

Policy Committee

Wednesday, 13 March 2013 at 10:30

County Hall, County Hall, West Bridgford, Nottingham NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of last meeting held on 13 February 2013 | 3 - 8 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Transfer of Public Health Assets & Liabilities from Nottinghamshire County and Bassetlaw Primary Car | 9 - 14 |
| 5 | Public Sector Equality Duty Objectives | 15 - 26 |
| 6 | Review of the Young Carers Strategy Update | 27 - 32 |
| 7 | Update of Policy and Staff Guidance for Reviewing Personal Budgets | 33 - 40 |
| 8 | Benefits of Purchasing Annuities for Council Funded Residential Care | 41 - 44 |
| 9 | Establishing a Nottinghamshire Community Fund | 45 - 52 |
| 10 | Armed Forces Day 2013 and Replacement of Mosaic outside County Hall | 53 - 60 |
| 11 | Work Programme | 61 - 64 |

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Chris Holmes (Tel. 0115 977 3714) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

minutes

Meeting POLICY COMMITTEE

Date Wednesday, 13th February 2013 at 10:30am

membership

Persons absent are marked with 'A'

COUNCILLORS

Mrs Kay Cutts (Chairman)
Martin Suthers OBE (Vice-Chairman)

A	Reg Adair	Philip Owen
	Joyce Bosnjak	Alan Rhodes
	Richard Butler	Ken Rigby
	Steve Carroll	Kevin Rostance
	John Clarke	June Stendall
	John Cottee	Andy Stewart
	Richard Jackson	Brian Wombwell
	Stan Heptinstall MBE	Martin Wright
	Mick Murphy	

ALSO IN ATTENDANCE

Councillor Mel Shepherd MBE

OFFICERS IN ATTENDANCE

Caroline Baria	(Adult, Social Care, Health and Public Protection)
Carl Bilbey	(Policy, Planning & Corporate Services)
David Ebbage	(Policy, Planning & Corporate Services)
Jayne Francis-Ward	(Policy, Planning & Corporate Services)
Tim Gregory	(Environment & Resources)
Chris Holmes	(Policy, Planning & Corporate Services)
Marie Lewis	(Policy, Planning & Corporate Services)
Celia Morris	(Policy, Planning & Resources)
David Pearson	(Deputy Chief Executive)
Paul Simpson	(Environment & Resources)
Anna Vincent	(Policy, Planning & Corporate Services)
Michelle Welsh	(Policy, Planning & Corporate Services)
Claire Yau	(Policy, Planning & Corporate Services)

MINUTES

The Minutes of the last meeting held on 16th January 2013 having been previously circulated were confirmed and signed by the Chairman.

APOLOGIES FOR ABSENCE

An Apology for absence was received from Councillor Joyce Bosnjak (Illness).

DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Mrs Kay Cutts declared a private non-pecuniary interest in agenda item 11 - Fair Price for Care – Older Persons Care Home Fees as her son in law was an accountant and works for a care home.

PRESENTATION BY CHIEF EXECUTIVE OF EXPERIENCE NOTTINGHAMSHIRE

Jenifer Spencer gave a presentation on the organisation's new marketing campaigns for the area. She told members that Experience Nottinghamshire will have access to £400,000 from Visit England between 2012-13 and 2014-15 to design and deliver new marketing campaigns to increase the number of visitors to the County. She also set out the context of the value of the visitor economy to Nottinghamshire and its wider potential for growth.

RESOLVED 2013/019

That the presentation from Experience Nottinghamshire be welcomed.

D2N2 LOCAL TRANSPORT BODY – GOVERNANCE ARRANGEMENTS

RESOLVED 2013/020

- 1) That the creation of the D2N2 Local Transport Body as a voluntary non-statutory organisation and the submission of Department for Transport governance and assurance proposals based on the principles set out in the report be supported.
- 2) That the Leader and Chairman of the Transport and Highways Committee represent the County Council on the D2N2 Local Transport Body as set out in the report and that the Vice-Chairman of the Transport and Highways Committee or other Member deputise as necessary and;
- 3) That it be noted that the decisions regarding major transport schemes for Nottinghamshire will continue to be determined by the County Council.

REVENUE BUDGET PROPOSALS - 2013-14

CAPITAL PROGRAMME PROPOSALS 2013/14 TO 2016/17

MEDIUM TERM FINANCIAL STRATEGY 2013/14 TO 2016/17

COUNCIL TAX PROPOSALS 2013/14

RESOLVED 2013/021

That the report be prepared for County Council on 28th February 2013 based on the budget proposals and Council Tax freeze referred to in the report.

Councillors Steve Carroll, Alan Rhodes, Ken Rigby and Brian Wombwell asked for their abstention in the vote to be recorded in the minutes.

DRAFT POLICE AND CRIME PLAN 2013 - 2018

RESOLVED 2013/022

- 1) That the content of the Draft Police & Crime Plan be noted and the seven strategic priority themes set out in paragraph 3 of the report be supported.
- 2) That Council do not support the Commissioner's pledge to 'Campaign against Government funding cuts to Nottinghamshire's Police Budget' and do not support increasing council tax or the police precept, as this Council believes the key themes and aims of the Police & Crime Plan should be delivered in a way that is affordable by the public in this challenging economic climate.
- 3) That the Police Commissioner be called on to set more specific targets to measure delivery of the aims and objectives set out in the Police & Crime Plan be noted.

Councillor Steve Carroll, Alan Rhodes and June Stendall asked for their vote against the motion to be recorded in the minutes.

TRANSLATION AND INTERPRETATION SERVICE UPDATE

RESOLVED 2013/023

That the existing service delivery be improved in the short term to ensure full cost recovery and best value for money.

BEST USE OF COUNCIL-OWNED DIGITAL SCREENS

RESOLVED 2013/024

That the use of digital screens for advertising by sourcing a single supplier and testing the market for 1 year be formalised to inform future income generation strategy and a suitable business model that will ensure the greatest possible return for the Council.

ESTABLISHING A SENIOR ACCOUNT OFFICER (COMMUNICATIONS AND MARKETING) TO WORK WITH PUBLIC HEALTH

RESOLVED 2013/025

The establishment of a Senior Account Officer at Hay Band C, funded by Public Health be approved.

FAIR PRICE FOR CARE – OLDER PERSONS CARE HOME FEES

An addendum for the report had been circulated setting out a response of concerns raised by the Nottinghamshire Care Association.

RESOLVED 2013/026

- (1) That the findings of the local Fair Price for Care consultation process and the fee proposals arising from this be noted.
- (2) That the new fee structure as recommended by the Adult Social Care and Health Committee be approved.
- (3) That the application of an index related inflation formula, to be applied annually, to independent sector older persons' care home fees with effect from April 2014 be approved.
- (4) That the review and revision of the criteria for determining dementia placements to focus on those service users where their primary need for residential or nursing care is dementia be approved
- (5) That the development of new processes to help improve the quality of care, with particular focus on dementia care be approved, including;
 - a) Implementation of higher level of fees to providers who are able to evidence high quality dementia care
 - b) Development and implementation of 'Beacon Status' award to providers who can evidence excellent care services

WORK PROGRAMME

RESOLVED 2013/027

That the Committee's work programme be noted.

The meeting closed at 12.42 pm.

CHAIRMAN
M_13Feb2013

REPORT OF THE DEPUTY LEADER OF NOTTINGHAMSHIRE COUNTY COUNCIL**TRANSFER OF PUBLIC HEALTH ASSETS & LIABILITIES FROM NOTTINGHAMSHIRE COUNTY AND BASSETLAW PRIMARY CARE TRUSTS TO NOTTINGHAMSHIRE COUNTY COUNCIL****Purpose of the Report**

1. The purpose of the report is to seek approval on behalf of the County Council to transfer the function of Public Health from Nottinghamshire County and Bassetlaw Primary Care Trusts (PCTs) to Nottinghamshire County Council by 1 April 2013. It describes the transfer scheme, which is the legal framework to transfer the assets and liabilities between organisations.

Information and Advice

2. The Health & Social Care Act 2012 directs the NHS to dissolve Primary Care Trusts and transfer the residual functions to a range of successor organisations.
3. Public Health is currently the responsibility of NHS Primary Care Trusts. Within Nottinghamshire, the larger Public Health function is held within Nottinghamshire County PCT, and a small team is also employed by Bassetlaw PCT. From April 2013, Public Health becomes a statutory function of the County Council, and the two teams will merge to form the new Public Health department within the Council.
4. There are 59 members of the Public Health department transferring to Nottinghamshire County Council. A formal staff consultation commenced on 17 January 2013 to lead the human resource discussions. In the main, staff terms and conditions are being nationally negotiated as part of the transfer scheme, e.g. pay and pensions. These apply TUPE principles and will be consistent across the country at the time of transfer.
5. The ring fenced Public Health Grant for 2013/14 and 2014/15 was announced on the 10 January 2013. This awarded the Council £35.1M for 2013/14 and £36.1M for 2014/15 for Public Health services. Public Health services are provided by a number of commissioned services from a range of NHS, private and third sector providers. In order to reduce the risk of disruption in essential services during the Public Health transfer from the NHS to Local Government,

a general principle is being followed to maintain business as usual within 2013/14 for all PH contracts. **Appendix One** details the PH financial plan for 2013/14. This was approved by the PH Subcommittee on 11 February 2013. Further reports are due to be considered in April to gain approval for any new developments.

6. The preparation for transfer has involved review of all contracts, and assets and risks associated with the Public Health function, by specialist staff in the Council. This has included specific legal, finance and procurement advice, including review of the Councils insurance cover. Due diligence has taken place to review all contractual information, including financial agreements, provider details, service specification and contract periods.
7. During 2013/14, all PH contracts will be reviewed further, performance will be assessed and a procurement plan developed. Proposals will be presented to the Health & Wellbeing Board for consideration and Public Health Subcommittee for approval during the year. Opportunities to align contracts with existing County Council contracts will be explored to help avoid duplication and build a coherent approach.
8. A detailed transition plan has been followed to make sure that all aspects of the Public Health function are transferred safely and securely before 1 April 2013. This process has been overseen through the improvement programme public health project delivery group.
9. Executive oversight has been maintained within the County Council through sponsorship by the Corporate Director of Adult Social Care, Health & Public Protection. Regular detailed reports have been presented to the Corporate Leadership Team between October 2011 and February 2013 to provide updates on progress and risks.
10. The national legal framework, or Transfer Scheme, makes sure that all Primary Care Trust Functions are legally transferred to successor organisations. As there are two PCTs that fall within the County Council boundaries, the Council is required to approve both transfer schemes.
11. The main elements of the transfer schemes relevant for PH include:
 - **Contracts and financial agreements** – This section includes information on all contracts relating to Public Health services. Each contract has been discussed by Council procurement, finance and legal teams to make sure risks and issues have been addressed.
 - **Finance** – including securing access to ledgers and budget reports. Financial review of all contracts, assets and liabilities has also taken place in preparation for the transfer and any risk is covered by the Public Health grant.
 - **Licences** - this includes a number of IT licences to ensure access to data and IT systems to undertake PH work, for example access to analysis software and statistical packages. NB: work is also being carried out to align licences

with existing licences held within the Council where possible. No IT licences are held by the Bassetlaw PH team.

- **IT hardware** - including desk top computers, laptops, ipads, and mobile phones. All assets and liabilities have been built into the Council project plan to deliver IT access for Public Health after 1 April 2013. The IT department have a project plan to reconfigure suitable IT hardware for use after April that meets the Council specification under ways of working.
- **Data** – including PH information, staff records and patient identifiable information for the purposes of infection prevention and control. All information governance actions (including data sharing agreements,) are being completed to make sure the transfer and storage meets the required standards.
- **Human Resources** – including staff employment details and personnel records. HR colleagues have verified all staff details are correct and accurately added to the BMS system in advance of the transfer date to allow staff to be paid as usual in April.
There is ongoing consultation with trade unions and staff around defining the local agreements, such as flexible working and long service awards.

12. Risks associated with the transition are documented and addressed through the project delivery group. However two finance risks of note are:

- Financial liability associated with premises occupied by community services. As a result of historical recharging for NHS property, Public Health will inherit a liability for the overheads for selected community services that fall within the Public Health remit. This liability has been included in the Public Health grant, and therefore should be cost neutral.
- Financial liability associated with the service pressures. As a result of in year service pressures and the complexity in dividing services across NHS and Local Government organisations, there is a potential for unplanned financial pressures to emerge through 2013/14 for Public Health service contracts. These include increased prescribing costs, investment in services to address essential gaps in provision and rent increases. A risk reserve has been added to the financial plan to cover these eventualities.

13. The final transfer scheme will be drafted using the information from the PCTs and is expected to be available by Mid March for further comment. The transfer scheme will follow a national template for this legal document, but will include information that has been submitted from the respective PCTs.

Reason for Recommendation

14. To ensure the Council formally approves the transfer scheme that provides the legal framework to transfer the Public Health function and associated staff, assets and liabilities.

15. There is a requirement for PCTs to ensure that successor organisations approve the transfer scheme after the last PCT Board but before the end March. Given that the timing of the PCT Board meeting is being held on 26th March 2013, this will only allow two working days to gain Council approval.

RECOMMENDATION

- 1) That Policy Committee agrees to delegate authority to the Chief Executive in consultation with the Deputy Leader to approve the final transfer schemes on 27th or 28th March on behalf of Nottinghamshire County Council.

Councillor Martin Suthers

Deputy Leader of Nottinghamshire County Council

Name of report author: Cathy Quinn, Associate Director of Public Health

For any enquiries about this report please contact: cathy.quinn@nottpct.nhs.uk

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Human Resources Implications

17. The transfer Scheme relating of Public Health will transfer employment for 59 members of staff to Nottinghamshire County Council.

Financial Implications

18. The Public Health grant for Nottinghamshire County Council from 1 April 2013 is £35.1million.

Constitutional Comments (26.02.13 NAB)

19. Policy Committee has authority to approve the recommendations set out in this report by virtue of its terms of reference.

Financial Comments (6.3.13 KS)

20. The financial implications are set out in paragraph 18 of the report.

Background papers

Briefing Paper: Closedown of NHS Nottingham City and Nottinghamshire County and the role of receiver organisations

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

REPORT OF THE LEADER OF THE COUNCIL**PUBLIC SECTOR EQUALITY DUTY OBJECTIVES****Purpose of the Report**

1. To consider the Council's Equality Objectives for 2013 – 2014 as part of the Public Sector Equality Duty.

Background

2. The Public Sector Equality Duty is a specific duty in the Equality Act 2010. The duty places a number of legal obligations on public authorities including the requirement to consider the implications of decisions and have due regard to the need to:
 - § Eliminate unlawful discrimination, harassment and victimisation
 - § Advance equality of opportunity between people who share a protected characteristic and those who do not
 - § Foster good relations between people who share a protected characteristic and those who do not.
3. The Council is required:
 - § to set specific equality objectives relating to duty and the protected characteristics
 - § to demonstrate how it ensures that people with protected characteristics receive appropriate services and are treated fairly in all dealings with the organisation.
4. The protected characteristics covered by the duty are: age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

Objectives

5. The Council's current equality objectives were set by Cabinet in April 2012 through the Equality Plan 2012 -2013. They apply for the period April 2012 to March 2013 and relate to Domestic Violence and Hate Crime as follows:

- § Reduce repeat incidents of Domestic Violence
 - § Increase reported Hate Crime incidents
 - § Reduce repeat Hate Crime victimisation
6. Activity and progress against the objectives during 2012 is set out in the appendix to the report. The appendix provides an evidence base demonstrating a number of ways that the Council has complied with the duty in the past year through work to achieve the Council's strategic priorities.
7. It is proposed that the current objectives be continued as the equality objectives for 2013-14 and that in future the setting of the Council's equality objectives should be aligned to the Council's strategic planning processes and the setting of the Strategic Plan.

Other Options Considered

8. The Government has commenced a review of the current statutory duties which may enable other options to be considered in the future. Pending the outcome of the review the statutory duty remains in place and no other options have been considered.

Reason/s for Recommendation/s

9. The County Council is under a statutory requirement to set one or more equality objectives as part of the public sector equality duty.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

§ Equalities Implications - The equality implications are set out in the report.

RECOMMENDATION/S

It is recommended that

1. the policy committee agree the equality objectives for 2013-14.

Councillor Kay Cutts
Leader of the Council

For any enquiries about this report please contact: Matthew Garrard, Policy, Performance and Research Team Manager T: (0115) 9772892 E: matthew.garrard@nottsc.gov.uk

Constitutional Comments (SLB 04/03/2013)

11. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference; it has responsibility for ensuring the Council meets its equalities duties.

Financial Comments (DJK 04.03.2013)

12. The contents of this report are duly noted; there are no specific financial implications arising.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Equality Act 2010

Electoral Division(s) and Member(s) Affected

All

Summary

- This document provides an indication of the approach we are taking and a summary of work to meet the aims of the Public Sector Equality Duty including specific performance measures.
- It covers activity for the period January 2011 to December 2012.
- It is closely aligned to the priorities in our Strategic Plan 2010-2014 and should be read in conjunction with our Six Month Strategic Performance Report 2012/13.

Council Equality Objectives

Domestic Violence

Reducing repeat incidents of domestic violence is a key community safety priority across Nottinghamshire.

	Target	2011	2012
Repeat incidents of domestic violence (reported to MARAC within 12 months)	Reduce to 25% by March 2013	26.4%	22.9%

We work with partners on the Safer Nottinghamshire Board to support a number of successful schemes across the county which look to reduce instances of domestic violence, improve citizenship, and educate young people about the impact of low level crime. These include the Man Enough Campaign which seeks to influence men to take positive action by talking openly about domestic violence and encourage others to do so too.

There has been some improvement in levels of support for victims/survivors who are experiencing domestic abuse and violence and who are disabled, from black minority ethnic groups (BME) and who are lesbian, gay, bisexual or transgender (LGBT). The table below shows the number of reported cases from these groups:

Year	Reported Cases	BME	LGBT	Disabled
2010	888	62	6	30
%	100	7.0	0.6	3.4
2012	688	50	7	31
%	100	7.3	1.0	4.5

Hate Crime

The Council is trying to increase the reported incidences because historically many incidents went unreported and were hidden. An accurate picture of hate crime enables location hot spots and serial hate crime offenders to be identified.

	2012/13 Q3	Target
Reported incidences of hate crime	434	664 (55% increase by March 2013)
Repeat incidences of hate crime	63	45 (25% decrease by March 2013)

There have been year to date reductions observed in the following hate crime offences:

Age	decreased by 38.9% (7 less offences)
Disability	decreased by 68.2% (15 less offences)
Homophobic	decreased by 29.6% (16 less offences)
Other tagged	decreased by 56.3% (8 less offences)
Racial	decreased by 14.6% (26 less offences)
Religious	decreased by 25% (2 less offences)

Total hate crime – decreased in total by 26.3% (75 less offences overall)

(Figures from the Safer Nottinghamshire Board Hate Crime Quarterly Performance Report 2012/13 Quarter 3: October - December 2012)

The Council works in partnership with the Safer Nottinghamshire Board and the joint Hate Crime Steering Group to tackle hate crime against some of the most vulnerable members of the community. The Council funds a hate crime training programme which aims to reduce 'Mate Crime' which is when vulnerable people are befriended by members of the community who go on to exploit or take advantage of them.

The Council funds a community safety programme which is focused on 15 areas of the county with the most vulnerable communities which experience high levels of crime, disorder and anti social behaviour including hate crime and incidences of domestic violence. This locality approach in these 'Partnership Plus' areas has been very successful with each area reporting significant reductions of 21% in crime and

disorder and 33% in anti social behaviour incidents compared to figures at the beginning of 2012.

Other Performance Indicators

The Council provides a range of services that progress the public sector equality duty. The following sections highlight a number of examples of this contribution. Further examples can be found in the six month strategic performance report 2012-13.

Accessible Public Transport:

	2010/11	2011/12
Number of fully accessible bus services for people with mobility difficulties	67%	70%
% of people satisfied with information about accessible buses	51%	56%

The Council continues to encourage transport operators to provide fully accessible vehicles on scheduled services in order to meet the government requirement that all new buses are fully accessible from 2015.

During the first six months we have set out to support and pilot a number of projects through our community transport schemes using funding from the Department for Transport Community Transport kick-start fund. This has included giving support for a new service providing transport for wheelchair users who have difficulty using public transport. Broxtowe Car Scheme Plus has two new specially adapted vehicles based in Eastwood and Stapleford which can accommodate wheelchairs or small mobility scooters. Car Scheme Plus is to be rolled out to schemes in Newark & Sherwood and Bassetlaw from spring 2013.

The Council also promotes a range of facilities to support people with disabilities to travel independently. Comprehensive information is available on the council website including a Mobility Needs Register and Transport Accessible to All search facility which offers the most appropriate accessible transport option meeting the enquirer's needs. Further improvements are planned for 2013.

Road Safety:

	Baseline (Average 2005- 2009)	2011	2012
People killed or seriously injured in road accidents	517	453	458
Children (0-15 yrs) killed or seriously injured	54	41	Not yet available
Young People (17-24 yrs) killed or seriously injured	140	85	

Elderly pedestrians (60 and over) killed or seriously injured	12	16	
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Public roads can pose a risk that affects everybody who lives, works or visits Nottinghamshire. Our road safety team are leading Nottinghamshire Decade of Action for Road Safety - a 10 year programme of education and advertising campaigns designed to reduce the number of casualties on our roads by 40% by 2020.

Children of school age are a key group we target. To coincide with the start of the new school year, in September we launched the 'ditch the distraction' campaign. This was targeted at secondary schools and colleges, and involved the use of social media, outdoor signs, pavement art and posters to encourage students to ditch the distraction of mobile phones and i-pods as they use the footways and cross the road.

We have also continued to develop our Safer Routes to Schools schemes; work with schools to deliver road safety education and offer our national standard 'Bikeability' cycling proficiency training.

Road safety education is just one way we look to reduce road accidents. During the first six months of 2012, we have delivered a number of important engineering and enforcement measures. Examples of these include the traffic signals implemented at the junction of the A60 and Forest Lane, and the reduced speed limit on the A614 between the Ollerton and Leapool roundabouts.

Children & Young People:

		2011	2012
Achievement of 5 or more A*-C grades or equivalent (incl English and mathematics)	All pupils	57.6%	60.6%
	Boys	53.5%	55.8%
	Girls	61.9%	65.6%
	White	57.7%	60.4%
	BME	56.8%	63.6%
	Pupils whose first language is other than English	53.7%	57.3%
	Pupils with identified special educational needs	22.4%	21.5%
	Pupils eligible for free school meals	27%	32.5%

There are many services across the Council that strive to improve the life chances for children and young people. One of the key measures of achievement is the percentage of pupils achieving five or more GCSEs Grade A*-C including English

and Mathematics. Results for 2012 show that, for the first time, Nottinghamshire's outcomes are better than the national average (59.4%).

During the first six months of this year we have worked to increase the rate of progress of the most vulnerable groups of learners such as those eligible for free school meals and pupils with Special Educational Needs.

	Dec 2012	Dec 2013
Young people (aged 16-18) not in employment, education or training	4.1%	2.5%
BME Young people (aged 16-18) not in employment, education or training	2.2%	1.2%
Disabled Young people (aged 16-18) not in employment, education or training	3.8%	3.2%
Young Girls (aged 16-18) not in employment, education or training	4.4%	2.7%
Young Boys (aged 16-18) not in employment, education or training	3.9%	2.4%

A key measure of progress is the gap between the attainment of pupils eligible for free school meals and those not eligible, at age 16. The gap has reduced to 31.8%, just missing our target of 31% for 2011/12. Subsequently we have held a Listening Activity to gain an insight into the views of vulnerable pupils and their parents/carers. The feedback from this will help to inform the way we work to further improve children's examination outcomes and life chances.

Work has begun with Futures regarding the development of a Youth Employment and Employability Strategy which will focus on increasing employment opportunities for the 16-24 age group and developing the skills and employability of this age range across the County. Apprenticeships have been identified as one of the key areas of activity to drive improvement in this area.

Young people under 25 currently represent less than 5% of the total County Council workforce. In an attempt to promote the many and varied career opportunities at the County Council and to offer young people valuable work experience, the Council has developed three key strategies: short term work experience, apprenticeships and graduate traineeships. There are currently 46 apprentices placed with the authority in a wide range of areas and a further 21 opportunities are being advertised.

Social Care:

	2011	2012
Total number of older adults (aged 65 and over) financially supported in residential and nursing care	2,940	2,874

We are changing the way we provide services to help support more people to live independently within their own home and to provide alternatives to residential or nursing care. Our support workers provide up to six weeks of intensive assistance to people in their own home, assessing their needs and making any changes that will allow them to retain their independence. We are also using innovative methods such

as our telecare and other assistive technology services to support vulnerable individuals as well as streamlining a number of our current processes.

The past six months have seen a modest reduction in the number of adults supported in residential and nursing care placements from 2,940 to 2,874. This is not currently meeting our target, but when considered against the wider context of an ageing adult population (a 15.8% increase between 2001-2011) this reduction is considered an achievement.

	Jan 2012	July 2012	Jan 2013
Proportion of adult social care service users and carers receiving community based services receiving a personal budget.	48.3%	73.3%	88.6%

We are aiming to increase the number of people who manage or influence their own care through the use of a personal budget. This is an important way to give them more choice in the care they receive and maintain independence. In the summer we held information events across the county in Worksop, Kirby in Ashfield and Carlton to raise awareness of the benefits of having a personal budget.

We have continued to increase the percentage of adult social care service users and carers receiving a personal budget, which is currently 88.6%. This very positive figure is significantly better than our target of 70% by March 2013 and places Nottinghamshire amongst the top performers nationally.

Equality in employment

In 2011 the council underwent significant restructuring and this is continuing. This has affected the extent to which we can compare data historically. A full report on our workforce statistics can be found at <http://www.nottinghamshire.gov.uk/thecouncil/democracy/equalities/workforcestatistics/>.

Our Workforce Strategy 2012 – 2014 has the following objective:

"Deploying our people resources to meet the aspiration and needs of our communities", with a supporting action of "Departmental equality target setting and actions plans to deliver corporate action plan".

**JOINT REPORT OF THE CHAIRMAN OF THE CHILDREN AND YOUNG
PEOPLE'S COMMITTEE AND THE CHAIRMAN OF THE ADULT SOCIAL
CARE AND HEALTH COMMITTEE****YOUNG CARERS STRATEGY UPDATE****Purpose of the Report**

1. This report provides the Council with an update on the Young Carers Strategy, which was approved by County Council in September 2011.

Information and Advice

2. Reducing the burden on young carers, thereby enabling them to enjoy their childhood without pressures and responsibilities beyond their years, is a key priority for the County Council.
3. The County Council established a multi agency Disabled Parents and Young Carers Steering Group in 2009. Also in 2009, the Council commissioned Family Action (a national charity) to provide a Young Carers Service in Nottinghamshire. The Young Carers Service works with a range of statutory, voluntary and independent sector partners with the primary aim of reducing the burden of care on children and young people aged from 5 to 24 by:
 - Raising awareness of the issues young carers have to deal with
 - Helping services to identify young carers and young adult carers
 - Assessing the individual needs of young carers and their families
 - Offering training to professionals to improve the level and quality of support offered to young carers
 - Supporting services to make sure that they have procedures and protocols in place that take account of young carers
 - Providing tailored support, advice and assistance directly to young carers
 - Offering positive activities to give young carers a break from their caring role
 - Offering support to young adults aged 18-24 with caring responsibilities.
4. The number of young carers engaged with face to face by the Young Carers Service provided by Family Action increased from 197 to 221 between 2011 and 2012, an 11% increase.
5. The contract with Family Action is now being extended until October 2014, with the Young Carers Service to be co-located with the Targeted Support Service Locality Teams from 1 April 2013. This model of co-location has been

developed within Targeted Support over the last two years, with the intention of reducing duplication across services and improving outcomes for children, young people and families.

6. In April 2011, Cabinet agreed an additional revenue investment of £1.8 million (initially £900,000 for the first year) to support and improve the lives of young carers and their families. This investment has supported, in the main, personal budgets for disabled parents to reduce their dependency on the support of young carers. Personal budgets are also being offered to meet the needs and outcomes of young carers in the form of direct payments.
7. The Council has used assessment tools developed by Nottingham University to assess the impact of caring responsibilities on individual young carers and carers needs. The Adult Social Care, Health & Public Protection (ASCH&PP) department has also assessed the needs of parents and of young carers up to the age of 24 years.
8. Between November 2011 and December 2012, 204 young carers' assessments were completed by ASCH&PP. Table 1 below illustrates the increased take up of personal budgets by young carers over the last fifteen months. The assessments are reviewed with the young carers after four and twelve months, with reviews completed to date indicating a reduction in the negative impact of caring on these children and young people. The cost of the increases outlined can be contained within existing budgets.

Table 1 Personal budgets agreed for young carers since October 2011

Quarter	Number of Personal Budgets	Cumulative Total
October – December 2011	11	11
January – March 2012	14	25
April – June 2012	26	51
July – September 2012	67	118
October – December 2012	86	204

9. Since September 2011, there have been numerous briefings for front line staff and managers to raise awareness of the Young Carers Service and the funding available to support disabled parents and young carers.
10. A key feature of this work has been the development of closer working arrangements between the Children, Families and Cultural Services and Adult Social Care, Health and Public Protection Departments which has significantly helped in raising the profile of young carers.

Young Carers Strategy for Nottinghamshire

11. The Young Carers Strategy aims to promote and improve the health and well-being of carers and their families by preventing and protecting children and young people from undertaking excessive and inappropriate caring roles and responsibilities, and preventing the continuation of inappropriate caring.

12. The Strategy sets out the ambition of the County Council and its partners for young carers:

Young carers should have the support they need to learn, develop and thrive, to enjoy positive childhoods and to achieve their full potential. We want to ensure that young carers are actively protected from excessive or inappropriate caring and that parents and other family members are effectively supported. There will be a clear and co-ordinated means of identifying and assessing children and young people with caring responsibilities who are providing regular care and support for someone in their family.

13. The Young Carers Strategy for Nottinghamshire identified a number of key development areas:

- Promoting Early Identification
- Assessment
- Safeguarding
- Schools and Young Carers
- Health of Young Carers
- Information, Advice & Advocacy

14. For each of these development areas an action plan was agreed and monitored by the Disabled Parents and Young Carers Steering Group each quarter since September 2011. There has been progress made in all the development areas of the Strategy's action plan over the last 18 months. For example, seven schools/colleges have completed the Young Carers Quality Standard with another six in the process of working towards it.

15. At the beginning of 2013, a review of the Strategy and its action plan was undertaken by the Steering Group. This review has included feedback from young carers and partners through a stakeholder event held in January 2013.

16. Following this review the Steering Group has recommended that no substantive changes are made to the Young Carers Strategy. The Strategy's ambition, key aims, outcomes, and development areas remain fit for purpose and provide a clear direction for the ongoing work of the County Council and its partners with young carers and their families.

17. However, as a result of the review, the Steering Group will update the Strategy's action plan for 2013-2014. The review identified the following issues as priorities to be included in the revised action plan:

- The development of an identity card for young carers
- The provision of training for young carers who are required to assist with personal care and support for their parents/carers and for the administration of medication by young carers
- The inclusion of information about young carers in training delivered by the Nottinghamshire Safeguarding Children Board

- The review of the referral processes to services for young carers and their families to ensure access is swift and easy
- The development of the Young Carers Quality Standards pack for schools and colleges in Nottinghamshire
- The engagement of Clinical Commissioning Groups around health issues that affect young carers.

Other Options Considered

18. A Service Review of the Young Carers Service has been considered, but it has been agreed to undertake this later in 2013 and to include the commissioning arrangements for the 'What about Me' Service, which works with young people who are affected by their parents' substance misuse, and who are often young carers.

Reason/s for Recommendation/s

19. The implementation of the Young Carers Strategy has already led to improved levels of support being provided to young carers and their families in Nottinghamshire. The Strategy's revised action plan will continue to contribute to this development and help to enhance the levels of support provided which in turn will lead to improved outcomes for the young carers and their families.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Equalities Implications

21. An equality impact assessment was undertaken prior to the approval of the Young Carers Strategy by County Council in September 2011 and is available as a background paper.

Implications for service users

22. The Young Carers Strategy and its implementation through the revised action plan will continue to help ensure the needs of young carers and their families are identified earlier and appropriate support is provided at the earliest opportunity. It will ensure that young carers are protected from undertaking excessive and inappropriate caring roles and those parents and other family members are effectively supported. This will lead to improved outcomes for the young carers and their families.

RECOMMENDATION/S

- 1) That the Policy Committee notes that the recent review of the Young Carers Strategy concluded there was no need to make any substantive changes to it but that the accompanying action plan should be updated.

Councillor Philip Owen
Chairman of the Children and Young
People's Committee

Councillor Kevin Rostance
Chairman of the Adult Social Care and
Health Committee

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Constitutional Comments

23. As this report is for noting only, no Constitutional Comments are required.

Financial Comments (KLA 18/02/13)

24. There are no financial implications arising as a direct result of this report.

Background Papers

Young Carers Strategy for Nottinghamshire – report to County Council on 22 September 2011
Equality Impact Assessment - September 2011
Support for disabled parents and young carers – protocol dated July 2011
Business Case 'Disabled Parents and Young Carers' v1.1 dated 28 September 2011.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.

C0185

**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND HEALTH
COMMITTEE****UPDATE OF POLICY AND STAFF GUIDANCE: REVIEWING PERSONAL
BUDGETS****Purpose of the Report**

1. To summarise key changes within the new staff guidance for reviewing personal budgets and to request approval of amendments to the Policy.

Information and Advice

2. Every local authority has a legal obligation to review all existing community care packages, personal budget arrangements and care home placements. Department of Health (DOH) guidance *advises* such reviews should take place annually. Given the significant range of support provided by Nottinghamshire County Council, from single simple inexpensive care packages to others that are both complex and costly, the Department of Health also advises reviews should be 'proportionate'.
3. Historically, most local authorities have found the task of reviewing all existing care packages very challenging because of the high volume of cases involved. Hitherto Nottinghamshire County Council was able to complete a large number of reviews by issuing a review form for completion by independent care providers. Whilst this was an effective and low cost way of administering reviews, it did not provide a truly 'independent' review of the care provided. Furthermore, Department of Health guidance is clear; reviews should be carried out by staff other than those providing the service. For these reasons, the reviewing policy needed updating. Unfortunately, with more complex assessment processes in place, the challenge of completing all the required scheduled reviews remains, particularly if staffing costs are not to rise significantly.
4. To tackle this challenge, the Adult Social Care, Health and Public Protection policy and guidance has been updated to provide a framework whereby the most vulnerable services users can be identified to receive 'face-to-face' reviews, whilst other review 'types' can be used for more simple situations thus ensuring a 'proportionate' approach.
5. Before describing briefly the different review 'types', it is important to note, a service user or relative can ask for a review at *any time*. In addition, the majority

of reviews completed within the department are not annual scheduled reviews but rather unscheduled reviews, whereby a service user requests reassessment because needs have changed.

6. The revised policy and guidance (see Appendix xx) introduces *some* new arrangements whilst consolidating existing practise. Adult Social Care and Health Committee reviewed the document on [date] and resolved to recommend it to Policy Committee for approval.
7. Below is a brief summary of the key changes:
 - Minor amendments can be made more quickly and easily to existing care packages as these no longer require a face-to-face visit. Often changes can be agreed over the telephone, making it easier for staff but more importantly, more convenient for service users and relatives (section 2.1 page 3 of guidance).
 - The guidance clarifies which cases should always have a 'face-to-face' review (section 8.1 page 15), describing key factors of vulnerability i.e. where service users' lacks capacity, where there has been a history of abuse and or the care support arrangements are complex and costly.
 - In other situations, where the service user to be reviewed, has both simple and a single service of support, other approaches are available such as 'telephone reviews' and or review by 'correspondence' (section 8.2 page 16).
 - In residential/nursing care homes, staff are advised to carry out 'surgeries' thereby undertaking a number of reviews of residents within the same care home setting.
 - The guidance also emphasises the importance of reviewing carers' needs (section 3.7 page 8).
 - Whilst different types of reviews are described, if during a 'telephone' review it becomes clear a 'face-to-face' review is needed, then the review types can be immediately changed.
 - The guidance also outlines what is expected of staff when completing a review and an easy checklist has been made available for staff to use as an aide memoire.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Human Resources Implications

9. The Human Resources implications have been considered and it is not thought that there will be any impact on the current staffing establishment.

Financial Implications

10. None anticipated as a result of the introduction of this new policy and guidance.

Equal Opportunities Implications

11. The policy applies to all service user groups.

RECOMMENDATION/S

It is recommended that:

- 1) That the Reviewing Policy for Personal Budgets and staff guidance attached to the Report be approved.

COUNCILLOR KEVIN ROSTANCE

Chairman Adult Social Care and Health Committee

For any enquiries about this report please contact:

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Constitutional Comments (SLB 20/02/2013)

12. Policy Committee is the appropriate body to consider the content of this report; it is responsible for policy approval

Financial Comments (CLK 23/01/2013)

13. There are no financial implications in this report.

Background Papers Available for Inspection

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- (a) Reviewing Personal Budgets Policy

<http://www.nottinghamshire.gov.uk/DMS/Document.ashx>

- (b) Reviewing Personal Budgets Staff Guidance

<http://www.nottinghamshire.gov.uk/DMS/Document.ashx>

Electoral Division(s) and Member(s) Affected

All



Policy Library Pro Forma

This information will be used to add a policy, procedure, guidance or strategy to the Policy Library.

Title: Reviewing Personal Budgets Policy

Aim / Summary:

To set out the Council's commitment to reviewing personal budgets; to ensure that public money is being spent properly, and to ensure that service users and carers are in receipt of the support outlined in their support plan and that they are satisfied with the support they receive.

Document type (please choose one)

Policy	<input checked="" type="checkbox"/>	Guidance	<input type="checkbox"/>
Strategy	<input type="checkbox"/>	Procedure	<input type="checkbox"/>

Approved by:

Version number:1

Date approved:

Proposed review date:

Subject Areas (choose all relevant)

About the Council	<input type="checkbox"/>	Older people	<input checked="" type="checkbox"/>
Births, Deaths, Marriages	<input type="checkbox"/>	Parking	<input type="checkbox"/>
Business	<input type="checkbox"/>	Recycling and Waste	<input type="checkbox"/>
Children and Families	<input type="checkbox"/>	Roads	<input type="checkbox"/>
Countryside & Environment	<input type="checkbox"/>	Schools	<input type="checkbox"/>
History and Heritage	<input type="checkbox"/>	Social Care	<input checked="" type="checkbox"/>
Jobs	<input type="checkbox"/>	Staff	<input type="checkbox"/>
Leisure	<input type="checkbox"/>	Travel and Transport	<input type="checkbox"/>
libraries	<input type="checkbox"/>		<input type="checkbox"/>

Author: Group Manager Older Adults Community Care

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Please include any supporting documents

1.Reviewing Personal Budgets Guidance

2.

3.

Review date

Amendments

Context

1. The County Council is committed to ensuring that:
 - Local people are enabled to live as independently as possible throughout their lives.
 - Where people need social care support they are enabled to have as much choice and control as possible over how it is provided.
 - All services are good quality and provide value for money.
2. This policy sets out the Council's commitment to reviewing personal budgets to ensure that public money is being spent properly and that service users and carers are satisfied with the support they receive.

Scope of this policy

3. This policy covers the review of personal budgets for people living in the community and those living in a care home.
4. The legal framework governing reviews for social care support is set out in ['Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care – Guidance on Eligibility Criteria for Adult Social Care, England 2010.'](#)
5. This policy is consistent with the requirements of this legal framework, which states that:
 - The frequency of reviews should be proportionate to the circumstances of the individual, but there should be an initial review within three months of help first being provided or major changes made to current support plans. After that reviews should be scheduled at least annually, depending on circumstances such as mental capacity (which requires more regular reviews) and requests for a review by the service user or other persons connected with the service user.
 - The process of review should be simple and avoid duplication or unnecessary amounts of paperwork or visits.
 - Particular attention should be paid to the need for more frequent monitoring of adults who lack capacity. It highlights the need, specified in the Mental Capacity Act Code of Practice, to involve Independent Mental Capacity

Advocates in reviews, 'where the person concerned has no-one else to be consulted'.

Principles and Commitments

6. The Council is committed to enabling service users and carers to play an active part in the review of their personal budget to make sure that the outcomes they anticipated from their support are being achieved.
7. The number of reviews for the same service user will be reduced in order to help manage the high volume of reviews and to improve efficiency. Other related reviews, for example, for continuing health care and for carers will be done at the same time as the personal budget review, where possible.
8. Reviews will be "proportionate" to the situation. This means that reviews can be completed in different ways: face to face; by correspondence or telephone; by using a surgery approach in care home and some day care settings. The type of review will be determined by the reviewing officer and agreed by their team manager. However, if during a 'telephone' review it becomes clear that a 'face-to-face' review is needed, or if the service user or their representative requests it, then the review type will be immediately changed.
9. Priority for face to face reviews will be given to service users whose needs are defined as "complex" or who are assessed as particularly vulnerable or at high risk. All service users with a personal assistant, and where a relative is employed, will have a face to face review.
10. In defined circumstances an adjustment to a support package can be made without the need for a formal review.
11. The review will include detailed attention to the finances of any direct payment made to the service user or "suitable person", to ensure that public money is being properly spent.

Key actions to meet the commitments set out in the policy

12. The Council will undertake the following key actions to meet the commitments set out in this policy:
 - Maintain up to date guidance for staff to ensure that this policy is applied consistently across all service users and carers, including those living in residential care and in receipt of aids and adaptations.
 - Take appropriate action if the findings of the review suggest that public money is being used inappropriately or inefficiently.

- Monitor the outcome of reviews in order to respond to any quality assurance issues raised about the social care support provided or arranged by the Council.

DRAFT

**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND HEALTH
COMMITTEE****BENEFITS OF PURCHASING ANNUITIES FOR COUNCIL FUNDED
RESIDENTIAL CARE****Purpose of the Report**

1. To seek approval for a desk top exercise on the benefits for financial planning of purchasing annuities for the purpose of Council funded care home placements.

Information and Advice**Background**

2. Under the National Assistance Act 1948, local authorities may decide to arrange for the provision of residential or nursing care accommodation to those who meet assessed needs. The authority is then required to pay for this care for those whose assets fall below a nationally defined level, which is £23,250 for 2012-13.
3. If people have more than £23,250 in capital (savings and investments) they self-fund the cost of the care home placement until their capital falls below £23,250. When this happens the responsibility for the funding is picked up by the Council on a tapering basis.
4. The level of demand from people requiring support from the Council varies from year to year. Combined with the impact on an ageing population it creates difficulties when trying to plan and forecast budgets.

Annuities

5. A potential solution to assist with budget planning is the purchase of an 'annuity'. An annuity provides a regular income either for life or a given period, purchased by a one off payment. This will help to crystallise the current demand and assist with financial planning.
6. There are two types of annuity for funding for care:

Option 1: Immediate Needs Annuity

These are used by an individual who wishes to provide for the cost of care by way of a guaranteed, regular income purchased by a one off payment at inception.

Option 2: Group Immediate Needs Annuity

These are used to provide a guaranteed, regular income to cover the cost of care for a collection of named individuals by way of a series of fixed, regular payments over an agreed period. The premiums paid are based on a number of factors such as age, gender, and the person's state of health and the monthly benefit will be required.

7. The benefits of purchasing annuities are:

- the potential of reducing costs over time, for example, when the annuity is purchased for an individual there are no further costs for them.
- levelling out the demand costs so assisting budget planning.
- reduction of administration associated with calculating people's entitlement and care costs.

8. The disadvantage of purchasing annuities is:

- The potential early death of recipients of the annuity and hence the Council paying for something that could have been funded more cost effectively in a different way. However, some of this risk can be offset by Capital Protection insurance which allows the original capital to be returned in the event of early death with protection for 75% of the capital on a decreasing scale. However, this would require an increase in the original cost in the purchase of the annuity.

Next Steps

9. It is proposed that a desk top pilot scheme is established that looks at the potential benefits of annuities. This will involve the collation of health data from a chosen focused segment of people who require council funding for care. It is proposed to work with health data from a pilot group of 100 people. Consent will be sought from potential users and only where consent is given will data be collated.

10. The need for actual data is:

- Underwritten information on live cases would give us accurate information to base a cost on;
- Hypothetical data has already been used to arrive at this recommendation stage.

11. The premium for this group is calculated by the Provider of Group Immediate Needs Annuity. As part of the proposed desk top exercise there will be no cost for this. The actual cost is approximately £100 per person.

12. The project team led by the Service Director for Promoting Independence and Public Protection, with support from finance and procurement, are to assess the viability of the Group and Individual Needs Annuities. If it proves viable a further report is to be brought to the Policy Committee with recommendations.

Other Options Considered

13. The current approach, involves the department trying to cater for varying demand for the service year on year. A Council reserve could be created which allows a fixed amount per year for Council funded residential places. This could be used to smooth out the varying year on year demand. However, as the risk is never crystallised – then it has the potential to create a very large budget pressure in the future.
14. Nottinghamshire will be pioneering this approach and no other Council has developed a scheme of this type.

Reason/s for Recommendation/s

15. The approach to buying annuities could assist with financial planning and help smooth out the year-on-year demands for council funded residential and nursing care home placements.

RECOMMENDATION/S

It is recommended that Policy Committee:

- 1) Approves the Council completing a desk top exercise and working with the Provider of Group Immediate Needs Annuities to establish costs of taking an annuity approach forward.

COUNCILLOR KEVIN ROSTANCE

Chairman of the Adult Social Care and Health Committee

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Constitutional Comments (KK 20.02.13)

16. The proposal in this report is within the remit of the Policy Committee.

Financial Comments (KAS 26.02.13)

17. There are no financial implications of conducting a desktop exercise.

Background Papers Available for Inspection

None

Electoral Division(s) and Member(s) Affected

All



REPORT OF THE LEADER OF THE COUNTY COUNCIL

ESTABLISHING A NOTTINGHAMSHIRE COMMUNITY FUND

Purpose of the Report

1. To approve the transfer of assets (comprising cash and investments) from moribund and ineffective trust funds where the County Council is the sole trustee to Nottinghamshire Community Foundation to establish a 'Nottinghamshire Community Fund'.

Information and Advice

Background

2. The Council holds a number of funds in trust (as sole trustee) following historical bequests and investments made for various issues and causes in the County. In many cases, the funds have become moribund or ineffective as the original intentions or objectives within the governing documents of the funds are now out of date or, over time, have become impossible to fulfil. The Charity Commission is keen to see the release of these trust funds and particularly supports their release to leading charitable bodies.
3. Against this background, the County Council was approached by the Nottinghamshire Community Foundation (NCF) with a view working with them and the Charity Commission to consolidate the trust funds into a single fund with modernised objectives and endowment capacity which would be administered and managed by NCF. This is a model that has been adopted successfully by numerous local authorities across the Country. The 30 plus local authorities that have taken this approach have made £20 million of moribund or ineffective trust funds and their attaching assets workable again, creating endowment funds generating in excess of £1.3 million per annum in grant making capacity for awards to individuals and grass roots community groups.
4. The County Council's 2011/12 Statement of Accounts indicates that the Council is sole trustee of 12 trust funds which are moribund and ineffective, with a current (as at 31 March 2012) value of circa £121,000. The value of these funds will be recalculated at the date of transfer. A review of these trust funds and their attaching assets has been undertaken and details are set out in Appendix A. With one exception, all are considered to be moribund and ineffective according to the Charity Commission's definition (i.e. the last award was made more than 2 years ago). All costs associated in maintaining the moribund and ineffective trust funds in scope have historically and continue to be borne by the Council.

5. The NCF are projecting a yield of 4.75% on their capital investments of circa £2.4 million managed by Coutts, Rathbone's and CCLA Investment Managers, for the current financial year and for 2013/14. This compares very favourably to the financial returns achieved by the Council in recent years where yields have been adversely impacted by a substantial value of assets being held in the form of cash.
5. In the past attempts have been made to analyse, with a view to making more effective, the assets held in trusts under the Council's trusteeship. However, there is no internal expertise in trust fund management and the previous exercises have been superseded by other priorities. The NCF proposal as set out in this report is attractive in that, using a tried and tested model endorsed by the Charity Commission, it would transfer those moribund and ineffective trusts funds to NCF who will, for a reasonable fee, act as trustee and manage the funds as an endowment fund to be known as the 'Nottinghamshire Community Fund'. This would in turn generate a new small grants scheme for charitable distribution to eligible individuals, groups and organisations domiciled within the County, broadly in line with the transferred trust funds' original objectives.

The Nottinghamshire Community Foundation

6. The NCF is the most appropriate organisation to manage a consolidated fund on behalf of the County. Community Foundations are a well-established part of the UK voluntary sector. Set up as charitable trusts, they have a unique approach to philanthropy by acting as a broker to allow individuals and businesses to collaborate in creating capital funds for the benefit of defined local areas. This generates income for grant making that is available for the long term, responding to local needs and issues at the time.
7. NCF was established in 1997 to encourage philanthropy for the benefit of the people of Nottinghamshire. Its President is the Lord Lieutenant of Nottinghamshire and its Board of Trustees comprises senior representatives from numerous sectors. NCF is quality accredited by the Community Foundation Network to standards endorsed by the Charity Commission and administers and distributes charitable funds and manages a number of corporate and statutory grant programmes. This includes a Capital Endowment Fund in excess of £2.35 million utilising the services of professional fund investment managers. Over the past three years NCF has distributed over £4 million of grants to support over 1,445 individuals, groups and projects across the County.
8. Given the governance arrangements of the NCF, their experience of managing funds and small grants schemes, and their reasonable administration charges, it is recommended that the Foundation administers the 'Nottinghamshire Community Fund'. No other locally based organisation has been identified which has the relevant experience or expertise to deal with the release of such moribund and ineffective funds and their attaching assets and to deliver the resulting benefits.

The Nottinghamshire Community Fund

9. Under the proposal, the Board of Trustees of NCF will be the Trustees of the 'Nottinghamshire Community Fund'. If the transfer takes place the Council will no longer hold any of the funds or their assets or be responsible for their distribution. The agreement of the Charity Commission and a Fund Agreement between the Council and NCF will set out the charitable purposes of the Fund and outline NCF's responsibilities in this respect.
10. The primary beneficiaries of the Trust Funds listed at Appendix A (i.e. particular schools and Granby and Sutton Parish Council) have been consulted about the potential to establish the Nottinghamshire Community Fund. Despite it being an active fund, Bramcote Hills Schools have also been consulted about transferring the relatively small amount of funding in the Arthur Mee Prize Fund to the proposed Fund. Subject to the agreement of primary beneficiaries, the capital sum will form the initial capital fund with annual income/interest from the Fund distributed by NCF as the 'Nottinghamshire Community Fund' small grants programme. The amount available for distribution each year will depend on interest rates and other investment returns.
11. NCF will continue to identify possible sources of additional funds to grow the 'Nottinghamshire Community Fund'. Any additional private contributions to the Fund may potentially attract 50p in the £1 match funding from The Office for Civil Society under the Community First (Endowment Match Challenge) Programme which runs through to 31st March 2015.
12. It is proposed to set aside up to £10,000 from the 'Nottinghamshire Community Fund' capital for distribution in 2013/14 and 2014/15 so that it is possible to make grants immediately. It is believed that this will encourage donations from individuals, companies, businesses and organisations situated within the County who will be attracted to contribute to a Fund which is capable of making an immediate impact in servicing the needs of the community. The combined total of £10,000 represents income accrued over many years from the moribund and ineffective assets in scope and is not eroding the capital sums left in trust by the original donors. The Charity Commission would need to formally sanction this approach but it is in line with that taken by other local authorities.
13. In establishing the 'Nottinghamshire Community Fund', NCF will set funding themes that are complementary to the Council's Strategic Plan. It is proposed that these include:
 - Prosperity, skills, jobs and aspirations
 - Lifelong learning, including early school years
 - Community Safety, including crime and disorder
 - Sustainable neighbourhoods and independent living
 - Health and healthy living
 - Culture, arts and sports
 - General charitable purposes which align to NCF's ethos of inspiring local giving

14. For individuals a maximum grant award of £500 is proposed and groups undertaking activity that is itself charitable could be funded to a maximum grant of £1,000. Initially applications to the Fund would be sought where the purposes are broadly in line with the original objectives of the source funds (as set out in Appendix A). This would be a Charity Commission condition of Fund approval.
15. NCF will publish guidelines and eligibility criteria for the “Nottinghamshire Community Fund”. Applications will be restricted to applicants residing within the County and in accordance with the NCF’s respected custom and practice, a grants panel will assess all applications received and make funding recommendations. The grants panel will be made up of respected members of the community drawn from within the County and the County Council will be able to appoint representatives to give elected members an involvement in the decision making process leading to the distribution of grants. The Council will also be able to work with NCF over broader panel composition.
16. The trustees of the NCF, as the accountable body under charity law, will review and approve all recommendations made. Applications to the ‘Nottinghamshire Community Fund’ which are unsuccessful will, wherever possible, be signposted to alternative funds administered by NCF and / or other agencies.
17. Were the ‘Nottinghamshire Community Fund’ to be established, information about the Fund and application process would be circulated to all members, publicised on the Council and the Foundation’s respective websites and promoted in the local media and by appropriate community support networks.

Fund Administration Fees

18. A one off establishment fee of up to a maximum 3% of the value of assets (i.e. up to 3% of £121,000) at the time of transfer would be payable to the NCF. This fee paid would represent the justifiable direct costs aligned to the work undertaken by NCF to establish the Nottinghamshire Community Fund and to liberate, through the Charity Commission, the moribund and ineffective trusts funds in scope and their attaching assets. This fee would be taken from transferring assets at the time of transfer but would come from accrued income rather than the original capital sums invested.
19. The value of all assets held in the form of endowment will incur an annual management charge of 1.25% of the market value of the Fund. In addition, the management and administration of the distribution element of the Fund will incur a fee of 10% per annum of all income passing to the Fund (including interest earned and any one-off donations received).
20. These fees are based on the established model which many local authorities have subscribed to and are considered to offer fair value for money.

Other Options Considered

21. There are two other options:

- (a) To continue as at present, with the 12 trust funds and their attaching assets continuing to be moribund and or ineffective, fulfilling no charitable purpose.
 - (b) To seek new arrangements with the Charity Commission to update the purpose of the individual trust funds and enable them to be distributed again, but any new fund would have to be a charity in its own right, and the Council would still have to act as sole trustee accountable to the Charity Commission for its management.
22. Option (a) would continue the present situation, whereby the trust funds are not meeting the needs of local people as envisaged by the original donors neither are they generating the a reasonable level of charitable return. Option (b) would result in the Council continuing as the trustee with greatly increased administrative commitments and whilst the costs could be charged to the individual trust funds, it would be undertaking work that is not core to the Council's objectives and in a field where it has no expertise.

Reason/s for Recommendation/s

23. The recommendation to establish a Nottinghamshire Community Fund, to be administered by the NCF, would result in the moribund and ineffective trust funds in scope and their attaching assets being used to meet the needs of local people through an independent organisation regulated by the Charity Commission. NCF would also be best placed to maximise future investment returns; ensure the Council bear no future costs in administering the trust funds in scope and take pro-active measures to increase the asset value and impacts of the small grants programme to the Fund by attracting resources that are not available to the Council.

Statutory and Policy Implications

24. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below.

RECOMMENDATION/S

- 1) It is recommended that Policy Committee:
 - i. Approve the establishment of the Nottinghamshire Community Fund in line with the terms set out in the report.
 - ii. Note that the Corporate Director for Policy, Planning and Corporate Services, in consultation with the Leader of the County Council, will, as an operational decision, determine and enter into Fund Agreement with the Nottinghamshire Community Foundation for the Nottinghamshire Community Fund.

- iii. Agree to the appointment of the Chairman and Vice-Chairman of the Grant Aid Sub-Committee to participate in award panel(s) for the Nottinghamshire Community Fund.

County Councillor Kay Cutts
Leader
Nottinghamshire County Council

For any enquiries about this report please contact:

Caroline Agnew
Programme Manager
Tel: 0115 9773760

Constitutional Comments [SG 28/02/2013]

25. The Committee has the appropriate authority to decide the issues set out in this Report.

Financial Comments [RWK 1/03/2013]

26. The report proposes the transfer of a number of moribund and ineffective trust funds currently held by the County Council to Nottinghamshire Community Foundation to establish a 'Nottinghamshire Community Fund'. The value of these funds at 31st March 2012 was £121,027. The value of the funds will be recalculated at the date of transfer.
27. The financial implications relating to the transfer and future operation of the 'Nottinghamshire Community Fund' are set out in the report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

Trust Funds in Nottinghamshire County Council Trusteeship

Name of Trust	Original Purpose	Registered ¹ [R] / Unregistered [UR]	Date of last Award Active / Moribund	Value of Capital at 31 March 2012
AH Mee's Prize Fund	Annual Award for most deserving pupil at Bramcote Hills School	R	October 2012 Active	£310
Bleys Charity	Support elementary education in East Leake Schools	UR	April 2006 Moribund	£622
The Bristowe Trust	Grants towards trips abroad for educational purposes for students/former students between the ages of 16 and 21	UR	June 2008 Moribund	£12,861
Cubley Art Exhibition	Awards to Arts students at Trent Polytechnic or similar institutions	UR	Pre 2003 Moribund	£552
E-Wynne Jones Trust Fund	Prizes for proficient scholars in scriptural knowledge at Schools in the Bingham area	UR	May 2006 Moribund	£727
Ellen Godfrey (Children's) Fund	Set up for the benefit of children in children's homes in Worksop	R	Pre 2003 Moribund	£205
Gertrude Sykes Fund	To buy flowers for Redlands primary school in winter months	R	May 2006 Moribund	£43
Granby Educational Foundation	Provision of exhibitions tenable at any secondary school, training college for teachers, university or other institution of further education, provision of financial assistance & otherwise promoting the education (including social and physical training of boys & girls who have not for less than four years been resident in the Parish of Granby.	R	September 2010 Moribund	£3,222
Harry Thorpe Charity	For the benefits of pupils of the Grove Comprehensive School	R	January 2006 Moribund	£825
Henry Mellish Scholarship	Scholarships for educational travel	UR	Pre 2003 Moribund	£6,994
Nottinghamshire Charitable Grants Fund	To assist those who are providing services on a voluntary basis for the benefit of inhabitants within the country	UR	December 2008 Moribund	£88,230
Ophthalmic Fund	Ophthalmic Fund	UR	Pre 2003 Moribund	£6,436
TOTAL				£121,027.00

1

Registered or unregistered with the Charity Commission.

REPORT OF LEADER OF THE COUNCIL**ARMED FORCES DAY 2013 AND REPLACEMENT OF MOSAIC OUTSIDE
COUNTY HALL****Purpose of the Report**

1. To inform Committee about preparations for national Armed Forces Day 2013, which will be hosted by Nottingham and Nottinghamshire, and which will take place on 29 June.
2. To seek approval for the recommended design of a permanent memorial to honour the fallen of the County at County Hall.

Information and Advice**Background**

3. Nottingham and Nottinghamshire have a proud military heritage. In recognition of this heritage, the City and County have been chosen to host the fifth annual Armed Forces Day event on Saturday 29 June.
4. Celebrations on this day will see the culmination of public events throughout the United Kingdom honouring the achievements and efforts of personnel of all three military Services, past and present.
5. This prestigious event will provide the opportunity for members of the public to express their thanks to the military, and to find out more about the work of the three Services. In particular, the event looks to recognise and honour the important contribution of veterans, and the growing role of military reservists.
6. Previous Armed Forces Day events have been held in Plymouth, Edinburgh, Cardiff and Chatham. It is a Government initiative and is a key element of the national Military Covenant. As in previous years it is anticipated that the event will have senior VIP attendance; at the 2012 event in Plymouth, HRH The Earl of Wessex attended, with the event attracting 40-60,000 visitors as well as extensive local, national and international media coverage.
7. Preparations for the event are now well underway. The main base for activities on 29 June will be Nottingham city centre, with a military parade, Drumhead Service and family focused fun day being the key elements. However, it is also intended that a key component of the day will be the formal

unveiling of a permanent memorial to honour the fallen of the County at County Hall.

8. At its meeting of 1st November 2012, the County Council resolved to replace the current mosaic outside the main entrance of County Hall with a permanent memorial.
9. The current mosaic, which was laid over 23 years ago, is in a very poor state of repair. Its replacement presents the Council with an opportunity to provide a lasting memorial to honour men and women from the armed forces, the emergency services and others who have lost their lives in service of this county and the country.
10. Memorials play an important role in society, acting as historical touchstones. They link the past to the present and provide a focal point for people to remember and respect the sacrifice of those who died, fought, participated or were affected by conflict, or who died in fulfilling their public service duties. Memorials are also an important source of information for young people in understanding the sacrifices made by past generations.
11. Following the Council's decision in November, designs have been progressed, resulting in a proposal for implementation. The new memorial will be a unique fitting tribute of robust construction to stand the test of time.
12. It is proposed that the memorial be surrounded by solar powered lights to represent an eternal flame and the relevance of the compass being representative of the four corners of the county. The suggested logos represent the three oldest seats of governance in the county, these being Nottinghamshire County Council (logo and coat of arms), The High Sheriff of Nottingham and the Lord-lieutenant of Nottinghamshire which will be replicated in full colour. Consideration is also being given to protecting the memorial by means of a low level removable chain fence. The design has the flexibility if desired at a later date to accommodate a statue in the centre. This option could provide the opportunity for the people of Nottinghamshire to be engaged in a design competition if considered appropriate.
13. Appendix A shows three concept design options. If approved the works would be undertaken in May with an anticipated completion date of mid June. Based on cost, long term maintenance and deliverability option one provides the best value, with an estimated target cost of £40,000.

Other Options Considered

14. Other design options are set out in Appendix A.

Reason/s for Recommendation/s

15. The establishment of a permanent memorial will provide a fitting tribute to Nottinghamshire's fallen.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and legal advice sought on these issues as required.

Financial Implications

17. Funding for this purpose has been allocated from contingency.

RECOMMENDATIONS

18. That Policy Committee approves design option one for the new memorial at County Hall for implementation as outlined in the attached Appendix.

Councillor Kay Cutts
Leader of the County Council

For any enquiries about this report please contact:

Sue Jaques
Local Improvement Scheme (LIS) Programme Manager
Transport Planning and Programme Development Team

T: 0115 9774368
E: sue.jaques@nottsccl.gov.uk

Constitutional Comments (SHB 01.03.13)

Committee have power to decide the Recommendation

Financial Comments (TMR 01/03/13)

The financial implications are set out in paragraph 17 of the report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Replacement of the Mosaic Outside County Hall - Report to Council, 1 November 2012

Electoral Division(s) and Member(s) Affected

All.

Appendix A

Option One - compass design

£40,000.00



Suggested wording:

In proud and grateful memory of the men and women of Nottinghamshire who have sacrificed their lives for others and for freedom. We will remember them.

Materials:

Green granite with gold painted lettering

Appendix A

Option Two - remember design

£51,000.00



Suggested wording:

In proud and grateful memory of the men and women of Nottinghamshire who have sacrificed their lives for others and for freedom. We will remember them.

Materials:

Black granite with white granite inlay text

Appendix A

Option Three - raised remembrance design £75,000.00



Suggested wording:

In proud and grateful memory of the men and women of Nottinghamshire who have sacrificed their lives for others and for freedom. We will remember them.

Materials:

Black granite with white granite inlay on a stainless steel base.

**REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To review the Committee's work programme for 2012/13.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme was drafted in consultation with the Chairman and Vice-Chairman and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. Such decisions will be included in the work programme on an annual basis and as specific decisions of interest arise.
5. The Policy Committee will be asked to determine policies, strategies and statutory plans developed or reviewed by other Committees of the Council. Committee Chairmen are invited to advise the Policy Committee of any additional policy reviews that are being considered.

Other Options Considered

6. None.

Reason/s for Recommendation/s

7. To assist the committee in preparing and managing its work programme.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make;

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Matthew Garrard, Team Manager, Policy, Performance and Research T: (0115) 9772892 E: matthew.garrard@nottsgov.uk

Constitutional Comments (SLB 30/04/2012)

9. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS 2/5/12)

10. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

Electoral Division(s) and Member(s) Affected

All

POLICY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
April 2013 17th				
Nottinghamshire Growth Plan	To consider proposals for a Nottinghamshire Growth Plan.	Decision	Celia Morris	Matt Lockley
Legal Settlements	Bi-annual overview of legal settlements reached in the preceding 6 months	Information	Heather Dickinson	
Flooding	To review flood risk management in accordance with the statutory requirement	Decision	Gary Wood	Andy Wallace
Communications & Marketing Campaigns	Report on the reach of communication and marketing campaigns 2012-13.	Information	Martin Done	Claire Yau
Translation/Interpretation Proposal				Claire Yau
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	
Community Safety	To review community safety in accordance with the statutory requirement	Decision	Chris Walker	
Healthwatch	Progress report on establishment of Healthwatch Nottinghamshire	Information	Caroline Agnew	
Statement of Community Involvement – First Review Adoption	To report the outcome of consultation on the proposed changes to the Statement of Community Involvement (SCI) and to adopt the SCI – First Review as Council policy.	Decision	Sally Gill	Jane Marsder Dale
May 2013 22nd				
Community Safety Agreement	To consider proposals from the Community Safety Committee on 23 April for the new community safety agreement	Decision	Jayne Francis-Ward	Chris Walker
Freedom of Information Act Requests	Update on previous year's volume and types of requests and performance in terms of compliance with timescales.	Information	Celia Morris	Jo Kirkby
June 2013 19th				
Sustainable Communities Act	To examine the opportunities provided by the Act and to	Decision	Celia Morris	Steve

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
	determine whether and how these might be taken forward			Derbyshire
Annual Performance Report 2012/13	Report on the overall progress of the County Council on its strategic priorities over the final quarter of the year and across the whole year.	Information	Celia Morris	Matthew Garr
Improvement Programme – Annual Report	Annual report of achievements for 2012-13.	Information	Deborah Hinde	
Review of Complaints	Bi-annual overview of complaints received by the County Council.	Information	Celia Morris	Jo Kirkby
July 2013 – 17th				
Social Media Usage	6 month usage of social media	Information	Martin Done	
Economic Development Strategy	To consider proposals from the Economic Development Committee for an economic development strategy for Nottinghamshire	Decision	Celia Morris	Matt Lockley
September 2013 – 11th				
October 2013 – 16th				
Welfare Assistance Scheme	Report on first 6 months of operation of scheme and proposals for operation beyond April 2014	Decision	Paul McKay	