, and this means they will be forced to close or reduce services to meet a £2.5 million funding gap.

Without Hospiscare, its patients will need to be treated in an acute hospital setting where they will be a further demand on the NHS system and cost the NHS additional millions in direct care.

Motion

- DCC Believes that hospices are a better place than acute hospitals for people to receive palliative care when dying when no other medical treatment beyond pain relief is appropriate.
- DCC supports Hospiscare's fight for fairer funding from Devon Integrated Care board and agrees to write to the ICB to ask them to meet the funding gaps so services can be maintained.
- DCC will write to the ICB, NHS England ministers and local MPS to urge them to support Hospiscare's request for funding.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**:

that in line with the LGA guidance to local authorities on EoLC, Council ask the Health and Adult Care Scrutiny Committee and / or the Health and Wellbeing Board to review the recommendations and:

(a) explore the quality of end-of-life care in the area, on an annual basis, including how end of life care and support is experienced by different communities in their area;

(b) seek assurance that key responsibilities under the Care Act are being delivered and also that processes, such as those around NHS Continuing Health Care, are effective and person-centred; and

(c) consider whether there is a role for an elected member end of life care champion role to raise the profile of end-of-life care across the council and with partners.

17. Humanitarian Emergency in Gaza (Minute 248 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(e)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely.

Devon is proud to offer refugees sanctuary and proud of the of all communities in Devon. Devon County Council stands in solidarity with all those affected by the recent events in Israel and Gaza.

The extreme humanitarian emergency in Gaza, following the 7 October attacks on Israel have both been shocking for us all to see. The situation has had a deep impact on our communities in Exeter.

Devon County Council denounces hate crime in the strongest terms and community cohesion remains a priority for this local authority. It is important that we do not allow these tragic events to divide our communities here in the Devon.

The rise in Antisemitism and Islamophobia across the UK is unacceptable, and Devon County Council will continue to work with all of our communities in Devon to ensure residents feel safe and free from hate.

The Council supports the humanitarian work being done in Gaza and the middle east and encourages residents to donate to organisations raising funds for those in need.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**:

that Council be recommended to:

(a) support the Government in its efforts to find a ceasefire solution in this situation;

(b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;

(c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and

(d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

18. Austerity and Cuts to Local Government Funding (Minute 249 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(f)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely.

The Chancellor's Autumn statement has set the country on course for a "more painful" austerity drive after the next general election after more than a decade of austerity starting under David Cameron and George Osborne.

The £20bn package of tax cuts is almost entirely funded by swingeing real-terms reductions to public spending planned from 2025 when it may not even be in government according to the IFS.

It is estimated that the NHS receives 20% of its funding from National Insurance.

The plans to cut National Insurance means that some funding for social care and the NHS will have to come from other budgets or general taxation.

This implied a 1.8% cut for unprotected budgets each year from 2024-25 to 2028-29 – including for prisons, the courts system, local government and further education.

After taking into account funding settlements for Scotland, Wales and Northern Ireland, the plans imply cuts of 3.4% in England.

This Council has had more than 50% of its budget cut since 2010 and is already again planning to cut services to bring in a legally balanced budget for 2024-5.

Economists doubt efficiency gains on such a scale can be achieved.

Councils all around us and throughout the country are on the verge of bankruptcy and the County Council is having to make hard choices to cut funding and services to maintain a balanced budget.

This Council resolves:

1. To write to the government to ask them to make no real time cuts to Local Government until it has undertaken a spending review.
2. Seek the support of the LGA to oppose the Chancellor's budget for Local Government

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**:

‘that County Council be recommended to respond to the consultation on the Provisional Settlement for 2024/25 explaining the implications of the settlement for Devon and engages with the LGA and Society of County Treasurers to ensure the financial challenges faced by local government will continue to be represented to Government to inform the next Spending Review’.

19. Devon Residents Deserve Clean Rivers and Beaches (Minute 250 - 7 December 2023)

To receive and consider the recommendations of the Cabinet (Minute 458(g)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Leaver and referred thereto in accordance with Standing Order 8(2), namely.

This Council condemns repeated sewage outfalls across the county and Devon's Conservative MPs votes to allow South West Water to continue to pollute our rivers and beaches.

Council notes that the ongoing problem of poor water quality in Devon impacts on our local communities, economies and environment across the county.

Council believes that this issue goes beyond party politics, and resolves to write a letter from all DCC Group Leaders to Devon MPs and South West Water demanding urgent investment to clean up our water and funding for this to be prioritised over payment of dividends to shareholders and Directors' salaries.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/2) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **RESOLVED**:

that Council be recommended to

(a) note that the ongoing problem of poor water quality in Devon impacts on our local communities, economies and environment across the county; and

(b) urge all those with a specific role, including South West Water, the Environment Agency, Ofwat and central government, to pursue relevant action to adequately address this problem.

20. **Flexibility and Action against holiday firms exploiting families, those working in schools and the holiday industry**

Councillor Biederman to move:

We must stop the exploitation by Holiday Firms on families and staff in our schools.

Devon County Council recognise the importance of children being at school for the maximum time possible in order for them to be able to thrive and succeed in life after school.

Central government policy, Ofsted and this Council adopt a strong stance against schools and parents, who wish to take children out of school for a family holiday in term time. A five day unauthorised absence can mean a fine of £240 for a family with two school aged children.

The main reason for parents taking children out of school, with the financial and life pressures facing families in these incredibly tough times, is the cost of holidays in the holiday seasons. Holiday firms are clearly exploiting them.

From research on four holidays for a family of four, two adults and two children aged 5-15 for summer 2024, checking dates of 12th July 2024 and 9th August in the same accommodation, the figures are staggering.

1. Butlins Minehead - £946 July & £2437 August, difference £1491
2. Centre Parcs Longleat- £1748 July & £2348 August, difference £600
3. Ruda Croyde - £649 July & £1039 August, difference £390
4. Cyprus Pathos All Inclusive - £4239 July & £5769 August, difference £1524

Research proves that a family holiday can be very important and have massive positive outcomes for both children and parents.

Research conducted by the Family Holiday Association, the charity that helps struggling families to have a break, found that 49% of British people said their happiest memory is being on holiday with their family. The results from the poll of 2,000 British adults revealed that emotional, psychological and social benefits of family holidays last long after the break itself ends.

On these positive outcomes, McDonald said: "We consider these to be a 'happiness anchor' – reflecting on our happiest memories of joyful time spent together as a family can be extremely powerful in bringing relief and respite when faced with the darker times that life can bring.

"By using these memories as an anchor to take us back to more cheerful moments, we're often able to approach problems with a fresh sense of perspective.

"But for many without such memories, reigniting a sense of optimism for getting through the tougher times can seem like an impossible.

It also found children that have had the benefit of a holiday break are often inspired and learn better after a holiday.

It's not just children that suffer, many vital support staff in our schools are on low incomes and have no choice but to take holidays in the School Holidays and so the way holiday companies are exploiting the prices, affects them too.

Devon County Council will

- (a) Write to Head Teachers, Academies in Devon Schools to urge them to be sympathetic to requests for holiday in term time, giving consideration to individual children's family circumstances, their previous attendance levels, and the importance of the school year that the child is in.
- (b) Write to Ofsted seeking their assurance that schools taking a more flexible approach to school absences for family holidays is not counted against them.
- (c) Write to the Local Government Association and appropriate government ministers to ask for a review of what holiday companies can charge. Butlins for example have increased their price by roughly x 2.5 the price of one month earlier.

The level at which holiday companies are increasing prices of course, means parents are willing to take the fine, as in all my examples, it's far less than the extra cost of taking the holiday in the school holidays perhaps it's the Holiday firms that should be fined if they charge more than 20% extra on any holiday over their average price over the year.

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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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Induction Loop available





2024/25 Budget Impact Assessment

1. Introduction

The Budget consultation timetable is as follows:

- **29, 30 November and 4, 5, 11, 12, 14 December 2023** - on-line meetings with representatives of town and parish councils
- **15 January 2024** - Budget consultation meeting with representatives of business community
- **18 January 2024** - Children's Scrutiny Committee
- **22 January 2024** - Budget consultation meeting with representatives of the voluntary and community sector and Equality Reference Group
- **22 January 2024** - Budget consultation with representatives of the trade unions
- **24 January 2024** - Health and Adult Care Scrutiny Committee
- **25 January 2024** - Corporate, Infrastructure and Regulatory Services Scrutiny Committee

Following this consultation, the approval process for the 2023/24 Budget will be:

- **9 February 2024** - Cabinet consideration of proposed 2024/25 budget
- **15 February 2024 or 22 February 2024** - County Council approval of the Budget 2024/25

Risk management

It remains of paramount importance that the Authority's finances are used in an effective and controlled way, both to manage the risks to the organisation and to support those in greatest need but also to deliver other vital local priorities.

The Authority, like all organisations, faces a wide range of risks and these can occur at any level, from the strategic to day-to-day operations. Effective risk management ensures that the Authority understands and effectively mitigates these risks.

There are several risks and challenges facing the authority which are managed including under the Authority's Risk Management Framework. A number of these key risk areas are highlighted within the Community Assessment pages which follow.

The management of risks, including those which cut across service areas, is a key element of the Authority's work to deliver the community priorities.

Financial Considerations

The Authority has a statutory responsibility to set a balanced and robust annual budget. The target budget and service targets for 2024/25 will be considered by Cabinet at its meeting on 10 January 2024 and set out in the table below:

Service area	2023/2024 Adjusted Base Budget £000	Inflation and National Living Wage £000	Other Growth and pressures £000	Savings, Alternative Funding and Additional Income £000	2024/25 Target Budget £000	Net Change £000	Net change %
Integrated Adult Social Care	340,245	29,887	20,025	(29,411)	360,746	20,501	6.0%
Children and Young People's Futures	206,278	9,795	20,862	(9,150)	227,785	21,507	10.4%
Public Health, Communities & Prosperity	21,678	533	289	(1,577)	20,923	(755)	-3.5%
Corporate Services	49,755	2,160	1,361	(4,831)	48,445	(1,310)	-2.6%
Climate Change, Environment & Transport	81,619	6,144	2,348	(4,629)	85,482	3,863	4.7%
Total	699,575	48,519	44,886	(49,598)	743,382	43,807	6.3%

This assessment considers overall impacts of the Authority's draft proposed budget for 2024/25 and provides high level information to assist in the budget setting decision making process. The draft budget book includes details of planned technical and service changes and proposed savings strategies. Proposals to change services and policies will be subject to specific impact assessments.

All impact assessments are published at <https://www.devon.gov.uk/impact/published/>
Proposals that do not affect service delivery or do not have a significant impact on staffing do not require a full impact assessment.

The local government finance settlement for 2024/25 will represent the final year of the Government's current 3-year Spending Review. Despite this being a 3-year Review, local authorities received one year settlement information only for 2022/23 and 2023/24, however there were some indications provided of likely funding in 2024/25 when the 2023/24 settlement was announced.

On 18th December 2023, the Rt Hon Michael Gove, Secretary of State for Levelling Up, Housing and Communities, released a Written Ministerial Statement to Parliament setting out the provisional local

government finance settlement for 2024/25 financial year. The Final Settlement is likely to follow in early February 2024.

2024/25 Service budget targets

The service budget targets include funding for inflation and pressures that mainly relate to children and adult services. Significant savings and income initiatives are required to set a balanced budget. Overall, service budget targets will increase by £43.8 million in 2024/25, an increase of 6.3%.

Integrated Adult Social Care

The draft total budget for Integrated Adult Social Care is £360.7 million. This is an increase of £20.5 million or 6% from the 2023/24 adjusted budget, comprising two main elements:

- Integrated Adult Social Care Operations – an increase of £17.5 million; and
- Integrated Adult Social Care Commissioning – an increase of £3 million.

Growth and demand pressures amount to £20.0 million. The impact of inflation including pay and the national living wages adds £29.9 million and planned savings amount to £29.4 million.

In November 2023, the Government announced that the National Living Wage (NLW) will increase by 9.8% to £11.44 per hour in April 2024. NLW is the principal driver of price inflation in the care markets because it impacts directly on the price of labour. In Devon, NLW is now estimated to add more than £25 million to the cost of adult social care in 2024/25, within an overall total increase for inflationary pressures of £29.9 million.

The proposed budget for Integrated Adult Social Care includes an increase of £20 million to fund current and forecast costs of demand.

Budget savings and income initiatives are also required, the implementation of which is likely to present a considerable operational challenge. An increase in Better Care Fund allocation and partner and client income estimates combine to contribute £5.4 million. In addition, savings totalling £22.6 million are reflected in the proposed budget across a range of areas.

The savings will require significant operational redesign and rigour and may impact further on already challenging assessment waiting times, on the organisation's prevention agenda, ensuring a sufficient market and our partnership working. As the service moves forward with its vision of promoting independence via a strengths-based approach, which is the right thing to do and is required for the successful delivery of the budget, there will be a reduction to the care and support which people are currently receiving. The available resource will be focused on those people who need it most.

Children's and Young People's Futures

The draft total budget for Children and Young People's Futures (excluding the Dedicated Schools Grant) is £227.8 million. This is an increase of £21.5 million or 10.4% from the 2023/24 adjusted budget, comprising of two elements:

- Children’s Social Care – an increase of £13.8 million; and
- Education Learning and Inclusion Services – an increase of £7.7 million which is mainly for school transport and SEND (Special Educational Needs and Disabilities).

Overall, the budget provides additional investment of £13.8 million (9.2%) in Children’s Social Care. Growth and demand pressures amount to £14.2 million. The impact of inflation including pay and national living wage adds £7.4 million, and planned savings amount to £7.8 million.

Provision of appropriate accommodation and support for our vulnerable children is a key priority. The care and support that some of our young people require is increasingly more complex and expensive for us to buy. The budget allows for additional investment of £16.5 million, before savings, for placements for our Children in Care, Separated Migrant Children (formerly referred to as Unaccompanied Asylum Seeking Children - UASC) and Care Experienced Young People.

Ensuring each child is in the right placement for their needs at the right price will deliver better outcomes for our children and provide best value. Plans to deliver this include expanding in-house residential capacity and recruiting and retaining more in-house foster carers. This is expected to reduce costs by £6.2 million.

In May 2023 the Authority was awarded a revenue grant of £1.1 million over two years to pilot the Staying Close move on accommodation programme and provide semi-independent supported accommodation for care experienced young people who are currently living in high cost placements. £1 million of revenue savings are planned for next year.

Overall, the budget provides additional investment of £7.7 million (13.2%) in Education, Learning and Inclusion Services. This is net of savings and the removal of one-off funding allocated for specific purposes in 2023/24.

The cost of Personalised School Transport continues to rise due to a continued increase in the number of children requiring complex transport arrangements. This has also led to increased journey times for many students to access appropriate provision.

Schools Funding

The Dedicated Schools Grant (DSG) is a grant is the main source of income that is paid in support of the local authority's schools’ budget. In 2024/25 the DSG for schools and early years settings is increasing by £38 million, to a total of £714 million. The Mainstream Schools Additional Grant (MSAG) that was allocated in 2023/24 has now been included within the base funding of the DSG.

Of this increase, Early Years Funding has seen an additional £25 million due the introduction of funding for children aged 9 months up to (and including) 2-year-olds to assist new working parent entitlements. This also recognises increases to reflect teachers' pay and pensions and the National Living Wage (NLW).

Within the DSG a significant and continuing cost pressure relates to support for children with special educational needs and disabilities (SEND). This is largely due to the continued rise in the number of children with an Education Health and Care Plan (EHCP) and a year-on-year increase in demand for higher cost independent specialist provision. Whilst in Devon the Authority supports a higher than average percentage of children in mainstream settings, which could be linked to the higher proportion of EHCPs in Devon overall, it does not have sufficient state funded special school

or specialist resource provision to meet current or future demand which results in more independent places needing to be commissioned.

Our ability to provide the SEND services needed by Devon's children within the grant government provides continues to be a great concern. This could have a considerable impact on the financial sustainability of the Authority and on future education budgets within the DSG.

Increasing demands and expenditure within SEND will be mitigated by the Deficit Management Plan, which has been developed with support from the Department for Education. These pressures will be managed across four key strategic areas: Inclusion and early help; Preparation for Adulthood; Sufficiency; and Financial Management and placement value. The overarching aim is to ensure that the children and young people of Devon are supported according to their level of need within the available funding.

Significant investment by the Authority and the DfE (through the Free Schools Programme) has recently increased the number of places in our special schools. Between 2020 and 2025 it is estimated that Devon's special school estate capacity will increase by 48%, which is an expansion of 525 places including three new schools. Further work will be undertaken over the next three years to improve Devon's SEND sufficiency.

Continued demand within SEND has meant it has been difficult to contain the costs within the funding being received from Government. The 2024/25 budgeted DSG deficit is projected to be £37 million.

In December 2023 the Authority submitted its initial DSG management plan to the DfE as part of the 4th tranche of the Government's Safety Valve Intervention Programme and are in discussions to progress the decision forward. A decision is expected in February 2024.

2. Giving Due Regard to Equality and Human Rights

The Equality Act 2010 prohibits discrimination against someone based on the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Authority must consider how people will be affected by its decisions and in so doing it must give due regard to the need to:

- Eliminate unlawful discrimination, harassment, and victimisation.
- Advance equality of opportunity.
- Foster good relations.

Where relevant, the Authority must take into account the protected characteristics. This means considering how people with different needs get the different services they require without disadvantage, and facilities are available to them on an equal basis to meet their needs, advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

The Authority has also pledged to treat Care Experienced People as a protected characteristic.

The Authority also needs to ensure that human rights are protected such that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing that the Authority does results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Authority from taking difficult decisions, for example, those which result in service reductions or closures. It does however require the Authority to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision).
- Fair.
- Necessary.
- Reasonable, and those affected have been adequately consulted.

3. Budget and Council Tax for 2023/24

Council Tax

Increases in Council Tax help to support services of which older, disabled and young people are the main users.

The amount of Council Tax payable by households is set according to a property valuation known as banding. The following tables explore how much revenue different percentage rises would generate for the County Council and the annual increase for each household.

In 2016/17, the Government introduced the Adult Social Care Precept on Council Tax allowing authorities with adult social care responsibilities to increase council tax by an average 2% per annum for the period 2016/17 to 2020/21, 3% in 2021/22, and 1% in 2022/23. In autumn 2022 the Government announced a further 2% adult social care precept for 2023/24 and 2024/25.

In addition, the Government has set the Council Tax increase that will trigger a referendum, excluding the Adult Social Care precept, at 3% for 2024/25.

Council Tax Bands and current amounts (2023/24)

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
£1,089.42	£1,270.99	£1,452.56	£1,634.13	£1,997.27	£2,360.41	£2,723.55	£3,268.26

Agenda Item 8.(a)

Total Council Tax income for Devon County Council in 2023/24 is £491.805 million.

Scenarios – Increase in pounds per annum per household from 2023/24 to 2024/25:

Council Tax Percentage Increase	Income for Devon County Council	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
1%	£4.918 million	10.89	12.71	14.53	16.34	19.97	23.60	27.24	32.68
2.99%	£14.705 million	32.57	38.00	43.43	48.86	59.72	70.58	81.43	97.72
4.99%	£24.541 million	54.36	63.42	72.48	81.54	99.66	117.78	135.91	163.09

The additional income in the previous table assumes that the council tax base is unchanged from the previous year. It is expected that there will also be an increase in the council tax base (and increase in income) for 2024/25 and the County Council is awaiting the final figures from the billing authorities (district councils) before the council tax base can be finalised.

Impacts of Council Tax increases are difficult to analyse. Comprehensive modelling data from district councils in developing Council Tax Support schemes has shown a highly complex picture in terms of linking wealth/income or other household profiling to property value.

4. Community Assessment

The following pages set out a Community Assessment with sections on:

- Population overview
- Cost of living
- Economy: Impacts on business and the public sector
- Health and care
- Education and skills
- Safety
- Connectivity
- Voluntary, Community Sector and Social Enterprises

The Community Assessment was produced for the 2023/24 Budget and the assessment below includes last year’s feedback from the Council’s Equality Reference Group (voluntary and community sector representatives) received during that process.

4.1 Population overview

All data referred to in this document is drawn from Devon County Council’s Joint Strategic Needs Assessment unless otherwise attributed. [Joint Strategic Needs Assessment - Devon Health and Wellbeing](#)

Devon has a growing, and an ageing, population. It has proportionately more older people than the rest of England and 63% of the growth in the last ten years has been in the 65+ age group.

Devon’s population has grown due to internal migration, planned development and people living longer.

Population (Census 2021)

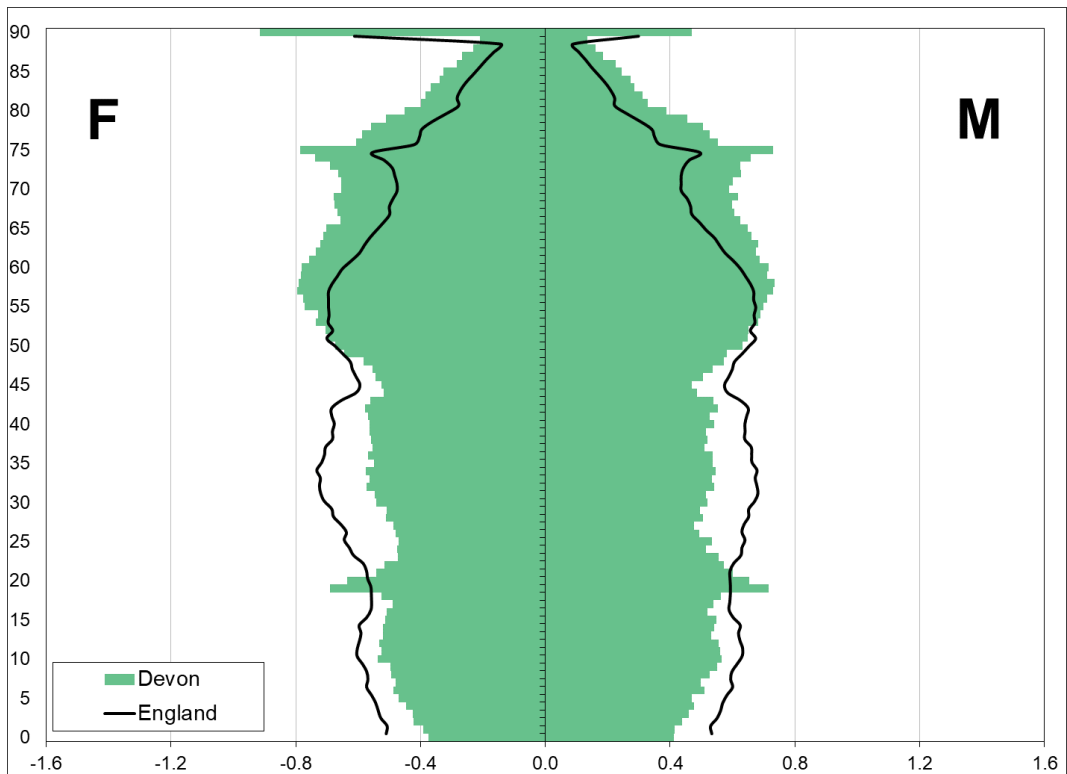
Census 2021	Total: All usual residents	Asian, Asian British or Asian Welsh		Black, Black British, Black Welsh, Caribbean or African		Mixed or Multiple ethnic groups		White		White: English, Welsh, Scottish, Northern Irish or British		Other ethnic group	
	number	number	%	number	%	number	%	number	%	number	%	number	%
Devon	811,642	11,845	1.5	2,474	0.3	10,967	1.4	782,455	96.4	751,816	92.6	3,901	0.5
<i>Plymouth</i>	<i>264,695</i>	<i>5,947</i>	<i>2.2</i>	<i>2,786</i>	<i>1.1</i>	<i>4,656</i>	<i>1.8</i>	<i>248,727</i>	<i>94.0</i>	<i>236,802</i>	<i>89.5</i>	<i>2,579</i>	<i>1.0</i>
<i>Torbay</i>	<i>139,324</i>	<i>2,254</i>	<i>1.6</i>	<i>447</i>	<i>0.3</i>	<i>2,084</i>	<i>1.5</i>	<i>133,922</i>	<i>96.1</i>	<i>128,375</i>	<i>92.1</i>	<i>617</i>	<i>0.4</i>
East Devon	150,823	1,459	1.0	348	0.2	1,720	1.1	146,847	97.4	142,011	94.2	449	0.3
Exeter	130,707	6,375	4.9	1,137	0.9	3,308	2.5	118,034	90.3	108,095	82.7	1,853	1.4
Mid Devon	82,853	562	0.7	101	0.1	899	1.1	81,068	97.8	77,699	93.8	223	0.3
North Devon	98,612	1,135	1.2	325	0.3	1,174	1.2	95,639	97.0	92,944	94.3	339	0.3
South Hams	88,628	614	0.7	149	0.2	1,048	1.2	86,427	97.5	83,481	94.2	390	0.4
Teignbridge	134,802	1,004	0.7	216	0.2	1,564	1.2	131,668	97.7	127,937	94.9	350	0.3
Torridge	68,114	356	0.5	75	0.1	630	0.9	66,920	98.2	65,452	96.1	133	0.2
West Devon	57,094	337	0.6	122	0.2	626	1.1	55,847	97.8	54,196	94.9	162	0.3
England	56,490,048	5,426,392	9.6	2,381,724	4.2	1,669,378	3.0	45,783,401	81.0	41,540,791	73.5	1,229,153	2.2

The population of Devon is expected to increase in all areas of the County over the next 20 years, with the highest levels of growth expected in East Devon (+18%), Mid Devon (+14%) and Teignbridge (+15%) districts areas, with overall growth in Devon (+13%) being above the South West (+10%) and England (+7%) averages. A growing and aging population will create increased demand on services which will need to be balanced with the challenge of ensuring the needs of other groups in the population can also be met.

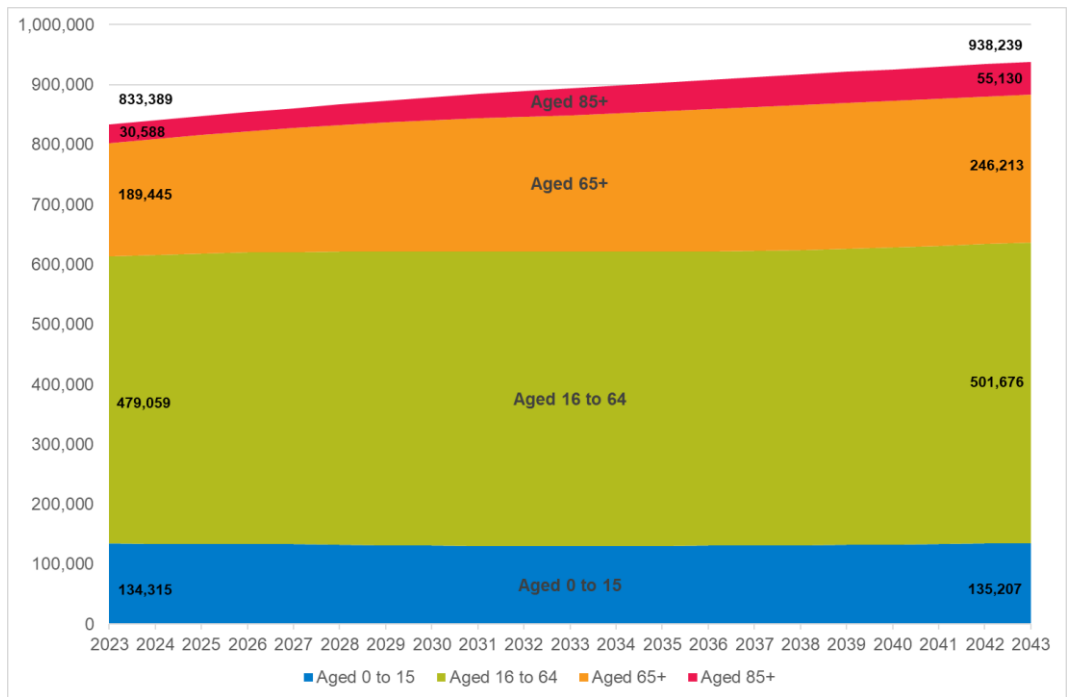
There has been several resettlement schemes taking place since the Census 2021. Data held by the Authority shows:

- Nearly 200 Afghan refugees arrived at bridging hotels in the County (and now resettled).
- Over 450 people from Hong Kong arrived in Devon under British National (Overseas) Visa Welcome Scheme.
- Over 350 asylum seekers (20+ nationalities) accommodated in hotels.
- During 2022 around 1,600 Ukrainian refugees arrived in Devon under the Homes for Ukraine Scheme.
- Significant numbers of non-EU migrant workers (including from Nigeria, India, Philippines) have recently come to Devon to work following relaxation of non-EU migrant worker sponsorship rules.
- In addition, a number of unaccompanied children and young people seeking asylum have been placed within Devon.

Devon Population Pyramid (2022)



Devon Projected Population Growth by Age: 2023 to 2043



Census 2021 (Breakdown by gender)

Census 2021	Total: All usual residents aged 16 years and over	Gender identity the same as sex registered at birth		Gender identity different from sex registered at birth but no specific identity given		Trans woman		Trans man		All other gender identities		Not answered	
	number	number	%	number	%	number	%	number	%	number	%	number	%
Devon	683,470	642,587	94.0	774	0.1	476	0.1	410	0.1	674	0.1	38,549	5.6
<i>Plymouth</i>	<i>218,624</i>	<i>205,959</i>	<i>94.2</i>	<i>405</i>	<i>0.2</i>	<i>204</i>	<i>0.1</i>	<i>266</i>	<i>0.1</i>	<i>346</i>	<i>0.2</i>	<i>11,444</i>	<i>5.2</i>
<i>Torbay</i>	<i>117,032</i>	<i>109,984</i>	<i>94.0</i>	<i>151</i>	<i>0.1</i>	<i>94</i>	<i>0.1</i>	<i>102</i>	<i>0.1</i>	<i>102</i>	<i>0.1</i>	<i>6,599</i>	<i>5.6</i>
East Devon	127,389	120,074	94.3	113	0.1	57	0.0	55	0.0	85	0.1	7,005	5.5
Exeter	111,331	103,398	92.9	189	0.2	119	0.1	98	0.1	243	0.2	7,284	6.5
Mid Devon	68,204	64,216	94.2	116	0.2	46	0.1	36	0.1	42	0.1	3,748	5.5
North Devon	82,193	77,351	94.1	98	0.1	63	0.1	55	0.1	58	0.1	4,568	5.6
South Hams	74,968	71,042	94.8	67	0.1	59	0.1	42	0.1	64	0.1	3,694	4.9
Teignbridge	113,461	106,969	94.3	103	0.1	73	0.1	63	0.1	99	0.1	6,154	5.4
Torridge	57,560	53,969	93.8	54	0.1	40	0.1	33	0.1	52	0.1	3,412	5.9
West Devon	48,362	45,568	94.2	34	0.1	19	0.0	26	0.1	31	0.1	2,684	5.5
England	46,006,957	43,002,331	93.5	113,760	0.2	45,684	0.1	46,513	0.1	45,886	0.1	2,752,783	6.0

Census 2021 (Breakdown by sexual orientation)

Census 2021	Total: All usual residents aged 16 years and over	Straight or Heterosexual		Gay or Lesbian		Bisexual		All other sexual orientations		Not answered	
	number	number	%	number	%	number	%	number	%	number	%
Devon	683,469	612,432	89.6	8,820	1.3	8,670	1.3	2,100	0.3	51,447	7.5
<i>Plymouth</i>	<i>218,624</i>	<i>194,465</i>	<i>88.9</i>	<i>4,297</i>	<i>2.0</i>	<i>4,509</i>	<i>2.1</i>	<i>924</i>	<i>0.4</i>	<i>14,429</i>	<i>6.6</i>
<i>Torbay</i>	<i>117,032</i>	<i>104,729</i>	<i>89.5</i>	<i>2,035</i>	<i>1.7</i>	<i>1,344</i>	<i>1.1</i>	<i>298</i>	<i>0.3</i>	<i>8,626</i>	<i>7.4</i>
East Devon	127,388	115,356	90.6	1,456	1.1	1,143	0.9	281	0.2	9,152	7.2
Exeter	111,331	95,950	86.2	2,154	1.9	3,062	2.8	679	0.6	9,486	8.5
Mid Devon	68,205	61,506	90.2	768	1.1	720	1.1	186	0.3	5,025	7.4
North Devon	82,193	74,190	90.3	913	1.1	807	1.0	204	0.2	6,079	7.4
South Hams	74,968	67,712	90.3	858	1.1	770	1.0	231	0.3	5,397	7.2
Teignbridge	113,461	102,424	90.3	1,412	1.2	1,182	1.0	276	0.2	8,167	7.2
Torridge	57,558	51,744	89.9	723	1.3	516	0.9	109	0.2	4,466	7.8
West Devon	48,363	43,550	90.0	536	1.1	470	1.0	132	0.3	3,675	7.6
England	46,006,957	41,114,478	89.4	709,704	1.5	591,690	1.3	158,357	0.3	3,432,728	7.5

Census 2021 (Disability)

Disabled (day to day activities limited a little): 11.8% of total population in the County

Disabled (day to day activities limited a lot): 7.7% of total population in the County

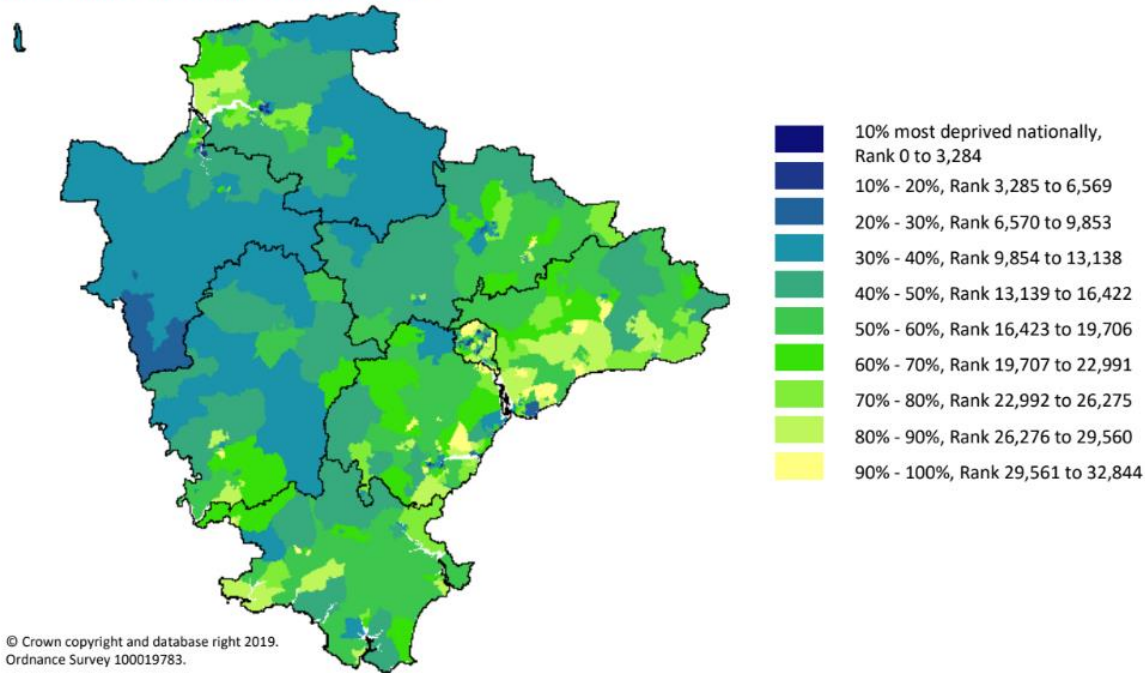
(Total disabled 19.5% of total population in the County)

Annual population survey – working age people with disabilities (Full Census data on total population with disabilities yet to be released)

Annual Population Survey - % aged 16-64 who are EA core or work-limiting disabled	Jan 2021-Dec 2021			Jul 2021-Jun 2022		
	numerator	Number of aged 16-64	percent	numerator	Number of aged 16-64	percent
Devon	112,300	455,900	24.6	109,700	456,200	24.0
<i>Plymouth</i>	58,500	165,900	35.2	55,900	165,500	33.7
<i>Torbay</i>	18,600	73,500	25.4	20,800	73,800	28.1
East Devon	18,700	78,100	23.9	14,800	78,700	18.8
Exeter	22,600	89,700	25.2	20,200	89,200	22.6
Mid Devon	13,500	47,000	28.8	13,800	46,800	29.5
North Devon	9,200	50,700	18.2	9,700	51,300	19.0
South Hams	13,800	45,300	30.5	13,600	46,400	29.2
Teignbridge	15,200	76,300	19.9	22,200	74,800	29.7
Torridge	9,300	38,400	24.3	8,800	38,700	22.8
West Devon	10,000	30,400	32.9	6,600	30,300	21.7
England	7,985,500	34,873,900	22.9	8,216,600	34,934,500	23.5

In Devon, as elsewhere, health and wellbeing outcomes are strongly linked to poverty and social context. For instance, disabled, unpaid carers, Black, Asian and minority ethnic groups, and people who identify as Lesbian, Gay, Bisexual and Transgender (LGBT+) typically experience poorer health. There is also a clear north-south divide in Devon: the north is more deprived as highlighted by the chart below:

Map 2 IMD Deprivation by national decile



Further information is available at [Challenges, Opportunities and Priorities 2023 - Equality, Diversity and Inclusion \(devon.gov.uk\)](#) under the section 'Understanding our communities'.

4.2 Cost of living

A significant proportion of the people in Devon have below-average incomes and above-average housing costs. This makes them particularly vulnerable to increases in the cost of living.

- In 2023 North Devon £590.30, Teignbridge £597.50, West Devon £599.00, and Torridge £619.60, have among the lowest average earnings in UK, with the average for Devon at £628.80 being significantly below the UK average of £681.70.
- Lower than average wages and lack of access to affordable housing, public transport and digital connectivity has a major impact on rural communities' ability to access vital public services, education, skills, training, and employment (National Rural Services Network 2022). Plymouth and Devon Racial Equality Council see many people who are facing council tax debt as they struggle to understand which bills to prioritise.
- Plymouth and Devon Racial Equality Council see many people from minority ethnic groups who are facing Council Tax debt as they struggle to understand and prioritise finances. This can lead to missing out on financial support. There is a higher proportion of Black, Asian, and other ethnically diverse groups in private rented accommodation and problems with accessing financial support could lead to greater numbers of evictions.
- The Equality Reference Group reported that the growth in reliance on temporary accommodation, resulting from the housing shortage, is leading to refugees living in hotels and unable to access or cook traditional food.
- The housing affordability ratio in Devon is 10.0 compared to 8.3 nationally (average house price divided by average annual earnings for 2022). Compared to the rest of England, Devon also has: a higher proportion people who do not have access to mains gas; lower levels of social rented properties (outside of Exeter); higher levels of privately rented properties; lower levels of mortgaged properties and high house prices. There are localities in which people are especially at risk should mortgage rates rise further and remain high, around Cranbrook, parts of Exeter, Barnstaple, Tiverton, Cullompton, and Newton Abbot/Kingsteignton, particularly among younger first-time buyers.
- The [One Devon Cost of Living Index](#) summarises risk relating to cost of living across Devon, Plymouth and Torbay neighbourhoods in relation to fuel poverty, food insecurity, income deprivation, child poverty and unemployment. The 10 highest Devon neighbourhoods (2023) were Buckfastleigh North, Tiverton Leat Street, Exeter Burnthouse Lane, Northam Central, Exmouth Moorfield Road, Bideford Churchill Road, Ilfracombe High Street, Newton Abbot Sandringham Road, Bideford Town Centre, and Exmouth Littleham.
- Inflation hits people on lower incomes hardest so large parts of Devon's population are especially vulnerable to increases in the cost of food, energy, mortgages, and private rents. Fawcett Devon reported that some older women have had to use savings to cope with the

unexpected rise in state pension age and many women tend to be on considerably lower pensions linked to their previous earnings.

- In the 18 months up to October 2022 Devon households with low or very low food insecurity increased from 17% to 29%. (Food and Fuel Insecurity in Devon report: December 2022)
- The Devon Faith and Belief Forum stated that churches and religious establishments have been providing warm spaces but hostility towards some Muslims has made it harder for the mosque to provide wider community support.
- 79% of Devon households plan to reduce their energy usage, with 36% planning to switch their heating off altogether: this will put people already vulnerable to respiratory and cardiac conditions at even higher risk of illness and death. (Food and Fuel Insecurity in Devon Report: December 2022)
- 80%-90% of households experiencing food insecurity are also fuel insecure. Households with the highest rates of food and fuel insecurity include those: (Food and Fuel Insecurity in Devon report, December 2022)
 - with total incomes of less than £16,190 *and* children
 - with children and a single adult
 - where the main respondent is long-term sick or disabled
 - in which one or more household members have mental health problems
 - In which one or more household members are unemployed

Devon Households accessing emergency food in the past 30 days was up from 2% (April 21) to 5% (Oct 22); 84% of these were in receipt of means-tested benefits. (Food and Fuel insecurity in Devon: December 2022)

A Food Poverty study in 2021 also found some evidence that households in which the household was either Black ethnicity or mixed heritage were more likely to be food insecure. This was explored further and in 2023 the research reported that there were many commonalities with the mainstream experience of food insecurity. Shame and embarrassment created stress and anxiety, and food provision lacked cultural diversity (such as fish, yams, plantain, cassava and buckwheat, and a preference for fresh food over canned) and this resulted in under-representation in food support services.

The Authority continues to work in partnership with, and provide support to, the Devon Food Partnership which aims to ensure that nutritious, local, sustainably produced food is available and affordable for everyone in Devon. In relation to the cost-of-living crisis, we are particularly interested in working in partnership to understand better and respond collaboratively to food insecurity.

The Government's Household Support Grant administered by the Authority includes support to District hardship schemes; free school meal holiday vouchers; citizens advice energy relief scheme; Energy Saving Devon measures; early help family support scheme and a Food, Fuel & More grant scheme for Voluntary, Community and Social Enterprise (VCSE) organisations supporting population groups who struggle the most to access support. Devon's approach to household

support can be viewed on our website: [Household Support Fund \(HSF4\): Devon's approach | Cost of living | Devon County Council](#) The Government's Autumn budget statement of 2022 announced a further Household Support Fund (No.4), running for 12 months, to 31 March 2024.

The Authority provides a number of grants to external organisations, and in particular will provide support to Citizens Advice (CA) Devon which provides free, impartial, confidential and independent advice to help people overcome their problems. CA Devon has helped to mitigate the negative impacts of the pandemic and the rising costs of living on people's financial circumstances and other aspects of their lives, helping to ensure they receive the financial and practical support they need to maintain and improve their financial, physical and mental health.

The vision and activity of CA Devon aligns well with the [Strategic Plan | 2021 – 2025 | Devon County Council](#) – Grow up, live well and prosper - and in particular its commitment to creating a fairer Devon; inclusive, compassionate and caring, where everyone is safe, connected and resilient . It aligns particularly well with DCC's priority to tackle poverty and inequality – to make Devon a fairer place, address poverty, health and other inequalities, and ensure support for those people and families struggling most.

The Authority has pledged to treat Care Experienced People as a protected characteristic. A UCL study shows that 70 per cent of care experienced people die early; more than half of the people who are in custody up to the age of 21 years old have been in care (Become Charity); and a quarter of the homeless population is care experienced (The Independent Review of Children's Social Care).

For young people attending higher education, there are increasing pressures of managing finances. Increasing debt and lack of suitable, affordable housing for young people is a major challenge.

4.3 Economy: Impacts on business and the public sector

All data in this section is from the Authority's economy team analysis (various data sources, including ONS) - 2022

Organisations in Devon are finding it difficult to recruit and retain staff. This is affecting many sectors, including Health and Care, and is partly because of high housing costs, low housing availability, and low pay. Reduced discretionary spending and slowing in the construction sector are likely to impact jobs in construction, real estate, tourism, and hospitality. Outside of Exeter, most of Devon depends on jobs in these sectors.

As high inflation pushes up construction costs, the Authority and other Devon local authorities are being hit hard by the increased cost of building and of maintaining buildings and infrastructure. The cost-of-living crisis is likely to increase the number of residents who need help with Council Tax payments whilst business failures will impact the Business Rates base. The greatest pressures are being felt across younger families and those with a fixed income.

Devon has:

- Varied skill levels: above average in Exeter and South Hams and average, or below average, elsewhere.

- Difficulty in recruiting to lower and some medium paid jobs, especially in areas where house prices are high, there are few properties for sale, and there are many second homes and holiday lets.
- High numbers of economically inactive over 50s – their numbers have risen since 2020, especially in East Devon, partly because of early retirement and long-term sickness. These people may now be impacted by the rising cost-of-living and some may return to the workplace.
- Above the national average unemployment rates for under 25s.
- High numbers of people employed in sectors vulnerable to recession such as tourism, construction, transport, retail, and hospitality.
- Levels of business failure, currently low but some failures are starting to appear Devon's economy is dominated by small and micro businesses, and levels of business confidence over the next 6 to 12 months remain low, rising cost bases across energy, labour, debt repayment and raw materials are amongst the key cost drivers, increasing levels of competition and reducing consumer spend are all taking a toll on levels of confidence. As is the case across the country, the financial situation of Local Authorities is curtailing their ability to respond to the increased levels of need across all areas of their work.

4.4 Health and Care

All data referred to in this section is taken from the Authority's Joint Strategic Needs Assessment unless otherwise stated <https://www.devonhealthandwellbeing.org.uk/jsna/>

Devon faces many challenges in addressing inequalities in health and wellbeing. In Devon there are many population groups across the life course that experience inequalities in health and wellbeing outcomes.

- Devon has an ageing and growing population with proportionately more older people compared to England, with the older demographic contributing to higher levels of long-term conditions and frailty in the population. Dementia diagnosis remains unchanged in Devon and highlights a potential gap of unmet need where 2 in 5 people aged 65 and over are estimated to have dementia but are undiagnosed.
- Poverty: People living in the most deprived areas of Devon are much more likely to die young than people living in Devon's least deprived areas.
- Life expectancy in Devon has not changed much over the last decade. However, inequalities in life expectancy have persisted and for some (for example, females) have widened. For instance, there is a 15-year gap in life expectancy between central Ilfracombe and Liverton: someone born in Ilfracombe can expect to live to be 75, whereas someone from Liverton can expect to live to 90. (Primary Care Mortality Database 2017 – 2021)
- 'Post-Covid syndrome', known as 'Long Covid', describes those experiencing longer term symptoms from a COVID-19 infection. These symptoms can be physically debilitating and impact mental health and wellbeing. The highest levels of Long Covid are found in those aged 35 to 69, females (rates are 41% higher than males), people living in more deprived areas (rates are 49% higher than less deprived areas), people employed in social care, health, teaching, retail and hospitality occupations, and those with pre-existing long-term conditions.

- Climate change poses a significant risk to health and wellbeing and is already contributing to excess death and illness in our communities due to pollution, excess heat and cold, exacerbation of respiratory and circulatory conditions and extreme weather events.
- Mental health problems can affect people at any stage of their lives and can significantly impact physical health, education and employment prospects, and life expectancy. Hospital admissions in children and young people are considerably higher in Devon, when compared to the rest of the country, for mental health conditions, self-harm, and injuries. This gap is even wider for vulnerable groups such as disadvantaged and looked after children. Some children and young people's mental health and wellbeing has been severely impacted during the pandemic (SHEU survey Devon, 2022) and it is currently estimated that around 5-6 young people in every class now have one or more mental health problems.
- Loneliness and social isolation – including digital exclusion/inclusion. Older people, people with a disability. There is strong evidence in the form of systematic reviews for an association between social isolation and loneliness and ill-health in the general population. Furthermore, recent evidence from a systematic review and meta-analysis found that loneliness was positively associated with an increased risk of dementia. The adoption of a life span approach, that compares prevalence and antecedents for adults of different ages at the same time point, has demonstrated that loneliness is experienced across all age groups (Jopling and Serwanja, 2016; Brown and Munson, 2020). The Office for National Statistics published a report in April 2018, exploring the characteristics of those individuals self-reporting as lonely, and developing a series of profiles of those likely to be lonely more often Widowed older homeowners living alone with long-term health conditions.
 - Unmarried, middle-agers with long-term health conditions.
 - Younger renters with little trust and sense of belonging to their area.
- Young Devon report that for young people who have grown up with the impact of austerity, covid, cost of living means there is now a “tidal wave” of young people presenting with mental health issues. Young Devon report there has been a 55 per cent increase in mental health issues in the past four years. This is particularly noticeable in LGBTQ+ young people who are “stuck in high-cost public services” as well as young people in lower-income families.
- The Intercom Trust, a charity providing support to LGBTQ+ people, has been “inundated” with calls to their helpline by people with mental health concerns.
- Living Options Devon, a charity providing support to disabled and Deaf people, report that disabled still face anxiety from Covid such as feeling anxious about leaving home. People are not returning to the activities, or the activities that took place before Covid have not restarted, and there has been a subsequent loss of skills with social interaction. Mental health issues have increased and there are higher waiting lists for community-based support. More people than ever are now requiring additional low-level/early intervention support.
- Health outcomes for people with a disability, 53.5% of disabled people aged 16 to 64 years in the UK were employed compared with 81.6% of non-disabled people. Within Devon the ASCOF show people with a learning disability known to social care is 7.6%.
- Health is an area for which there are evidenced differences in outcomes for people with protected characteristics. For instance, disabled, unpaid carers, people from Black, Asian and minority ethnic groups, Travellers and Gypsies and people who identify as LGBT+ experience significant inequalities in accessing services.

- Fawcett Devon report that problems with social care availability impacts disproportionately on women who are more likely to pick up the role of unpaid carers.
- Devon is supporting refugee resettlement via Government schemes (from Afghanistan, Hong Kong and Ukraine in particular). In addition, people seeking asylum are being supported through temporary hotel-based accommodation and onward resettlement.

4.5 Education and skills

All data in this section is taken from <https://explore-education-statistics.service.gov.uk/data-tables>

Despite lower national funding, average educational outcomes in Devon are relatively good. However, a lower proportion of schools are rated Good or Outstanding than in other parts of the country, and this is especially so in deprived areas across Devon.

- The proportion of children achieving a 'good level of development' at the end of reception has not improved at the same pace as improvements seen nationally and is even lower for those in receipt of free school meals.
- In 2022 55% of all Key Stage 2 pupils in Devon reached the expected standard in reading, writing and maths, down from 64% in 2019.
- In 2021/22 Devon's GCSE results overall were better than the England average and close to the regional average. However, Devon did not perform as well in the English and Maths GCSE measures. Outcomes for Devon's disadvantaged children in GCSE English and Maths have improved but remain below the national and regional averages for those in similar circumstances. However, a higher proportion (37.5%) of Children in Care in Devon achieved grades 9 to 4 in English and Maths compared to the national average (24.4%)
- The progression rate to higher education (HE) for all children across Devon is lower compared to the South-West Region. One reason for this may be that in some parts of Devon there are few local opportunities for well paid jobs requiring Level 3 or graduate entrance. This is particularly so in Northern Devon where seasonal and part-time work dominates.
- The South-West has the highest number of 16 to 24-year-olds leaving the region.

There are substantial inequalities in social mobility across Devon. The Social Mobility Commission's Social Mobility Index [Social Mobility in the South West Report \(exeter.ac.uk\)](https://www.exeter.ac.uk/social-mobility-report) compares the chances that a child from a disadvantaged background will do well at school and get a good job across each of the 324 local authority district areas of England. The highest levels of social mobility are seen in Exeter (49th in the country) with the lowest in Torrington (283rd).

The Authority's approach has been to focus on improving outcomes in the most disadvantaged areas, where it undertakes several programmes to help address these issues. These include: support for training providers and employers to increase the number of traineeships and apprenticeships for young people; work with at-risk sectors to widen skills and support business development; development of the Skills Hub to promote information and support around careers, employability, upskilling and reskilling, including targeted support to address inequalities; promoting Devon nationally and internationally to attract new inward investment; and adult

education through Learn Devon to provide English, maths, digital skills and English for Speakers of Other Languages (ESOL) for individuals and to address barriers to further and higher education.

Devon has a relatively low number of young people aged 0-18 per head of the population. However, per capita spending and overall spending on children's services remains high in relation to statistical neighbours. Devon Children's services were judged as inadequate in 2020 and the financial impact of an Inadequate Ofsted rating is often higher cost services due to inefficiencies and the need to increase investment to improve quality. Our Children's services are currently on that improvement journey.

Devon continues to have high numbers of children who are missing education, either because of exclusion or non-attendance, as well as higher numbers of children in care than statistical neighbours and is an outlier in terms of children with education, health and care plans (EHCPs). These issues must be addressed both to improve outcomes for children and young people and to improve the financial stability and sustainability of the council.

The numbers of pupils eligible for free school meals continues to rise year on year. In January 2023 18.9% of pupils receive free school meals in Devon, compared to 9.6% in 2017.

The Equality Reference Group has advised that library services such as free access to ICT and maths and English classes are vital to support communities and more publicity is required to improve awareness. Course providers and libraries could do more to promote women's access and confidence in using ICT such as women-only computer courses.

Overall, the Equality Reference Group suggests that public services need to give more consideration to the whole system approach in considering impacts on services such as the closure of a course in a town coupled with a reduction in public transport.

4.6 Safety

As set out by the Local Government Association (2022) cost of living briefing, the impact on communities of the pandemic and the cost-of-living crisis is complex and evolving.

Reduced community resilience and heightened vulnerability are seen through:

- Complex impacts on domestic abuse – including escalating intensity and severity of abuse and reduced opportunities to escape. Available data for domestic abuse only partially capture these impacts but police records show a 5% rise over the last year and a 10% rise compared to pre-pandemic. (Women's Aid, 2022)
- A 34% increase in police recorded rape and sexual offences over 2021/22 (this rise is likely to be at least partly due to greater reporting). (Devon and Cornwall Police Data) There has also been a continued increase in referrals to specialist support services following a long-term trend.
- Increasing risks of sexual exploitation with provider services reporting a concerning increase in women forced into sex work through an inability to meet the increasing cost of living.

- A 38% rise in hate crime over 2021/22 continues a pattern of year-on-year increases. Racial hate crime continues to account for the highest proportion, most recently 50% of all hate crimes. (Devon and Cornwall Police data) Periods of economic difficulty traditionally provide fertile ground for extremist narratives, for example anti-immigration and anti-disability rhetoric and mistrust in government. Partner intelligence and available data indicates that tensions in communities have increased over the last 3 years. (Devon and Cornwall Police data)
- The Equality Reference Group advised that racism and other forms of identity-based harm increased during austerity and continue to accelerate during pandemic and cost of living crisis. Refugees, disabled, and single parents are seen as a 'burden' on public services/spending and the perception is they are taking from the rest of the population. Intergenerational tensions could increase.
- Impacts on young people's resilience due to the pandemic, the cost-of-living crisis, and pressures on schools and other universal/early support provisions. This is playing out in: increased risk of exploitation; increases in mental health need; increased reports of hate and anti-social behaviour; rise in fixed term exclusions (up 86%) and permanent exclusions (up 39%) with increased levels of special educational needs in exclusions data. (DCC – Education and Inclusion Service)
- An increase nationally in vulnerable people being targeted by scams and illegal money lending (loan sharks) because of the cost-of-living crisis (Citizens Advice 2022). Risks around financial exploitation are anticipated to increase. Devon is ranked in the top 14 out of 152 council areas in England for the highest number of operations undertaken by the Illegal Money Lending Team England over the last six years.
- In the 2022/2023 academic year, 40 per cent (163 out of 409) of Devon schools reported bullying and prejudice related incidents (with 1,054 bullying and prejudiced related incident reports received). However, where schools do not report, there are concerns that incidents of racism, religious hatred, transphobia, and homophobia are not being dealt with effectively. Further incentives are needed to encourage schools to report and respond.

The Equality Reference Group advises that more work is needed in schools and communities to educate people to become 'active bystanders' using the power of the community to step in to reduce the level of incidents. The role of SACRE (Standing Advisory Committee on Religious Education) and teaching understanding of different faiths and cultures should be utilised.

Statutory duties around community safety are becoming greater in number (Domestic Abuse Act, Prevent Duty, forthcoming Protect Duty, Serious Violence Duty, Victims Bill requirements around Modern Slavery and Human Trafficking). Funding is limited and scrutiny from national government is increasing.

4.7 Connectivity

Devon's large, rural geography is associated with transport and digital connectivity challenges. Providing services across such a large area is difficult.

Much of Devon’s bus network is not commercially viable and relies on subsidy. Limited public transport options particularly effects young people who cannot yet drive, those with certain disabilities and people who cannot afford to purchase or run a car and who are therefore more reliant on public transport to access work and other opportunities.

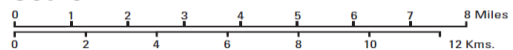
Map showing commercial and DCC supported bus services in Devon – August 2022



Key

- Commercial services
- Supported services
- Rail line and station
- Private rail line and station
- Fare Car areas

Scale



GRMMAPPING.CO.UK 29/07/22

Poor digital connectivity is a barrier to growth, economic prosperity and social mobility and is compounded by cost-of-living increases which will disproportionately impact rural residents. Fawcett Devon report that women tend to have a higher dependence on public transport and may be less IT literate. Intersectionality of age, sex and rurality means they face barriers in access to services irrespective of being on-line.

Rural communities face an additional burden from inflation as access to food, education and services are made more difficult due to the high cost of travel, limited availability and high cost of food in rural areas, and the cost of heating homes which are more often poorly insulated and without gas.

Young Devon reports that getting around is becoming more difficult for young adults who already face high costs with insuring vehicles couples with high fuel prices and cost of lessons and vehicles on top. Public transport is becoming more expensive, less frequent, and less accessible and the closure of courses means that students are forced to travel further afield to study or struggle to access jobs. Those in deep rural areas such as north Devon can face up to a five-hour daily commute to study or to work.

The Equality Reference Group members highlighted their concerns that as households start to cut back on spending Broadband could be seen as a non-essential compared to food and heating. This could isolate young people further and exacerbate mental health problems. A loss of Broadband will also limit access to online services and education as many services are still not providing local, face to face support.

4.8 Voluntary, community sector and social enterprises

The Voluntary, Community and Social Enterprise (VCSE) sector is experiencing significant decreases in volunteering and difficulty recruiting new volunteers.

Many VCSE organisations that are reliant on formal volunteering have had to reduce their services, despite increased demand.

The National Centre for Voluntary Organisations UK Civil Society Almanac (Oct 22) reports that in the last year the numbers of people:

- formally volunteering, at least once a year, fell 7% (37% to 30%)
- formally volunteering, at least once a month, fell 6% (23% to 17%).

Informal volunteering, however, saw a small increase of 2%: but with 81% of volunteers volunteering in their local area and with a higher proportion of mutual aid groups in more affluent areas this leads to inequalities. This is likely to worsen as people's capacity to volunteer may be affected by the need to return to work.

VCSE organisations, particularly small and medium sized organisations operating with small margins, are reporting significant risks to their viability. There is a very substantial risk that if the preventative work of many VCSE organisations ceases the burden on frontline statutory services will increase even more.

Recent research from Charities Aid Foundation (CAF) describes the current cost pressures which are affecting donations to charities, including:

- 58% of people planning to cut some discretionary spending in next 6 months.
- Only 25% of people currently donating to charity, down from 29% last year.
- 12% reporting that they plan to cut back on charity donations.

86% of charity leaders anticipate that demand for their services is likely to increase. Homelessness, food, and debt charities have seen surges in demand as people struggle to cover the cost of food, other essentials and utility costs. Citizens Advice Bureau has reported that demand for its support is now higher than at any point in the last 10 years.

As a result of the cost-of-living crisis, charities will find goods and services more expensive, and donations will not go as far as they once did. Pro Bono Economics analysis suggests a £20 donation in 2021 is predicted to be worth just £17.60 in 2024.

In considering the community assessment representatives from the Devon VCSE sector advised that one-year rolling contracts are not helpful for the sector. Although they recognise that local authorities are in a similar position with their one-year settlements. The one-year arrangements limit the ability to recruit and retain high quality staff. Community development can take at least three years to deliver. Contract prices are not increasing in line with increases in inflation and this is in on top of years of austerity. During austerity and during the pandemic there was a reliance on the sector to 'plug the gaps' and support early intervention. However, this cannot be provided at the same cost as previous years. The public sector needs to be aware that VCSE cannot continue to mitigate their service reductions.

The VCSE Sector calls for improved partnership working and collaboration with the public sector to find joint responses to mitigate the problems facing Devon.

CHILDREN'S SCRUTINY COMMITTEE

18 January 2024

Present:

Councillors P Sanders (Vice-Chair), T Adams, J Brazil, F Letch MBE, P Maskell and M Squires

Apologies:

Councillors S Aves, P Bullivant, I Hall, L Hellyer, J Wilton-Love and C Mabin (Church of England Diocesan representative)

Members attending in accordance with Standing Order 25:

Councillors A Dewhirst, J Hart, A Leadbetter, C Leaver, L Samuel, A Saywell and P Twiss.

* 122 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 123 **Public Participation**

There were no oral representations from members of the public.

* 124 **Budget 2024/25 and Capital Programme for 2024/25 to 2028/29**

The Committee noted that the proposed budget for the 2024/25 financial year would be scrutinised by individual Scrutiny Committees.

The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present an overview of resolutions to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny will be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

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The Committee then considered the joint report of the Director of Finance and Public Value and the Director of Children and Young People's Futures (DFP/24/03) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included inflation, commitments and any service reductions. The Report also detailed the proposed medium-term capital programme for the Children's Services and how it was funded.

An amended page 14 of the Report was tabled at the meeting, which should correctly read: Savings total (8,586) and overall Total 21,507.

The Cabinet, at its meeting of 10 January 2024, had set Revenue Budget targets for 2024/25. That Report had presented the proposed service budget targets for 2024/25 totalling £743.4 million, a net increase of £43.8 million or 6.3% compared to the 2023/24 adjusted budget.

In terms of the Budget for 2024/25, inflationary pressures continue to be felt across the economy, local government and partners and social care was particularly impacted by increases to the national living wage. Senior Leadership Team had worked extensively to develop plans to manage net service costs within affordable financial targets in light of local authorities across the country continuing to face financial challenges due to high inflation and interest rates as well as demands on local service provision.

To enable the authority to set a balanced budget, savings, alternative funding and additional income of £49.6 million had been identified. Overall, there was additional funding of £43.8 million or 6.3% for services next year.

It was not currently planned to support the proposed budget targets by using general reserve balances. In recognition of the SEND Deficit and Safety Valve considerations, it was anticipated the Council would need to set aside funds in 2024/25 – and in subsequent years in the Medium Term Financial Plan – to increase the SEND Safety Valve Reserve. An update on the SEND position would be reflected in the proposed budget presented to Members in February 2024.

The Capital Programme for 2024/25 to 2028/29 would be presented to Cabinet at the February Budget meeting.

On 18th December 2023, the Rt Hon Michael Gove, Secretary of State for Levelling Up, Housing and Communities, released a Written Ministerial Statement to Parliament setting out the provisional local government finance settlement for 2024/25 financial year. The Final Settlement was likely to follow in early February 2024.

Authorities could increase Council Tax for 2024/25 by up to the referendum limit of 2.99% and social care authorities could also increase the precept by

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up to a further 2% specifically to fund adult social care costs (4.99% in total without a referendum being required).

Devon's Core Funding (and grants announced so far) was as follows. Other existing grants were expected to be published soon and would be reported as part of the overall budget papers in February, if known by then.

Core Funding Income	2024/25	
	2023/24	Provisional
	Settlement	Settlement
	£000	£000
Revenue Support Grant (RSG)	669	713
Business Rates – Central Government Top Up	83,428	86,461
Business Rates – Local Element*	21,566	23,884
Total Core Funding	105,663	111,058

**The actual amount received will be derived from returns completed by Devon Districts in January 2024.*

Other Grant Income Included in the Settlement	2024/25	
	2023/24	Provisional
	Settlement	Settlement
	£000	£000
New Homes Bonus	963	1,140
Rural Services Delivery Grant	8,744	8,744
Services Grant	4,152	653
Social Care Grant	54,015	63,280
Improved Better Care Fund	29,127	29,127
Adult Social Care Market Sustainability and Improvement Fund*	13,811	15,643
Adult Social Care Discharge Fund	4,084	6,806
Total Other Grant Income	114,896	125,393

**The ASC Market Sustainability and Improvement Fund 2023/24 settlement figure includes £8.373 million allocated in the Settlement in February 2023, plus £5.438 million additional in-year allocation confirmed in August 2023.*

The proposed service revenue budget targets for the 2024/25 financial year were set out in the table below.

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	2023/24 Adjusted Base Budget £000	Inflation and National Living Wage £000	Other Growth and Pressures £000	Savings, Alternative Funding and Additional Income £000	2024/25 Target Budget £000	Net Change 2023/24 to 2024/25 £000 %	
Integrated Adult Social Care	340,245	29,887	20,025	(29,411)	360,746	20,501	6.0%
Children and Young People's Futures	206,278	9,795	20,862	(9,150)	227,785	21,507	10.4%
Public Health, Communities & Prosperity	21,678	533	289	(1,577)	20,923	(755)	-3.5%
Corporate Services	49,755	2,160	1,361	(4,831)	48,445	(1,310)	-2.6%
Climate Change, Environment & Transport	81,619	6,144	2,348	(4,629)	85,482	3,863	4.7%
Totals	699,575	48,519	44,886	(49,598)	743,382	43,807	6.3%

The 2023/24 Base Budget has been adjusted for permanent virements (budget transfers from other budget lines)

The Committee were reminded that its consideration of the draft Children's Services budget was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 9th February 2024 formulating a budget for consideration by the County Council on 15th February 2024

The Leadership Group commentary in the Report stated it was a time of significant challenge for local Government as a whole. Despite the Government increasing local Councils' spending power, a combination of high inflation and rising demand meant that they faced some of their toughest ever financial decisions. In common with all local authorities, the Council had a legal obligation to set a balanced annual budget. The year ahead was not going to be easy, but the Council remained fully committed to doing all they could to get the most from every single pound it spent.

The Director of Children and Young People's Future referred to service specific issues as outlined in the Report, relating to Children's Social Care,

Public Health Nursing, Education Learning and Inclusion Services, and Schools Funding.

The Report also contained the detailed budget proposals for Children's Services, prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services. The Children's Services base budget was £227,785 millions (a net increase of 10.4% from 2023/24), and included inflation, National Living Wage and other pressures of £9,795 millions and £20,862 millions respectively, and required savings and additional income of £9,150 millions.

Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

The Report before the Committee referred to the [Budget 2024-2025 - Impact Assessment \(devon.gov.uk\)](#) circulated prior to the meeting, giving an overview of the impact assessments for all service areas for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

Children Social Care:

- The difficulty of recruiting in-house foster carers; and that the service was part of a national initiative starting in April to attract more people. The pilot had taken place in the north-east which had seen increasing numbers coming forward and it was hoped to have the same effect here.
- Reassurance that a permanent leadership team was now in place to take forward changes.
- That placements, permanent staffing and foster care remained high priority for the service.

Education Learning and Inclusion Services:

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- As part of the transformation programme looking at sufficiency of places, new special schools would be built, to increase places, and increased resource bases within mainstream schools to support children closer to home and in their local communities.
- Whether the budget for safeguarding and attendance was sufficient.
- Ongoing work with schools and health colleagues to meet the needs of children who are being permanently excluded.
- Work with Essex County Council on a redesign of the Education, SEND and Inclusion Services looking to create new focused ways of working.

Schools Funding:

- Concern at the Safety Valve Intervention Programme where the deficit for 2024/25 was budgeted to be £37 million.
- Reassurance that the Council was not in a position where a section 114 notice would need to be issued and that a balanced budget would be set in February.

Risk Assessment:

- Agreement that the performance of the Council's partner agencies be included in the risk assessment.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Squires and

RESOLVED that the Committee

Welcomes and supports:

1. The increase of 525 places in Devon's Special School estate.
2. The £2.2 million increase in the internal and external fostering budget, and the increased number of in-house foster carers by 30, and £3.2 million investment to development three in-house children's homes reducing the reliance on out of county placements and independent fostering agencies.
3. A permanent Head of Service manager level within Children's Social Care, and efforts to support the recruitment and retention of Social Workers, including ASYE.

Record concern:

4. The continued reliance on agency workers over successive years.

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5. The ongoing concern with the continued overspend in the High Needs Block Budget for SEND considering the cumulative deficit, and the plans in place to reduce the overspend.
6. The cost differential between in-house fostering and independent fostering agencies to support children in care and the resultant budgetary impact.

Cabinet be asked to:

7. Continue to Support the Children's Scrutiny Committee in their critical friend challenge of the in-year financial position and progress on achieving transformation, including milestones and metrics, on keys areas such as the social worker agency rates, additional in house foster carers and in house residential provisions.
8. Consider investment in attendance and explore national, Department for Education, programmes, and pilots to increase attendance of children in school.
9. To add to the Risk Assessment the ongoing concern of partnership working.

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

The Meeting started at 10.30 am and finished at 12.40 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

24 January 2024

Present:-

Councillors S Randall Johnson (Chair), M Wrigley (Vice-Chair), J Bailey, R Chesterton, D Cox, P Crabb, I Hall, P Maskell, R Peart, D Sellis, R Scott, C Whitton, Hodson and J Yabsley

Apologies:-

Councillors Y Atkinson and L Hellyer

Members attending in accordance with Standing Order 25

Councillors A Dewhirst, C Leaver, J McInnes and P Twiss

* 144 **Announcements**

The Chair welcomed the members of the press and public in attendance and advised that the press were recording, advising anyone who did not wish to be recorded to make that known.

* 145 **Public Participation**

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representation from Si Johns (YMCA) on the Council's budget, in particular its funding for homelessness work and the Homelessness Prevention Grant.

* 146 **Budget 2024/25 and Capital Programme for 2024/25 to 2028/29**

(Councillors J McInnes and C Leaver attended in accordance with Standing Order 25 and spoke to this item with the consent of the Committee).

Councillor Martin Wrigley declared a personal interest by virtue of being the Leader of Teignbridge District Council.

Councillor Ian Hall declared a personal interest by virtue of being the Co-Chair of the One Eastern Devon Partnership Forum; a member of the Eastern Locality Mental Health Partnership; and the Devon County Council representative of the Council of Governors of the Royal Devon University Healthcare NHS Foundation Trust.

The Committee noted that the proposed budget for the 2024/25 financial year would be scrutinised by individual Scrutiny Committees.

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The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present an overview of resolutions to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny will be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the joint report of the Director of Finance and Public Value, the Director of Integrated Adult Social Care and the Director of Public Health, Communities and Prosperity (DFP/24/05) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included inflation, commitments and any service reductions. The Report also detailed the proposed medium-term capital programme for the Integrated Adult Social Care Service and how it was funded. It was also clarified to the Committee that Public Health was entirely funded through a grant from Government.

The Cabinet, at its meeting of 10 January 2024, had set Revenue Budget targets for 2024/25. That Report had presented the proposed service budget targets for 2024/25 totalling £743.4 million, a net increase of £43.8 million or 6.3% compared to the 2023/24 adjusted budget.

In terms of the Budget for 2024/25, inflationary pressures continue to be felt across the economy, local government and partners and social care was particularly impacted by increases to the national living wage. Senior Leadership Team had worked extensively to develop plans to manage net service costs within affordable financial targets in light of local authorities across the country continuing to face financial challenges due to high inflation and interest rates as well as demands on local service provision.

To enable the authority to set a balanced budget, savings, alternative funding and additional income of £49.6 million had been identified. Overall, there was additional funding of £43.8 million or 6.3% for services next year.

It was not currently planned to support the proposed budget targets by using general reserve balances. In recognition of the SEND Deficit and Safety Valve considerations, it was anticipated the Council would need to set aside funds in 2024/25 – and in subsequent years in the Medium Term Financial Plan – to increase the SEND Safety Valve Reserve. An update on the SEND position

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would be reflected in the proposed budget presented to Members in February 2024.

The Capital Programme for 2024/25 to 2028/29 would be presented to Cabinet at the February Budget meeting.

On 18th December 2023, the Rt Hon Michael Gove, Secretary of State for Levelling Up, Housing and Communities, released a Written Ministerial Statement to Parliament setting out the provisional local government finance settlement for 2024/25 financial year. The Final Settlement was likely to follow in early February 2024.

Authorities could increase Council Tax for 2024/25 by up to the referendum limit of 2.99% and social care authorities could also increase the precept by up to a further 2% specifically to fund adult social care costs (4.99% in total without a referendum being required).

Devon's Core Funding (and grants announced so far) was as follows. Other existing grants were expected to be published soon and would be reported as part of the overall budget papers in February, if known by then.

Core Funding Income

	2023/24 Settlement £000	2024/25 Provisional Settlement £000
Revenue Support Grant (RSG)	669	713
Business Rates – Central Government Top Up	83,428	86,461
Business Rates – Local Element*	21,566	23,884
Total Core Funding	105,663	111,058

**The actual amount received will be derived from returns completed by Devon Districts in January 2024.*

Other Grant Income Included in the Settlement

	2023/24 Settlement £000	2024/25 Provisional Settlement £000
New Homes Bonus	963	1,140
Rural Services Delivery Grant	8,744	8,744
Services Grant	4,152	653
Social Care Grant	54,015	63,280
Improved Better Care Fund	29,127	29,127
Adult Social Care Market Sustainability and Improvement Fund*	13,811	15,643
Adult Social Care Discharge Fund	4,084	6,806
Total Other Grant Income	114,896	125,393

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**The ASC Market Sustainability and Improvement Fund 2023/24 settlement figure includes £8.373 million allocated in the Settlement in February 2023, plus £5.438 million additional in-year allocation confirmed in August 2023.*

The proposed service revenue budget targets for the 2024/25 financial year were set out in the table below.

	2023/24 Adjusted Base Budget £000	Inflation and National Living Wage £000	Other Growth and Pressures £000	Savings, Alternative Funding and Additional Income £000	2024/25 Target Budget £000	Net Change 2023/24 to 2024/25 £000 %	
Integrated Adult Social Care	340,245	29,887	20,025	(29,411)	360,746	20,501	6.0%
Children and Young People's Futures	206,278	9,795	20,862	(9,150)	227,785	21,507	10.4%
Public Health, Communities & Prosperity	21,678	533	289	(1,577)	20,923	(755)	-3.5%
Corporate Services	49,755	2,160	1,361	(4,831)	48,445	(1,310)	-2.6%
Climate Change, Environment & Transport	81,619	6,144	2,348	(4,629)	85,482	3,863	4.7%
Totals	699,575	48,519	44,886	(49,598)	743,382	43,807	6.3%

The 2023/24 Base Budget has been adjusted for permanent virements (budget transfers from other budget lines)

The Committee were reminded that its consideration of the draft Integrated Adult Social Care and Public Health budget was part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 9th February 2024 formulating a budget for consideration by the County Council on 15th February 2024.

The Cabinet Member for Integrated Adult Social Care & Health highlighted the challenging circumstances both locally and nationally in setting this budget, with the budget developed being a necessary one to ensure that the most vulnerable across Devon are cared for.

The Director of Integrated Adult Social Care commented on the likely implications of the 2024/25 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council, as well as the economic challenges facing care providers; and the need to balance the provision of sustainable

support services against the increasing demands of front-line services and operational demands. The approach of “prevent, reduce, delay” was outlined as the core driver of the strategy to ensure a good cross-section of support for those who need it. In order to deliver budget targets in Integrated Adult Social Care, budget savings were focused on three key approaches as outlined in section 6 of the Report. The core driver of such savings was to promote “greater independence for all of the people that [the service works] with, and at better value.” Notable reductions were made in respect of: staff (savings of £1.9 million); and changes in commissioning from the independent provider market (savings of £14.4 million).

The Leadership Group commentary in the Report referred to the Council’s legal obligation to set a balanced annual budget and the resulting necessity “to make savings by getting best value from all contracts, maximising income, reducing the number of employees and selling Council owned property.” The commentary highlighted the core focus of the directorate in continuing to support the young, old and most vulnerable across the county in partnership with the NHS and other partners across Team Devon. The service commentary concluded that the budget was necessary for the service to deliver its “vision of promoting independence via a strengths-based approach.”

The Report referred to the fact that the value of the Public Health grant, which comes from Government, had not been confirmed for 2024/25. The report also stated that the Public Health reserve at the end of the 2022/23 financial year stood at £13 million. The Director of Public Health commented that not having a confirmed allocation of the Public Health grant made budget planning difficult, and that the final allocation to the authority had been received around March in previous years. Also commented on was a rising demand in alcohol and drug support services, and the challenges faced around Devon’s aging population, with the budget-setting process needing to consider how to best address the complex needs and comorbidities that come with an aging population.

The Report also contained the detailed budget proposals for Disability Services, In House Services and Older People (which were all part of the Integrated Adult Social Care Operations budget). These were prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services. The budget for Disability Services was set at £141.8 million, with Older People at £132.7 million, an increase of approximately £7 million and £6.1 million respectively from 2023/24. In House Services had seen a reduction of approximately £1.4 million.

The Report provided a breakdown of changes necessitated by pressures regarding inflation and national living wage, as well as price pressures and changes in demographics and demand, which (across Operations and Commissioning) totalled £49.9 million, with required savings and income initiatives totalling £23.9 million.

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Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

The Report before the Committee referred to the Budget 2024/25 Impact Assessment, circulated prior to the meeting, giving an overview of the impact assessments for all service areas (available at: [Budget Impact Assessments](#)) for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following. On Integrated Adult Social Care:

- The real-terms impacts of savings (or cuts) on staff, and those in receipt of support from the directorate, including approximate numbers of people who would be impacted by such savings. Officers outlined that the savings did not necessarily represent a full cessation of support for individuals but presented a model of working that promotes people's independence, for example, discharging a person from hospital with a focus on at-home care. This would represent a good outcome for the person as well as a lower number of resources required to support that person;
- The importance of integrated work with other bodies such as the NHS, and district, city, parish and town councils; as well as increasing engagement with the Voluntary and Community Sector (VCS) (for instance by working with the Voluntary, Community and Social Enterprise (VCSE) Assembly);
- The use of benchmarking the Council's performance in juxtaposition with similar local authorities (statistical neighbours) to assist in understanding the best use of the Authority's limited resources and funding to support the most vulnerable, which occurs alongside periodic consultations on specific issues and ongoing engagement with service users;
- The impact of an aging population on budgetary pressures;

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- The year-on-year increase of funding going to Adult Social Care representing a larger proportion of the Council's budget and the possible need to curb this to ensure there was money to spend in other areas. Officers accepted that although the proposed allocation to Adult Social Care had increased since a year prior, the level of increase was smaller than it had been in previous years (6% increase for Adult Social Care from 2023/4 to 2024/5, as opposed to a 9% increase from 2022/3 to 2023/4);
- The mechanisms in place to ensure the money that has been budgeted for an increase in national living wage is passed to frontline staff;
- What incentives people being supported by Adult Social Care have to work towards reintroduction into the labour market, having consideration for the possible impact this may have on benefits and other payments they are in receipt of, which – if ceased when someone returns to work – may actually leave someone worse-off financially. Officers advised that this was part of the offer given to individuals being supported by the service, but that there was also a role of the Government to play in this;
- The importance of Local Care Partnerships being engaged and working with one another to ensure good outcomes; and
- The implications of new immigration rules for social care workers.

On Public Health:

- Employment levels and working with partners (such as Integrated Adult Social Care and the Department for Work and Pensions) to tackle unemployment issues;
- The role of the Council arm of Public Health in supporting the delivery of vaccine programmes and its involvement in vaccine strategy; and
- The codesign and coproduction of policies with partners such as community safety partnerships.

On both Integrated Adult Social Care and Public Health, Members acknowledged the difficult circumstances under which the proposed budget had been developed.

It was **MOVED** by Councillor Hall, **SECONDED** by Councillor Scott and

RESOLVED that the provisional financial settlement and its impact on spending targets and on the proposed Integrated Adult Social Care and

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Public Health budgets for 2024/25 and the issues and/or observations set out below be drawn to the attention of the Cabinet meeting on 9 February 2024:

(a) this Committee welcomes and supports:

i. The 6% increase in the budget for Integrated Adult Social Care recognising growth and demand in the system, and continued efforts to achieve value for money.

ii. The efforts of Integrated Adult Social Care, Public Health staff and providers to continue to support the most vulnerable in Devon and delivering support in challenging contexts.

iii. Recognising the need to continue to focus on integrated working with our NHS Partners, to deliver a strengths-based approach to the delivery of care.

(b) this Committee records concerns about:

i. The realism of achieving the Integrated Adults Social Care in-year savings set at £29.4 million, how the service proposes to achieve this, and above all else understanding the impact/s on people we support.

ii. The number of people receiving high levels of interventions through statutory care and the need to re-shape the offer to include to an alternative strengths-based offer.

iii. The Committee's concern that Members are not able to adequately review and scrutinise the interdependencies within the NHS Devon Budget, including services for children and those preparing for adulthood / transition.

(c) that Cabinet be asked to:

i. Lobby Government to highlight the difficulty of setting budgets, operating and re-designing services that promotes people's independence against the reality of:

a. The unknown grant settlement for Public Health;

b. The 1-year financial settlement for Adult Social Care; and

c. The delivery of services within a large, rural County.

ii. Support the Health and Adult Care Scrutiny Committee in their critical friend challenge of the in-year financial position and progress on achieving transformation, including measures of success and milestones.

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iii. The Council and NHS Partners work collaboratively and commit to promoting independence for people of all ages and disabilities, and to achieve this, work alongside the Voluntary Community Sector Enterprises (VCSE) Assembly, District, City, Town and Parish councils, making use of existing partnerships.

iv. Recognising the financial pressures on both statutory and voluntary sector organisations, support the Committee to arrange an all Member Masterclass on Local Care Partnership (LCPs) before April 2024, so Councillors can be more informed and consider the use of their locality budgets to strengthen partnership working and support communities to grow capacity to provide an alternative offer that people can access that promotes their independence and helps communities to be safe and connected; and

v. For the Cabinet Member to write to Mel Stride MP, Secretary of State for Work and Pensions:

a. to ensure the support people of working age with disabilities receive incentives them to be employed without being adversely affected economically.

b. the potential impact of new immigration rules on the delivery of adult social care services.

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

The Meeting started at 10.30 am and finished at 12.51 pm

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

25 January 2024

Present:-

Councillors A Dewhirst (Chair), P Bullivant (Vice-Chair), J Brook, R Chesterton, J Hodgson, C Slade, R Radford, M Squires, J Trail BEM and J Wilton-Love

Apologies:-

Councillors M Asvachin, Y Atkinson, J Berry, P Crabb and I Roome

Members attending in accordance with Standing Order 25

Councillors Croad, Davis, Gilbert, Hart, Hughes, Leaver, Randall-Johnson, Sanders, Saywell and Twiss.

* 143 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 144 **Public Participation**

There were no oral representations from members of the public.

* 145 **Budget 2024/25 and Capital Programme for 2024/25 to 2028/29**

(In accordance with Standing Order 25, Councillors Croad, Davis, Gilbert, Leaver, Randall-Johnson and Sanders attended and spoke to this item at the invitation of the Committee.)

The Committee noted that the proposed budget for the 2024/25 financial year would be scrutinised by individual Scrutiny Committees.

The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present an overview of resolutions to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny will be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine

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them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the Joint Report of the Director of Finance and Public Value, the Chief Executive, Director of Public Health, Communities and Prosperity; and Director of Climate Change, Environment and Transport (DFP/24/04) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included inflation, commitments, and any service reductions. The Report also detailed the proposed medium-term capital programme 2024/25 to 2028/29 for the Services and how it was funded.

The Cabinet, at its meeting of 10 January 2024, had set Revenue Budget targets for 2024/25. That Report had presented the proposed service budget targets for 2024/25 totalling £743.4 million, a net increase of £43.8 million or 6.3% compared to the 2023/24 adjusted budget.

In terms of the Budget for 2024/25, inflationary pressures continue to be felt across the economy, local government and partners; social care was particularly impacted by increases to the national living wage. Senior Leadership Team had worked extensively to develop plans to manage net service costs within affordable financial targets in the context of local authorities, across the country, continuing to face financial challenges due to: high inflation and interest rates, alongside demand on local service provision.

To enable the authority to set a balanced budget, savings, alternative funding, and additional income of £49.6 million had been identified. Overall, there was additional funding of £43.8 million or 6.3% for services next year.

It was not currently planned to support the proposed budget targets by using general reserve balances. In recognition of the SEND Deficit and Safety Valve considerations, it was anticipated the Council would need to set aside funds in 2024/25 – and in subsequent years in the Medium Term Financial Plan – to increase the SEND Safety Valve Reserve. An update on the SEND position would be reflected in the proposed budget presented to Members in February 2024.

The Capital Programme for 2024/25 to 2028/29 would be presented to Cabinet at the February Budget meeting.

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Authorities could increase Council Tax for 2024/25 by up to the referendum limit of 2.99% and social care authorities could also increase the precept by up to a further 2% specifically to fund adult social care costs (4.99% in total without a referendum being required).

Devon's Core Funding (and grants announced so far) was as follows. Other existing grants were expected to be published soon and would be reported as part of the overall budget papers in February, if known by then.

Core Funding Income	2023/24	2024/25
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	£000	£000
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CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE
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	2023/24 Adjusted Base Budget £000	Inflation and National Living Wage £000	Other Growth and Pressures £000	Savings, Alternative Funding and Additional Income £000	2024/25 Target Budget £000	Net Change 2023/24 to 2024/25 £000 %	
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Totals	699,575	48,519	44,886	(49,598)	743,382	43,807	6.3%

The 2023/24 Base Budget has been adjusted for permanent virements (budget transfers from other budget lines)

The Committee were reminded that its consideration of the draft Corporate Infrastructure and Regulatory Services budget was part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 9th February 2024 formulating a budget for consideration by the County Council on 15th February 2024.

The Chief Executive, Director of Finance & Public Value and Heads of Service commented on the likely implications of the 2024/25 target for their respective individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Director of Finance & Public Value updated the Committee, firstly, that the Government had on 24 January 2024 announced additional funding for local authorities of £600 million, although details and Devon's portion were as yet unknown and, secondly, that the Devon Education Forum had yesterday agreed to transfer a portion of the schools block part of the dedicated schools grant to a high needs block, to support the ongoing safety valve work.

The Leadership Group commentary in the Report stated that its overriding focus for the next year would continue to be to meet the needs of the young, old and most vulnerable across Devon and to work closely with NHS partners to support and develop the local health and care system; and to continue to work closely with partners across Team Devon to help support the local economy, improve job prospects and housing opportunities for local people, respond to climate change, champion opportunities for young people and address the impacts of the rising cost of living for those hardest hit.

The Report also contained the detailed budget proposals for Corporate Infrastructure and Regulatory Services prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services.

Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

The Report before the Committee referred to the [Budget 2024/25 Impact Assessment](#), circulated prior to the meeting, giving an overview of the impact assessments for all service areas for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting in discussion with Directors and Heads of Service included the following:

Public Health, Communities and Prosperity

- The Public Health, Communities and Prosperity Services had reduced budgets overall by £755,000 for 2024/25 due to the introduction of a wide range of savings offsetting and exceeding inflationary and demand pressures, resulting in a 2024/25 budget of £20.9 million.
- Members welcomed that Locality budgets had been increased by £180,000 which equated to £3,000 per member, to support local projects in line with the Authority's priorities; and an increase of £81,000 to domestic abuse grant funding.

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- Economy services budget included £70,000 towards the operational costs of delivering the Connecting Devon and Somerset broadband project.

Corporate Services

- Corporate Services had an overall budget reduction of £1.3 million, after cost pressures of £3.5 million of which £2.2 million was attributable to unavoidable inflation. To offset these pressures and support the Sustainable Council initiative the Service had identified savings totalling £4.8 million.
- To achieve these savings, £2.7 million of budget reductions were required in respect of staffing, to include restructuring of services.
- Net savings of £500,000 in external legal disbursements were expected as a result of restructuring and expanding the in-house Legal Services teams.
- Delivery of the IT roadmap continued to prioritise essential developments including disaster recovery, cybersecurity and ensuring staff were equipped with fit for purpose devices.
- New income streams included the introduction of a new staff benefits platform and salary sacrifice schemes which reduced the Council's National Insurance contributions; the expanded Southern Construction framework; and advertising on the Devon Jobs board, used by some districts, the NHS, schools and other partners.

Finance and Public Value

- Noted that external audit fees were nationally set and as a result of the increased fees it was hoped to see an improvement in the quality and timeliness of audits.
- Increase in debtors raised was due to Babcock's transition back and Learner services.

Climate Change, Environment and Transport

- The Highways and Infrastructure Development service area faced cost pressures totalling £3.7 million, this included: £2.3 million from Highways contract inflation and street lighting energy price increases, however, despite pressures there were not any service cuts proposed.
- Savings were being made through identified alternative funding sources, and income opportunities totalling £4.1 million, £1.8 million of which would be achieved through funding permanent pothole patch repairs (which extended the life of the road) from capital budgets; and energy savings of £250,000 were anticipated from further dimming of street lights.
- That bus service patronage was making a slow recovery following the pandemic.
- Concern that the need for increased investment in Highways drainage activities was not currently affordable within the available target budget

and discussion around working in partnership with Town and Parish Councils.

- A number of developer contributions were being secured which were helping to deliver some of the Active Travel schemes.
- In the Medium Term Capital Plan, there was spend of £15 million for the Freeport infrastructure. This was ringfenced borrowing to be fully funded from business rates from the Freeport initiative.

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

RESOLVED that this Committee

Welcomes and supports:

1. The overall 6.3% increase in the budget, specifically the 10.4% in Children and Young People's Futures and 6% in Integrated Adult Social Care, including:
 - (a) The £2.2 million increase in the internal and external fostering budget, and the increased number of in-house foster carers by 30, and £3.2 million investment in the development of three in-house children's homes reducing the reliance on out of county placements and independent fostering agencies.
 - (b) The increase of 525 places in Devon's Special School estate.
 - (c) The increase in Member Locality Budgets to £8,000 per Member and thanks Cabinet for taking on board Scrutiny's recommendation in January 2023 to review Locality Budgets.

Scrutiny welcomes the cross-Council organisational work by the Cabinet and Senior Leadership team to deliver the Budget and looks forward to seeing further improvements including the continued efforts to achieve effective partnership working and value for money.

2. Recognising:
 - (a) The efforts of Devon County Council staff in the continuing to support the most vulnerable people and providing essential services.
 - (b) The important work of the voluntary and community sector and the varied role it plays in Devon's communities.
 - (c) The intention to work with Town and Parish Councils on the Highways Self-Help Scheme.
3. The work of the Senior Leadership Team and Services to progress and work with partners:
 - (a) To focus on integrated working with the NHS to deliver a strengths-based approach to the delivery of care.

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- (b) To deliver the transformation required to best support people in Devon, including a sustainable budget and savings.
4. Improvements within Directorates to in relation to staffing, including:
- (a) A permanent Head of Service manager level within Children's Social Care.
 - (b) Efforts to support the recruitment and retention of Social Workers, including ASYE.
 - (c) The re-design of legal services to focus on the skills of the workforce and achieving value for money.

Concern:

5. The ongoing concerns of achieving the savings outlined across the budget and above all else understanding the impact/s on people we support, communities and practice, particularly the Integrated Adults Social Care in-year savings set at £29.4 million, how the service proposes to achieve this.
6. The ongoing concerns relating to Budget pressures across the Council, including:
- (a) the continued overspend in the High Needs Block Budget for SEND considering the cumulative deficit, and the plans in place to reduce the overspend;
 - (b) the potential impact of the proposed use of Capital receipts to fund the SEND Safety Valve Programme for the High Needs Block Overspend and the potential impact on Capital budgets in coming years;
 - (c) the continued reliance on agency workers in Children's Services over successive years;
 - (d) the cost differential between in house fostering and independent fostering agencies to support children in care and the resultant budgetary impact;
 - (e) the number of people receiving high levels of interventions through statutory care and the need to re-shape the offer to include an alternative strengths-based offer; and
 - (f) the ongoing deterioration of Devon's highways and reduced expenditure on prevention activities.
7. Concern over individual budget lines:
- (a) The net reduction to libraries budget of £175,000.
 - (b) The one-year funding commitment for Carbon Reduction Programme and uncertainty for future years.
8. That bus patronage is still 38.4% below pre-pandemic levels with Devon's residents being impacted by the reliability of services.

9. Health and Adult Care Scrutiny Committee's concern that Members are not able to adequately review and scrutinise the interdependencies within the NHS Devon budget.

Cabinet is asked to:

10. Continue to support Scrutiny in their critical friend challenge of the in-year financial position and progress on achieving transformation and savings, including milestones and metrics -
 - (a) For Children's Scrutiny, this should include social worker agency rates, additional in house foster carers, and in house residential provisions.
11. Lobby Government to highlight the difficulty of setting budgets, operating and improving services against the reality of:
 - (a) The unknown grant settlement for Public Health;
 - (b) The one-year financial settlement for Adult Social Care;
 - (c) The delivery of services within a large, rural County; and
 - (d) Investment in highways to arrest the ongoing decline in the state of the highway, specifically highways drainage.
12. For the Cabinet Member for Integrated Adult Social Care to write to The Rt Hon Mel Stride MP, Secretary of State for Work and Pensions:
 - (a) to ensure the support people of working age with disabilities receive incentivises them to be employed without being adversely affected economically.
 - (b) the potential impact of new immigration rules on the delivery of Adult Social Care services.
13. Consider investment in:
 - (a) School attendance programmes and exploring national, Department for Education programmes, and pilots, to increase attendance of children in school.
 - (b) The ongoing concern and need to invest in highways drainage activities to prevent deterioration in highways.
14. To further support Highways improvements, consider:
 - (a) expanding Highways Self Help Schemes to work with Parishes to identify and pay for works, carried out by the Council, from their own Budgets and precepts and benefit from the expertise of Council officers to deliver projects, albeit recognising the pressures and capacity of staff within the service.
 - (b) as part of the planning process, whether developer contributions can improve the highways in the local area.
15. The Council and NHS partners work collaboratively and commit to promoting independence for people of all ages and disabilities, and to

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achieve this, work alongside the Voluntary Community Sector Enterprises (VCSE) Assembly, District, City, Town, and Parish councils, making use of existing partnerships.

16. Recognising the financial pressures on both statutory and voluntary sector organisations, support the Health and Adult Care Scrutiny Committee to arrange an all Member masterclass on Local Care Partnership (LCPs) before April 2024, so Councillors can be more informed and consider the use of their locality budgets to strengthen partnership working and support communities to grow capacity to provide an alternative offer that people can access that promotes their independence and helps communities to be safe and connected.
17. To add to the future Risk Assessment for all relevant services the ongoing concern of partnership working including with partner agencies and the voluntary and community sector regarding the interdependencies in achieving the required improvements.
18. Continue to promote the Council's website and newsletters that help community groups find and apply for community grants.

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

The Meeting started at 9.30 am and finished at 12.49 pm

Pay Policy Statement (April 2024 - March 2025)

1. Introduction and purpose

- 1.1. Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement sets out the County Council’s approach to the pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding those working in local authority schools) by identifying:
 - the methods by which salaries of all employees are determined,
 - the detail and level of remuneration of its most senior staff i.e., ‘Chief Officers’, as defined by the relevant legislation.
- 1.2. The Appointments, Remuneration and Chief Officer Conduct Committee are responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the Full Council.
- 1.3. This policy statement has been approved by the County Council for the period 1 April 2024 to 31 March 2025. It will be subject to review annually and in accordance with new or proposed legislation to ensure that it remains relevant and effective.

2. Accountability and decision making

- 2.1 In accordance with the constitution of the Council, the Appointments, Remuneration and Chief Officer Conduct Committee are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to Chief Officers and Heads of Service of the County Council.

3. Responsibility and scale

- 3.1. The County Council is directly responsible for a budget of £608 million (2023/24) and provides services to a total population of over 750,000 residents.
- 3.2 The County Council employs 5,281 corporate staff and 6,352 schools’ staff. These figures are based on headcount as of 31 October 2023.

4. The Council’s pay strategy

- 4.1 In determining the pay and remuneration of its employees, the County Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.
- 4.2 With regard to the Equal Pay requirements contained within the Equality Act, the County Council ensures that all pay arrangements can be objectively justified through the use of Job Evaluation methods.
- 4.3 This Pay Policy Statement outlines the information required to meet our statutory obligations in line with the Localism Act 2011 and so, provides information on staff remuneration in a hierarchical format, see appendix 2. However, in practical terms this is

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not reflective of the culture and operating model the County Council are working toward in relation to achieving a stronger and more inclusive council.

- 4.4 The County Council takes the following approach to assessing individual and overall pay levels.

Defining the role – through a job description that describes the activities, responsibilities and accountabilities which relate to each job and helps ensure that the role and its requirements are fully understood by the individual and the manager.

Determining the job size – this process ranks all the County Council's jobs by using job evaluation techniques to ensure fairness and transparency and to allow for direct comparison between roles.

Determining overall pay levels – which takes account of:

Affordability – ensuring remuneration policies represent value-for-money for the taxpayer,

Fairness – ensuring remuneration policies are fair to all employees, ranging from the most senior post to the most junior post and,

Market Awareness – ensuring due regard is taken of the market, both nationally and locally in the Southwest, and that this policy is in line with Councils of a similar size and/or in a similar labour market.

Determining pay structure – pay is frequently made up of a number of elements. The County Council has adopted an approach which includes basic pay and for officers Grade A – T, incremental progression related to service. The County Council uses fixed point salaries and grades (where there is no pay progression) for Chief Officers/Heads of Service and Senior Officers graded L0 – L9. Where different pay arrangements apply to different groups of staff the reasons are clearly evidenced and documented. The County Council's approach to pay is detailed below and where different arrangements are in place these are explained.

Recruiting the right staff – where necessary the County Council may apply market supplements or other individual pay levels for specific roles to ensure that it can recruit the best staff. This approach will only be adopted where there is clear evidence of recruitment difficulty, and any such payments will be time limited and in accordance with Council policy.

5. Job Evaluation

- 5.1 The County Council operates two job evaluation schemes for roles within the scope of this pay policy statement. For Chief Officers (Directors) and Heads of Service it uses the Hay Job Evaluation scheme (Grades L0 – L9 inclusive). For officer roles (those on National Joint Council Terms and Conditions (NJC)) it uses the Greater London Provincial Council (GLPC) Job Evaluation scheme (Grades A - T inclusive).

6. Remuneration for Chief Officers (Directors) and Heads of Service

- 6.1 Chief Officers (Directors) and Heads of Service are defined as follows:
6.1.1 Chief Officers (Directors) are defined as those on Grades L0-L3.
6.1.2. Heads of Service – are either holders of posts defined locally who comprise the Council's Leadership Team or the Appointments, Remuneration and

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Chief Officer Conduct Committee and the Local Government and Housing Act 1989 or who are within the category of non-statutory officer (as set out in the Local Government and Housing Act 1989), on Devon County Council Grades L2-L4.

- 6.2 All Chief Officers (Directors) / Heads of Service are employed under Joint Negotiating Committee for Chief Executive or Chief Officer (JNC) terms and conditions unless noted otherwise.
- 6.3 The County Council operates a local Tiered Pay Scale for Chief Officer (Directors) / Heads of Service posts, see appendix 2. Each tier has a fixed, spot salary and there is no incremental progression. The Hay job evaluation scheme is used to determine an employee's position on the scale (and therefore their pay level).
- 6.4. The Appointments, Remuneration and Chief Officer Conduct Committee will consider and recommend the appointment, remuneration and terms in the event of the cessation of employment of any substantive posts of Chief Officers (Directors) / Heads of Service, in line with its Terms of Reference, the Pay Policy Statement, Chief Officer Employment Procedure Rules [Part 6](#), the Council's employment policy and statutory regulations and guidance.
- 6.5 Salaries are fixed for the duration of this policy and reviewed annually by the Appointments, Remuneration and Chief Officer Conduct Committee. Any variation from the fixed salary during the period of this policy (either for an existing Chief Officer (Director) / Head of Service or for the appointment of a new Chief Officer (Director)/Head of Service) requires approval from the County Council, except in the case of any annual pay awards which are determined by national JNC agreement.
- 6.6 The Director for Legal and Democratic Services is also the County Returning Officer and Monitoring Officer. Fees paid are in line with the guidance stipulated from the Ministry of Justice for the relevant elections.
- 6.7 The County Council complies with the Local Government Data Transparency Code (2015) in respect of its approach to publication of, and access to, information relating to the remuneration of Chief Officers (Directors) / Heads of Service. Pay levels for all Chief Officers (Directors) / Heads of Service posts are published on the County Council's [Senior Salaries webpages](#) and in the [Annual Statement of Accounts](#).

7. Remuneration for Senior Officers

- 7.1 Senior Officers are defined as those on grades L9 - L5 for non-Head of Service posts.
- 7.2 Senior Officers are employed under Joint Negotiating Committee for Chief Officer (JNC) terms and conditions unless noted otherwise.
- 7.3 The Hay Job Evaluation scheme is used to determine an employee's position on the local pay scale (and therefore their pay level).
- 7.4 The County Council operates a Tiered Pay Scale for Senior Officers, see appendix 2. Each tier has a spot salary and there is no incremental progression or salary increase, other than any annual pay awards which are determined by national JNC agreement.

8. Remuneration for Officers (including Lowest Paid Employees)

- 8.1 Officers are defined as those on Grades A – T.
- 8.2 The lowest paid employees at the County Council are defined as employees paid on Spinal Column Point 2.
- 8.3 The majority of Officers are employed under NJC terms and conditions except those outlined in 8.9.
- 8.4 The adoption of the NJC Pay Scale was jointly agreed by the County Council and NJC recognised Trade Unions as part of Single Status implementation.
- 8.5 The County Council uses the Greater London Provincial Council (GLPC) job evaluation scheme to determine an employee's position on the NJC pay scale (and therefore their pay level).
- 8.6 Where the pay grades provide incremental progression, officers are eligible for annual

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incremental increases up the NJC pay scale until they reach the top of their grade.

- 8.7 Any annual pay awards are determined by the relevant national pay agreement.
- 8.8 Officer appointment, remuneration and terms in the event of the cessation of employment are in line with [Part 4](#) of the Chief Officer Employment Procedure Rules, the Council's employment policy and statutory regulations and guidance and NJC Terms and Conditions of Employment.
- 8.9 Certain staff groups, defined as 'Officers' within this Pay Policy Statement, are employed on different terms and conditions which reflect alternative national agreements, this includes Centrally Employed Teachers, Soulbury and NHS (Agenda for Change). There is also a small number of staff who have TUPE transferred in whose terms and conditions are not linked to a national agreement.

9. Pay multiple

- 9.1 As described above the Council uses an established process of defining roles, determining job size and salary levels. This process determines the relationship between the rate of pay for the lowest paid and Senior Manager posts, including Chief Officers / Heads of Service, described as the pay multiple.
- 9.2 The Hutton Review recommends a maximum ratio of the highest remunerated post compared with the lowest remunerated post of 20:1. The County Council has adopted this recommendation. It is the Council's policy that this ratio will not exceed 20:1 and it will be reviewed annually by the Appointments, Remuneration and Chief Officer Conduct Committee
- 9.3 The current ratio of the highest paid post to the lowest paid post at the County Council is **10:1**¹, based on the highest paid post being L0 and the lowest paid post being Grade A, spinal column point 2.
- 9.4 The ratio of the median average pay level to the highest paid post at the County Council is **8:1**² The ratio of the mean average pay for Chief Officers (Directors) / Heads of Service to non-Chief Officers (Directors) / Heads of Service is **4:1**³.

10. Other employment-related arrangements

10.1 Local government pension scheme

Subject to qualifying conditions, employees have a right to belong to the Local Government Pension Scheme. The employee contribution rates are defined by statute and are dependent on full time equivalent salary levels. The Employer contribution rates are set by Actuaries advising each of the 89 local LGPS funds and reviewed on a triennial basis to ensure the scheme is appropriately funded.

The County Council does not augment pensionable service. The Council's employer severance and pension discretions, allowed under the LGPS regulations, apply to all employees.

10.2 Benefits schemes

The County Council believes that it has a responsibility to help support the health, wellbeing and welfare of its employees in order to ensure they are able to perform at their best. As part of this approach and to support the local economy, the County Council has adopted a Benefits Platform that provides employees with health, fitness and wellbeing benefits and

¹The 2023/24 reported ratio was **10:1**

² The 2023/24 reported ratio was **8:1**

³ The 2023/24 reported ratio was **3:1**

discounts from local providers.

10.3 Arrangements for Chief Officers/Heads of Service

The organisational structure for the [Chief Officers and Heads of Service](#) is published on the County Council's webpages.

Due to the nature and responsibilities of their role, Chief Officers / Heads of Service are normally employed on full time permanent employment contracts. The County Council's policy and procedures with regard to recruitment of Chief Officers is set out within the [Constitution - Part 6j Code of Personal Conduct Chief Officer Employment Rules](#).

When recruiting to all posts the County Council will take full and proper account of its own Equality, Recruitment and Redeployment Policies. The determination of the remuneration to be offered to any newly appointed Chief Officer/Head of Service, will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the County Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies.

In exceptional circumstances, where the County Council remains unable to recruit to a Chief Officer / Head of Service post or where there is a need for interim support to provide cover for a vacant post, the Council may consider engaging an individual through a 'contracts for service'. Such arrangements can be advantageous because they can reduce employment costs and are flexible because they can be used for short periods of time without the need to pay termination payments. Where these arrangements are used the Council will use relevant procurement processes to ensure that it can demonstrate value for money. Such arrangements will be kept under regular review by the Appointments, Remuneration and Chief Officer Conduct Committee. Any Interim roles for Chief Officers/Heads of Service and Senior Officers are reported on the County Council's [Senior Salaries](#) webpages.

11. Terms and Conditions for all employees

- 11.1 The County Council does not operate a performance-related pay scheme for any employee.
- 11.2 The County Council does not pay bonuses to any employee.
- 11.3 The County Council may pay a market supplement in circumstances where it is not possible to recruit or retain particular staff or categories of staff, subject to the principles set out in the County Council's Market Supplement Policy. The market supplement is a temporary addition to the basic pay of the role and is reviewed annually. Market supplements paid to the highest paid employees will be published in accordance with the Data Transparency Code and can be found on the County Council's [Senior Salaries](#) webpages.
- 11.4 Travel and subsistence expenses incurred on County Council business are reimbursed to employees. Reimbursement of expenses is governed by the principle that employees should not be financially advantaged or disadvantaged in carrying out their duties and all employees are subject to the same policy. Expenses and any benefits-in-kind for the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 11.5 The County Council does not pay fees on behalf of any employees, though this is subject to change in exceptional circumstances where there is an appropriate business case. Any fees paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).

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- 11.6 Allowances are paid in line with the applicable terms and conditions i.e., NJC for the majority of Officers and JNC for Senior Officers and Chief Officers (Directors) /Heads of Service, or by local agreement where appropriate. Any allowances paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 11.7 During the year the County Council will continue to explore and consult upon, with the aim of agreeing, changes to employee terms and conditions, to ensure they are fit for purpose for a changing council.

12. Payments on termination of employment

- 12.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006.
- 12.2 All employees are subject to the same terms and conditions in respect of termination of employment. The only exception to this is Chief Officers (Directors) / Heads of Service who are subject to a modified disciplinary procedure which is outlined in [Part 9](#) of the Chief Officer Employment Procedure Rules.
- 12.3 Any other payments falling outside of the provisions, or the relevant periods of contractual notice are subject to a formal decision made by the Full Council or relevant elected Members, Committee or panel of elected Members with delegated authority to approve such payments and will be determined on a case-by-case basis.
- 12.4 The Appointments, Remuneration and Chief Officer Conduct Committee would not normally recommend the re-employment of individuals to Chief Officer / Head of Service positions who have recently left the Council (either as an employee, consultant or contractor). If this does occur, it will be subject to exceptional circumstances where their specialist knowledge and expertise is required or under the provisions of the Modification Order.

13. Publication of pay statement

- 13.1 Upon approval by the Full Council, this statement will be published on the Council's Open Data website. In addition, for posts where the full-time equivalent salary is at least £50,000, the Council's [Annual Statement of Accounts](#) will include a note setting out the total amount of:
- salary, fees or allowances paid to or receivable by the person in the current and previous year,
 - any bonuses so paid or receivable by the person in the current and previous year,
 - any sums payable by way of expenses allowance that are chargeable to UK income tax,
 - any compensation for loss of employment and any other payments connected with termination,
 - any benefits received that do not fall within the above.
- 13.2 As the policy covers the period April 2024 to the end of March 2025, amendments may need to be made to the policy throughout the relevant period. Any amendments will need to be reported to the Appointments, Remuneration and Chief Officer Conduct Committee for recommendation to the Full Council.

The table sets out the current Senior Officer salary levels and Chief Officer/Heads of Service roles and salary levels. The salaries do not take account of the 2024/25 pay award which is yet to be agreed.

Leadership Grades 2023/24

Senior Officer Grades		
L9	£55,124	
L8	£61,683	
L7	£68,477	
L6	£75,249	
L5	£89,631	
Chief Officer/Head of Service Grades		
L4	£101,315	Area Coroner for Exeter & Greater Devon*
L3	£113,000	Director of People and Culture Director of Legal and Democratic Services Director of Transformation and Business Services Deputy Director – Children’s Services and Head of Social Care** Deputy Director Children’s Services Education and Schools Deputy Director Adult Commissioning & Health Deputy Director Integrated Adult Social Care – Operations Head of Economy, Enterprise & Skills
L2	£122,280	Director of Finance and Public Value Director of Public Health, Communities and Prosperity Director of Climate Change, Environment & Transport HM Senior Coroner Exeter & Greater Devon*
L1	£150,913	Director of Children and Young People’s Futures** Director of Integrated Adult Social Care
L0	£182,397	Chief Executive and Head of Paid Service*
<p>* Special Salary ** Market Supplement applied Please see Senior Salaries data for further information.</p> <p>The rates of pay in the table reflect the 2023/24 nationally agreed 3.5% JNC pay award for Chief Officers which took effect from 1st April 2023. Any national pay award for 2024/25 would impact the above figures but is yet to be agreed.</p> <p>In addition to the Salary table above, the Council employs Senior Officers & Chief Officers that have TUPE transferred across to the County Council from the NHS on Agenda for Change (AfC) pay rates or who are in NHS partnership roles. These include the following:</p> <p>AfC Band 8D - £83,571 - £96,376.</p> <ul style="list-style-type: none"> • Head of Public Health Nursing, • Assistant Director – Adult Social Care, • Public Health consultant. <p>AfC Band 9 - £99,891 - £114,949</p> <ul style="list-style-type: none"> • Deputy Director of Public Health. 		

EES/23/3
Cabinet
13 December 2023

Corporate Performance Management Framework and Local Government Association Corporate Peer Challenge

Joint report of the Head of Economy, Enterprise & Skills and Director of Transformation & Business Services

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.

1) Recommendation

That Cabinet:

- (a) Agree the development and introduction of the corporate performance management framework described in this report.
- (b) Endorse the proposal for a Local Government Association Corporate Peer Challenge in June 2024.

2) Introduction

In July 2023, the Cabinet reaffirmed the commitment to, and support for, the “Best Place” Strategic Plan 2021 – 2025 and agreed six areas of focus for the Corporate Plan for the next 12 months:

- i. Governance and performance review.
- ii. Value for money and financial sustainability covering:
 - a. Staffing
 - b. Contract management
 - c. Efficiency of services
 - d. Income generation and full cost recovery
 - e. Use of assets and buildings
- iii. People strategy.
- iv. Replacement systems (FINEST and CareFirst).
- v. Equality, diversity and inclusion.
- vi. Devon, Plymouth and Torbay devolution deal.

The Cabinet also noted that Directorate/service area plans would be developed over the next three months linked to the: Strategic Plan 2021-2025, areas of focus, key risks and the People Strategy – ‘People First’.

This report sets out proposals for the introduction of a corporate performance framework and the carrying out in June 2024 of a Local Government Association led corporate peer challenge (LGA CPC).

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The proposals in this report will also contribute to the work of the cross-party working group that is undertaking the governance review agreed by Council in May 2023.

3) Overview of performance management

3.1 Duties and responsibilities

The Local Government Act 1999 requires that councils' services are responsive to the needs of citizens, of high quality and cost-effective, and fair and accessible to all who need them.

All councils have a general duty of best value to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

3.2 Background to performance management

Performance management is the use of processes, techniques, and methods to assess progress towards shared goals. Effective performance management enables comparisons between intended outcomes and current performance levels so that action can be taken to improve or adjust services. Performance management relies on monitoring and assessing a variety of outcomes and measures. These include outcomes such as health and wellbeing, deprivation and inequality; strategic key performance indicators; and more detailed metrics and measures that support individual services and teams.

The Office for Local Government (Oflog) was established by government in July 2023 to provide authoritative and accessible data and analysis about the performance of local government and support its improvement. Oflog is developing a "Data Explorer" using existing performance indicators that measure local authority responsibilities where councils have powers to influence outcomes.

3.3 Current performance management reporting

A wide range of data is gathered, analysed and interpreted to assess the performance of Devon County Council's services. Performance information is regularly reported to scrutiny and other committees. Examples of current performance reporting include:

- Reports to the Corporate, Infrastructure and Regulatory Services Scrutiny Committee on the performance of highways and traffic management services.
- Reports to Health and Adult Care Scrutiny Committee on the performance of adult social care services.
- Reports to the Children's Scrutiny Committee on the performance of children's social care services.
- Reports to the Health and Wellbeing Board on progress against outcomes in the Joint Health and Wellbeing Strategy.
- Reports to the Devon Education Forum on key performance indicators for schools and education.
- Reports to the Devon Authorities Strategic Waste Committee on the management, collection and recycling of household waste.

Some of the performance information described above is also required from local government by central government. It is information that is covered by the government's

“single data list” which sets out the data collections or returns for central government departments, arm's length bodies and other public bodies.

Information about the performance of the Council's services and activities is also published in various forms and formats, including:

- The national adult social care outcomes framework as part of the adult social care annual report.
- Devon health and wellbeing outcomes reports that includes public health outcome indicators.
- A section on “Performance Management” in the annual statement of accounts.
- Information on service statistics and performance in the annual budget book.

The Cabinet does not currently receive regular reports on the performance of the Council's services or progress against the “Best Place Strategic Plan 2021-2025”.

3.4 Proposed performance management framework

There is a need to draw together existing data and information into a corporate framework. This will enable information about outcomes and the performance of the Council's services to be collated, interpreted, reported and shared.

The framework will help the Council know whether it is providing value for money to residents and businesses. The benefits will be:

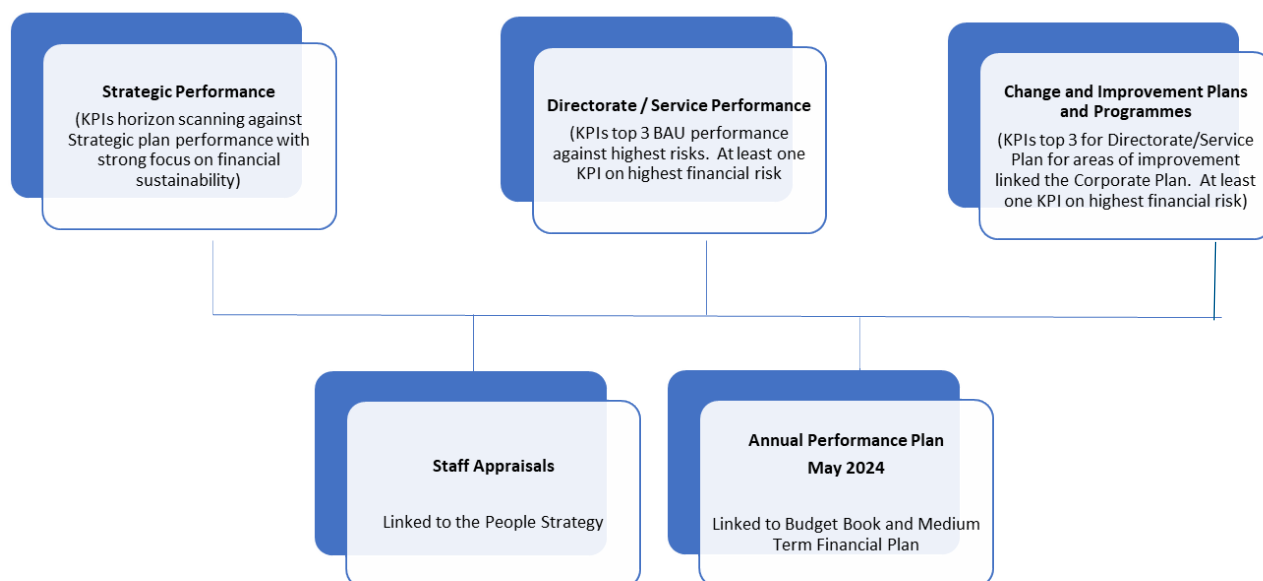
- The ability to benchmark the Council's performance against other similar areas, comparator local authorities and the Office for Local Government's metrics.
- The making available of information to enable the economy, efficiency and effectiveness of services to be assessed.
- The capability to identify weaknesses and areas for improvement.
- Support for joint working with partners and taking shared responsibility for outcomes.

It is suggested that a corporate performance management framework is introduced with three levels:

1. Strategic performance.
2. Directorate/service performance.
3. Change and improvement plans and programmes.

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The diagram below describes what will be measured at each level.



Strategic level

At the **strategic level**, progress towards the Council's goals and priorities in its "Best Place Strategic Plan 2021-2025" will be assessed by using measures in relation to outcomes and impacts such as:

- Inequalities
- Health and wellbeing
- Socio-economic deprivation
- Poverty
- Equality and diversity

Other public service providers and partnerships such as schools, district councils, the Devon Integrated Care System (NHS) and the Police and Crime Commissioner for Devon and Cornwall all assess similar outcomes. There is a shared responsibility to measure and assess performance in ways that support the collective delivery and achievement of those outcomes.

Directorate/service plan level

At the **Directorate/service plan level**, the plan that each Directorate has prepared includes a set of performance indicators to measure and assess the economy, efficiency and effectiveness of services.

Change & improvement plans and programmes level

At the **change & improvement plans and programmes level**, the performance information will help to measure the impacts of the People Strategy, the changes of contracts and commissioning, and the property change programme.

The diagram at appendix 1 provides some examples of different types of long, medium and short term outcomes and performance indicators that could be measured through the proposed corporate performance management framework. The diagram was discussed the event held on 28 November 2023 for members of the Council where it was suggested that in addition to the examples shown, the outcomes and performance indicators should also cover:

- Climate change and net zero opportunities.
- Isolation and loneliness.
- Mental as well as physical health and wellbeing.
- Flooding and flood risk
- Active lifestyles and obesity.
- Volunteering opportunities.

3.5 Next steps

The Council has staff in different service areas with a wide range of skills, experience and knowledge about data, information and performance assessment but does not currently have a corporate performance management team.

The Strategic Leadership Team will, over the next six months, put the following in place:

1. Regular reporting to Cabinet from April 2024 onwards to provide data and information that enables:
 - Assessment of performance against the goals and priorities of the “Best Place Strategic Plan 2021-2025”
 - Performance management of service areas where decisions are required about improvement.
2. Annual performance report to Council on 23 May 2024.
3. Local Government Association Corporate Peer Challenge (w/c 10 June 2024) to review progress.
4. Ensuring that staff appraisals are linked to the Council’s key performance indicators.

Those four steps will be the first stage in the establishment of the corporate performance management framework. The next stages will include:

- The use and reporting of performance indicators and metrics to assess progress with Directorate plans.
- Using a digital performance dashboard to complement the risk management dashboard.

For Cabinet members’ information, examples of how this type of framework is used by Wiltshire Council, Essex County Council and Kent County Council are included in appendix 2.

4 Local Government Association Corporate Peer Challenge

To help local authorities to achieve best value, the government funds a programme of improvement support, primarily via the Local Government Association, that includes a wide range of sector-led support activities, including peer challenges, mentoring and the dissemination of best practice.

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The Corporate Peer Challenges run by the LGA are delivered by experienced member and officer peers. The LGA CPC covers five broad areas:

1. Local priorities and outcomes
2. Organisational and place leadership
3. Governance and culture
4. Financial planning and management
5. Capacity for improvement.

There is an expectation that all councils having a corporate peer challenge will commit to publishing the feedback and action plan in response within three months and complete a progress review within a year. The most recent LGA CPC visit to DCC took place in 2016.

It is proposed to invite the LGA to organise a CPC during the week commencing 10 June 2024. It will be an improvement focused exercise and not an inspection. The peer team will use their experience and knowledge of local government to reflect on the information presented to them by the members and staff they met, things they see and material they read.

Members will recall that the LGA undertook an adult social care peer challenge 2023 in July 2023.

4) Options / Alternatives

There is the option not to introduce the proposed corporate performance framework or run a LGA CPC.

5) Strategic Plan

The proposals in this report reflect the commitments in Council's Strategic Plan 2021 – 2025 to:

- Make best use of data and intelligence - to help inform what we do and understand its impact on the people of Devon.
- Transform the way we work - to make us more resilient and adaptable.

6) Financial Considerations

The costs of the proposals described in this report will be met from within existing resources.

7) Legal Considerations

See section 3.1 above.

8) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

There are no direct environmental related issues arising from the recommendations in this report.

9) Equality Considerations

The recommendations have no specific equality impacts. However, equality considerations will feature as part of the performance management framework and LGA CPC.

10) Risk Management Considerations

No specific risks associated with this report's recommendations have been identified.

11) Conclusions

The introduction of the proposed corporate performance framework and carrying out of the LGA CPA will help to ensure that the Council meets its statutory best value duty and deliver efficient and effective services.

Keri Denton

Head of Economy, Enterprise and Skills

Matthew Jones

Director of Transformation and Business Services

Electoral Divisions: All

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

Local Government Act 1972: List of background papers

Background Paper: Nil

Date

File Reference

Contact for enquiries:

Name: Roland Pyle

Telephone: 01392 383000

Address: County Hall, Exeter. EX2 4QD

Appendix 1 to EES/23/3 - Strategic Plan priorities – examples of performance indicators and outcomes

Devon County Council Performance Framework– Example Measures

Strategic And Corporate Priorities	Be ambitious for children and young people	Tackling poverty and inequality	Improve health & wellbeing	Respond to climate emergency	Support sustainable economic recovery	Help communities be safe connected and resilient	Sustainable and Stronger Council
Ambition Outcome	Work together to ensure all children are safe, healthy and can thrive and fulfil their potential	Make Devon a fairer place, address poverty and health inequalities and ensure support for those struggling	Help people to be healthier and more resilient, ensure everyone gets the care they need and support people to live well	Leading on helping Devon respond to the climate and ecological emergency; protect and improve natural environment	Help Devon achieve inclusive economic recovery and sustainable growth, ensure more people can take opportunities and invest carefully to improve infrastructure	Support our communities to be safer, better connected and more resilient with focus on communities at greatest risk or in greatest need	Improve decision making and governance; achieve financial sustainability and support staff to achieve best outcomes for people of Devon
Examples of performance indicators and outcomes	<ul style="list-style-type: none"> Educational attainment– GCSEs grade 4 and above School attendance Care leavers/children in care living in unsuitable accommodation Foster placements Looked after children in kinship placements Looked after children accommodated out of county Number of EHCPs/SEND plans Care Leaver Apprenticeships 	<ul style="list-style-type: none"> Risk of poverty and inequality Average pay Recorded hate crime Working age individuals without basic skills Children entitled to free school meals 	<ul style="list-style-type: none"> Healthy life expectancy Admissions to care homes Adults with learning disabilities in paid employment Health care/provision for children in care 	<ul style="list-style-type: none"> Carbon emissions Energy consumption Waste recycling and recovery Woodland cover 	<ul style="list-style-type: none"> Housebuilding unlocked Second Homes and Empty properties Inward investment & External funding Jobseekers allowance claimants Young people not in education training or employment Labour Market Skills Gaps 	<ul style="list-style-type: none"> Adult Safeguarding Rates Active travel – walking and cycling Bus passengers Traffic volumes Condition of the roads Length of time taken to repair potholes Road accidents. Domestic Abuse Incidents 	<ul style="list-style-type: none"> Budget management Corporate aged debt Pension fund investment Asset disposal and re-purposing Time taken to deal with complaints Data & information breaches Staff turnover and headcount Staff absence Staff development Diversity of members and staff

Appendix 2 to EES/23/3

Examples of other county area local authorities' performance management frameworks

Wiltshire Council's "Council Performance and Risk 2022/23 – Quarterly Monitoring

Wiltshire Council's Cabinet receives a quarterly report on performance against the ten missions in the Council's Business Plan 2022-32 and strategic risks.

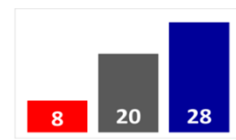
The most recent report, considered by the Wiltshire Council Cabinet on 14 November 2023 is available [here](#). It is worth noting that that report brings together an expanded list of performance indicators that make up the corporate performance framework, as well supplementary commentary to provide further context around the Council's activities in these areas and the risks faced by the Council. It is based on Wiltshire Council Performance Scorecard which charts progress on 58 indicators. Performance measures and targets on the Scorecard are owned and reported by the service to which they relate and reviewed and challenged at Performance Outcome Boards and Groups to inform recommendations and drive improvements. The most recent Wiltshire Council Performance Scorecard is available [here](#) and an extract is shown below:

Wiltshire Council Performance Scorecard - 2023/24 Quarter Two

Of the 58 indicators on this scorecard 48 (82%) were ranked as either positive or neutral in terms of improved performance.

Arrows show the direction of travel. Blue indicates a measure is at or better than target or within a target range, or is likely to be on target by the stated deadline. Grey indicates a measure is slightly outside the target but heading in the correct direction. Red is significantly worse than target.

All measures show a rolling annual average, unless stated, with most recent figures presented alongside those from the two most recent reports.



Gold shaded measures are main indicators Unshaded indicators support a main indicator Grey shaded indicators are selected from a basket of possible measures - the name of that basket appears above the measures

Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel and polarity	Trend	Comment
We Get the Best Start in Life								
Educational Gap: Phonics (The percentage point gap at Year 1 between pupils receiving the pupil premium and their non-disadvantaged peers - achieving phonics) Source: Nexus	Below national benchmark (16.6%) by August 2025	23%	21%	23% (Provisional)	Aug-23	annual - academic year	Lower is better	The unvalidated data that we have received indicates that the phonics gap has increased to 23% and is above the National Gap. This remains a priority area for improvement aligned with the disadvantaged strategy.
Educational Gap: KS4 (The percentage point gap between pupils receiving pupil premium and their non-disadvantaged peers - achieving 5+ in English and Maths at KS4) Source: Gov.uk Explore Education Statistics	Below national benchmark (27.0%) by August 2025	28.5%	31.7%	32.3%	Dec-22	annual - academic year	Lower is better	The target is to reduce the gap to be in line with national at 27% by August 2025. Performance for 2020/21 and 2021/22 is not comparable as assessments were completed differently during Covid.
Overall educational outcomes: KS4 (Educational attainment for ALL pupils - Percentage achieving grade 5+ in BOTH English & Maths ('Basics') at KS4) Source: Gov.uk Explore Education Statistics	Between 48% and 50%	50.8%	52.5%	48.6%	Mar-23	annual - academic year	Higher is better	69.8% of pupils achieved grade 4 or above in English and maths, compared to 69% nationally. The average Attainment 8 score for all pupils was 49.3 in Wiltshire, compared to 48.9 nationally. Performance for 2020/21 and 2021/22 is not comparable as assessments were completed differently during Covid.
Educational outcomes specific to SEND: KS4 (Educational attainment for SEND pupils with an EHCP - Percentage achieving grade 5+ in BOTH English & Maths ('Basics') at KS4) Source: Gov.uk Explore Education Statistics	between 8.5% and 10.5%	4.5%	6.6%	9.9%	Mar-23	annual - academic year	Higher is better	The national level for 2022 was 7%. Performance for 2020/21 and 2021/22 is not comparable as assessments were completed differently during Covid.

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Essex County Council’s “Annual Plan and Budget”

Essex County Council’s approach to performance recognises that there are different types of performance measures and that they need to be treated differently and used appropriately. Progress is monitored and reported on contextual and strategic measures. The table below is an extract from the performance chapter in Essex County Council’s [“Annual Plan and Budget 2023/24”](#)

STRATEGIC MEASURES: HEALTH WELLBEING & INDEPENDENCE FOR ALL AGES

Levelling Up health | Healthy lifestyles | Promoting independence | Place-based working | Carers

Strategic Performance Measures	Baseline	2021/22 (Outturn)	Targets (indicative in 23-24 and 24-25)		
			2022/23	2023/24	2024/25
Percentage / number of target population who took up an NHS Health Checks in the quarter	4,394 (Q1 2021/22)	23,813	46,000 (subject to covid)	46,000 (subject to covid)	46,000 (subject to covid)
% schools in Essex participating in the ‘Daily Mile’ initiative	62.4% (June 2021)	66.3%	75.0%	71.6%	74.4%
Number Receiving Weight Management Support (YTD)	-	5304	12,000	12,000	25,000
Percentage of residents who report being lonely	-	4.43%	4.0%	3.0%	2.5%
Non re-presentation to treatment within 6 months of successful completion - Opiates/Non-opiates /Alcohol	Opiates 80.5%, Non Opiate 96.6%, Alcohol 97.2% Q4	Opiates 88.6%, Non Opiate 95.0%, Alcohol 93.9%	Opiates 88.6%, Non Opiate 97%, Alcohol 97%	Opiates 88.6%, Non Opiate 98%, Alcohol 97%	Opiates 88.6%, Non Opiate 98%, Alcohol 97%
Percentage of physically active adults	67.6% (2019/20)	65.2%	68%	70%	72%
Percentage of older people (aged 65+) who received reablement/ rehabilitation services after hospital discharge	2.9%	3.4%	4.2%	4.2%	4.2%
Number of adult social care users in receipt of care technology	N/A	3,780	4195	5566	6444
Number of adults with LD known to social services in paid employment	323	451	451	456	537

Kent County Council's Quarterly Performance Reports to Cabinet

Kent County Council publishes a quarterly report about how its services are performing as part of its Cabinet papers. The report contains a number of key performance indicators, organised by main service areas. Against each of the indicators the reports provide:

- performance against target
- graphs showing performance trends
- a green, amber or red status which shows whether performance meets, is close to, or is worse than target
- a direction of travel which uses arrows to show whether there are improvements, no change or a fall or change in a service's performance over time.

The reports also includes activity indicators which present demand levels for services or other contextual information. An extract from the quarter 4 report for 2022/23 is shown below:

Growth, Economic Development & Communities – The No Use Empty programme, which returns long term empty domestic properties into active use, maintained above target performance. The amount of Developer Contributions secured as a percentage of amount sought was 81% for the Quarter, this is below floor standard and therefore RAG rated Red. The total number of issues from libraries continues to increase compared to the same Quarter the previous year.

<u>Growth, Economic Development & Communities KPIs</u>	RAG rating	DoT
Number of homes brought back to market through No Use Empty (NUE)	GREEN	⇒
Developer contributions secured as a percentage of amount sought	RED	⇒

Environment & Transport – For Quarter 4, two of the Highways KPIs are RAG rated Red and two Amber, with high demand impacting on achievement of targets. The percentage of potholes repaired within 28 days dropped below floor standard, and Emergency Incidents attended within 2 hours, remained below floor standard. Routine highway repairs completed within 28 days and the Callback satisfaction survey, remain Amber rated. Municipal Waste recycled or converted to energy, continues to be above target, and reduction in Greenhouse Gas emissions also remains ahead of target.

<u>Environment & Transport KPIs</u>	RAG rating	DoT
% of routine pothole repairs completed within 28 days	RED	⇒
% of routine highway repairs reported by residents completed within 28 days	AMBER	⇒
% of emergency highway incidents attended within 2 hours of notification	RED	↓
% of satisfied callers for Kent Highways & Transportation, 100 call back survey	AMBER	↓
% of municipal waste recycled or converted to energy and not taken to landfill – rolling 12 months	GREEN	⇒
Greenhouse Gas emissions from KCC estate (excluding schools) in tonnes – rolling 12 months	GREEN	⇒

APPEALS COMMITTEE

4 December 2023

Present:-

Councillors C Slade (Chair), P Henderson, P Sanders and C Whitton

Apologies:-

Councillors J Hawkins

* 95

Minutes

RESOLVED that the minutes of the meeting held on 6 November 2023 be signed as a correct record.

* 96

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 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs 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.

* 97

Budget Monitoring

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Director of Climate Change, Environment and Transport on the financial impact of the Committee's decisions for the current financial year.

* 98

Deferred Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public are excluded)

There were no appeals determined under urgency procedures, as there had been no Members' route safety walks arising from the last meeting.

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APPEALS COMMITTEE

4/12/23

* 99 School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Director of Children and Young People's Futures on appeals and written and verbal submissions from appellants who attended as follows:-

ST252	Sidmouth - Newton Poppleford Primary	Appellant and Local County Councillor
ST253	Fremington - Barnstaple, Pilton CC	-
ST254	South Milton - Kingsbridge CC	-
ST251	Whitestone – Crediton, QEAT	Appellant

RESOLVED:-

(a) that the following appeals be refused:-

ST252	Sidmouth - Newton Poppleford Primary
ST253	Fremington - Barnstaple, Pilton CC
ST254	South Milton - Kingsbridge CC

(b) that the following appeal be deferred for members' route inspection:-

ST251	Whitestone – Crediton, QEAT.
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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 10.45 am and finished at 2.20 pm

DEVELOPMENT MANAGEMENT COMMITTEE

6 December 2023

Present:-

Councillors J Brook (Chair), I Hall (Vice-Chair), I Chubb, A Connett, D Cox, J Hodgson, P Sanders and J Yabsley

Apologies:-

Councillors S Aves, G Gribble, L Hellyer, C Slade, J Wilton-Love and M Asvachin

Members attending in accordance with Standing Orders 8 and 25

Councillor P Henderson, in attendance, virtually

48 Minutes

RESOLVED that the Minutes of the meeting held on 6 September 2023 be signed as a correct record.

49 Items Requiring Urgent Attention

No item was raised as a matter of urgency.

50 County Matter: Minerals: South Hams District: Variation of Condition 19 of planning permission 9/42/49/0542/85/3 (DCC/3823/2015) (dated 16 February 2017) to remove weekly and annual tonnage caps on the export of secondary aggregates and to amend the condition to introduce restrictions on hours of export and prohibit exports at the weekend and on bank holidays, Hemerdon Mine, Plympton

(Neil Gawthorpe (Tungsten West) for the applicant, attended under the Public Participation Scheme and spoke in support of the application; and Councillors Lauren Mclay and Ian Poyser, representing Plympton Chaddlewood Ward at Plymouth City Council (both attending remotely) attended under the Scheme and spoke in objection to the application)

The Committee considered the Report of the Chief Planner (CET/23/104) on a planning application to vary the wording of Condition 19 of the existing planning permission for the Hemerdon tungsten and tin mine, Plympton. The proposal was to remove the tonnage caps which restrict the export numbers of waste or secondary aggregates and to introduce restrictions on hours and

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2

DEVELOPMENT MANAGEMENT COMMITTEE

6/12/23

days of operation as lorry movements at the site are currently permitted at any time of the day or week.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

Member discussions and questions to the Officers (which included points arising from the issues raised by the Speakers) related to: the volume of HGV movements, disadvantages of having a tonnage cap, introduction of operational hours, proposed package for road improvements including safety measures, the potential impact on local residents, and pre-application discussions that had taken place with Plymouth City Council.

The matter having been debated and having regard to the main material planning policies and requirements, it was

MOVED by Councillor J Brook, and **SECONDED** by Councillor P Sanders and

RESOLVED that planning permission be granted subject to the applicant entering into a S106 obligation for the provision of offsite highway improvements and to bind the new planning permission to any obligations within the existing S106 agreements, together with the imposition of additional planning conditions relating to traffic control, Condition 19 of planning permission 9/42/49/0542/85/3 be varied as set out in Appendix 1 to this report (with any subsequent minor material changes being agreed in consultation with the Chair and Local Member).

(N.B. In accordance with Standing Order 32(4) Councillors A Connett, D Cox and J Hodgson requested that their votes against be recorded)

51 **County Matter: Minerals - North Devon District: Article 4 Direction to remove permitted development rights for mineral working for agricultural purposes**
Location: Codden Hill, Bishop's Tawton, Barnstaple

(Mr Sarney and Mr Brock attended under the Public Participation Scheme and spoke in support of the application.
(Councillor P Henderson attended (remotely) in accordance with Standing Order 25 and spoke in support of the application).

The Committee considered the report of the Chief Planner (CET/23/105) seeking the Committee's approval to confirm the non-immediate Article 4 Direction as originally made on 13 January 2023, covering the area shown edged red in Appendix 1 of the report, to remove permitted development rights for mineral working for agricultural purposes at Codden Hill, Bishop's Tawton.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

Member discussions and questions to the Officers (which included points arising from the issues raised by the Speakers) related to: impact of noise and nuisance on local residents, the effect of Article 4 direction not to prohibit development but to enable the planning authority to have control over the proposed development; explanation for the proposed date of 14 January 2024 for this to be effected - 12 months' notice was required; discussions with quarry owners; and clarification about an active appeal)

The matter having been debated and having regard to the main material planning policies and requirements, it was

MOVED by Councillor P Sanders, and **SECONDED** by Councillor J Hodgson and **RESOLVED** that:

- a) the non-immediate Article 4 Direction made on 13 January 2023 is confirmed with effect from 14 January 2024; and
- b) in the event of any intervention by the Secretary of State for Levelling Up, Housing and Communities requiring amendment of the Article 4 Direction, such amendment be delegated to the Chief Planner in consultation with the Chair and Local Member.

52 **Delegated Schedule**

The Committee received and noted the report of the Chief Planner (CET/23/106) on action taken under delegated powers.

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 2.15 pm and finished at 3.13 pm

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

15 January 2024

Present:-

Councillors J Hart (Chair), J McInnes (Vice-Chair), C Whitton, C Leaver and A Saywell.

* **83** **Minutes**

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

RESOLVED that the minutes of the meeting held on 6 November 2023 be signed as a correct record.

* **84** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

85 **Pay Policy Statement 2024/2025**

The Committee considered the Joint Report of the Director of Legal and Democratic Services and Director of People and Culture which outlined the proposed Pay Policy Statement for 2024/2025.

The Pay Policy Statement, required under the Localism Act 2011, was a statutory requirement and needed to be reviewed annually.

The Pay Policy Statement (2024/25) had been reformatted and revised to incorporate the LGA Model Pay Policy Template which ensured the Council was meeting the statutory requirements of openness and accountability in accordance with the Localism Act 2011 (section 38). In addition, a review of benchmarking of other Local Authorities' Pay Policy Statements had taken place and the Council's revised Pay Policy Statement was comparable.

The Statement currently specified that salaries for Chief Officers (Directors) and Heads of Service on Leadership Grades were fixed for the duration of the Policy and any variation required approval from the County Council, except in the case of annual pay awards, determined by national agreement.

The Pay Policy Statement took account of the implications of the National Living Wage on the pay and grading structure, recruitment and retention difficulties and the changing nature of work and roles within the Council.

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2

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE
15/01/24

The Committee noted that a Pay and Allowances Review continued to be conducted and a new staff Benefits Platform had been launched in 2023 to support the health and wellbeing, welfare and performance of employees.

Appendix 2 in the Pay Policy Statement set out the current Senior Officer salary levels and Director /Heads of Service roles and salary levels based on 2023/24 pay rates.

It was **MOVED** by Councillor Saywell, **SECONDED** by Councillor Leaver, and

RESOLVED that the revised Pay Policy Statement (Appendix 1 of the Report) for 2024/25 be endorsed and commended to the Council.

* 86

Annual Statement - Settlement Agreement Data

The Committee received the Report of the Director of People and Culture, which gave an annual statement on settlement agreements across the Council. This was the second Report of its kind, following the commitment of the Leader to reporting annually on settlement agreements.

The data had been broken down into three 3 categories of corporate agreements, schools and also where agreements had been reached between the Council and ACAS (known as COT3 settlements).

The Deputy Director of People and Culture presented the Report and added the actual numbers of settlement cases across the three categories.

In discussion, it was asked if the Council was in line with other Local Authorities. It was further clarified that numbers had reduced since the last Report and were not at a level which gave any cause for concern.

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

RESOLVED that the Report be noted.

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 2.15 pm and finished at 2.26 pm

PROCEDURES COMMITTEE

1 February 2024

Present:-

Councillors J Hart, S Hughes, C Leaver, C Whitton, P Prowse (Chair) and F Letch MBE

Councillor Hodgson (virtual attendance)

Apologies:-

Councillors Y Atkinson

* 48

Minutes

RESOLVED that the minutes of the meeting held on 23 November 2023 be signed as a correct record.

* 49

Items requiring urgent attention

There was no item raised as a matter of urgency, but the Chair welcomed Ray Hodgins, Co-opted Member of the Councils Standards Committee who was attending to observe and monitor compliance with the Council's ethical framework.

* 50

Report of the Independent Members Allowances Remuneration Panel for 2024/2025

The Committee considered the Report of the Independent Members' Allowances Remuneration Panel for 2024/25.

The Chair of the Panel presented their Report, highlighting specifically that the conclusions and recommendations made had been based on sound evidence and that they had given consideration to the issues asked of them as well as the national position with the cost of living, the impact on communities as well as the operations and finances of the Council. She further thanked her Panel colleagues, Councillor's and Officers for their support and contributions during the review.

Members welcomed the Panel's acknowledgment in the Report that while historically there had been little scope for improvement, the structure of the County Council's scheme remained fit for purpose with sound principles and noted that, in commending its Report to the Council, the Panel had not suggested any significant changes to the structure of the Council's scheme.

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2

PROCEDURES COMMITTEE

1/02/24

The Panel had recommended that the basic allowance rise to £15,082, in line with their previously agreed formula. The Special Responsibility Allowance (SRA) multipliers would be readjusted accordingly. In the previous years, the staff pay award had been used as a benchmark but given this had been a lump sum payment of £1,925 for both 2022/2023 and for 2023/2024, it was felt this was not appropriate. They further recommended, based on the benchmarking and evidence obtained, that the Audit Committee Chair SRA be increased from a multiple of 0.25 to 0.50. No further changes were recommended to the SRA structure.

The recommended allowances (with effect from 2024) were set out in Appendix 1 of the Report.

The Panel further expressed views that information in Elections literature should be made clearer, especially with regard to the payment of allowances, the public sector discount and the status of access to the LGPS, with these matters being brought to the attention of prospective candidates.

The Committee placed on record its thanks to the Panel for their hard work and very comprehensive Report.

Members commented as follows:

- the gender, age, and diversity profile of the Council was not truly reflective of local communities and the reasons for this; and
- the impact of the cost of living on people choosing to stand for election, the difficulties of recruitment to the role as well as the current high workload of elected Members.

It was **MOVED** by Councillor Prowse, **SECONDED** by Councillor Whitton, and

RESOLVED

(a) that the Report of the Independent Panel be welcomed and its Members be thanked for their work;

(b) that the Committee notes the Report's conclusions and asks the County Council to accept the recommendations outlined below.

- i. The basic structure of the current scheme is endorsed and retained.
- ii. The Panel feels it important not to depart from its established formula of calculating the basic allowance and therefore the basic allowance increases to £15,082 to take effect from May 2024 and the multipliers be recalculated accordingly. This is based on the Panel's standard formula and other benchmarking, as outlined at paragraphs 6.6 and 6.8.
- iii. Careful consideration should be given, in the future, to the levels of allowances to ensure they keep pace with the economy generally.

- iv. That based on the benchmarking and the evidence obtained, the Audit Committee Chair SRA be increased to a multiplier of 0.5 from its current rate of 0.25;
- v. The overnight rate for London be increased to £180.00, in line with the methodology and reasoning outlined in paragraphs 6.12 and 6.13 and that a more suitable benchmark will be researched.
- vi. The sustained reduction in the number of SRA's be welcomed and that the levels be kept below the 50% threshold, as is currently the case;
- vii. That the information in Elections literature should be made clearer, especially with regard to the payment of allowances, the public sector discount and the status of access to the LGPS. These are matters that Group Leaders may wish to ensure are brought to the attention of prospective candidates;
- viii. That the work being undertaken to support the LGA's debate not hate campaign be supported and welcomed;
- ix. That the Panel reiterate their desire that Group Leaders continue to take a robust approach to the performance management of their Members' and places on record their thanks for the levels of reassurance provided by Group Leaders for dealing with performance issues; and
- x. The Panel place on record their appreciation to Councillors for their continued Leadership and tireless working in their communities, especially given concerns raised throughout the Report, in terms of workload and added pressures of increased abuse and intimidation.

* 51

Disclosure and Barring Service (DBS) - Bailey Report

The Committee considered the Report of the Director of Legal and Democratic Services (LDS/24/1) which outlined proposals for extending DBS checks to all Cabinet members in line with the recommendation of the Bailey report.

The Report outlined the background to how the Council first commenced conducting DBS checks, with the Audit Committee on 27 July 2018 (Minute *33), considering the matter. The Procedures Committee then reviewed the matter on 10th September 2018 (Minute *44) and, RESOLVED that the Council adopt a policy of conducting a Basic DBS check for all Members of the Council, notwithstanding a Councillor might undertake certain roles which, in line with the legislation, required them to undergo an enhanced DBS check in relation to their contact with vulnerable adults or children or both or, as a member of a Committee which discharges a relevant function.

Agenda Item 12.(e)

4

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The Home Office had commissioned Simon Bailey (former Chief Constable of Norfolk Constabulary, and National Police Chiefs' Council lead for child protection and abuse investigation) to carry out a review of the effectiveness of the regime in safeguarding children and vulnerable adults. This concluded that the disclosure and barring regime was delivering its mission of helping employers / organisations to make safer employment decisions, but he identified several areas where the regime could be strengthened.

He further reported there was no uniformity of practice among Councils in relation to obtaining criminal record checks for safeguarding purposes.

The Report (on this issue) concluded it was not necessary that enhanced checks applied to all Councillors, but rather to those who were being considered for appointment to any Committee involved in decisions on the provisions of children's services or services for vulnerable adults (recommendation 5). In Devon, this would apply to the Councils Cabinet.

The Committee noted that the position of Councillor was not named in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Therefore, there was no eligibility for a DBS certificate at a Standard or Enhanced level, solely on the basis of being a Councillor. They must be carrying out further activities as prescribed in legislation. A Councillor was only eligible for an enhanced DBS certificate without DBS barred list checks if they met the specific legislative criteria from the Safeguarding Vulnerable Groups Act 2006 set out below in the Report.

Furthermore, the Committee noted that on the 18th January 2024, a letter had been received from Simon Hoare MP, Minister for Local Government, outlining that the Government was supportive of this recommendation in the Bailey Report and urged its adoption within Local Authorities.

In summary, the proposed recommendation ensured that the Council's DBS procedures were brought in line with the recommendations of the Bailey Report, thereby strengthening current processes and the Committee were supportive of the proposals.

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

RESOLVED

(a) that the Report and Recommendations of the independent review carried out by Simon Bailey CBE, QPM which contains a recommendation of enhanced DBS checks for all Councillors in Unitary and Single Tier Authorities who are being considered for appointment to any Committee involved in decisions on the provisions of children's services or services for vulnerable adults, be noted;

(b) that the recommendation of this Report requires legislation and therefore would delay any implementation; and

(c) that Council be recommended to update its DBS Policy to reflect this good practice recommendation for enhanced criminal record checks being mandatory for the Cabinet, given their role in making decisions on the provision of children's services or services for vulnerable adults.

* 52 **Delegated Member Decisions - Revised Guidance and Operating Procedures**

The Committee considered the Report of the Director of Legal and Democratic Services (LDS/24/5), which outlined revised operating processes for Member Delegated Decisions.

The Governance Working Group (Membership – Councillors Saywell (Chair), Biederman, Letch, Maskell, Samuel, Scott and Whitton) had reviewed and benchmarked the criteria for Member Delegated Decisions, taking into account best practice, benchmarking data and a thorough consideration of the current guidance in the Constitution. The aim of the work had been to establish clear roles and responsibilities for Elected Members and ensure that the Cabinet and individual Members were aware of their powers and the information required to make informed decisions.

Prior to the work commencing, it was felt the definition needed to be further defined and a clear framework.

The current process for Member Delegated Decisions was outlined in section 3c of the Constitution and the proposed changes to paragraphs 11 of section 3c were outlined below, with new text shown in red and removed text annotated with a strikethrough (wording in purple reflected that agreed at the meeting).

11.0 Delegation to Cabinet Members

11.1 Under the Local Government Act 2000, the Cabinet may delegate any of its functions to an individual Member of the Cabinet and the individual Member shall make decisions only in accordance with the guidance below.

11.2 A Cabinet Member may take any decision other than a key decision which is both within his/~~her~~ ~~their~~ remit (as set out in Paragraph 8.0 above) and within the policy and budget framework in Part 4 of the Constitution. An individual Member exercising their decision-making power shall not make any decision which the Cabinet would not be able to make either under legislation or under the Council's Constitution. No decision should be made, or which is not within budget, or a decision on a function which is reserved to the Council.

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- 11.3** Two or more Cabinet Members may jointly agree to make a decision which is within their collective remits.
- 11.4** If a Cabinet Member has a Disclosable Personal Interest ~~as set out at Standing Order 34 and in the Members' Code of Conduct at Part 6 of this Constitution~~ in any matter which is the subject of a proposed decision or is absent or otherwise unavailable to act the Leader or the Deputy Leader **in the absence of the Leader** may exercise all the powers delegated to that Member in paragraph 11.1.
- 11.4.1** If a Cabinet Member has a conflict of interest (within the meaning described in the Cabinet Procedure Rules) in any matter which is the subject of a proposed decision by them then they may seek a dispensation from the Council's Monitoring Officer to remove that disability or the Leader or the Deputy Leader may exercise the powers delegated to that Member ~~in paragraph 11.2 for the purposes of that matter.~~
- 11.5** Before taking any decision under this delegation **the officer dealing with the decision shall send the Report to the relevant Cabinet Member, the Chief Executive, the Monitoring Officer and Section 151 Officer and** ~~shall so far as is reasonably practicable consult any Member whose division is particularly affected by that decision. They shall also and shall arrange for a copy of any the further report which they intend to take into account in coming to a decision to be made available to the Chair of the relevant Scrutiny Committee -or to the local County Councillor if it relates to a local issue as described on paragraph 11.6 below.~~
- 11.6** **Any of the above persons may make written comments to the Member who is due to make the decision before the five days has expired, copied to the Officer who wrote the report.**
- 11.7** **The above procedure shall not apply where the decision being taken is urgent, i.e., where any delay would seriously prejudice the Council's or the public interest. The Chair of the relevant Scrutiny Committee or the Head of the Paid Service must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. The record of the decision shall state the reasons(s) for urgency.**
- 11.8** **The Report template must set out:**
- 11.8.1** **the decision to be taken.**
- 11.8.2** **any publicity or consultation requirements (either before or after the decision is made) in respect of the decision, either under legislation or under Council policy or any**

- which is considered appropriate and the outcome of those consultations.
 - 11.8.3** the facts upon which any decision must be based.
 - 11.8.4** any legislative requirements, including: the Public Sector Equality duty.
 - 11.8.5** staffing and financial implications.
 - 11.8.6** any implications for any other areas of the Council's activities.
 - 11.8.7** any relevant national or regional guidance.
 - 11.8.8** any Council policy relating to the issue, including sustainability issues.
 - 11.8.9** the Cabinet Portfolio within which the issue falls and details of any interest or conflict of interest and / or any dispensation.
 - 11.8.10** any ~~wards~~ Divisions which are particularly affected by the issue and confirmation the ~~ward~~ Local Member has been informed of proposal.
 - 11.8.11** the options and alternatives that are available; and
 - 11.8.12** any professional recommendation that the Officer wishes to make.

- 11.9** In relation to contracts,
 - 11.9.1** the individual Member must ensure that the Council's Contract Procedure Rules and Financial Regulations have been complied with. They must not make a decision in respect of the selection of contractors, acceptance of tenders or otherwise entering into a contract unless they have written notification from the Director of Legal and Democratic Services/Monitoring Officer and the 151 officer that the above Procedure Rules have been complied with.
 - 11.9.2** The individual Member must not sign any contract or in any way bind the Council ~~or themselves him, or herself~~. The contract documentation must be prepared by or approved by the Director of Legal and Democratic Services/Monitoring Officer and signed or sealed in accordance with the Council's procedures.

- 11.10** ~~The report outlining summarising any such the~~ decision (to include options and reasons for taking the decision), ~~and signed by the Cabinet Member(s) indicating also details of any personal interest or conflict of interest referred to above and any dispensation granted to that Cabinet Member shall be sent, together with a record of any report or~~ any other information which was taken into account by the decision-maker(s), to the Director of Legal and Democratic Services immediately ~~who will arrange for its publication.~~

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- 11.11** The decision will then be notified to all Members of the Council within 2 working days of it having been made. If the decision relates to a local issue a member whose division is particularly affected may within 5 working days of such notification being given, ask that the decision be referred to the full Cabinet for consideration. If the decision is of general application to the whole County any Member may ask the Leader of ~~his/her~~ **their** political group to require the decision to be referred to the full Cabinet for consideration. Where a decision relates to matter that would, had it been taken by the Cabinet, been considered as a Part II item in the absence of the press and public Members will be notified of the decision and reminded that any documentation contains exempt information which should not be disclosed to the press and public.
- 11.12** Until the Cabinet has considered a decision which is the subject of a requisition under Paragraph **11.11** it shall not be implemented.
- 11.13** **No decision shall take effect until it has been confirmed by the Monitoring Officer. The Monitoring Officer shall ensure that an Officer is designated as responsible for keeping up to date the full record of decisions by individual Members.**
- 11.14** All forms sent to the Director of Legal and Democratic Services in accordance with Paragraphs 11 shall be ~~kept in a Register which shall be tabled at all meetings of the Cabinet and be~~ available for public inspection, **published on the website (unless part 2) and be an agenda item on meetings of the Cabinet.**
- 11.15 Principles of Delegation** - In respect of matters delegated from Cabinet to individual Cabinet Members, the focus will be on policy issues within the policy and expenditure frameworks agreed by Cabinet and Council.
- Policy matters, internal to the service and required to provide guidance to officers to ensure significant policy decisions are implemented.
 - Details of policy matters delegated by Cabinet once principles have been agreed.
 - Expenditure items not specifically detailed within Service Plans but not sufficiently significant in scale to refer to Cabinet.
 - Budget virement items within a service where only one Cabinet Member is involved.
 - Responses to consultation documents not referred to Cabinet.

- In their absence, at the Leader's request, or where a prejudicial interest has been declared, to take decisions on any matter delegated to another Cabinet Member.
- It is the Cabinet Members responsibility to consult any other Member or Members of the Cabinet where the decision to be taken is of a cross-cutting nature.
- Any Member of the Cabinet may refer a matter delegated to them to the Cabinet for a collective decision.
- A record will be kept of all individual Cabinet Member decisions, which will be published and circulated to all Members to enable scrutiny of the same.

11.16 Matters for Cabinet Members - Cabinet Members are authorised to make decisions required in the area of their individual Cabinet Portfolio. This does not include a key decision, as defined in the Constitution.

- Cabinet Members may take policy, budget and expenditure decisions in accordance with the principles set out above.
- Cabinet Members may take decisions on tenders and contracts in accordance with the provisions within the Council's Constitution relating to contracts.
- Cabinet Members may take decisions on virement, audit, debt, write-off and placing of orders, in accordance with Financial Regulations.
- Cabinet Members may deal with petitions in accordance with the Council's Petitions Scheme.
- Cabinet Members may deal with asset management such as agreeing minor lease extensions.

Members made a couple of minor suggestions to terminology, reflected in purple, above.

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

RESOLVED that the proposed changes to amend Part 3c of the Constitution, section 11 as outlined above, with new text shown in red and purple and removed text with a strikethrough, be recommended to the Council.

* 53

Member Questions at Council Meetings - Review of the Governance Working Group and Proposed Changes.

The Committee considered the Report of the Director of Legal and Democratic Services, (LDS/24/7) which proposed updates to section 17 of Standing Orders of the Constitution, relating to Member Questions at Council.

The Committee noted that the Governance Working Group (Membership – Councillors Saywell (Chair), Biederman, Letch, Maskell, Samuel, Scott and Whitton) had reviewed the process and benchmarked how other Authorities

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dealt with Member Questions at Council meetings. This did not include questions submitted by Members to meetings of the Cabinet and this process was unchanged at the current time.

The aim was to ensure Council meetings were focussed and business driven – with more time spent on debate for decisions, therefore making the process for Member questions clearer, easier to understand and strike the right balance between getting answers for residents and enabling active participation.

The group had taken into account best practice and considered the Constitution and determined that Devon's current processes were not too far out of kilter when compared to others.

Fifteen other local authorities had been examined, which highlighted quite a variance in processes. Eight authorities had restrictions on the numbers of written questions and the majority restricted the number of questions per Member. Eleven Councils had a time limit on the total amount of time allowed which ranged from twenty minutes to one hour.

The Governance Working Group considered a large number of proposals which had included not changing the system at all, introducing limits per Member or time limits on supplementary questions, a maximum number of questions per meeting, a rota system for taking questions, tightening the scope for submitted questions, being more robust on sub questions within questions as well as increasing the time for questions and how questions were treated at the budget meeting.

Member had rejected suggestions to introduce a limit of total number of questions per meeting and imposing a time limit on supplementary questions.

A copy of the current process for Member Questions was outlined in section 2 of the Report.

The Working Group proposed that section 17 of Standing Orders of the Constitution (outlined in section 5 of the Report) and shown below, annotated by new text in red and a strikethrough for removed words. Suggestions agreed at the meeting were shown in purple text below.

17.Written Questions: Council Meetings

1) A Member of the Council may ask the Leader, appropriate Cabinet Member or Chair of any other Committee a question about any matter or subject on which the Council has powers or duties or which affects the County as a whole. **They should relate to strategic, policy or operational matters rather than local issues. Questions relating to local issues will be accepted, subject to the Member demonstrating they have exhausted all other options in terms of obtaining a response on a**

matter of concern. A single Member may not submit more than three questions per meeting.

- 2) If the meeting is a special meeting, questions must relate to the matter to be discussed at that special meeting. Similarly, questions at the budget meeting must relate to the annual estimates for the year in question.
- 3) A question must be delivered to the **Democratic Services Secretariat** ~~Chief Executive's office~~, in writing or by email, by the Member asking it, by 12.00 noon on the fourth working day before the meeting at which it is to be asked. **Questions should be succinct (a maximum of 100 words) and should not contain a number of sub-elements or sub questions.**
- 4) Questions will be printed in the order they were received. **If a Member submits more than one question, the first question will be prioritised and subsequent questions will be placed at the end of the schedule.** ~~They~~ **Questions and answers** will be ~~and~~ circulated to Members before the Council meeting ~~starts~~ **commences** together with the answers to those questions (unless an oral answer is to be given). Copies will also be sent to Members who are not able to attend the meeting.
- 5) There will be no discussion about any question, ~~so dealt with~~ except that the Member who has submitted a question is entitled to ask one supplementary question arising from that question and answer and to receive a further answer. **The response will normally be given by the Cabinet Member or Chair of the relevant Committee; however, Directors will support with factual responses where necessary. There is no time limit on asking a supplementary question, but the Chair will exercise discretion if Members make statements rather than asking their supplementary question.** ~~Provided that~~ If a Member considers that the answer does not fully address the question, they may ~~also~~ ask for a full and written answer to be provided to all Members of the Council.
- 6) If any reply indicates that the subject matter of the question is to be considered by the Cabinet or a Committee, the Member who asked the question will be told ~~by the Chief Cabinet~~ of the date and time that the Cabinet or Committee will consider the question. The member will be regarded as having given notice to place that item on the agenda under standing order 23(2).
- 7) 'Question Time' shall not exceed ~~thirty~~ **forty-five** minutes. If however an oral answer has been given within the time limit, the member who asked the question has the right to ask a supplementary question and to receive an answer. If a question to which an oral answer was to have been given has not been reached within the time limit, a written

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answer will be sent by the Chief Executive to all members of the Council as soon as is practicable.

8) The Chair of the Council may rule questions or supplementary questions 'out of order' if in his/her **their** view they are irrelevant, frivolous or derogatory to the dignity of the Council.

9) In order to permit Members to be able to raise questions on matters of urgency that cannot reasonably be dealt with in line with the procedure and deadlines for Councillor questions at Council, they are permitted to ask that the Leader makes a statement under '**Announcement and Reports from the Leader and Cabinet Members at Council Meetings**'. This must be done in consultation with the Monitoring Officer and that Member is able to ask a short, succinct question in response.

Members commented and asked questions as follows:

- That responses from Cabinet Members should address fully the matters raised by the question;
- That Directors should only intervene when matter of accuracy is raised, to give factual support;
- The process to ensure that only budget questions be asked at the budget meeting be light touch; and
- Ensuring Members still have the opportunity to make comments.

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

RESOLVED that the proposed amendments to section 17 of Standing Orders of the Constitution, as in section 5 of the Report and outlined above with additional text in red (and purple for amendments agreed at the meeting) and a strike through for deleted words, be recommended to the Council.

* 54 Cabinet Member Reports at Council Meetings - Review of the Governance Working Group and Proposed Changes.

The Committee considered the Report of the Director of Legal and Democratic Services (LDS/24/6), which proposed changes to the Cabinet Member Reports process at Council Meetings, following a review by the Governance Working Group (Membership – Councillors Saywell (Chair), Biederman, Letch, Maskell, Samuel, Scott and Whitton).

The aim of the work strand was to ensure Council meetings were focussed and business driven – and to move back to the original intention of Cabinet Member Reports which was to report on any decisions taken by the Cabinet and any other areas of interest or service-related developments.

Analysis was conducted over a period of several weeks and a total of 15 other authorities' processes were analysed. It was established there was a mixed picture with a small number having standing Cabinet Member Report items with written reports covering activities in the relevant service areas. Others had announcements from either the Leader and or Cabinet Members. It was clear other processes were driven by the Cabinet Members updating the Council, rather than Cabinet Members responding to queries from other Members of the Council.

The Committee noted that the working group had held a number of discussions and considered several different options for dealing with Cabinet Member Reports.

Members favoured a rota system, wanted to ensure that the Budget meeting was not overloaded with items that didn't require a decision and also wished to ensure Members would be given the opportunity to ask questions on matters in Cabinet Member Reports.

Members also felt they did not wish to place any time limit on the total amount of time for such reports but felt time limits for presenting Reports and Member speeches be reduced slightly.

It was further recognised the meeting should allow for up-to-date verbal announcements from the Leader and / Cabinet Members on matters of importance and for Members to be able to respond to any verbal announcement made.

The Governance Working Group was clear that the purpose of the Cabinet Member Reports, which would be published with the agenda, should contain both positive and negative issues and be an open and honest account of the situation in service areas and in that vein, a new template for Cabinet Member Reports was recommended.

It was proposed that the Cabinet Procedure Rules at section 4c of the Constitution (paragraph 16), be amended as follows, with amendments shown in red and a strikethrough of removed words. Amendments agreed at the meeting were reflected in purple text below.

16.0 ANNOUNCEMENTS AND REPORTS FROM THE LEADER AND CABINET MEMBERS AT COUNCIL MEETINGS

16.1 A regular item shall be placed on the agenda of all meetings of the County Council (Standing Order 5(1)(m) refers) **to receive any important updates or announcements from the Leader and/or Cabinet Members that cannot reasonably wait. Members may ask a brief question directly related to any verbal announcement made. A Member is also able to ask a brief succinct question on any urgent item of**

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business agreed in advance, in line with the process outlined in Standing Order 17 (9)

16.2 A further agenda item will be titled Cabinet Member Reports. Cabinet Member Reports, save in exceptional circumstances, will be in writing and published with the agenda, in advance of the meeting. The Report from the Cabinet Member will focus on:

- any other areas of interest or service related developments relating to his/her **their** remit that may have occurred since the previous meeting or are **were** likely to impact on the service in the coming months; and
- any decisions taken by the Cabinet (i.e. key decisions) or by them under delegated powers (i.e. routine matters).
- ~~any other issue or matter specifically requested by a Member (by no later than 12 noon 4 working days before the meeting), which cannot adequately be covered by the opportunity that already exists under Standing Orders for Members to submit a Notice of Motion or written questions to Cabinet Members or Chairs of Committees relating, particularly, to factual and local issues.~~

The Report must follow the prescribed template ([insert link](#)).

16.23 A maximum of three Cabinet Member Reports shall be brought to each Council meeting (except for the budget meeting) which will be on a rota basis. For the Budget meeting a maximum of one Cabinet Member Report will be brought to that meeting. Any variation to this pattern needs to be agreed by the Chair, Leader and Group Leaders.

16.34 The Cabinet Member shall first ~~present his/her~~ give **their** Report and presentation thereof. ~~and make any statement(s) in response to any issue or matter specifically requested by a Member.~~ Councillors may then, without notice, comment upon or ask a question of the Cabinet Member on any matter referred to in his/her **their** Report or relating to his remit. ~~As indicated above, this facility is not intended to replace the opportunity that already exists under Standing Orders for members to submit written questions to Cabinet Members or Chairs of Committees, relating, particularly, to factual and local issues.~~ The Cabinet Member will then respond to the points raised, either taking all questions at once or three at a time before the conclusion of the item. **Directors will factually support the Cabinet Members response, as necessary.**

16.45 The Cabinet Member will, when presenting his/her **their** Report, speak for a maximum of 7 10 minutes, with all other speeches being confined to a maximum of 5 3 minutes. In replying to questions from Members the Cabinet Member shall speak, at the discretion of the Chair.

Members commented whether a 10-minute time limit was too much for the Cabinet Member to be speaking (although it was noted this was a maximum).

The Committee also noted that the revised template would be shared with the Governance Working Group to ensure it captured the sorts of issues Members would wish to see covered in a Report to the Council from the Cabinet Member.

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

RESOLVED that

(a) the proposed amendments to the Cabinet Procedure Rules at section 4c of the Constitution (paragraph 16), as outlined in section 5 of the Report and above with new text in red (and purple for that agreed at the meeting) and a strikethrough for removed words be recommended to Council;

(b) that delegated authority be given to the Director of Legal and Democratic Services, in consultation with the Governance working group, to create a revised template for Cabinet Member Reports; and

(c) Standing Order 5 (m) be recommended for amendment to cross reference the new Cabinet Member Report process and template requirement.

* **55** **Health Scrutiny - New Arrangements**

The Committee considered the Report of the Director of Legal and Democratic Services (LDS/24/9) which outlined the changes to Health Scrutiny and reconfiguration arrangements, with the necessary amendments to the Constitution proposed to be compliant with the new regulations.

The Report highlighted that as a result of the Health and Care Act 2022, the Department for Health and Social Care had introduced new regulations in respect of Health Scrutiny's role in the reconfiguration of local health services, which took effect from 31st January 2024. The changes meant that from the 31st January 2024, the Health and Adult Care Scrutiny Committee would no longer be able to formally refer matters that related to reconfigurations to the Secretary of State. Instead the Secretary of State would have broad powers to intervene through the power of call in.

The Council's constitution currently reflected the Health and Adult Scrutiny power of referral and needed amendment to reflect the legislative changes.

Work was still required on the guidance, and as appropriate, training, as the new rules were operationalised.

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It was proposed the following changes were made with amendments shown in red:

- a. Part 2, Article 7 (7.1) (page 16),
 - i. To make reports and recommendations as appropriate to the County Council **and may request to the Secretary of State that a proposal be called in**, ~~and to the Secretary of State for Health~~, in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) **(Amendment and Saving Provision)** Regulations 2013 **2024**.

- b. Part 3b, 9.4(4) (page 45).
 - i. To make reports and recommendations as appropriate to the County Council **and may request to the Secretary of State that a proposal be called in**, ~~and to the Secretary of State for Health~~, in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) **(Amendment and Saving Provision)** Regulations 2013 **2024**.

- c. Part 4d Scrutiny Procedures Rules, (10.4) (page 133)
 - i. Scrutiny Committee undertaking the Council's functions in relation to the scrutiny of the health service and, in particular, where being formally consulted by the NHS or Health Providers will ensure that all relevant partners in the locality affected, including local authority partners, will have the opportunity to contribute and that those views will be taken into account in making its recommendations to the NHS **and/or Health Provider, or requesting that the Secretary of State call in a decision**.

- d. Part 4d Scrutiny Procedures Rules, (Terms of Reference of Scrutiny Committees, Health & Adult Social Care Scrutiny Committee (page 142))
 - i. To make reports and recommendations as appropriate to the County Council **and may request to the Secretary of State that a proposal be called in**, ~~and to the Secretary of State for Health~~, in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) **(Amendment and Saving Provision)** Regulations 2013 **2024**.

- e. Part 4d 'A Protocol for relationships and communications between the health & wellbeing scrutiny committee and Healthwatch Devon', (pages 147-152), be amended so that the twenty three references to 'Health & Wellbeing Scrutiny Committee' be replaced with **'Health and Adult Care Scrutiny Committee'**.

- f. Part 4d Scrutiny Procedures Rules, (A Protocol for relationships and communications between the Health and Wellbeing Scrutiny Committee and Healthwatch Devon, pp. 148)
- i. NHS Bodies and commissioners, including Clinical Commissioning Groups (CCGs) **Integrated Care Boards** are also required to consult the Health & **Adult Care Wellbeing** Scrutiny Committee on substantial developments or variations to local health services as an official consultee. If the Scrutiny Committee has significant concerns with any proposals, **it may make a request to the Secretary of State that a proposal be called in.** ~~it has the power to make a referral to the Secretary of State for Health (or MONITOR) (jointly with other local authorities, if appropriate). All commissioners and providers of publicly funded healthcare and social care are covered by these powers, along with health and social care policies arising from the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy.~~

The formal terms of reference of the Health & **Adult Care Wellbeing** Scrutiny Committee are:

'To review the implementation of existing policies and to consider the scope for new policies for all aspects of the discharge of the Council's functions relating to the health and wellbeing of the people of Devon including the activities of the Health & Wellbeing Board, ~~when established,~~ and the development of commissioning strategies, strategic needs assessments and, generally, to discharge its functions in the scrutiny of any matter relating to the planning, provision and operation of the health service in Devon', including making **a request to the Secretary of State that a proposal be called in.** ~~reports direct to the Secretary of State for Health, in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations (Amendment and Saving Provision) 2024 2013'.~~

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

RESOLVED that sections Part 2: Article 7, Part 3b, and Part 4d, of the Constitution, as set out above be recommended for approval to the Council.

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* 56 Scrutiny Strategy and Action Plan

The Committee considered the Report of the Head of Scrutiny which outlined the Scrutiny Strategy and Action Plan, as had endorsed by the Governance Working Group and Chairs and Vice Chairs of Scrutiny.

The document aimed to continue the development and refinement of Scrutiny practice. The Council already had a well-developed approach and a culture that embedded many of the pillars that were documented in the 2019 Scrutiny Statutory Guidance.

This document had been developed through the iterative review of Scrutiny undertaken by the Governance Review in the closing months of 2023.

There were five strands to the strategy, backed with actions and success measures detailed against each:

1. Scrutiny contributing to the good governance of the Council
2. Planning work for maximum impact
3. Public awareness and participation in Scrutiny
4. Effective practice for Successful Scrutiny
5. Quality Evidence Gathering sessions for Policy Development

The objective was to strengthen the accountability, transparency, and efficiency of the Council's operations whilst fostering public trust and engagement, with an emphasis on public participation, an understanding of the importance of effective governance and critical friend challenge through good Scrutiny.

As part of the evaluation process, it was envisaged that the Strategy and Action Plan be regularly reviewed and evaluated by the Chairs and Vice Chairs Group and that on an annual basis full Council should review progress, alongside the Annual Report.

It was **MOVED** by Councillor Leaver, **SECONDED** by Councillor Hart that the Report be noted.

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 10.38 am and finished at 12.07 pm

CHILDREN'S SCRUTINY COMMITTEE

18 January 2024

Present:

Councillors P Sanders (Vice-Chair), T Adams, J Bradford, J Brazil, F Letch MBE, P Maskell and M Squires

Apologies:

Councillors S Aves, P Bullivant, I Hall, L Hellyer, J Wilton-Love and C Mabin (Church of England Diocesan representative)

Members attending in accordance with Standing Order 25:

Councillors A Leadbetter, C Leaver and L Samuel

* 125 **Minutes**

RESOLVED that the Minutes of the meeting held on 14 November 2023 be signed as a correct record.

* 126 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 127 **Public Participation**

There were no oral representations from members of the public.

* 128 **Responses of the Cabinet to Reports of the Committee**

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

Councillor Leadbetter (Cabinet Member for Children's Services and Schools) reported that Cabinet thanked the Committee for the Children's Services Recruitment and Retention Spotlight Review and that Cabinet would report back to this Committee in due course on progress against the 12 recommendations made.

Councillor Samuel (Cabinet Member for Children's SEND Improvement Services) would update the Committee at the next meeting.

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* 129 **Scrutiny Committee Work Programme**

The Scrutiny Officer updated the Committee as to the Work Programme and as follows:

- Standing Overview Group in April – topics requested from Members.
- Terms of Reference were now agreed for the Budget Monitoring Standing Overview Group.
- Annual frontline visits were being arranged as per suggestions received.

Any other suggestions for inclusion in the work programme including topics for investigative work should be emailed to the Scrutiny Officer.

* 130 **Children's Services Improvement Plan & Social Care Performance**

The Committee received the report of the Deputy Director and Head of Children's Health and Wellbeing (Interim) (CS/24/04), with attached report provided to the January 2024 meeting of the Improvement Partnership Board.

The Children's Services Improvement Partnership Board monitored the implementation of both the Social Care Improvement Plan and the Partnership Improvement Plan at its monthly meetings, including consideration of the performance measures agreed for each of those Plans.

The Partnership Board report considered performance measures under the following headings: Volume of Activity; Process; and Impact.

Members' questions and discussions points included:

- Members requested that future reports reference just numbers, rather than percentages or both.
- Concern at the number of care leavers not in Education, Employment or Training (NEET): Officers confirmed this was work in progress; that offers of apprenticeships had increased for care leavers; and that discussions were taking place with Exeter College to offer a rolling programme.
- Assurance that children in unregistered accommodation were monitored on a weekly basis together with plans to move to registered accommodation.
- The need for accurate recording of children visits.
- Link between those children missing education and those NEET; that around 25-30% of care leavers had EHCPs making finding suitable education for them more difficult; and ongoing work with Districts and Devon Colleges on the NEET challenge.

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- The social care thresholds document was being reviewed; and a peer review was taking place with Hertfordshire County Council colleagues and staff at the front door.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Letch and **RESOLVED** that the Committee asks that:

- (a) To support a reduction of the number of young people who are NEET (Not in Education, Employment and Training):
 - (i) that the number of opportunities within the Council for Care Leavers are increased at pace and these targets are shared with the Committee.
 - (ii) the Council works with our Higher and Further Education providers in Devon to support young people in education and training.
- (b) The service ensures that data collection is improved and this is reported back to the Committee when it meets again to discuss Social Care Performance in two areas:
 - (i) visits to children or young people are recorded correctly by practitioners to improve data collection for Children in Need, Children on a Child Protection Plan and Children in Care.
 - (ii) The completion of supervision record for each child or young person.

* 131 Education Annual Report Autumn 2023

The Committee received the Education Annual Report for Autumn 2023, based on published data to 25 October 2023, noting Summary of Achievements and Challenges.

Points to note and questions and discussion with Members and Officers included:

- Officers referenced the performance data document LAIT (Local Authority Intelligence Tool), available on the Department for Education website
- An additional Challenge to note was on the variability of school performance and school improvement generally: KS1 was below the national average on phonics; some KS2 and KS4 indicators showed Devon in the bottom quartile; and KS5 in the top quartile.
- 87% of Devon schools were judged good or better by Ofsted, although numbers needed to be understood.
- A significant challenge was the large cohort of children with SEND (40%) eligible for free school meals who were persistent absentees.

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- Attendance hubs was a consideration being looked at for Devon, as used in other areas, as well as other interventions to address attendance issues.
- The number of children in Devon in Elective Home Education was particularly complex and challenging and much work was ongoing with regional and other groups.

Members were happy with the information shared today and looked forward to receiving an update report on progress made to improve attendance in schools in June.

* 132 **Children's Standing Overview Group**

The Committee received the Report of the Children's Scrutiny Committee: Report of the Standing Overview Group meeting on 26 September 2023.

It was **MOVED** by Councillor Sanders, **SECONDED** by Councillor Maskell and

RESOLVED that the Committee:

- (a) Accept this report as an accurate record of the issues explored in the meeting ensuring transparency in scrutiny activities.
- (b) Endorse the recommendation from the meeting, that Members present:
 1. Welcomed and supported the approach of the Family Hubs model.
 2. Raised concerns about:
 - (i) ensuring the expertise, connections with families and important work from Action for Children is retained and not lost;
 - (ii) access to local services in rural areas; and
 - (iii) the potential of closures to local Children's Centres.
 3. Would welcome all Councillors working with the Cabinet Members and Head of Service on the design of the future Family Hubs model and the potential locations of services.

* 133 **Children's Scrutiny Visits: Autumn Term School Visits**

The Committee received the Report of the Children's Scrutiny Committee: Autumn Term School Visits.

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

The Meeting started at 2.15 pm and finished at 4.00 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

24 January 2024

Present:-

Councillors S Randall Johnson (Chair), M Wrigley (Vice-Chair), J Bailey, R Chesterton, D Cox, P Crabb, I Hall, P Maskell, R Peart, D Sellis, R Scott, C Whitton, Hodson and J Yabsley

Apologies:-

Councillors Y Atkinson and L Hellyer

Members attending in accordance with Standing Order 25

Councillors J McInnes, M Hartnell and C Leaver

* 147 **Announcements**

The Chair welcomed the members of the public in attendance at the meeting.

* 148 **Minutes**

RESOLVED that the minutes of the meeting held on 9 November 2023 be signed as a correct record.

* 149 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* 150 **Public Participation**

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representations from: (i) Councillor Chris Clarence, (ii) Carmen Jaye and (iii) GERALYN ARTHURS regarding the Teignmouth Community Hospital (Minute *151 refers) on the case for its retention and referral to the Secretary of State for Health and Social Care; and

(iv) Professor Martin Shaw and (v) Jack Rowland regarding Seaton Community Hospital (Minute *152 refers) in opposition to proposals made to demolish a wing of the building.

The Chair thanked the speakers for their contribution.

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* 151 **Teignmouth Community Hospital Task Group (NHS Devon Response to Recommendations)**

Councillor Martin Wrigley declared a personal interest by virtue of being the leader of Teignbridge District Council, which owned the land upon which the proposed Health and Wellbeing Centre was planned to be built.

The Committee considered the Report of NHS Devon which provided responses by NHS Devon to the recommendations made by the Committee at its previous meeting (Minute *134 refers). The recommendations were made based on the report of the Teignmouth Community Hospital Task Group. Appendices to the report were also made available [online](#) which consisted of a report by the NHS Devon Clinical Commissioning Group (CCG) on Modernising Health and Care Services in the Teignmouth and Dawlish Area, and a related consultation report by Healthwatch in Devon, Plymouth and Torbay.

Councillor Martin Wrigley, Chair of the Task Group, acknowledged the arguments of NHS Devon regarding the need to modernise healthcare services in the area and to provide updated facilities for GPs. However, questions were raised as to whether this need was being conflated with the closure of Teignmouth Community Hospital, and therefore whether the modernisation of healthcare services in the area was contingent on the closure of the Hospital.

Both in the report and at the committee meeting, representatives from NHS Devon outlined the rationale behind the proposals for a new Health and Wellbeing Centre in Teignmouth, stating that a core driver was to secure the integration of multiple services into a purpose-built centre, and that moving only some services into this centre would not represent a financially sustainable model. Also key was to protect the future healthcare provision in the area. They also contended that consultations undertaken on the issue demonstrated a majority of local residents (61%) were in favour of the proposals. They also stated that the proposals had the approval of the South West Clinical Senate which, upon reviewing said proposals, concluded that they were in the best interests of the area. The Independent Reconfiguration Panel also reached similar conclusions in response to the issue's previous referral to the Secretary of State for Health and Social Care.

The Committee also heard from staff from the Channel View Medical Group which served to benefit from the building of the proposed Health and Wellbeing Centre by moving into that premises upon completion. The representatives from the Medical Group outlined the poor quality of their current accommodation, with the Group spread across multiple old buildings which were inadequate for their intended purposes. The representatives brought attention to narrow corridors and limited disabled access, and the implications of the poor accommodation on the Group's ability to adequately staff its service – both in terms of being an attractive prospect for recruitment,

and also having the physical space available to accommodate more staff (with many staff having to work virtually, to the detriment of the service provided to patients). There was also concern around the current lease of the Group's buildings – namely, that it was to expire in approximately fourteen months, and that any referral to the Secretary of State would create uncertainty around the future of where the Group was based. It was argued that not referring would allow clarity as progress could be made on the construction of the Health and Wellbeing Centre, which would provide a basis to negotiate (if necessary) an extension of the current lease.

The representatives from the NHS felt that any further referral to the Secretary of State could pose the risk that the proposals to modernise healthcare services in Teignmouth would become financially unviable.

Member discussion points included:

- Concern on the potential impact of another referral to the Secretary of State for Health and Social Care on the future of healthcare services in the area, with many councillors not wishing to detriment the provision of these services by a potential decision to refer. Members expressed appreciation of the testimony of frontline staff as to what represented the best option for healthcare in Teignmouth;
- Whether the need to modernise healthcare services in the area was dependent on the transfer of some services currently undertaken in Teignmouth Community Hospital to the proposed Health and Wellbeing Centre, or if there was a possibility of constructing the Health and Wellbeing Centre for some services to coexist within the Hospital. Representatives from NHS Devon reiterated that this would not represent a financially sustainable model; and
- Whether there was adequate evidence to justify another referral to the Secretary of State for Health and Social Care, taking into consideration the Independent Reconfiguration Panel's previous support of the proposals.

It was **MOVED** by Councillor Cox and **SECONDED** by Councillor Wrigley that the Committee continue with the process of referring the closure of Teignmouth Community Hospital to the Secretary of State for Health and Social Care.

The motion was put to the vote and declared **LOST**.

* 152

Seaton Community Hospital

(Councillor M Hartnell attended in accordance with Standing Order 25 (2) and spoke to this item with the consent of the Committee).

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Councillor Ian Hall declared a personal interest by virtue of being the Co-Chair of the One Eastern Devon Partnership Forum; a member of the Eastern Locality Mental Health Partnership; and the Devon County Council representative of the Council of Governors of the Royal Devon University Healthcare NHS Foundation Trust.

The Committee considered the Report of NHS Devon and NHS Property Services (NHSPS) on the proposals on the surrender of the vacant ward at Seaton Community Hospital. The Report was provided in response to recommendations made by the Committee at its previous meeting (Minute *135 refers).

The Report outlined the rationale behind the work in relation to Seaton Community Hospital – namely, that the ward in question had been vacant since 2017 and represented an unnecessary yearly cost of approximately £280,000 being paid by the NHS in property costs. NHS Devon and NHSPS were seeking to address this cost in the wider context of the financial challenges facing the NHS at large.

Councillor Marcus Hartnell, local member representing Seaton & Colyton, addressed the committee regarding the Hospital. He expressed that the report outlines the process undertaken by the NHS to meet with local partners to discuss the vacant space, but that there was a lack of detail provided by NHS Devon and NHSPS on the rationale for why said partners rejected the opportunity to utilise this space, and that further exploration of alternatives to demolition was needed. Councillor Hartnell requested that the Committee asked for a further update at its next meeting.

Member discussion points with officers included:

- The need to ensure best value for the NHS, with the costs associated with the ongoing maintenance of a ward that had been vacant since 2017 clearly not representing best value;
- The impact of the COVID-19 pandemic delaying such work regarding vacant properties, as the pandemic significantly shaped the NHS' priorities;
- That the parameters regarding NHS Devon paying for the vacant ward space at Seaton Community Hospital, and also for other properties, are set nationally, limiting what could be done on a local level to avoid the financial implications. In response to a member comment that said regulations could be seen as illogical by the public, Officers accepted that greater transparency would help explain the situation, even if it did not alleviate concerns; and
- The need for a proactive approach regarding property issues such as this as regards other vacant properties, as mentioned at the previous

meeting of the Committee. Members were advised that their previous comments were noted by officers and that there was work ongoing to bring further information to the Committee regarding other vacant Devon properties, and that officers would be forthcoming with it when a substantial update was available.

The Chair thanked officers for their speed of engagement with the Committee.

* 153

End-of-Life Care

The Committee considered the Report of One Devon which provided an overview of end-of-life care provision and the duties of local commissioners.

The Report outlined the reforms to end-of-life care introduced as part of the Health and Care Act 2022 and the implications for integrated care boards (ICBs). The Report also outlined relevant national guidance; provided statistical information regarding Palliative End-of-Life Care in Devon; as well as information around the approach to end-of-life care in Devon, including what services were commissioned, the importance of integration across multiple organisations, and an all-ages approach. The Report provided recommendations to the committee on key areas which it could potentially influence.

Members heard from officers that a large focus of the ICB had been urgent care, ensuring that the provision was resilient in the face of winter pressures.

Key discussion points between members and officers included:

- The importance of a proactive approach to bereavement support;
- That ensuring terminally ill patients are as comfortable as possible at the end-of-life, recognising that bereavement is difficult for those involved in any circumstance, but that, for instance, a patient passing away in a hospital environment can be more alien and stressful than doing so in their own home, provided adequate support and equipment is available to assist their family and professionals in caring for them;
- The mechanism for hospice funding and the level to which hospices are funded in Devon. Officers highlighted that hospice funding would depend at least partially on what services were being provided by an individual hospice, and so looking at the amount of money an individual hospice was in receipt of would not necessarily paint a full picture, but that it was nonetheless important to ensure hospices are funded adequately for the services they provide; and
- What data was collected regarding a patient's family's experience of the care provided to ensure best service, with an acknowledgement that such data must be collected sensitively.

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* **154** **Carers Scrutiny Spotlight Review Update**

The Committee considered the Report of the Director of Integrated Adult Social Care (IASC/24/02) which provided an update on progress against recommendations made by the Committee in March 2023 (Minute *101 refers) which were subsequently approved (with amendments) by Devon County Council Cabinet. These recommendations were a follow up to a March 2020 Spotlight Review undertaken by members of the Committee.

Key discussion points included:

- That the contract with Devon Carers was entering its last year, necessitating consideration of the future of commissioning for carers support services;
- That Members of the Children’s Scrutiny Committee met with Devon Young Carers in 2023 as part of their visits to staff and service users and were due to meet with them again in April 2024. A report to the next Children’s Scrutiny Committee will report back on progress made against the recommendations and feedback from their visits in 2023, which the Committee could be updated on; and
- How feedback from carers shaped the priorities of Integrated Adult Social Care. Some of the key issues raised by carers were: the lack of adequate replacement or respite care; the impact of loneliness; and the implications on employment of being a working-age carer.

* **155** **Torbay and Devon Safeguarding Adult Partnership Annual Report**

The Committee considered the annual report of the Torbay and Devon Safeguarding Adults Partnership (2022/23) which provided information on the Partnership’s performance over the previous year, and outlined its plans looking ahead – namely, to continue to deliver the aims of TDSAP’s 2021-2024 strategic plan.

Members and officers expressed that a masterclass in 6 months’ time would be prudent for the Committee to measure the degree to which the ambitions reflected in the annual report and strategic plan are implemented.

* **156** **Health and Adult Care General Update**

The Committee considered the joint report from the Director of Integrated Adult Social Care at DCC, the Director of Public Health, Communities & Prosperity at DCC, and the Chief Medical Officer of NHS Devon (IASC/24/03), which contained updates on key and standing items and provided general information on specific actions, requests or discussions during the previous meeting of the Committee.

Member discussion with officers included:

- The potential implications of changes to international worker visas;
- The proposed new 10 bed unit at Langdon Hospital in Dawlish, and potential workforce challenges, with officers explaining that mental health services would be recruiting from largely a different staffing pool than other local services such as Minor Injury Units, or from that of care homes given the different specialist staffing skillsets required;
- The success of a Care Coordination Hub trial (launched on 20th December 2023) aiming to provide urgent emergency care to patients who do not need to visit a hospital, with feedback being positive; and
- Local Care Partnerships, with an update on progress at a future meeting of the Committee being seen as useful.

* 157 **Election of Domestic Sexual Violence and Abuse (DSVA) Champion**

RESOLVED that Councillor L Hellyer be elected as Domestic Abuse and Sexual Violence Member Champion for the ensuing year.

* 158 **Scrutiny Committee Work Programme**

The Committee agreed the current Work Programme subject to inclusion of topics which arose from the meeting, namely:

- Further information from NHS Devon / NHS Property Services on Seaton Community Hospital, and on other vacant NHS Devon properties;
- Carers, including end-of-life care;
- A masterclass on the performance of Torbay and Devon Safeguarding Adult Partnership;
- An update on Local Care Partnerships.

* 159 **Information Previously Circulated**

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

- NHS 111 Masterclass, Health & Adult Care Scrutiny – Recording and Presentation (1 November 2023)

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- Annual Public Health Report 2022/23 Masterclass – Recording and Presentation (27 November 2023)
- Healthwatch England: The public’s perspective on the state of health & social care ([Full report available here](#)) (30 November 2023)
- Emergency Departments in Devon: Feedback Report (Healthwatch in Devon, Plymouth, and Torbay) ([Full report available here](#)) (5 December 2024)
- Torbay and Devon Safeguarding Adult Partnership Annual Report and Masterclass – Recording and Presentation (6 December 2023)
- Funding boost to improve care for individuals with a learning disability and autistic people in the South West (12 December 2023)
- Centre for Governance & Scrutiny (CfGS) Seminar on New Health Scrutiny Arrangements(16 January 2024)
- Quality Accounts Session with Healthcare Providers - Health and Adult Care Scrutiny Standing Overview Group (to be held February 2024)

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

The Meeting started at 2.15 pm and finished at 5.25 pm

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

25 January 2024

Present:-

Councillors A Dewhirst (Chair), P Bullivant (Vice-Chair), J Brook, R Chesterton, J Hodgson, C Slade, R Radford, M Squires, J Trail BEM and J Wilton-Love

Apologies:-

Councillors M Asvachin, Y Atkinson, J Berry, P Crabb and I Roome

* 146

Minutes

RESOLVED that the Minutes of the meeting held on 16 November 2023 be signed as a correct record.

* 147

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 148

Public Participation

There were no oral representations from Members of the Public.

* 149

Scrutiny Work Programme

The Head of Scrutiny updated the Committee on the work programme highlighting as follows:-

- 31 January 2024 at 10.30am: Standing Overview Group on the Local Transport Plan
- 28 March 2024 at 10.30am: next Corporate Infrastructure and Regulatory Services Scrutiny Committee, items include Community Policing, Winter Highways Dashboard Report, Motorhomes Task Group update on recommendations,

RESOLVED that the following items be amended:

- Locality Budget to move from March to the June meeting.
- Multi-Agency Devon Prevention Serious Violence Strategy and Needs Assessment to be added to the workplan
- Devolution Deal to bring to an all Member Briefing session on 11 March.

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CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE
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[Scrutiny Work Programme - Democracy in Devon](#)

* 150 **Call In of Cabinet Member Decision - Community Safety Funding agreement between DCC and HM Prison and Probation Service**

Councillor Dewhirst removed himself as Chair for this item and the Vice Chair took up the role of Chair.

In accordance with the Scrutiny Procedure Rules, the Chair of the Corporate, Infrastructure and Regulatory Services Committee (Councillor Dewhirst) had invoked the call-in procedure in relation to the decision of the Cabinet Member for Integrated Adult Social Care not to renew or extend the Community Safety Funding agreement between Devon County Council and HM Prison and Probation Service when it expired on 31st March 2024. The grounds for this call-in were below and discussed with the Monitoring Officer, as required by the Scrutiny Procedure Rules. "The reason is that this facility is used by the charity Circles South West providing outstanding support for discharged prisoners and there is a risk that a decision by Devon County Council, to not extend or renew the Funding Agreement, could contribute to a decision by the Ministry of Justice to close the provision. This could have negative impacts for the people affected as they face substantial barriers to obtaining settled accommodation. The people affected may be recalled to prison, moved to approved premises outside of the Devon County Council geographical boundary."

The Committee was advised of correspondence from Circles SW (Senior Circles Coordinator) 27 December 2023 clarifying their position:-

"I wish to make you aware that, at no time has Circles South West made any representations to the County Council or any other party with reference to this matter, nor does Circles South West have any formal agreement with the Oakfields Project which is directly impacted by the County Council's decision not to extend or renew the Funding Agreement to which this refers. Circles South West (CSW) is an independent Charity which works with men and women convicted of sexual offences and living in the community, providing an additional layer of support and accountability for those individuals and working in close collaboration with the Police and Probation Service in order to help reduce the risk of them reoffending and to prevent further victims of harmful sexual behaviour. CSW is one of a number of organisations and agencies locally, including both the Police and Probation Service in Exeter and the South West Community Chaplaincy organisation, all of whom support or manage the individuals currently housed at the Oakfields Project and all of whom share the same concern, which is for the impact on those individuals and on the wider community should this facility no longer be available to them.

To reiterate, therefore, Circles South West has not made any representations on this matter nor does the organisation have any vested interest in the

continuation of the funding, other than for the benefit which this provides to both the individuals who are accommodated at Oakfields and the wider community which is made safer by virtue of the fact that these individuals can be more closely monitored and supported.

I would be grateful if this could be highlighted for the benefit of the Scrutiny Committee and for the avoidance of any doubt.”

The three accompanying documents (i.e. Record of Decision, Proposal letter and Impact Assessment) were available at [Decision - Approval not to extend or renew the Community Safety Funding Agreement - Democracy in Devon](#)

Councillor Dewhirst was invited to make a statement to the committee and explained that the funding had been used to pay for the property where the ex-prisoners were housed and that if Ministry of Justice or another organisation would fund the accommodation or provide similar suitable accommodation from the beginning of April he would withdraw the call-in.

Councillor McInnes, Cabinet Member for Integrated Adult Social Care, attended in accordance with Standing Order 25(1) and spoke to this item. He informed the meeting he was content with his decision not to extend or renew the 10 year agreement. He explained that this was not a statutory duty for the Council and officers had been in discussions with the Ministry of Justice since January 2022 about the likely non-renewal of the Funding Agreement when it ended. Exeter City Council had been engaged with and members representing the Exeter area had also been informed.

Members' and officers discussion included:-

- Lack of evidence about the outcome of funding the programme
- Concern about the possible effect of not continuing to fund
- No information about any benefits as a result of the funding
- Acknowledged that it was not the statutory responsibility of the Council and budgets were stretched
- This had been a contribution from the Council and there was no contract between the Council and the Charity and therefore no monitoring had been in place.
- It was not known if there was funding from other sources for this.
- The Ministry of Justice were the service deliverer, and it was responsible for asking for funding from organisations.
- The Ministry had not said it would have to close the service if the funding did not continue, it would consider in line with their policies.
- Confidence that Government would find a suitable solution.

The Committee voted on whether to refer the call-in back to Cabinet with two in favour and seven against and so it was

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RESOLVED that the Cabinet Member Decision to not extend or renew the Community Safety Funding Agreement between Devon County Council and HM Prison and Probation Service (formally Devon and Cornwall Probation Trust) when it expires on 31st March 2024 be endorsed.

* 151 **Treasury Management and Investment Strategy 2024/25**

Councillor Dewhirst resumed the position of Chair of the Committee.

The Committee considered the Report of the Director of Finance and Public Value (DFP/24/06) regarding the strategy and plans for the coming year as part of the budget process. This Strategy would be considered by Cabinet along with the draft budget for 2024/25 on 9 February, to become part of the budget to be approved by Council at its budget meeting on 15 February 2024.

It was highlighted that a key issue of the pressure on the Council's cash resources was in relation to the Safety Valve Intervention Programme in relation to Special Education Needs and Disability (SEND). Conclusions of discussions with the Department for Education were still awaited on this.

There was also the expectation that new external borrowing of £50 million would be required to fund the 2024-25 capital programme and to replace previous internal borrowing.

Members' discussion included:- the criteria for the strategy remained the same and it was a prudent approach, effect of less cash and missing earnings, investments in some projects such as Exeter Science Park and Skypark were mainly for economic development.

Councillor Hodgson asked about the amount invested in Skypark and was informed this would be checked and reported back to her.

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

RESOLVED that the Treasury Management and Investment Strategy, as updated be commended to the Cabinet, alongside the recognition of the significant work of the Treasury Team.

* 152 **Future Finance Project - Update on Progress and Recommendations - SOG Report**

The Committee received and noted the SOG Report and recommendations for information.

* 153 **Plymouth and South Devon Freeport Update**

The Committee considered the Report of the Head of Economy, Enterprise and Skills (EES/24/1) regarding an update and the progress made on delivery of the Plymouth and South Devon (PASD) Freeport. The Plymouth and South Devon Freeport was one of 8 current Freeports designated by Government and led by Plymouth City Council in partnership with Devon County Council, South Hams District Council, and the private sector. This was an ambitious programme aiming to create over 3500 jobs and play a crucial role in economic recovery and growth.

The Freeport continued to make progress and processes were in place to ensure the seed capital investment could be drawn down. The incentives announced in the Autumn Statement have potential to support the Freeport secure additional investment and develop identified growth sectors and opportunities. The announcement also provided a time extension to tax incentives providing further potential to maximise the impact from the Freeport designation.

Members' discussion included:- security arrangements and the purpose of the investment zones, money invested and how excess funding can be used and if there are any restraints, ensuring the creation of new jobs aren't coming from other parts of Devon.

It was agreed to report back to the Committee with details on the priorities and percentages for reinvestments.

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

RESOLVED that the update report and the progress made on delivery of the Plymouth and South Devon (PASD) Freeport be welcomed, particularly the additional jobs, the work on hydrogen, but noted concerns on the impact on local businesses.

* 154 **Election of a Scrutiny Domestic Sexual Violence and Abuse (DSVA) Champion**

The Cabinet Member for Public Health, Communities and Equality requested nominations for a Member Champion on each of the three Scrutiny Committees in order to support him to better understand the Council's responses from across its services.

Councillor Atkinson, who previously occupied the role on the Children's Scrutiny Committee, was unable to attend the meeting. However, the committee were content to ask if she would like to continue in the role.

It was **AGREED** unanimously to ask Councillor Atkinson to continue as the DSVA champion.

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* 155 **Future Meetings**

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieListMeetings.aspx?Committeeld=175>

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

The Meeting started at 2.15 pm and finished at 3.27 pm