

**MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL**

**WEDNESDAY, 6 DECEMBER 2017 AT 2.00 PM**

**ORDER PAPER**

**AGENDA ITEM NO. 1 – CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will make her announcements.

**AGENDA ITEM NO. 2 – MINUTES (Pages 3 to 18)**

MRS RICHARDS will move and MR O'SHEA will second:-

“That the minutes of the meeting of the Council held on 27 September 2017, copies of which have been circulated to members, be taken as read, confirmed and signed.”

**AGENDA ITEM NO. 3 – DECLARATIONS OF INTEREST**

The Chairman will invite members who wish to do so to make declarations of interest in respect of items on the agenda for this meeting.

**AGENDA ITEM NO. 4**  
**QUESTIONS ASKED UNDER STANDING ORDER 7(1) (2) &(5)**

**(A) Question by MR BOULTER**

- “1. How many of our Help to Live at Home providers have a CQC rating of Outstanding, how many are rated Good and how many are rated as Require Improvement?
2. How many of our Help to Live at Home service users receive a service from a provider with a CQC rating of Outstanding, how many receive service from one that is Good, and how many from one that Requires Improvement?
3. How does this compare to the service we used to offer Leicestershire residents before Help to Live at Home?
4. Is the Council on track to make the £1m a year savings? How much is expected to be saved this year?”

**Reply by Mr Blunt**

- “1. The County Council currently purchases domiciliary care services from over 50 providers, which are rated as follows;

Outstanding – 0 providers

Good – 41 providers

Require Improvement – 6 providers

Yet to be rated – 6 providers

2. Good - 820 Service users  
Requires Improvement – 421 Service users  
Yet to be rated – 465 Service users
3. CQC publishes only the current ratings of regulated providers therefore this information is not held by the County Council.
4. The County Council is on track to achieve the £1m saving this year.

The Homecare budget has been reduced by a further £5.6m (from £21.14m to £15.58m) to reflect the emerging trend of Service Users choosing to have a Direct Payment rather than a managed home care service.”

**(B) Question by MR OSBORNE**

“The current contract with Menphys for Early Support and Inclusion ends at the end of this month. The Budget for 2017 was £213,700. The service is being taken in-house in order for the budget for 2018 of £170,000 to be achieved. Would the Leader advise:-

1. Whether the in-house service will provide the same services to the 420 families who are currently being supported under the present contract? If not, what services will be stopped?
2. Is the provision of early support and coordination for children with complex needs to be in-house?
3. Will the staff currently employed by Menphys be TUPED to LCC and, if so, will it be necessary to have a restructuring of the service, and what would be the costs if that were to happen?
4. What assurances can be given to families who are using the early support service for children with complex needs about continuity of service since the contract with Menphys finishes at the end of the month?
5. Will there be any change in the threshold for families wishing to access the service?”

**Reply by Mr Ould**

“Before answering the five specific questions I need to point out to Mr Osborne that the total funding from the original contract with Menphys to provide the service to children and families with SEND - £213,700 – has not been reduced. The revised specification was for £170,000 as some aspects had already been brought in house along with the funding needed to provide the particular service.

1. Menphys have informed the Department they are currently working with 305 cases. Menphys have identified that 98 of these 305 cases will require ongoing support and the others (207) can be closed.

Of these 98 at least 40 will be taken on by health services. This leaves a maximum of 56 cases to be taken on by the County Council's in house service.

The services delivered by Menphys under the current contract will be continued under the new in house arrangements.

2. Early support and coordination for children with complex health needs will be undertaken by the NHS. They already fund a worker who is based at Menphys to undertake the work. County Council will provide case coordination for children with SEND who do not have complex health needs.
3. The staff who are eligible for TUPE will move across to be employed by the County Council. It will not be necessary to have a restructure of the service as a result of this.
4. Menphys are talking with families about their need for ongoing support. If they need this and want it, then the case will transfer over to the County Council, who will write to families to explain this. For children with complex health needs, the health worker who is based at Menphys will continue to undertake this work.
5. Families will be able to access information and advice, access to more specialist short break services, and information about universal and targeted play and leisure services through the in house service. For families who need additional support or where needs are not sufficiently clear, an Early Help assessment will be undertaken in order to identify needs and deliver required support through groups or on a one-to-one basis."

**(C) Question by MR OSBORNE**

"Could the Leader indicate:-

- (a) How many children in the County have autism stated on their EHCP?
- (b) How many of those children are in mainstream education but have high needs?
- (c) How many children are in outside provision, i.e. not in mainstream nor a county special school?
- (d) What is the average cost of buying in outside provision per pupil?"

**Reply by Mr Ould**

- "a) 628
- b) 280
- c) 150
- d) £64,734"

**TO DISPOSE OF BUSINESS FROM THE LAST MEETING**

**AGENDA ITEM NO. 5**  
**REPORT OF THE CONSTITUTION COMMITTEE**

(Pages 19 to 24)

**Principal Speakers:-**  
**Chairman (Mr N J Rushton)**  
**Deputy Chairman (Mr J B Rhodes)**  
**Liberal Democrat Spokesman (Mr S J Galton)**

(A) Review of Standing Orders (Meeting Procedure Rules)

MR RUSHTON will move and MR GALTON will second:-

“That the changes to Standing Orders (the Meeting Procedure Rules), as set out in Appendix 1 to the report of the Constitution Committee, be approved.”

**AGENDA ITEM NO. 6 – TO RECEIVE POSITION STATEMENTS**  
**FROM MEMBERS OF THE CABINET**

GENERAL POSITION STATEMENTS

(Note: Standing Order 8 provides as follows:-

- (a) A position statement may give rise to an informal discussion by the Council.
- (b) At the conclusion of the discussion a formal motion may be moved to the effect that a particular issue relevant to the statement be referred to the Cabinet, the Commission, a Board or a Committee for consideration. This shall be moved and seconded formally and put without discussion. No other motion or amendment may be moved.
- (c) The discussion of any position statement shall not exceed 20 minutes but the Chairman may permit an extension to this period.)

LEADER

- (i) The Leader will make his statement.
- (ii) An informal discussion may then take place.

**TO CONSIDER REPORTS OF THE  
CABINET, SCRUTINY COMMISSION, SCRUTINY COMMITTEES,  
AND OTHER BODIES**

**AGENDA ITEM NO. 7  
REPORT OF THE CABINET**

(Pages 25 to 338)

Principal Speakers:-  
Mover of motion (as appropriate)  
Leader of the Opposition (Mr S J Galton)

(A) Maplewell Hall School

MR OULD will move and MRS POSNETT will second:-

“That the Council:-

- (a) notes the receipt of a petition containing 11,592 signatures opposing the proposed closure of the residential facility at Maplewell Hall School;
- (b) notes the decision of the Cabinet to proceed with the publication of a Statutory Notice in early January 2018 supported by a statutory proposal as the next step to progress the removal (closure) of the residential provision;
- (c) notes that there will be a four week ‘representation period’, during which further comment on the proposals can be made;
- (d) notes that the Cabinet will receive a further report on 9th March 2018, after the representation period, to enable a final decision to be taken on the implementation or otherwise, of the closure of the residential facilities.”

(B) Strategic Plan and Single Outcomes Framework

MR RUSHTON will move and MR RHODES will second:-

“That the Strategic Plan for 2018 to 2022 set out in Appendix A to this report be approved.”

(C) Annual Delivery Report and Performance Compendium

MR RHODES will move and MR RUSHTON will second:-

“That the Annual Delivery Report and Performance Compendium 2017 be approved.”

(D) Youth Justice Plan

MR OULD will move and MR PENDLETON will second:-

- “(a) That the revised Leicestershire Youth Justice Strategic Plan 2016 – 2019 as set out in the Appendix to this report be approved;
- (b) That the Director of Children and Family Services be authorised to make minor amendments to the Youth Justice Strategic Plan 2016-2019 as are considered necessary to ensure it remains current and conforms to the requirements of the Youth Justice Board.”

(E) Annual Report of the Director of Public Health

MRS POSNETT will move and MR OULD will second:-

“That the Director of Public Health Annual Report 2017 be noted with support.”

**AGENDA ITEM NO. 8**  
**NOTICE OF MOTION**

**Make Fair Transitional State Pension Arrangements for 1950s Women - Mrs L Broadley**

MRS BROADLEY will move and MR MULLANEY will second:-

“That this Council calls upon the Government to make fair transitional state pension arrangements for all women born in the 1950s affected by the changes to the State Pension Age (SPA) and, who have unfairly borne the burden of the increase to the SPA with lack of appropriate notification.

Hundreds of thousands of women had significant pension changes imposed on them; first by the Pensions Act of 1995 and then again 2011; with little to no personal notification of the changes. Some women received less than two years notice of a six-year increase to their state pension age. Some women have had no notice at all.

Many women born in the 1950s are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment.

Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time.

The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

This Council calls upon the Government to reconsider transitional arrangements and compensation for women born in the 1950s affected by the changes to the SPA.”

**An amendment will be moved by MR RHODES and seconded by MR SHEPHERD:-**

“That this Council notes that:-

- (i) There is general acceptance that all men and women should retire at the same age;
- (ii) The changes in the 2011 Pensions Act, which were brought in by the Coalition Government, were debated at length and a decision made by Parliament, as part of which a concession was made to limit the impact on those most affected, benefiting almost a quarter of a million women and costing £1.1BN in total;
- (iii) Reversing the Pensions Act 2011 would cost over £30BN;
- (iv) Further concessions on this issue would require people of working age, specifically younger people, to bear an even greater share of the cost of the pensions system.”

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