

## **APPENDIX A**

### **COUNTY COUNCIL MEETING HELD ON 11<sup>TH</sup> JULY 2019 QUESTIONS TO COMMITTEE CHAIRMEN**

#### **Question to the Chairman of the Health Scrutiny Committee from Councillor Philip Owen**

The Care Quality Commission recently published an inspection report of the Nottinghamshire Healthcare NHS Foundation Trust, which rated it as 'Requiring Improvement'. Of particular concern is the CQC's finding that mental health services for children were rated as 'Requiring Improvement', whilst acute services for working age adults were 'Inadequate'.

Given that the Trust is commissioned by the Council to provide Children's Centres and Public Health services, does the Committee Chairman agree with me that this should be brought to his committee so that the Council can scrutinise the report and make findings as to how this will affect the wellbeing of our residents?

#### **Response from Councillor Keith Girling, Chairman of the Health Scrutiny Committee**

On the 24th of May 2019, the Care Quality Commission issued a report finding that the Nottinghamshire Healthcare NHS Foundation Trust 'Requires Improvement'. The Trust provides services for the people of Nottinghamshire including Adults' and Children's Mental Health, Adult Community Nursing, Children's Healthcare, and a range of other local health services.

This poor rating is of great concern to me, and, I'm sure, to all Members of the Health Scrutiny Committee. After officers brought the CQC's report to my attention I immediately arranged for the Chief Executive of the Trust – Dr John Brewin – to personally attend the next meeting of the Health Scrutiny Committee, on 23rd July, in order to present the Trust's improvement plan.

The Health Scrutiny Committee has always maintained a strong focus on NHS Trusts' pathway towards improvement following inspection by the CQC. I anticipate that the committee will want to closely monitor this Trust's progress and frequently have this item on the agenda going forward.

The County Council is a Commissioner through Public Health and Children's Services, and a key partner in the delivery of Adult Social Care services. Additionally, the Trust provide national and regional mental health services based in Nottinghamshire, as well as healthcare services to Prisons. This wide remit makes them an important part of the NHS that works to keep residents healthy and safe.

Throughout the CQC report, there is a consistent theme of staff not getting the basics of care right. These were often matters as simple as poor administration of medication, not working to procedure and policy, or a persistent low morale. There are also multiple references to poor management and leadership. It is therefore a concern as to whether

the Trust are able to address these concerns and engage well with partners to raise their standards.

While the County Council is not currently engaged in the work to drive improvement at the Trust, our Corporate Director for Adult Social Care and Health, Melanie Brooks, and our Director of Public Health, Jonathan Gribbin, are having ongoing discussions with the Trust to consider the best way forward. They have requested to be a part of this process, and will insist on being involved with those services which this authority commissions.

Whilst there is plenty of work being done to ensure that we are protecting the wellbeing of our residents, I think it is vitally important that Members are involved in this process. As such, I am happy to bring this matter forward to my committee, which is meeting at the end of the month.

Just from a personal point of view, I have engaged with the mental health services just recently. One for a resident in my patch and I must say the service was appalling and another for a veteran where I spent four hours at Kingsmill Hospital on Monday night, because of the services he should have been receiving and didn't and ending up in hospital as a result. This is a serious issue, I can assure you that I take it very seriously and I will be pursuing it.

#### **Question to the Leader of the Council from Councillor Alan Rhodes**

It was recently revealed that Nottinghamshire County Council has squandered more than £126,000 of ratepayer's money on the Leaders failed Unitary project.

Can she assure this council that no further monies will be wasted on such endeavours and that all of her energies, for the remainder of her term in office, will be spent on serving the needs of the communities in Nottinghamshire?

#### **Response from Councillor Mrs Kay Cutts MBE, Leader of the Council**

Councillor Rhodes will remember that Policy Committee met on the 12<sup>th</sup> September 2018 to consider the preliminary case for Local Government Reorganisation and to approve up to £270,000 of funding in order to contract a respected and independent social research company to undertake stakeholder engagement and community consultation with local residents, businesses, and strategic partners. In addition, the approved funding covered the costs of a 'critical friend' with extensive expertise in this field to provide independent advice and constructive feedback on the outline case for change.

This funding was approved by Policy Committee to ensure that the Council was able to make an informed decision on the future of local government in Nottinghamshire. Spending this money was a necessary step in order to avoid any bias and to fully understand the options available to us. This Council relied upon research that was thorough, robust, and independent, and not just 'gut feeling'.

The business case for a single unitary authority in Nottinghamshire included a financial appraisal which was independently reviewed by Deloitte in accordance with regulations set out by Ernst & Young and the County Councils Network. This appraisal provided a 'high level of certainty' that the savings from this would be approximately 27 million pounds per year. For an initial investment of £126,000, this looks like good value to me.

Just a week ago, I received an e-mail from a member of the public, stating:

“Although I understand that the work on creating a unitary council has been suspended it remains in my opinion an extremely worthwhile project.”

This resident also directed me to a report from the Taxpayers' Alliance examining 'The Efficacy of Unitary Authorities', which makes for very interesting reading. They note, for example, that – and I quote:

‘Those who either manage or have political oversight of unitary authorities are strong defenders of the model. Cornwall's Councillor. Adam Paynter has suggested that the unitaries are highly effective at delivering savings, stating that he “thinks it’s pretty categorical. All of those councils, and I’ve spoken recently to the Leader of County Durham and Wiltshire, [have] all shown massive savings.”

“But just within the first four years of Cornwall council's existence, the original business case said that we would save £17 million pounds. Well, in the first four years we actually saved about £170m, so it was 10 times the savings.”

”So you’ve got huge amounts of duplication within two—tier systems. Things like environmental health and trading standards. Environmental health was a district service and trading standards was a county service. Bringing those together, there's huge efficiencies. Virtually every area you look at there are ways of making efficiencies, as well as obviously senior management and the number of councillors”

The report by the Taxpayers Alliance is dated July 2019, and continues – and I quote again:

“2016 financial analysis from Ernst & Young suggested that billions could be realised from converting the remaining 27 two-tier county areas into unitaries. Over a five-year period, a net saving of £2.9 billion could be realised after implementation costs had been taken into account. The average annual saving per county would be between £23 and £29 million within five years.

“They also suggested that compared to creating two or three unitary authorities within a county area, a single unitary would be the least disruptive to large-scale strategic services and deliver the greatest financial savings and sustainability.

“Looking specifically at the five county councils which became unitaries in 2009, the projected saving as a percentage of the 2008-9 budget ranged from 3.6 per cent for Durham, up to 8.2 per cent in Shropshire. A 2011 report also found that corporate and democratic core costs reduced by £51 million, or 30 per cent, in newly consolidated authorities, whereas those that had not reorganised saw a 5.5 per cent rise.

“In the context of wider public sector reform, unitary authorities may also be better placed to integrate new powers that are being moved from Westminster, such as via English devolution deals. Cornwall, for instance, was the first county to reach a devolution deal in July 2015, which focused on local transport, investment and health and social care integration. The unitary authority provided the platform for initial negotiation with the Treasury.”

You can read the Taxpayers Alliance report for yourself in full.

Chairman, I respect that there is a wide range of opinion on this matter, and I am keen to work more closely with our borough and district councils to see how we can save money and deliver better services for the people of Nottinghamshire. Nevertheless, the facts are indisputable.

I can assure Councillor Rhodes that my energies are spent exclusively on serving the needs of the people of Nottinghamshire. That is why my administration is driving forward the “Your Nottinghamshire, Your Future” agenda.

Since taking control of the County Council in 2017, the Conservative and Mansfield Independent administration has set down an ambitious four-year plan and has been actively involved in regional bodies at a senior level. I now chair the HS2 Toton Station Delivery Board, a body we established to look in depth at the new station and the development in Toton, Nottinghamshire, and not rely on neighbouring authorities to make decisions over this county’s future.

Councillor Adair and myself are both engaged in the D2N2 Local Enterprise Partnership, meeting regularly with business leaders and organisations to drive employment, training, and education across the county – including apprenticeships. This Council has also established a Regional Adoption Agency, based here in Nottinghamshire, through the LEP.

The Council has taken a leading role in the Development Corporation led by Sir John Peace, the efforts of which will cut through government bureaucracy and ensure that

landmark sites like the Ratcliffe-on-Soar power station, East Midlands Airport and the new HS2 line, station and development investment are fully realised. The Development Corporation was at the invitation of Government.

It is this administration which is taking a hard look at how the Council operates, implementing smarter working programmes and rationalising our estate, in order to deliver better services for the people of Nottinghamshire who all pay for it.

It is this administration which is drawing down £18 million of Government funding for the A614 and A6097, investing in the construction a new Gedling Access Road, and starting work on the Mansfield and Ashfield Regeneration Route – all of which will unlock the investment and development potential in this county.

It is this administration which just held a landmark Visitor Economy Summit, with a strategy that will celebrate our heritage, boost the income of businesses across Nottinghamshire, and move this county up the agenda not just in the UK, but across the globe – freeing up the spirit of enterprise for Nottinghamshire residents.

This administration has also:

- Begun work on the £15 million project to develop the new Orchard School and enhanced day care services in Newark, providing a new day centre for the elderly and disabled;
- Work has begun on the £5.3 million Sharphill School in Edwalton;
- Invested £5 million in constructing a replacement school for Hawthorne Primary & Nursery in Bestwood Village;
- Invested £3.7 million in the 'Flying High Academy' school at Hucknall at the Rolls Royce site;
- Invested £7 million in school maintenance and building improvement works through our Schools Building Improvement Programme;
- Seen Nottinghamshire confirmed as one of the best places in the country for Superfast Broadband in a report based on OFCOM data, having also become the first county to provide Ultrafast Broadband;
- Brought the Tour of Britain to Nottinghamshire in 2017 and 2018, boosting the local economy by £7.4 million and attracting a quarter of a million spectators;
- Invested £24 million in road maintenance and pothole repairs throughout the County, including repairing 100,000 potholes in 2018/19 alone;
- Earlier this year approval was given for a raft of highways schemes for 2019/20 at a cost of £43 million;
- We have continued the library refurbishment programme, including Ruddington, Ravenshead, Mansfield Woodhouse, Cotgrave, Beeston and Edwinstowe – and have further investment plans at Retford and Ollerton over the next two years;

- We have continued the 4Uth awards scheme, which we instigated in our last administration, enabling local people to nominate and promote the special achievements of young people;
- Opened the new £5 million Sherwood Forest Visitor Centre in partnership with the RSPB;
- Secured a £2.4 million grant from the National Lottery for the Miner to Major: The Real Sherwood Forest scheme
- Delivered a £250,000 improvement scheme for a new three kilometre off-road route from Holme Pierrepont to Cotgrave Country Park, that was put on hold by the last administration;
- Invested in leading the local Mayflower 2020 celebrations and supporting the Pilgrim Roots Partnership to promote the story of the Pilgrim Fathers who originated from Nottinghamshire;
- Increased to three the number of CCTV cars we have available to deter illegal car parking outside schools;
- Brought back the Local Improvement Scheme, investing over £2.2 million in local communities; and
- Invested £15 million in flood risk schemes across Nottinghamshire.

If you don't want to know what the record is, don't ask me.

Chairman, I think this is enough to demonstrate the perfectly reasonable job we have done. The case for unitary councils has not distracted from the rest of our work. Indeed, £27 million pounds extra per year in the future would allow us to do a lot more, and I could read that out to you as well.

Work on the unitary case stopped ahead of the purdah period for the 2019 district council elections, and it is sensible at present to await a new Prime Minister and a more settled Government in order to discover the future direction of local government. But by no means has the money been wasted, nor the work of our officers and independent analysts.

In the meantime, I am fully focussed on the job in hand. But I think the taxpayers of Nottinghamshire deserve a break, and that £27 million pounds more spent on services instead of supporting the outdated, two-tier, bureaucratic structure would be welcomed by the people of this county who prefer money to be spent on their services and not keeping small councils in place together with their Leaders.

**Question to the Chairman of Communities and Place Committee from Councillor Tom Hollis**

Does the Chairman agree with me that the decision of the Communities and Place Committee to increase school bus season passes for many pupils by 17% from

September this year and 17% again from September 2020 will put off many families applying for the best school for their children?

**Response from Councillor John Cottee, Chairman of Communities and Place Committee**

The County Council currently spends £5.6 million every year supporting home to school transport services.

We provide transport which meets our statutory obligations for pupils who meet the national eligibility criteria – including criteria based around low family income. This caters for free transport to school, and also for many pupils who do not meet the criteria for free travel and pay fares to use transport. Our discretionary pass scheme goes beyond this and offers subsidised transport to school for those who wish to access it.

The updated rates, approved by the Communities and Place Committee recently, now more closely reflect the real cost of providing these services, after many years where prices have not kept pace with inflation. The Faith Travel Scheme was introduced in 2007 and charges have not been reviewed since then. The Catchment School Discretionary pass price was last adjusted in 2009 and the Post 16 pass charges were last reviewed and increased in 2014.

The fact is that we still offer families access to transport to school at a significantly reduced cost, for example, the daily cost for shorter journeys under 3 miles is £1.11, and for longer journeys of up to 20 miles the cost is £1.85.

Taken together, this Council's free school transport arrangements, and our continuing support for subsidised pass schemes that have long since disappeared in many other parts of the country, mean that in Nottinghamshire we are still able to support all families to access the schools of their choice.

**Question to the Chairman of the Health Scrutiny Committee from Councillor Tony Harper**

Rushcliffe Clinical Commissioning Group recently decided not to extend the contract for the running of the Nottingham Treatment Centre at the QMC, currently run by Circle. According to a report in the Health Services Journal, this could risk a 'one month hiatus' for key services including cancer care and general surgery. Although the CCG has claimed it has plans in place to mitigate this, the change has the potential to cause substantial disruption to services used by people across Nottinghamshire.

Does the Committee Chairman agree with me that this should be brought to his committee so that Councillors can better understand these plans and seek reassurance for residents that this potential disruption will not needlessly impact on their wellbeing?

**Response from Councillor Keith Girling, Chairman of the Health Scrutiny Committee**

The background to this contract being awarded to the Nottingham University Hospitals NHS Trust involves a protracted legal case which I won't discuss in great detail. However, I would not want to cause undue alarm to our residents, so I will point out that all parties have agreed in court to work together and to ensure the smoothest possible handover of services between the current provider Circle and the NHS Trust.

The Trust have also commented publicly that whilst they have plans to mitigate the impact of the handover on services, a one month hiatus is not anticipated. However, like Councillor Harper, I have not seen any detail on what these plans are and would be keen to know more so that I may reassure Nottinghamshire residents.

You are right to point out that our main focus should be whether Nottinghamshire residents are able to quickly access care at the Treatment Centre that is suitable for their needs. I can assure this Council that the Health Scrutiny Committee have been and are scrutinising this transition very closely, indeed we have made it very clear that we will not accept a drop in service either during or after the transition.

Given that the Trust will take over operation of the Treatment Centre at the end of the month, I have already asked officers to arrange for this issue to be placed on the agenda for my upcoming committee meeting on the 23<sup>rd</sup> of July.

I should add that the Centre's current providers – Circle – are rated by the Care Quality Commission as 'Good' or 'Outstanding' in all areas. On the other hand, whilst the NHS Trust is rated as 'Good' overall, their performance at QMC 'Requires Improvement' – especially in terms of the safety and responsiveness of their service. This is something we will be paying close attention to as the contract progresses, particularly if wait times are at risk of becoming longer.

The people of Nottinghamshire can rest assured that we keep a close eye on all of our local health services – last year, I spent a morning observing operations taking place at the Treatment Centre, and my intention is to do the same under the new provider so that a comparison can be made. I take my role as Chairman of the Health Scrutiny Committee very seriously, and I can assure members that so do the rest of the committee I am grateful that Councillor Harper has raised this with me today.

### **Question to the Leader of the Council from Councillor Mike Pringle**

Viewing Nottinghamshire County Council's finances from a red/amber/green scenario, what position does the Leader believe we are in as authority financially, particularly regarding being able to continue delivering high quality services across our Children and Young People and Adult Social Care Departments?

### **Response from Councillor Richard Jackson, Chairman of the Finance and Major Contracts Management Committee on behalf of Councillor Mrs Kay Cutts MBE, Leader of the Council**

In the question Councillor Pringle you implicitly refer to the "traffic light" system used to provide members with savings project status updates within the regular progress reports which are brought to Improvement & Change Sub-committee. The system is



very useful in that context, providing an 'at-a-glance picture' of which savings projects are green for 'completed', amber for 'experiencing obstacles' or red for 'compromised'.

However, it is too simplistic to apply such a system to describe the overall financial situation of this authority, encompassing all aspects of our budget.

So Chairman, I'll give what would be best described as a narrative answer, but not a lengthy one, because the first motion under the next item on the agenda will cover broadly the same ground as this question.

I believe Nottinghamshire County Council today is a well-run local authority and has been, by-and-large, for the past ten years. However, we are presently facing unprecedented pressures on our adult social care and children's social care budgets, in common with other shire authorities around the country.

Members are already well aware that last year, the Council had to invest an additional £6.3 million, above and beyond its original planned budget, in order to meet an unprecedented rise in the numbers of children and young people needing to be taken into the care of the local authority.

Next Monday as we discussed at length earlier, the Finance and Major Contracts Management Committee will receive a report setting out the need for £7.5 million of further, additional funding, not only to ensure we are primed to absorb a similar spike in demand this year, but also to address the reality that children are remaining in our care for longer than ever before.

Further to this, we need to boost, as quickly as possible, the number of foster carers directly 'on the books' of this authority, as opposed to us having to purchase foster care placements from the independent sector. A report to Children and Young People's Committee, also taking place on Monday, explains that an internal foster care placement costs the public purse £300 per week less, per placement, than engaging independent foster carers. We therefore propose to invest £300,000 in an ongoing effort to recruit more foster carers, in order to relieve the pressure on this budget over the medium to long term.

Without resorting to simplistic colour codes, I can say that this Council will continue to deliver high quality services across our Children and Young People and indeed our Adult Social Care departments. These services will not be compromised, even if this means drawing temporarily on reserves and continuing to review other, lower priority areas of expenditure. That's what our new process of continuous budgeting is all about. We will also continue the campaign for Fairer Funding compared with other types of local authorities, which would remove some of the obstacles to protecting other, less critical but nevertheless popular and valuable services.

I'm happy to take as many supplementary questions as Members wish on this matter, but given the time limit, they may wish to hold more detailed comments and observations over to the motion on the agenda later on.

**Question to the Chairman of the Children and Young People's Committee from Councillor Liz Plant**

Parents across the country are challenging this government on the legality of their funding to local authorities in a landmark case in the High Court, as they say that funding of councils for children with SEND (Special Educational Needs and Disabilities) is insufficient to meet the statutory obligations that authorities have, in terms of both education and care.

Can the Chairman of Children and Young People's Committee please provide us with an update on this authorities' attempts to secure additional funding for children with SEND in this County?

### **Response from Councillor Philip Owen, Chairman of the Children and Young People's Committee**

I am aware of the High Court challenge to the Government's funding support for children with special educational needs and disabilities.

Regarding the case, a Department for Education official is quoted by the BBC as saying:

"The government's ambition for children with special educational needs and disabilities is no different to any other child - we want them to enjoy school and achieve to their full potential.

"This is why we are investing significant funding into supporting those with more complex special educational needs - high needs funding totalling £6.3bn this year.

"It would be inappropriate to comment further until the judicial process has concluded."

Chairman, the High Court hearing took place late last month and I understand that a judgement is expected to be delivered at a later date, so my position is identical to that of the DfE. I can only comment on the outcome, as appropriate, when it is known.

Last December, Councillor Errol Henry asked me whether I agreed that funding for children in our schools for Special Educational Needs and Disabilities (SEND) is inadequate.

The question was timed out on the day of the meeting, so a written answer was published in the 28<sup>th</sup> February 2019 council book available on the Nottinghamshire County Council website.

I will not repeat the whole answer, but to summarise, I stated that I did agree that the funding for SEND was currently inadequate and I quoted extracts to this effect from an external review of 'Funding for Children and Young People with High Needs in Nottinghamshire' commissioned by Nottinghamshire County Council and the Schools Forum, and carried out by 'Strategic Services for Children and Young People', an independent organisation that brings together a range of consultancy and support activities relating to services to vulnerable children and young people.

I advised Members last December that I had made representations about SEND funding to three Members of Parliament from the governing party, and that I believed there was every chance that I would have an opportunity to meet with a minister to present our case. I have since had this meeting, on 19<sup>th</sup> March in London with Nadhim Zahawi, Parliamentary Under Secretary of State for Children and Families, who listened carefully to the points made by myself, and to local MPs Ben Bradley and also Robert Jenrick who attended a little into the meeting. Also present was the Service Director for Education who accompanied me.

As yet, there is no specific outcome from that meeting to report to Members, except that it took place and was constructive. I am sure that the proof of the pudding will be when the detail of the Comprehensive Spending Review is announced, when we will find out whether any extra resources for SEND is being made available, and on what terms.

What we already know is that, in December 2018, the Secretary of State for Education announced additional immediate funding of £1.737 million for SEND, and every indication is that the Government does intend to release further funding sooner rather than later.