

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## COUNCIL

### MINUTES OF THE MEETING HELD ON THURSDAY, 14 SEPTEMBER 2017

**Councillors Present:** Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Dominic Boeck, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Richard Crumly, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Dave Goff, Manohar Gopal, Carol Jackson-Doerge (Vice-Chairman), Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Graham Pask, Anthony Pick, Richard Somner, Quentin Webb (Chairman) and Laszlo Zverko

**Also Present:** Joanne Bassett (Public Relations Assistant), Nick Carter (Chief Executive), Sarah Clarke (Acting Head of Legal Services), Mac Heath (Head of Children and Family Services), Peta Stoddart-Crompton (Public Relations Officer), Rachael Wardell (Corporate Director - Communities), Moira Fraser (Democratic and Electoral Services Manager), Gabrielle Mancini (Group Executive - Conservatives) and Jo Reeves (Principal Policy Officer)

**Apologies for inability to attend the meeting:** Councillor Steve Ardagh-Walter, John Ashworth, Councillor Jeremy Bartlett, Councillor Dennis Benneyworth, Councillor Graham Bridgman, Councillor Jason Collis, Councillor Marcus Franks, Councillor James Fredrickson, Councillor Clive Hooker, Councillor Alan Law, Councillor Ian Morrin, Councillor Garth Simpson, Councillor Anthony Stansfeld and Councillor Emma Webster

**Councillors Absent:** Councillor Rob Denton-Powell, Councillor Sheila Ellison, Councillor Nick Goodes, Councillor Paul Hewer, Councillor James Podger and Councillor Virginia von Celsing

#### PART I

##### 38. Chairman's Remarks

The Chairman reported that he had attended 21 events since the last Council meeting and the Vice Chairman had attended six events on behalf of the Council.

The Chairman noted that the West Berkshire Community Champion Awards had been launched and he encouraged Members to promote the scheme within their communities.

##### 39. Minutes

The Minutes of the meeting held on 04<sup>th</sup> July 2017 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the word 'Councillor' before 'Manohar Gopal' on page 10 of the agenda.

##### 40. Declarations of Interest

There were no declarations of interest received.

##### 41. Petitions

There were no petitions presented at the meeting.

##### 42. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

- a) *A question standing in the name of Mr Jamie Heath on the subject of the difference between WBC 'Pothole Policy and Guidance' and WBC intervention levels document would receive a written response from the Portfolio Holder for Highways and Transport as Mr Heath was not able to attend the meeting.*
- b) *A question standing in the name of Mr Jamie Heath on the subject of the Council's adherence to the Pothole Policy would receive a written response from the Portfolio Holder for Highways and Transport as Mr Heath was not able to attend the meeting.*

### 43. **Membership of Committees**

Councillor Graham Jones proposed that Councillor James Cole replace Councillor Nick Goodes on the Licensing Committee. The recommendation was seconded by Councillor Hilary Cole.

The Motion was put to the meeting and duly **RESOLVED**

### 44. **Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had met on 18 July 2017.

### 45. **Personnel Committee**

The Council noted that, since the last meeting, the Personnel Committee had not met.

### 46. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Ethics Committee had met on 21 August 2017.

### 47. **District Planning Committee**

The Council noted that, since the last meeting, the District Planning Committee had met on 23 August 2017.

### 48. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Commission had not met.

### 49. **Joint Public Protection Committee**

The Council noted that, since the last meeting, the Joint Public Protection Committee had not met.

### 50. **Appointment of the Independent Remuneration Panel (C3310)**

The Council considered a report (Agenda Item 14) concerning the membership of the West Berkshire Council Independent Remuneration Panel (IRP) for 2017 and which sought agreement on the scope of the allowances the IRP would consider at its next meeting.

**MOTION:** Proposed by Councillor Graham Jones and seconded by Councillor Lee Dillon:

“That the Council:

- “1 Agrees the membership of the West Berkshire Council IRP.
- 2 Agrees that the scope that the IRP will consider will include:
  - Basic Allowance

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

- Special Responsibility Allowances - with particular attention to the following:
  - Governance and Ethics Committee
  - Personnel Committee
  - Overview and Scrutiny Management Commission
  - Standards Committee
- Allowances for Independent Members
- Childcare and Dependent Carers Allowance
- Travelling Allowance
- Subsistence Allowance
- The administration of the scheme”

Councillor Graham Jones in introducing the item noted that The Local Authorities (Members’ Allowances) (England) Regulations 2003 required Councils to establish and maintain an Independent Remuneration Panel (IRP).

The last meeting of the panel took place in February 2015 and provided an extensive review of Members’ Allowances. The panel members at that time were Ms Lindsey Appleton, Mr David Danielli and Mr Declan Hall. Ms Appleton was now a West Berkshire Council Independent Person and could therefore not form part of the panel. Mr Hall was employed as an advisory consultant for the Panel and it was not intended that he be employed on this occasion.

Given the need to replace two of the previous panel members, and in line with the statutory requirements, the proposed membership of the Panel for November 2017 was as follows: Mr David Danielli, Mr Jonathon Hopson and Mr Tim Renouf.

Councillor Graham Jones asked Members to support the scope of the review and highlighted that there was a statutory requirement for the Panel to meet and that he anticipated that this would be a ‘light touch’ review.

Councillor Lee Dillon supported the membership of the Panel and the scope of the review.

The Motion was put to the meeting and duly **RESOLVED**.

### 51. **New Arrangements for Appeals Panel (C3361)**

The Council considered a report (Agenda Item 15) which proposed an increase in the number of Members on an Appeals Panel from three to four and to remove the requirement for a substitute.

**MOTION:** Proposed by Councillor Graham Jones and seconded by Councillor James Cole:

“That the Council:

- “1 Agrees that the Panel for future Appeals Panel meetings will consist of four Members with no substitute required.
- 2 Agrees that subject to agreement with the paragraph above the necessary changes be made to the Council’s Constitution.”

Councillor Graham Jones noted that the report set out a change to the way Appeals Panels currently operated. Where an appeal needed to be heard an Appeals Panel of

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

three Members and a substitute was constituted by the Head of Strategic Support. The substitute was required to attend the whole hearing in case an unexpected conflict of interest or illness arose, but they were precluded from taking part in the deliberations and final decision making.

Members had found this frustrating. It was proposed that in order to fully involve all Appeals Panel Members in the decision making process and provide them with the opportunity to gain necessary relevant experience and to make better use of their time the number of Members sitting on an Appeals Panel should be increased to four, but with substitutes no longer being appointed.

Councillor James Cole noted that the amendment had received the full support of the Governance and Ethics Committee when it was discussed at that meeting.

The Motion was put to the meeting and duly **RESOLVED**.

### 52. **West Berkshire's Children's Services are "Good" (C3383)**

The Council considered a report (Agenda Item 16) which sought to inform Council of the outcome of the Children's Services Ofsted Inspection of May 2017, responded to Ofsted's recommendations arising from that inspection and which set out the Council's ambition to build on the successful 'Good' Ofsted grading to achieve excellent and sustainable Children's Services.

The report also noted that future consideration would be given to going beyond the action plan in response to Ofsted's seven recommendations, in order to further develop and improve the service.

**MOTION:** Proposed by Councillor Lynne Doherty and seconded by Councillor Gordon Lundie:

"That the Council:

1. Notes the progress made by West Berkshire Children Services since its Ofsted inspection in March 2015 to achieve a 'good' judgement in the inspection undertaken in May in 2017.
2. Endorses the service's Action Plan in response to the seven recommendations in Ofsted's inspection report published in July 2017.
3. Notes that further consideration will be given to the next steps for the development of West Berkshire Children Services to further embed good practice and consider what more needs to be achieved to progress beyond "good" to great services."

Councillor Lynne Doherty explained that the report served to inform Members of the outcome of the Children's Services Ofsted Inspection which took place in May 2017. The report also included an Action Plan which had been drafted in order to respond to Ofsted's recommendations. She was delighted to present the report but recognised that there was further work to do and that the Council would not be complacent. The Service, which had been on a journey over the last two years, had now been transformed from inadequate to good.

One of the core functions of the service was to protect the District's children and the Service noted the outcome of the inspection which showed that 'children who need help and protection' still required improvement.

The inspection had identified the following key points:

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

- The workforce had been stabilised. At the time of the initial inspection in 2015 the agency rate was 50% which had been reduced to 12% at the time of the 2017 inspection.
- Timely decision making had been aided by the introduction of the multi-agency safeguarding hub (MASH).
- Leaders demonstrated their care for looked after children through thoughtful attention to improving services.
- Members, through their role as corporate parents, encouraged children to achieve all they could.
- The relationships between various agencies including foster carers and social workers were good.

Councillor Doherty thanked all those involved in making this happen including frontline staff, social workers, the leadership team, the administrative team, Education Services, Prevention Team, Safeguarding Team, Members and partner agencies. She appreciated the level of commitment that was required to achieve this result.

She also thanked Councillor Gordon Lundie for appointing her to the role as Portfolio Holder for Children's Services, Rachael Wardell for her steadfast leadership and Dr Mac Heath who was instrumental in driving the improvement plan forward.

While she was pleased to reflect on the successes she accepted that there was still a lot of work to do. She therefore asked Council to note the progress that had been made and to endorse the 39 improvement streams in the Action Plan.

Councillor Gordon Lundie stated that in his 14 years as a Councillor, with the exception of delivering eulogies for friends, the most difficult speech he had to make was when the Council's Children's Services were judged to be inadequate. While he had disagreed with some of the judgments made by Ofsted in 2015 he had felt it would be more productive to focus on areas that needed improvement.

At the time the Council was struggling with high vacancy rates and a high turnover of social workers in particular. A decision had been taken to make a significant financial investment in this area. Councillor Lundie acceded that at the time he was sceptical that it would deliver the results that were needed but he was very pleased to see the fruits of that investment now.

He too thanked all those involved in delivering the improvement and in particular he thanked Rachael Wardell, Councillor Lynne Doherty and Dr Mac Heath who had joined the organisation at a very difficult juncture.

He accepted that there were still areas to focus on including health and communication but he was pleased to endorse this great report and looked forward to seeing a strategy to take the service to outstanding.

Councillor Jeanette Clifford congratulated Councillor Doherty and her team on a great achievement and asked her to elaborate on the next steps that would be taken. Councillor Doherty noted that a Strategy Board had been set up. They were looking at other authorities, she thought that there were two, that had been designated as outstanding and other authorities delivering best practice to see what could be implemented locally to take the service forward.

Councillor Graham Pask, as a former Portfolio Holder in this area, echoed his thanks to all those involved in this process. He commented that the safety of the district's children was paramount. He also noted the role of Members as corporate parents and highlighted

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

that the Corporate Parenting Panel had been overhauled in order to ensure that Members received up to date information which benefitted the district's children.

Councillor Alan Macro stated that he also wished to add his commendation to all those involved in this tough journey and he thanked them all for their efforts. He noted however that the report showed that children who needed help and protection still required improvement. The report also stated that Leaders had been told to give more attention to children who went missing from home or care. He also drew attention to the comments that the risk analysis of those at risk of child sexual exploitation was not sufficiently robust. He was disappointed that recommendation 4 in the Action Plan, which sought to address this concern, had not yet been started.

Councillor Hilary Cole stated that she had attended the feedback on the inspection in May 2017 and had found it to be a very enlightening experience. She was very pleased for the team and commented that she would like them to keep up the good work. She stated that the success was attributable to the outstanding leadership that had been shown and the professionalism of Officers, and she wished them every success on their continuing journey.

Councillor Lee Dillon commented that his group were very supportive of the service moving forward. He did, however, have some concerns which he wished to raise. He commented on the absence of an apology to the children who had been let down at the time.

In terms of the Action Plan, he noted that one of the commitments was 'we will simplify and clarify language used in our plans' and he hoped that this could be applied to the Action Plan itself.

He noted the comments on page 7 of the Action Plan which related to assessment periods for assessing mental health needs and commented that there were no timescales included in the Action Plan for assessing these needs.

He also noted that in Sections D and E reference was made to children being consulted on whether their diversity needs were being met and he queried how this could be achieved if the children were not aware of what their needs were.

Councillor Dillon also commented that the tense of the language used in relation to objective C on page 11 was incorrect. He also commented that the Executive Summary stated that no additional resources would be required but that on page 13 of the document reference was made to considering recommissioning a RH provider which would require resources.

Councillor Rick Jones added his congratulations to the Team for the improvements that had taken place. As far as he was aware the Council was currently the only unitary authority to make a two grade improvement in their inspection results and this was in itself a fantastic achievement. He was a member of the Foster Panel and he had been able to observe at first hand the improvements that had been made.

Councillor Tony Linden queried if modern day slavery had been taken into account given that this was a potential risk for vulnerable children.

In accordance with paragraph 4.13.16 (Points of Order/Explanation) Councillor Lundie was heard on a point of personal explanation. In relation to Councillor Dillon's comments about an apology to the affected children he explained that he had offered an apology two years ago, would be happy to apologise again and to take responsibility for the judgement.

Councillor Doherty thanked Members for their kind words which she welcomed on behalf of the service too.

## COUNCIL - 14 SEPTEMBER 2017 - MINUTES

In relation to the comments made by Councillor Macro she reaffirmed that the Council would not be resting on its laurels and would enact the associated actions relating to health and protection requirements set out in the Action Plan.

In terms of missing children the Local Children's Safeguarding Board had met in July 2017 where they had looked at this issue in detail. She would be happy to share that report with Councillor Macro. Processes around child sexual exploitation were being addressed by SEMRAC (Sexual Exploitation and Missing Risk Assessment Conference).

She thanked Councillor Dillon for his comments around the language and tense used in the Action Plan and she would ask Officers to look into this prior to the Plan being submitted to Ofsted. In terms of timescales associated with mental health needs assessments these depended on the type of mental health issue the child was experiencing and so they could not be quantified. CAMHS did however have timescales that they worked to. The Council could however consider how it prioritised need and that this could be articulated going forward.

In terms of diversity of needs social workers had a range of age appropriate tools that they used when working with children which helped to identify needs.

In terms of the RHI (Return Home Interviews) service this was a service that was commissioned and was therefore already funded. Actions would not be driven by costs and that action related to recommissioning a service if it was deemed necessary.

Councillor Doherty noted that modern day slavery was one of a number of emerging issues that the service would have to keep abreast of. Continuous improvement would always be needed to meet new challenges.

The Motion was put to the meeting and duly **RESOLVED**.

### 53. **Members' Questions**

A full transcription of the Member question and answer session is available from the following link: (link to pdf on website)

- (a) A question standing in the name of Councillor \* on the subject of \* was answered by the Executive Member for \*.
- (b) A question standing in the name of Councillor \* on the subject of \* was answered by the Executive Member for \*.

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

*(The meeting commenced at 7.00 pm and closed at 7.49 pm)*

**CHAIRMAN** .....

**Date of Signature** .....