

Cabinet

20 October 2020 – At a virtual meeting of the Cabinet held at 10.30am with restricted public access.

Present:

Cllr Marshall (Chairman), Cllr Crow, Cllr Elkins, Cllr Hunt, Cllr A Jupp, Cllr N Jupp, Cllr Lanzer, Cllr Russell and Cllr Urquhart

Apologies were received from Cllr Barrett-Miles

Also in attendance: Cllr J Dennis, Cllr Hillier, Cllr M Jones, Cllr Turner, Cllr Waight and Cllr Walsh

36. Declarations of Interest

36.1 No interests were declared.

37. Minutes

37.1 Resolved – that the minutes of the meeting held on 15 September 2020 be approved as a correct record and that they be signed by the Chairman.

38. Scope of services for a proposed Children's Trust

38.1 Cabinet considered a report by the Executive Director of Children, Young People and Learning.

38.2 The report was introduced by Cllr Jacquie Russell, Cabinet Member for Children and Young People who outlined that, following an inadequate Ofsted inspection of Children's Services in early 2019 and subsequent Direction from the Secretary of State, the authority is required to establish a Trust service delivery model and to enter into a Memorandum of Understanding with the Department for Education (DfE). The model proposed will encompass the whole of the Children's Services department, including Education and Skills, within the scope of the trust. Including the entire service within the Trust aligns with the recommendation of the Children's Commissioner and maintains a clear and integrated approach as the service continues on its improvement journey. The Trust would become effective in October 2021.

38.3 Cllr Stephen Hillier, Chairman of the scrutiny 'services for a proposed Children's Trust Task and Finish Group' (TFG) provided the conclusions of the group:

- There was unanimity that all services should sit within the trust.
- The Board of the trust should comprise membership with solid experience, and that education and early help should be equally represented for effective overall delivery.

- Future costs to the Council and disruption to staff were considered as potential risks and areas for potential future scrutiny.
- Supported the implementation of the Trust, and that the Executive Director for Children, Young People and Learning be appointed as Chief Executive of the Trust.
- That consideration be given to how the trust engages with other services within the County Council.

38.4 Cllr Dr James Walsh, Leader of the Liberal Democrat Group highlighted that former mistakes within the service should be learnt from. He asked what the Trust would cost the taxpayer over the next three to five years and questioned how the Board would be subject to scrutiny, and how governance arrangements deal with accountability. The Cabinet Member for Children and Young People clarified these points.

38.5 Cllr Michael Jones, Leader of the Labour Group asked whether staff were protected by the Transfer of Undertakings Protection of Employment (TUPE) regulations and this was confirmed. He stated that all members should have been consulted on the scope of the Trust and commented that the proposed scope surrendered responsibility as the local education authority. He requested a progress update at full Council in March 2021.

38.6 Resolved - that Cabinet:

1. Approves the proposals for the principal provisions for the Memorandum of Understanding with the Department for Education as the basis for the establishment of a Children's Trust in accordance with the direction given to the Council by the Secretary of State for Education.
2. Gives authority to the Chief Executive to sign the Memorandum of Understanding with the Department for Education based on the proposals for inclusion as approved by the Cabinet.

39. For debate and discussion: Fire and Rescue Service Statement of Assurance and Annual Report

39.1 Cabinet considered reports by the Chief Fire Officer.

39.2 The reports were introduced by Cllr Duncan Crow, Cabinet Member for Fire and Rescue and Communities who outlined the requirement to produce a Statement of Assurance under the Fire and Rescue National Framework for England. He highlighted the governance arrangements of the Fire and Rescue Service through Cabinet and a newly established Fire and Rescue Service Scrutiny Committee. The annual report highlighted operational performance, including improvement work, and Integrated Risk Management Plan (IRMP) actional plan delivery.

39.3 Cllr Steve Waight, Chairman of the Fire and Rescue Service Scrutiny Committee noted the improvement journey undertaken over the past eighteen months. The Committee felt the Annual Report was an excellent document which provided a comprehensive overview of the work of the Fire and Rescue Service, including prevention and protection.

39.4 Cllr Michael Jones, Leader of the Labour Group raised the reduction in performance and asked what steps had been taken to address this in high risk areas. He queried why incident statistics had not been published in the Statement of Assurance. The Chief Fire Officer responded to his questions.

39.5 Resolved – that Cabinet reviews and notes the Statement of Assurance and Annual Report, and commends the content and work undertaken, taking into account the views of the Fire and Rescue Service Scrutiny Committee and Minority Group Leader.

40. For debate and discussion: West Sussex County Council Response to Covid-19

40.1 Cabinet considered a report by the Chief Executive. The report was introduced by Cllr Amanda Jupp, Cabinet Member for Adults and Health who advised that case numbers were increasing and a three-tier system had been introduced nationally. Laboratory capacity had been increased in Sussex and track and trace support, once set up, would make managing the pandemic at local level easier. A joint winter planning document devised with health services had been submitted to NHS England who had praised the plan as an exemplar and the best in the region.

40.2 Dr Stephen Horsley, Interim Director of Public Health provided an update on local case figures and work on infection control. Lucy Butler, Executive Director for Children, Young People and Learning provided an update on the changing situation in schools in the county and provided figures of cases and attendance levels at schools.

40.3 Cllr Bryan Turner, Chairman of the Health and Adult Social Care Scrutiny Committee noted that, although case numbers were increasing, they remain lower than the majority of the country and welcomed this. He highlighted that some care homes were not allowing new admissions or visitors and considered how passported funding to those homes could increase confidence in dealing with patients with the virus.

40.4 Cllr Joy Dennis, Chairman of the Performance and Finance Scrutiny Committee noted the Committee was reviewing the impact of Covid-19 including additional cost pressures and that lobbying of the Government should continue in order to press for greater financial assistance. Covid-19 had impacted business as usual performance indicators and temporary measures had been introduced to reflect the change in challenges.

40.5 Cllr Stephen Hillier, Chairman of the Children and Young People's Services Scrutiny Committee felt the response of WSCC to the pandemic was positive and had found the updates from Public Health and Education and Skills to have been timely and helpful. He noted that at its next meeting, the Committee would be considering the impact of the pandemic on children and educational outcomes.

40.6 Cllr Steve Waight, Chairman of the Fire and Rescue Service Scrutiny Committee referenced the HMICFRS inspection of WSCCs response to the Covid-19 pandemic and that scrutiny would await the outcomes from both

this and the next full inspection to provide feedback to Cabinet in the intervening period.

40.7 Cllr Dr James Walsh, Leader of the Liberal Democrat Group noted that an effective track and trace system was crucial to control the virus.

40.8 Cllr Michael Jones, Leader of the Labour Group felt the testing capacity did not enable track and trace as an effective mechanism. He highlighted the different rates across the County and asked if this was being explored. He raised the economic implications across the county and questioned how the discretionary funding allocation was being advertised.

40.9 Cabinet Members and the Chief Executive responded to the points raised in discussion. The Leader summarised that as the county entered a second wave of the virus, it was still recovering from the first, with further unprecedented challenges expected. Lobbying to government had increased and conversations were taking place with Members of Parliament who were keen to understand the local challenges.

40.10 Resolved – that Cabinet notes the update and discussion, including comments from Scrutiny Chairman and Minority Group Leaders in the council's response to the Covid-19 pandemic.

41. Emerging Issues

41.1 Cllr Jacquie Russell, Cabinet Member for Children and Young People advised that Ofsted was currently undertaking a focussed visit, the findings of which would be published in early December on the Council's website.

42. Date of Next Meeting

42.1 The next meeting of Cabinet would be held on 24 November 2020.