

**CABINET**

Minutes of a meeting held on 25 January, 2016.

Present: Councillor N. Moore (Chairman), Councillor S.C. Egan (Vice – Chairman);  
Councillors: B.E. Brooks, L. Burnett, C.P.J. Elmore and G. John.

**C3051 MINUTES –**

RESOLVED – T H A T the minutes of the meeting held on 11 January, 2016 be approved as a correct record.

**C3052 DECLARATIONS OF INTEREST –**

The following declaration of interest was received:

Councillor G. John	<p>Agenda Item 7 - <b>Capital Monitoring Report for the period 1st April to 30th November 2015</b></p> <p>Reason for Declaration –</p> <p>A Local Education Authority (LEA) appointed Governor at Llantwit Major Comprehensive. As an LEA Governor, his personal interest did not equate to a prejudicial interest and therefore he was able to speak and vote on the matter.</p>
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**C3053 UPDATE ON IMPLEMENTATION OF THE SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014 (REF) –**

The Scrutiny Committee (Social Care and Health) on 4 January, 2016 considered the above report of the Director of Social Services.

The Scrutiny Committee had requested monthly updates in respect of the Social Services and Well-being (Wales) Act 2014 (“the Act”) and the approach being taken around implementation.

In summarising some of the latest development, the Director of Social Services explained that the statutory framework now included the Act itself, 23 sets of regulations and 7 codes of practice. He commented that all these, plus 9 technical briefings, represented an intense volume of information that staff would have to get to know. This was a basis for going forward but was a huge volume of detail for people to understand by the April implementation date.

The report further detailed that the lead officers for the Implementation Programme's task and finish groups continued to review the requirements set out in the new Regulations and Codes of Practice, to ensure that they were fully understood and to put in place the necessary actions. Representation on these groups included officers from both Local Authorities, the Cardiff and Vale University Health Board and the Third Sector. The areas currently regarded as providing the greatest challenge were the development of the Information, Advice and Assistance Service, the assessment and eligibility process and the new financial assessment and charging requirements.

The Association of Directors of Social Services (ADSS) Cymru and the Welsh Local Government Association had agreed to co-ordinate the work of the six regional implementation collaboratives, funded from the Delivering Transformation Grant. The four national working groups, established to share best practice and produce consistent material on an all-Wales basis, had now met. Cardiff and the Vale of Glamorgan region had sent officers to each of these groups so that they could contribute to the development of national toolkits / checklists and, where possible, avoid duplication and develop procedures to meet the local context. Where appropriate any issues not able to be resolved locally were being escalated to the national level.

Consultation on the final Code of Practice, in relation to Part 8 of the Act (the role of Directors of Social Services) closed on 4th December, 2015. ADSS Cymru and the Welsh Local Government Association responded to this consultation on behalf of local government. This Code of Practice would be laid before the Assembly in February 2016.

Progress had been made on a series of technical briefings for the Trance 1 Codes of Practice. These were described as "gateway" documents that summarised the key points for each Code:

- Technical Briefing: Measuring social services performance
- Technical Briefing: Part 2 - Information, Advice and Assistance
- Technical Briefing: Part 2 - Population Assessment and Prevention
- Technical Briefing: Part 2 - Social Enterprises
- Technical Briefing: Part 2 - Well-being and overarching duties
- Technical Briefing: Part 3 - Assessing needs
- Technical Briefing: Part 4 - Care Plans
- Technical Briefing; Part 4 - Direct Payments
- Technical Briefing: Part 4 – Eligibility.

The national training materials for the four core modules were still being finalised. External trainers, to deliver workforce development on a prioritised basis in February and March, had been assigned through the national call off arrangements. A training plan was being developed to include the period prior to implementation and the months after. Additional resources were also available to help deliver awareness training to Elected Members and to provide support for the new Regional Partnership Board which would be established under Part 9 of the Act. The Minister had written to Health Board Chairs and Chief Executives, Cabinet Members for Social Services, Directors of Social Services and Regional Chairs to emphasise the importance of

workforce development in the lead up to the implementation of the Act. A copy of the letter was appended to the report.

In terms of financial support, the report outlined that Welsh Government had doubled the funding available through the Delivering Transformation grant across Wales to £3m in 2015/16. Subject to budgetary decisions, a further £3m in grant funding would be available in 2016/17.

The Chairman queried the amount of time remaining in order to roll out the associated training programme and in response to this, Members were advised that the service would have to prioritise staff training according to need and that not all staff would be fully trained by the implementation date. The Chairman also asked for a date to be agreed for the briefing of councillors on the Act. The Director agreed to find a suitable date and promulgate it after consultation with Cabinet Members

In referring to the introduction of a new provision of up to six weeks free reablement services to enable a person to maintain or regain their ability to live independently, the Committee was advised that the eligibility for this may not only include those individuals being discharged from hospital and may relate to all individuals receiving care.

In considering the report, the Committee

#### RECOMMENDED –

- (1) T H A T the contents of the report be noted.
- (2) T H A T the Committee continue to receive regular updates about implementation of the Act.
- (3) T H A T the report be referred to Cabinet in order to provide an update around the approach being taken to implement the Social Services and Well-being (Wales) Act 2014.

#### Reason for recommendations

(1-3) To ensure that Elected Members are kept informed about fundamental changes to the policy and legislative framework which underpins the work of Social Services.

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After this item was presented, the Cabinet Member for Adult Services thanked the Scrutiny Committee (Social Care and Health) for providing monthly update reports that helped inform members of this important matter.

Cabinet, having considered the recommendations of the Scrutiny Committee (Social Care and Health)

RESOLVED – T H A T the contents of the report be noted and Cabinet continue to receive regular updates from the Scrutiny Committee (Social Care and Health) with regards to the implementation of the Social Services and Well-being (Wales) Act 2014.

Reason for decision

To be kept informed about fundamental changes in policy and the legislative framework which underpins the work of Social Services.

**C3054 REVENUE AND CAPITAL MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2015 (REF) –**

The Scrutiny Committee (Social Care and Health) on 4 January, 2016 considered the above report of the Director of Social Services.

The Operational Manager, Accountancy, presented the report, the purpose of which was to update Members of the position in respect of revenue and capital expenditure for the period 1st April to 30th November 2015.

The report outlined that the current forecast for Social Services at year end was an overspend of £300,000. A table and graph setting out the variance between profiled budget and actual expenditure to date and the projected position at year end were attached at Appendix 1 to the report.

In terms of Children and Young People's Services, this service was anticipated to outturn £450,000 under budget at year end. The key issue for this service continued to be managing the demand for the Joint Budget for Residential Placements for Looked After Children, however, currently it was forecast to outturn with a £250,000 underspend at year end. Work had been ongoing to ensure that children were placed in the most appropriate and cost effective placements, however, it was noted that due to the potential high cost of each placement, the outturn position could fluctuate with a change in the number of Looked After Children. There were potential underspends elsewhere in Children's Services of £65,000 on staffing and £135,000 on alternative means of provision and accommodation costs required for the current cohort of children.

For Adult Services, the service was currently anticipated to outturn £750,000 over budget at year end which remained at the same level as projected last month. This overspend was due to a projected overspend on Community Care Packages of £950,000 as a result of continuing demand for services, particularly for frail older clients. The report outlined that whilst every effort would be made to improve this position, it could not be guaranteed that this position would not deteriorate further by

year end as this budget was extremely volatile and there was a continued demand for services, which may increase over the winter months. The annual deferred income budget for 2015/16 had been set at £739,000 and as at 30th November, 2015, income received to date was £112,000 under-recovered. It was currently projected that this budget would outturn at £100,000 over budget by year end and this adverse variance was included as part of the projected overspend for care packages. It was anticipated that there would be underspends of £200,000 elsewhere in the budget which could be offset as part of this overspend with £165,000 from staffing, £20,000 from Transport and £15,000 from Premises.

With regard to the capital expenditure, Appendix 2 to the report detailed financial progress on the Capital Programme as at 30th November, 2015. The report advised that for the Flying Start Grant, Emergency Powers had been used to approve the inclusion into the 2015/16 Capital Programme of a £9,500 grant from Welsh Government for works at the Flying Start Butterflies Playgroup. The work would consist of significant refurbishment to the toilets and food preparations areas.

Appendix 3 to the report provided non-financial information on capital construction schemes.

In relation to the 2015/16 Budget Programme, the Directorate was currently required to find savings totalling £3.568m by the end of 2019/20. At present, the Budget Programme showed a surplus of £186,000 which was as a result of the foster carer recruitment project. Appendix 4 to the report provided an update on the individual areas of saving.

The Chairman queried if winter pressures had affected services. In response, the Head of Adult Services stated that this was a mixed picture and that local hospitals were not doing too badly. He advised that additional staff had been recruited to the Community Resource Service to help with the discharge of people from hospital, but the Service had needed to clarify with Health colleagues to ensure that the referral process was being used correctly.

A Committee Member, referring to saving target A3 around a reduction in the Care Packages budget, enquired whether the Service would look to reduce the costs of undertaking assessments. The Head of Adult Services explained that this saving target related to the total cost of care that included Domiciliary, Day and Residential Care and he stated that the service had been able to achieve savings by streamlining processes. The total saving of £125,000 was aligned to help Learning Disability and Mental Health clients to live more independently. Going forward into 2016/17, the Service would be looking at the greater use of Direct Payments and the use of Reablement Services along with a review of the commissioning of Day Services.

In referring to saving targets within Business Management and Innovation, the Committee was advised that further information on B6, which was around savings against the carer support services, would be circulated to Members via email. In addition, referring to saving target B9 around Contract Arrangements for Domiciliary Care, a Committee Member asked, if in the area of procurement of services, whether the Directorate was working with any neighbouring Local Authorities. In reply, the

Director of Social Services commented that the Vale of Glamorgan Council was one of the most efficient commissioners of care services in the region. He stated that there were advantages of entering into larger scale contracts but there were also advantages of maintaining a wide and broad range of service providers.

The Director stated that the Council's strategy for procuring services was to maintain a diverse market that helped providers to stay in business and that the Service would be looking at joint commissioning of services with the Health Board. He also briefly alluded to the joint procurement of Learning Disability and Mental Health placements through the South East Wales Improvement Collaborative and also to the joint working of the Children's Commissioning Consortium Cymru (4Cs) for the regional commissioning of children's placements.

Furthermore, the Committee also heard that the status of this target (B9) was red, as this was a challenging area for which progress of the working groups had been affected by things such as the introduction of the new national living wage. The Service was looking at developments in other Local Authority areas and the Committee was advised that progress would be reported at a later meeting.

A Committee Member commented that he had noted that the status of saving target A6 (Residential Services) had changed from red to amber and he queried how this saving target would be progressed. In reply, the Head of Adult Services explained that this would be managed as a specific Reshaping Services project and would be linked to a review of the broad range of accommodation with care available for older people.

In answer to a Member's question as to whether budgetary underspends were down to less demand for services, the Committee was advised that most underspends related to savings generated around staffing costs.

As a final query, a Committee Member commented that he had recently visited the Ty Dyfan Care Home in Barry and it had been observed that there were a number of empty beds at the home and he queried if there were any plans around the use of these beds. In response the Head of Adult Services advised that there was an empty wing at the home which had been too costly for Hafod to run. He stated that there were 12 beds in total but due to the layout of the building 8 beds would be a more realistic number. He advised that the use of these beds would be looked into.

Having considered the report, the Committee

#### RECOMMENDED –

- (1) T H A T the position with regard to the 2015/16 revenue and capital monitoring be noted.
- (2) T H A T the progress made in delivering the Social Services Budget Programme be noted and referred to Cabinet for information.

#### Reasons for recommendations

- (1) That Members are aware of the position with regard to the 2015/16 revenue and capital monitoring relevant to this Scrutiny Committee.
- (2) That Members and Cabinet are made aware of the progress made to date on the Social Services Budget Programme.

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Cabinet, having considered the recommendations of the Scrutiny Committee (Social Care and Health)

RESOLVED – T H A T the contents of the report be noted.

Reason for decision

To note the contents of the report.

**C3055 LEAVE WITH PAY – ELECTION DUTIES ON 5 MAY 2016 (RO)  
(SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Approval was sought for Vale of Glamorgan employees to claim leave with pay on Thursday 5 May 2016 for local election duties if they were appointed as Presiding Officer or Poll Clerk at polling stations in the Cardiff South and Penarth constituency, and employed by Cardiff Council.

The Council's current Special Leave Scheme allowed employees wishing to serve as a poll clerk, presiding officer or other electoral roles in respect of elections / counts administered by the Vale of Glamorgan Council, leave with pay. The current Special Leave Scheme did not cover Vale of Glamorgan employees who undertook election roles with neighbouring Local Authorities. For the National Assembly for Wales and Police and Crime Commissioner Elections scheduled on Thursday 5 May 2016, polling stations under the Cardiff South and Penarth constituency would be administered through Cardiff County Council.

Approximately 35-40 Vale of Glamorgan employees would be approached to work on Poll Day by Electoral Services by Cardiff Council.

At the meeting the Leader commented that this report only covered polling stations in the Cardiff South and Penarth constituency and that while neither he nor the Returning Officer were aware of any Vale of Glamorgan Council staff working in the Bridgend constituency, they would be addressed in a separate report if necessary.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T it be agreed for Vale of Glamorgan employees to claim leave with pay on 5 May, 2016 if they are appointed as Presiding Officer or Poll Clerk at polling stations in the Cardiff South and Penarth constituency.

Reason for decision

To extend existing special leave arrangements for 5 May 2016 in line with arrangements put in place for the Parliamentary Election in May 2015.

**C3056 CAPITAL MONITORING REPORT FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2015 (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Cabinet was advised of the progress on the 2015/16 Capital Programme for the period 1 April, 2015 to 30 November, 2015 and changes to the capital programme were requested.

On 16 November, 2015 Cabinet approved the Amended Capital Programme for 2015/16 (minute no C2974 refers).

Appendix 1 as attached to the report detailed financial progress on the Capital Programme as at 30 November, 2015.

For all schemes where it was evident that the full year's budget would not be spent during the year, the relevant officers were required to provide an explanation for the shortfall and this would be taken to the earliest available Cabinet. Appendix 2 as attached to the report provided non-financial information on capital construction schemes with a budget of over £100k.

Cabinet had previously agreed that further information would be provided where schemes had a value of over £500k and showed a variance of 20% or more between actual spend and the profile. The following schemes met this criteria as amendments to programming/sequencing of works had resulted in actual expenditure that was less than the initial spend profile: Penarth Learning Community, Llantwit Learning Community and Modular Building Resiting Ysgol Dewi Sant. The budgets for these schemes were currently being re-profiled for the remainder of the year and changes

would be reported as part of the ongoing capital monitoring process. This did not adversely affect the final cost of the project

Each Scrutiny Committee was going to receive a monitoring report on their respective areas, which would consider the relevant information related to the respective Scrutiny Committee. In future, the Cabinet and Scrutiny Work Programmes would reflect this arrangement.

At the meeting, the Leader noted that each scheme was detailed in the main body of the report from paragraphs 6 to 23. He added that some schemes detailed in the report had already been actioned using the Managing Director's Emergency Powers and would therefore not need to be addressed in the resolutions of this item.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the following changes to the Capital Programme be approved:

- Penarth Library Damp Proofing - The scheme be renamed 'Penarth Library Damp Proofing and Lift Works'.
- Llantwit Learning Community - An increase in the Llantwit Learning Community budget by £41,479 to be funded from the SEWSCAP Framework share out.
- Overboarding Ceilings - A virement of £97k to the Sandstone Repairs budget.
- Victoria Primary External Refurbishment Works - A virement of £50k to the Sandstone Repairs budget.
- St Helen's Infant School Works - An increase in the 2015/16 Capital Programme of £28,531 to be funded by a contribution from the school.
- Broad Street Crossing - A virement of £109k to the Asset Renewal Structures budget.
- Additional Highways/Environmental Improvements - A virement of £27k to the Asset Renewal Structures budget.
- Pedestrian Cycle Improvements at Ffordd Y Millenium - A virement of £69k to the Broad Street Crossing scheme.
- Barry Regeneration Area Partnership - A virement of £41k to the Tackling Poverty Improve Health and Play Opportunities at George Street Play Area scheme.

- Marketing & Disposal of Nells Point - The carry forward of £33.5k into the 2016/17 Capital Programme.
- Paget Road Open Space Play Facility - The carry forward of £149k into the 2016/17 Capital Programme.
- Feasibility Studies in Penarth Including the Esplanade - The carry forward of £49k into the 2016/17 Capital Programme.

Reason for decision

To allow schemes to proceed in the current or future financial years.

**C3057 REVENUE MONITORING FOR THE PERIOD 1ST APRIL TO 30TH NOVEMBER 2015 (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Cabinet was advised of the progress relating to revenue expenditure for the period 1 April to 30 November, 2015.

On 16 November, 2015 Cabinet approved the Amended Revenue and Housing Revenue Account Budgets for 2015/16 (minute no C2975 and C2976 refers respectively).

The forecast for the 2015/16 revenue budget was for a favourable variance of £292k as shown in the following table. The Housing Revenue Account (HRA) budget for 2015/16 was also forecast to outturn on target.

<b>Directorate/Service</b>	<b>2015/16 Amended Budget</b>	<b>2015/16 Projected Outturn</b>	<b>Variance (+) Fav (-)</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Adv</b>			
<b>Learning and Skills</b>			
Education and Schools	92,524	92,524	0
Libraries	2,311	2,311	0
Adult Community Learning	263	263	0
Youth Service	1,030	1,030	0
Catering	1,788	1,788	0
Arts Development	150	150	0
<b>Social Services</b>			
Children and Young People	14,540	14,090	+450

Adult Services	37,579	38,329	-750
Business Management & Innovation	304	304	0
Youth Offending Service	679	679	0
<b>Environment &amp; Housing</b>			
Visible Services	21,707	21,707	0
Transportation	5,178	5,178	0
Building Services	0	0	0
Regulatory Services	2,107	2,107	0
Council Fund Housing	1,116	1,116	0
Public Sector Housing (HRA)	1,265	1,265	0
<b>Managing Director &amp; Resources</b>			
Resources	558	558	0
Regeneration	2,562	2,562	0
Development Management	1,063	1,063	0
Private Housing	11,308	11,308	0
General Policy	18,088	17,496	+592
<b>Total</b>	<b>216,120</b>	<b>215,828</b>	<b>+292</b>
Met from General Reserve	-2,500	-2,500	0
<b>Grand Total</b>	<b>213,620</b>	<b>213,328</b>	<b>+292</b>

**Learning and Skills** - There were significant pressures within the Inclusion Service in relation to inter authority recoupment, however, it was now anticipated that the Learning and Skills Directorate could outturn within budget at year end.

**Social Services** - It was anticipated that the projected outturn for the Social Services department for 2015/16 would be an adverse variance of £300k.

**Environment and Housing** - It was currently projected that the outturn for the Environment and Housing department at year end would be within target.

**Managing Director and Resources** - It was currently projected that overall services for the Managing Director and Resources department would outturn with a favourable variance of £592k at year end.

Each Scrutiny Committee was going to receive a monitoring report on their respective areas, which would consider the relevant information related to the

respective Scrutiny Committee. In future, the Cabinet and Scrutiny Work Programmes would reflect this arrangement.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T the position with regard to the Authority's 2015/16 Revenue Budget be noted.

Reason for decision

To note the projected revenue outturn for 2015/16.

**C3058 GRANTS TO COMMUNITY/ VOLUNTARY ORGANISATION 2015/16 (L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Approval was sought for the award of grants from the 2015/16 corporate revenue budget.

Appendix A attached to the report set out the applications for consideration and the recommended grant in respect of each. The Appendix also set out any proposed conditions on the funding awarded.

The report outlined that the provision of this type of small community grant would need to be considered for future financial years having regard to the Council's Reshaping Services programme. Under this initiative the efficiency of the Council's approach to grant funding was being reviewed. A report would be brought to a future Cabinet meeting that would detail the proposals for the provision and delivery of Corporate grants in future financial years.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED – T H A T grants to Community/Voluntary Organisations be awarded as set out in Appendix A attached to the report.

Reason for decision

To award grants in accordance with the approved scheme.

**C3059          UNIVERSAL CREDIT SUPPORT DELIVERED LOCALLY – UCSDL  
(L) (SCRUTINY COMMITTEE – CORPORATE RESOURCES) -**

Cabinet was updated on the progress being made to engage with Job Centre Plus as a branch of the Department for Work and Pensions (DWP) to deliver Universal Credit to local citizens, and approval was sought to enter into a Memorandum of Understanding (MOU) with the Department for Work and Pensions for the introduction of locally delivered support for the implementation of Universal Credit (UC) by the Council from February 2016.

Universal Credit was going to replace all of the following benefits:

- Housing Benefit
- Jobseekers Allowance (income based)
- Working Tax Credit
- Child Tax Credit
- Employment and Support Allowance (income based)
- Income Support

Universal Credit was paid differently from current benefits. It would be paid once a month, usually into a bank or building society account.

To assist those local people who relied on Universal Credit, the DWP had engaged with the Council to work in partnership to deliver a more locally provided service using a MOU – Delivery Partnership Agreement - Universal Credit Support Delivered Locally – UCSDL. The MOU required the Council on funding from the DWP to deliver the following locally:

- Provide a local service provision from 22 February, 2016
- Provide support to UC Service Centre Staff around housing cost issues
- Support for claimants to get online and stay online by identifying public Internet sites and locations where trained staff could provide supported access
- Manually processing the Local Council Tax Reduction scheme (only where UC had been awarded)
- Support for claimants with complex needs and in particular those who required personal budgeting support

- Work with Universal Credit Programme in preparing landlords for the implementation of Universal Credit

Further discussions would be held with the DWP to refine the MOU thus ensuring that it was acceptable to both parties.

After presenting this item, the Leader highlighted paragraph 8 of the report which noted that “Further discussions will be held with the DWP to refine the MOU thus ensuring that it is acceptable to both parties”. To reflect these ongoing discussions, the Leader altered the second recommendation of the report to ensure that the delegation extended to amending and refining the MOU, without the matter having to be reported again to Cabinet.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

- (1) T H A T the contents of the report be noted and the proposal to implement Universal Credit Support Delivered Locally (UCSDL) be approved.
- (2) T H A T delegated authority be granted to the Head of Legal Services, in consultation with Head of Finance and the Leader, to finalise, and if necessary amend or refine, the terms of the Memorandum of Understanding with the Department for Work and Pensions and to execute the same to deliver Universal Credit support to local citizens.

#### Reasons for decisions

- (1-2) To approve the introduction of UCSDL to assist the local population to maintain their living access to Universal Credit with the Council's aid.