

Time began: 6:00pm
Time ended: 7.38pm

COUNCIL CABINET

10 October 2018

Present Councillor M Holmes (Chair)
 Councillors Barker, Roulstone, Smale, Webb and Williams

In attendance Councillors Care and Eldret
 Carole Mills – Chief Executive
 Don McLure – Strategic Director of Corporate Resources
 Christine Durrant – Strategic Director of Communities and Place
 Andy Smith – Strategic Director of People
 Glen O'Connell – Interim Monitoring Officer
 Gurmail Nizzer – Acting Director of Commissioning
 Dave Kinsey – Head of Highways and Grounds Maintenance, Land Drainage and Flood Defence
 Kully Boden – Highway Asset Team Leader
 Frederico Almeida – Youth Mayor
 Ruth Sadler – Senior Communications Officer

This record of decisions was published on 12 October 2018. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

85/18 Apologies

Apologies for absence were received from Councillors Grimadell, Poulter and Skelton.

86/18 Late Items

There were none.

87/18 Receipt of Petitions

There were no petitions received.

88/18 Identification of Urgent Items to which Call In will not apply

There were none.

89/18 Declarations of Interest

There were no Declarations of Interest.

90/18 Minutes of the Meetings Held on 12 and 20 September 2018

The minutes of the meetings held on 12 and 20 September 2018 were agreed as a correct record.

Matters Referred

91/18 Recommendations from the Executive Scrutiny Board

The Council Cabinet considered a report on Recommendations from the Executive Scrutiny Board. The Executive Scrutiny Board met and discussed items contained within the Council Cabinet Agenda. The report enabled the views and recommendations resulting from these discussions to be formally shared with Council Cabinet. These were submitted to Council Cabinet as Appendix 2, prior to commencement of the meeting.

Decision

To receive the report and consider the recommendations alongside the relevant report.

92/18 Referrals from Council – Long Term Waste Contract

The Council Cabinet considered two resolutions from Council on the Long Term Waste Contract.

The Executive Scrutiny Board expressed deep dismay at the recommendation before Council Cabinet to defer any decision; and recommend that Council Cabinet should respect the will of Council and immediately terminate the waste contract in line with the democratic resolution made on 27 September 2018.

Decision

1. To defer any decision on the Council resolutions until they can be considered alongside up-to-date and appropriate technical, financial and legal information.
2. To note the recommendation from the Executive Scrutiny Board.

Key Decisions

93/18 Highway Safety Inspections Manual – October 2018

The Council Cabinet considered a report which stated that Council Cabinet received a report in September 2018 to review and adopt the new Highway Infrastructure Asset Management Framework. The Policy and Strategy included in the Framework were key to continuing our asset management approach in maintaining the network and major highway infrastructure. The Highway Safety Inspection Manual: October 2018 was another new document within the Framework and would be the primary evidence used by the authority in any defence against third party claims on the highway, under Section 41 or 58 of the Highways Act 1980.

Highway safety inspections were designed to ensure the network was safe and routinely checked for defects, which may have the potential to create injury or disruption to users of the highway network. Appropriate response times for repair were then issued. The City Council currently operated a system of highway safety inspections based upon the existing “Well Maintained Highways Code of Practice: July 2005” and industry best practice.

In October 2016, the UK Roads Liaison Group launched the new “Well Managed Highway Infrastructure Code of Practice: October 2016”. Commissioned by the Department for Transport, the new code had introduced a step change in emphasis for highway safety inspections. It recommended that the safety inspection and defect repair regimes should be based on risk, in accordance with local needs, context and priorities. There were no longer prescriptive or minimum standards published at which an authority should intervene and repair a defect. It was for local authorities to determine appropriate levels of service and be able to demonstrate clearly what had informed that approach.

Local authorities have had two years to implement the new code. The Highway Asset Team had worked diligently to produce a robust and defensible approach in response to the new code. The new Highway Safety Inspection Manual: October 2018 (Appendix 2 of the report) developed predominantly to address carriageway and footway defects, would be implemented soon after Council Cabinet approval.

Options considered

The Council retained its existing procedures with the current Highway Inspection Manual and soon to be obsolete “Well Maintained Highways - Code of Practice: July 2005”. However, this approach would not be acknowledged and supported nationally after October 2018 and would inevitably see an increase in successful third party claims against the Authority. In addition, it weakened our position in the Department for Transport Incentive Fund Self-Assessment process, if we were not engaging or embedding our asset management approach in line with national guidance.

The Executive Scrutiny Board noted the report.

Decision

1. To review and approve the new Highway Safety Inspection Manual: October 2018.

2. To delegate authority to the Strategic Director for Communities and Place, following consultation with the Cabinet Member for Neighbourhoods and Streetpride to maintain, develop and amend the Manual as necessary from time to time.

Reasons

1. The Councils' current Highway Inspection Manual was recognised as industry good practice and had influenced an excellent highway claim repudiation rate (currently 97%). However, it was now inconsistent with new national guidance which defines good asset management practice. Adoption of the new Highway Safety Inspection Manual: October 2018 would enable the council to aim to continue to defend claims robustly.
2. Recommendation 2 of 36 from the new Code of Practice states that all activities outlined in the Highway Infrastructure Asset Management Framework should be documented and endorsed at a senior level. The new Code of Practice was progressive and its application and adoption by local authorities was keenly anticipated by the legal profession. Progress towards implementation nationally ranges from moderate to well-prepared. Derby City was viewed by the Department for Transport as an exemplar authority on our work to date on highway asset management. The Department for Transport were keen to see that authorities had embraced the opportunities and tools available to manage the network as efficiently as possible. On 28 September 2018, the Department for Transport confirmed that they wished to see Derby City Council's methodology to the risk based approach as a case study for good practice. Council Cabinet approval for the new Highway Safety Inspection Manual: October 2018 provided a seal of support for the authority's fully compliant approach to the Code of Practice and the appetite to the scale of risk as set out in each of the levels of service.
3. The new Highway Safety Inspection Manual: October 2018 was in line with our asset management approach and supports the DfT Incentive Fund Self-Assessment process in determining the balance between planned and reactive maintenance activities. It would improve the resilience of the highway network and make effective and efficient use of limited funds.
4. The new Highway Safety Inspection Manual: October 2018 was a live document and we would be testing the new risk based approach and monitoring on a continual basis. Refining our approach and revising the document was inevitable and by delegating authority to the Strategic Director for Communities and Place following consultation with the Cabinet Member for Neighbourhoods and Streetpride would enable necessary changes to be made swiftly.

94/18 Improving Special Educational Needs and Disability (SEND) Provision in Derby

The council cabinet considered a report which stated that the Council has an important role in championing the needs of vulnerable children in Derby, and

ensuring the continued inclusion of children with special needs in all of our schools in the city. The Department for Education also required Local Authorities to consider Special Educational Needs and Disabilities (SEND) provision in the context of meeting the national SEND reforms.

It was important to note that, under the SEND Code of Practice, every school was required to identify and address the needs of the pupils that they supported. This was emphasised in the Secretary of State's speech on 5 July 2018 in that 'every school is a school for pupils with SEND; and every teacher is a teacher of SEND pupils'.

Following very careful consideration and initial consultation with parent representatives, Special Educational Needs and Disabilities (SEND) partners and headteachers, proposals were developed to improve Derby's specialist provision for children and young people with SEND and to help support parents, carers and families. The key proposals related to the following:

- a. Enhanced Resource School and Special School Placement Criteria;
- b. A fresh look at specialist provision to ensure it is relevant to current needs of children and young people in Derby;
- c. Improving SEND pupil pathways between primary and secondary Enhanced Resource School placements to help effective transition planning for children;
- d. Developing an Early Years Inclusion Fund for all Early Years providers;
- e. Capital investment to increase and improve Enhanced Resource School provision.

Consultation on the proposals took place over a six week period between 6 November 2017 and 15 December 2017. In total, 425 consultation responses were received. All comments had been grouped into categories and themes for analysis. A detailed summary of the responses received is set out in Appendix 2 of the report. In addition, full consultation responses had been made available to all Council Cabinet Members.

The consultation exercise had been extremely helpful. Following very careful consideration of all consultation responses, and in view of the requirement to deliver the national SEND reforms, the key proposals were as follows:

- To update the placement criteria for Special Schools and Enhanced Resource Schools from September 2019, including a single set of criteria for St Andrew's School, St Clare's School, St Giles School and St Martin's Schools, as set out in Appendix 3 of the report.
- To establish pupil pathways for Enhanced Resource Schools from September 2019, as set out in Appendix 4 of the report.

- To start the initial scoping of pupil pathways for Special Schools including in relation to proposals to consider changing the age range of St Clare's School from a secondary special school to a primary special school.
- To review the number of commissioned places in each of Derby's Enhanced Resource Schools and nursery schools, to ensure that capacity meets with demand for places, as set out in Appendix 5 of the report.
- To change the number of ERS commissioned places for Brackensdale ER Primary School to 28 places for pupils with communication and interaction needs from September 2019, with additional funding and financial protection to remain in place as part of the transition process until March 2021.
- To identify alternative options for providing places for pupils with Social, Emotional and Mental Health (SEMH) needs, including proposals to start carefully planning the de-commissioning of the current provision at Alvaston Junior School and the 11-16 provision at Lees Brook School from March 2019. Subject to approval, the Council would not make any further placements in the Enhanced Resource School provision at Alvaston Junior School and Lees Brook School from September 2019 but would continue to fund places for pupils currently on roll in the provision as they move through the schools. Discussions would take place with the schools in due course as part of transition planning and de-commissioning arrangements.
- To reallocate the Enhanced Resource School funding provided to Central Community Nursery School (£142,055) and Lord Street Nursery School (£110,000), totalling £252,055, to a single Early Years Inclusion Fund which Maintained Mainstream Settings and Private, Voluntary and Independent (PVI) settings could make applications to in order to provide additional support for early years children with SEND across the city. This included proposals to start carefully planning the de-commissioning of the current provision at Central Community Nursery School and Lord Street Nursery School to take effect from September 2020.
- To work in close partnership with The Bemrose School to establish 14 primary Enhanced Resource School places at the school for pupils with communication and interaction needs.
- To commence feasibility studies for increasing and improving provision at Bemrose School and St. Clare's School, with a view to making an estimated capital investment of around £7.2m across the two schools to help support the schools in meeting the individual needs of pupils with SEND, in view of the proposed changes to the placement criteria and number of commissioned places.

As part of the Council's ongoing commitment to improving specialist provision, exceptional needs funding had already been established, as additional funding, for those pupils with very complex needs who were at risk of being placed out of the city. The exceptional needs funding was made available for all Derby special schools from April 2017 onwards. In addition, through the SEND funding banding changes, the

Council had, overall, committed significant additional funding of £911,000 for our special schools and enhanced resource schools over a three year period from April 2018. The additional funding had been committed to help support the implementation of the proposals to improve Derby's specialist provision.

Subject to approval of the proposals, to ensure the effective implementation of the strategy and to support parents, it was considered important for Derby City Council to be responsible for coordinating all SEND placements in Derby. This would help ensure a consistent and coordinated approach and that pupils were placed in the most appropriate setting based on level of need.

It was important to note that no existing pupil placements would be affected by the proposals.

The Executive Scrutiny Board resolved to recognise the vital importance of early years intervention and recommend that Council Cabinet

- 1) should not decommission enhanced resource places at Central and Lord Street nurseries, but should instead formalise the commissioning of those places to ensure SEND support if available at early years;
- 2) should ensure there is an assessment unit to lead and inform early years intervention;
- 3) should ensure clarity of pupil pathways from early years to primary places;
- 4) should increase resource and provide funding for Central and Lord Street nurseries to enable them to become centres of excellence that can provide support for other settings, to promote inclusion;
- 5) should increase resource and provide funding for Brackensdale Primary School to enable it to become a centre of excellence that can provide support for other settings, to promote inclusion; and
- 6) ensure that any monies saved from the proposals should be reinvested in SEND provision and made available citywide to enhance resource.

Options considered

The consultation exercise had been extremely helpful. The Council had considered, very carefully, all responses and had made changes to the proposals in light of the comments and suggestions that had been raised. In view of the consultation responses received and the requirements of the national SEND reforms, the recommendation was to approve the updated proposals, as set out in the report.

Decision

1. Following very careful consideration of consultation responses on proposals to improve Derby's specialist provision, and in view of the requirements of the national SEND reforms, to approve:

- a. the proposed updated placement criteria from September 2019, as set out in Appendix 3 of the report;
 - b. the proposed Enhanced Resource School pupil pathways from September 2019, as set out in Appendix 4 of the report;
 - c. the updated numbers of commissioned places in each of Derby's Enhanced Resource Schools from September 2019, as set out in Appendix 5 of the report.
 - d. a change in number of Enhanced Resource School places for Brackensdale ER Primary School to 28 commissioned places from September 2019, with additional funding to remain in place as part of the transition process until March 2021;
 - e. consideration of alternative options for providing places for pupils with Social, Emotional and Mental Health (SEMH) needs including proposals to start planning the de-commissioning of the current provision at Alvaston Junior School and the 11-16 provision at Lees Brook School;
 - f. the reallocation of the funding provided to Central Community Nursery School and Lord Street Nursery School to a single Early Years Inclusion Fund, including proposals to start planning the decommissioning of the Enhanced Resource School places at Central Community Nursery School and Lord Street Nursery School;
 - g. to establish 14 primary Enhanced Resource School places at the Bemrose School for pupils with communication and interaction needs;
 - h. Derby City Council being solely responsible for coordinating all SEND placements in Derby.
2. To approve the commencement of feasibility studies for increasing and improving provision at Bemrose School and St. Clare's School, with a view to making estimated capital investment of around £7.2m across the two schools.
 3. To approve scheme commencement and amendment to the approved 2018/19 - 2020/21 capital programme with proposed scheme allocations as set out in Appendix 7 of the report.
 4. To approve the scoping of initial proposals to establish special school pupil pathways, including initial proposals to consider changing the age range for St Clare's School from a secondary special school to a primary special school, and to seek Council Cabinet approval of the proposals, following this scoping exercise.
 5. To note that a SEND Graduated Response Strategy for inclusion had been developed for consideration and Council Cabinet approval in a separate report.

6. To endorse the Council's approach of requiring all mainstream schools and enhanced resource schools to set separate budget plans in relation to prioritising SEND notional funding, and enhanced resource school funding from 2018-19 and future years.
7. To note that, subject to approval of the specialist provision proposals in recommendation 2.1 (above), Service Level Agreements (SLAs) would be updated to reflect the SEND changes for Special Schools and Enhanced Resource Schools.
8. To reject the following recommendations from Executive Scrutiny Board that Council Cabinet
 - should not decommission enhanced resource places at Central and Lord Street nurseries, but should instead formalise the commissioning of those places to ensure SEND support if available at early years;
 - should ensure there is an assessment unit to lead and inform early years intervention;
 - should ensure clarity of pupil pathways from early years to primary places;
 - should increase resource and provide funding for Central and Lord Street nurseries to enable them to become centres of excellence that can provide support for other settings, to promote inclusion; and
 - should increase resource and provide funding for Brackensdale Primary School to enable it to become a centre of excellence that can provide support for other settings, to promote inclusion.
9. To note the recommendation from the Executive Scrutiny Board requesting Council Cabinet to ensure that any monies saved from the proposals should be reinvested in SEND provision and made available citywide to enhance resource.

Reasons

1. Following careful consideration of the consultation responses, and in view of the requirements of the national SEND reforms, the recommendation was to approve the updated specialist provision proposals. Detailed information on each of the proposals was set out in the supporting information section of this report.
2. For The Bemrose School and St Clare's School, it was proposed that capital investment was allocated to provide appropriate accommodation to meet the needs of children and young people based on the proposed changes to placement criteria and number of commissioned places.
3. The consultation document on the proposals acknowledged the need for further consideration to be given to special school pupil pathways and

consultation responses supported this. As a result, the Council had continued work on developing initial proposals for creating special school pupil pathways, with aligned pupil placement criteria in relation to St Giles, St Andrews, St Clare's and St Martins Special Schools.

4. In accordance with Financial Procedure Rules, amendments to the Council's capital programme were required to be reported to Council Cabinet.
5. The Graduated Response Inclusion Strategy provided support to all schools and clarity around the process and criteria for determining the level of provision needed to effectively support an individual pupil's progress. The strategy incorporated the 'assess', 'plan', 'do' and 'review' cycle as outlined in the SEND Code of Practice 0-25.
6. The Council had requested that all mainstream schools and enhanced resource schools set separate budget plans in relation to prioritising SEND notional funding and enhanced resource school funding to ensure that they were able to clearly demonstrate how the funding had been prioritised specifically for children with SEND. This also helped ensure transparency for parents and carers in relation to a school's continuing commitment to SEND and inclusion.
7. The Council continued to work in close partnership with all city schools and it was absolutely essential that all schools form part of the strategy to improve specialist provision. Given the importance of delivering the SEND reforms, SEND Vision for Derby and outcomes of the specialist provision review, it was considered essential that additional SEND requirements and principles were set out for Special Schools and Enhanced Resource Schools in Service Level Agreements (SLAs).

95/18 Graduated Response Strategy – Improving Special Educational Needs and Disability (SEND) Support and Outcomes in Derby

The Council Cabinet considered a report which sought approval of the Council's Graduated Response Strategy which aimed to improve the support and outcomes for children and young people with Special Educational Needs and Disabilities (SEND) in mainstream settings. As a Council we were committed to improving inclusion for children and young people in mainstream settings, and the Graduated Response Strategy had been developed to strengthen inclusion and improve outcomes for children and young people (see Appendix 2 of the report - Graduated Response Flowchart).

In the recent consultation on the strategic city-wide specialist provision proposals, concerns were raised in relation to mainstream schools being able to meet the needs of children with SEND and the Graduated Response Strategy provided support to all schools and clarified the process and criteria for determining the level of provision needed to effectively support pupils' progress. The strategy had been developed in

partnership with a range of stakeholders across education, health and social care with good engagement across the sector.

This approach was compliant and in line with the SEND Code of Practice (CoP) 2015, where it stated that the majority of children with SEND would have their needs met and outcomes achieved through mainstream education provision, where possible. Moreover, section 9.1 of the CoP stated explicitly that “the majority of children and young people with SEN or disabilities will have their needs met within local mainstream early years settings, schools or colleges”.

The Executive Scrutiny Board noted the report.

Options considered

None.

Decision

1. To approve the Council's Graduated Response Strategy to improve the support and outcomes for those 0-25 children and young people with SEND.
2. To support the strategic direction of the Council to strengthen the inclusion of children and young people with SEND in mainstream settings.

Reasons

1. Part 3 of the Children and Families Act 2014 aligned the system of SEN assessment, support and provision for children and young people 0-25, bringing together the provisions of a variety of Acts covering education, health and care, statutory implementation of associated duties, regulations and new SEND Code of Practice.
2. In line with SEND Code 2015, the Council was obliged to strengthen the inclusive education for children and young people with SEND in mainstream schools through a Graduated Response to need.
3. In May 2018, the SEND newsletter issued by the Department for Education (DfE) outlined national plans to create eight hubs around the Regional Schools' Commissioners to bring together local SEND practitioners, and create better links between mainstream and special education.
4. In July 2018, the current Secretary of State for Education made his inaugural speech to the children's services sector and outlined the importance of SEND for his department. Emphasis was placed on the importance of the role of mainstream schools in meeting the needs of pupils with SEND and the role that all schools and colleges, alongside central and local government, have with supporting and enabling this.

96/18 Children Missing from Education (CME) Policy
Update

The Council cabinet considered a report which stated that the current Children Missing Education Policy had been updated to include the specific issues of reduced timetables for children and young people and for children and young people with Special Educational Needs and Disability.

The policy reflected the Statutory Guidance for Local Authorities in England to identify Children Not Receiving Education (September 2016) issued under section 436A of the Education Act 1996 which required all Local Authorities to make arrangements to enable them to establish (so far as it was possible to do so) the identities of children residing in their area who were not receiving a 'suitable education'.

The Policy was attached at appendix two of the report.

The Executive Scrutiny Board noted the report.

Options considered

This was an update to the current policy, no other options considered.

Decision

1. To approve and adopt the Council's Children Missing Education policy.
2. To note the Council's Children Missing Education Policy would be communicated to all schools, multi academy trusts, academies and independent providers.

Reasons

To ensure Council Cabinet members were provided with an opportunity to comment upon the updated policy before adopting.

97/18 Emotional Health and Wellbeing Service for Children in Care, Leaving Care and Adopted

The Council Cabinet considered a report which stated that the Local Authority was currently working in partnership with Southern Derbyshire Clinical Commissioning Group (SDCCG) to deliver an integrated emotional health and wellbeing service to children in the care of Derby City Council.

The availability of the right therapeutic intervention and support had a significant impact on stability, permanence and outcomes for children in care including those placed for adoption.

The service had been delivered as a Proof of Concept model since 1 October 2016 with contributions from both the Council and SDCCG. The services had been delivered by Derby Teaching Hospitals Foundation Trust (DTHFT) with joint contract management in place. The proof of concept was due to end on 1 April 2019.

The outcomes from the model had been positive, including increased placement stability, indications of better emotional health, and a more equitable offer for children. Positive feedback had also been received from staff and service users.

It was proposed to continue with a similar model; to tender a joint funded emotional health and wellbeing service for Derby city's children and young people to commence from 1 April 2019 following expiration of the current agreement. Following the successful procurement, the contract would be managed collaboratively with SDCCG.

The Executive Scrutiny Board recommended that Council Cabinet identify as a matter of urgency a potential alternative building to allow the service to be delivered as soon as a provider had been identified.

Options considered

To cease proof of concept and revert to the pre-existing model. However, this would not deliver the benefits outlined.

Decision

1. To approve a joint procurement exercise with SDCCG and for Derby City Council to be the lead in procurement of an emotional health and well-being service provider, to commence from 1 April 2019 for a period of up to 5 years.
2. To note the current premises were not fit for purpose and the Council would seek in the first instance for the successful provider to provide premises. In the event that no suitable alternative premises were presented, the Council would consider options to provide premises from their property portfolio.
3. To approve a Derby City Council contribution of up to £233,000. In the event that suitable premises were not put forward by a successful bidder, that any potential alternative suitable premises could be leased and this contribution by Derby City Council would be in addition.
4. To note the CCG contribution to the service (Appendix 1, section 1.5 of the report) was subject to confirmation of approval. The contract value was based on indication from the CCG of the potential maximum CCG contribution.
5. To enter into a Section 75 agreement or alternative partnership agreement with SDCCG for the procurement, management and financial contribution of the provision of the service.
6. To delegate authority to the Strategic Director for People Services, following consultation with the Strategic Director of Resources and Cabinet Member for Children and Young People, to approve the Council entering into a contract with the successful provider and any potential lease (if necessary).

7. To note the recommendation from the Executive Scrutiny Board requesting that Council Cabinet identify as a matter of urgency a potential alternative building to allow the service to be delivered as soon as a provider has been identified.

Reasons

1. To ensure a sustainable service model was in place to deliver therapeutic interventions to our Children in care.
2. To ensure best use of Council resources.
3. To ensure that the service continued in a property that was child-focussed and fit for purpose.

98/18 Children's Residential Homes – Proposed Reconfiguration of Service Provision

The Council Cabinet considered a report which stated that the Council was committed to providing its own high quality residential children's homes for looked after children. The report outlined proposed next steps in the Council's strategy for residential provision following the five year transformation programme which was approved in 2013. The strategy sought to re-build or refurbish existing homes to reduce overall bed capacity from 44 beds to 24 mainstream beds and 5 beds for disabled children by April 2018. As a result of this extensive capital investment, we now have children's homes which are of good quality and an asset to the Council.

A strategic needs assessment of looked after children in 2017 concluded that 75% of children and young people currently placed in internal residential homes have complex and multiple needs. These results had been used to inform and evidence further reconfiguration proposals in respect of existing property type, size and usage.

Targeted consultation had been undertaken with direct stakeholders potentially affected by the proposals over a four week period between 22 August 2018 and 21 September 2018 (see Appendix 3 of the report). Those consulted were young people, staff, professionals and local community residents. For young people, specific focus groups, led by the Head of Service, had discussed the proposed changes. Feedback had been analysed and used to inform the recommendations.

In summary, the consultation sought views on establishing two phases for children's homes reconfiguration over the next twelve months, specifically;

- Phase 1 seeking to develop a new model of internal delivery resulting in two distinct hubs being created that would provide up to twenty six beds collectively. Each hub to be designed to target different levels of need as per the strategic needs analysis. Hub 1, due the proximity of three homes on one site would develop a complex needs provision with accommodation of up to ten beds. Hub 2 would retain the existing mainstream and disabled needs provision with accommodation of up to sixteen beds across three homes, all at different locations across Derby.

- Phase 2, would develop a pathway and access to a range of semi independence provision for those aged sixteen to eighteen years to better enable the development of independence skills required for leaving care.

In creating Hub1, it would require approving change from the children's home strategy previously agreed at Council Cabinet in 2013 to:

- a) cease the scheduled refurbishment of the final home;
- b) approve formal closure of this home; and
- c) agree transfer the capital budget to invest in the refurbishment of a smaller building already within the site of Hub 1 into a two bedded home.

It was acknowledged that the overall bed capacity in the original strategy was to achieve 24 mainstream beds and 5 beds for disabled children by 2018. This proposal sought to reduce that number to 26 beds but extend the range of support to include developing skills ability to meet complex, mainstream and those children and young people with a disability.

The strategic direction outlined in 2013 and agreed by Council Cabinet was to reduce the number of internal residential beds in a planned and gradual way. This included the eventual closure of one home at the end of the programme in 2018 because it was not deemed value for money to upgrade the home because of the extent of the repair and maintenance costs. The operational plan was always to move young people from this home (referred to as home 5 in the table at 4.5 of the report) towards the end of the refurbishment programme and this was done in a planned and considered way in April 2018. The current position was that the home was empty and the report recommended that Council Cabinet make the decision to formally close the home. Residents consulted on the issue provided strong support for this course of action.

Phase 2 sought to address the reduction of beds by seeking approval to increase the baseline bed availability within Derby for those young people aged 16 to 18 years. It was proposed to secure a number of small homes through working in partnership with Derby Homes. The range of properties would be targeted to those young people within existing children's homes to enable swifter move on from Hub 1 or 2 into semi-independence living. By doing this it was anticipated that capacity would be released sooner than was the current practice which was to retain until 18 years. Feedback from Care Leavers over the past 12 months had supported the view that more needed to be done and earlier in preparing looked after children to live independently. Given the number of 14 and 15 year olds currently in situ (nine), the release of bed space would enable a return of those placed out of area.

The recommendations were based on all available information from analysis and consultation to date. The aim was to develop resilient, responsive and flexible accommodation that would provide a continuum from entry into care, to preparing for independence and finally exiting care, depending on need.

The report had removed all identifying aspects in relation to the names of individual Derby City Council children homes on the basis that this information would identify

their locations and therefore present a safeguarding risk to the children and young people.

The Executive Scrutiny Board recommended to Council Cabinet

- 1) that there should be no overall reduction in the number of mainstream bed spaces;
- 2) that Council Cabinet should seek to potentially increase the number of bed spaces, enabling those on external placements to be brought back into the city and enabling the council to sell surplus bed spaces; and
- 3) In the event that the recommendations detailed in the report do go ahead, that Council Cabinet ensures local ward councillors are consulted and involved in any decision relating to what happens to those buildings.

Options considered

To do nothing was not an option, due to the budget constraints and market sufficiency. The cost of placing young people and children out of the area of Derby was significant. Also, the needs of young people had changed, with demand necessitating specialist support to be considered.

To refurbish one of the Homes at a cost of circa £500,000. However, given that this Home had recently been subject to complaints from the local residents, as it was located in a residential area, this option would need to be carefully considered.

Decision

1. To agree the two phased approach to reconfiguration of children's in-house residential services, those phases being the establishment of a two hub approach and creation of a semi-independent living pathway.
2. To agree as part of Hub 1 establishment to;
 - a) cease the scheduled refurbishment of the final home
 - b) approve formal closure of this home and;
 - c) agree transfer the capital budget to invest in the refurbishment of a smaller building already within the site of Hub 1 into a two bedded home.
3. To agree closure of the home that has been empty since April 2018
4. To agree a future review of properties within the councils portfolio to determine, subject to an updated strategic needs assessment, if any properties might be suitable for children's residential provision.
5. To reject the following recommendations from Executive Scrutiny
 - that there should be no overall reduction in the number of mainstream bed spaces; and

- that Council Cabinet should seek to potentially increase the number of bed spaces, enabling those on external placements to be brought back into the city and enabling the council to sell surplus bed spaces.
6. To accept the recommendation from Executive Scrutiny Board to ensure local ward councillors are consulted and involved in any decision relating to what happens to those buildings.

Reasons

1. The current and increasing level of complex and challenging need would continue to place pressure on Derby's ability to source suitable placements and meet outcomes for young people. The reduced sufficiency and external market provision means that Derby would need to create its own solutions to meeting future need. The current configuration was not sustainable and had resulted in 'bed blocking' across some of the homes. The homes as they were currently configured were not consistently achieving best outcomes for young people and were not being fully utilised.
2. There were approximately twenty young people placed out of area due to complex needs and behaviours. This on average costs circa £5,500k per week resulting in significant expenditure to the Council. By reconfiguring our existing provision and introducing phase two, some of those young people placed out of area could be transitioned back into Derby which would meet both our strategic objective and be more cost effective.

MINUTES END