

# Cabinet Agenda

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**Date:** Tuesday, 18th May, 2010  
**Time:** 2.00 pm  
**Venue:** Committee Suite 1,2 & 3, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

## **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

### **1. Apologies for Absence**

### **2. Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

### **3. Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

In order for an informed answer to be given, where a member of the public wishes to ask a question of a Cabinet Member three clear working days notice must be given and the question must be submitted in writing. It is not required to give notice of the intention to make use of public speaking provision but, as a matter of courtesy, a period of 24 hours notice is encouraged.

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Please contact Cherry Foreman on 01270 686463  
E-Mail: [cherry.foreman@cheshireeast.gov.uk](mailto:cherry.foreman@cheshireeast.gov.uk) with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

4. **Minutes of Previous meeting** (Pages 1 - 4)

To approve the minutes of the meeting held on 20 April 2010.

5. **The Pledge to Cheshire East Cared for Children** (Pages 5 - 14)

To adopt the Children in Care Council Pledge to Cared for Children.

6. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

**PART 2 – MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT**

7. **Managing Workforce Change** (Pages 15 - 20)

To consider the report of the Head of Human Resources and Organisational Development.

8. **Key Decision 38 Waste Treatment PFI Contract Affordability Ceiling** (Pages 21 - 32)

To consider the report of the Waste PFI Project Director.

**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cabinet**  
held on Tuesday, 20th April, 2010 in The Capesthorne Room - Town Hall,  
Macclesfield SK10 1DX

**PRESENT**

Councillor W Fitzgerald (Chairman)  
Councillor B Silvester (Vice-Chairman)

Councillors R Domleo, D Brown, P Findlow, F Keegan, A Knowles, P Mason  
and R Menlove.

Councillors in attendance:  
Councillors Rhoda Bailey, R Fletcher, O Hunter, L Smetham and G Walton.

Officers in attendance:  
Chief Executive, Borough Solicitor, Borough Treasurer and Head of Assets,  
Human Resources and Delivery Manager, Strategic Director People and  
Strategic Director Places.

**205 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor J Macrae.

**206 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**207 PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from members of the public.

**208 MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 16 March 2010 were approved as a  
correct record.

**209 KEY DECISION CE09/10-39 DEMENTIA STRATEGY - BUILDING  
BASED SERVICES REVIEW**

Consideration was given to the further implementation of the Council's  
approach to the Redesign of Adult Social Care Services, and to its  
strategy for dementia services.

**RESOLVED**

For the reasons set out in the report:

Cabinet agreed that:

1. the further work described in the report which has been taken forward to progress the implementation of the Cabinet's policy of gradually developing more specialised provision for those with Dementia, and of reducing over time the extent of the Council's reliance upon institutional, building based services, be noted;
2. negotiations should be undertaken with Central and Eastern Cheshire Primary Care Trust (CECPCT) to seek their support for consultants to carry out an exercise to develop specific proposals for how Cheshire East Council and the CECPCT should provide services for older people suffering from dementia in the area in the future;
3. subject to the outcome of those negotiations, a procurement exercise should be undertaken to secure the services of consultants;
4. to acknowledge that any capital and revenue implications which arise from the proposals generated by this exercise, will be presented in a further report to the Cabinet, setting out the options and their potential impact upon the financial situation of the Council;
5. an exercise should be undertaken to gather the views of existing and recent service users (and their carers) of Cypress House, a Community Support Centre in Handforth, around the option of closing that provision, both to contribute to the re-commissioning of resources for the creation of new specialist services, and to address its significant under-utilisation;
6. a report be made to the Cabinet setting out the views expressed during that exercise and the proposed response to them.

## 210      **TRANSFORMATION OF HIGHWAYS SERVICES**

Consideration was given to how the Council was seeking to transform the delivery of highway services, including replacement of the current term maintenance contract, to drive improvement in highway condition, improve customer perception across Cheshire East and deliver increased value for money.

It was confirmed that the proposed Cabinet Sub Committee would keep the Environment and Prosperity Scrutiny Committee apprised of the progress of its work, and of the delivery of the project.

### **RESOLVED**

For the reasons set out in the report: -

1. That the approach to transforming highways delivery, as outlined in the report, be endorsed.

2. That a Cabinet Sub Committee, comprising Councillors J Macrae (Portfolio Holder Prosperity), P Mason (Portfolio Holder Procurement, Assets and Shared Services) and R Menlove (Portfolio Holder Environmental Services) be established to manage the delivery of the project in line with the timescales outlined in the report.

211      **NOTICE OF MOTION - HIGHWAY WINTER MAINTENANCE**

Consideration was given to a response to the following Notice of Motion submitted to Council on 25 February 2010: -

***"Cheshire East Council acknowledges and gives thanks to the hard work carried out by its staff, in extremely difficult weather conditions, whilst gritting some of Cheshire East's roads and footways.***

***Council also calls for the adoption of a Cheshire East policy, by a review of priorities for future years especially with regard to bus routes and roads in the vicinity of primary schools".***

It was confirmed that the preparation of the Winter Service Plan for 2010/11 would address the duties of a Highway Authority in relation to the removal of snow and ice, and incorporate learning from the last winter in relation to bus routes, roads near schools and the priorities for clearing snow and ice.

RESOLVED

For the reasons set out in the report:

1. Cabinet requests that the planned Environmental Scrutiny of our 'Winter Learning' includes the priority to be given to bus routes and roads in the vicinity of primary schools.
2. That Cabinet endorses the actions of the Chief Executive and of the Strategic Director Places in thanking all staff that worked hard to respond to the most challenging winter in almost 30 years.

212      **EXCLUSION OF THE PRESS AND PUBLIC**

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

213      **MANAGING WORKFORCE CHANGE**

Consideration was given to the report of the Head of Human Resources and Organisational Development.

**RESOLVED**

For the reasons set out in the report: -

1. That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed as 1 to 6 on Appendix A under the arrangements agreed in relation to voluntary severance provisions for employees in the Council.
2. That the details of the employee who is listed as number 7 on Appendix A, be noted in that following a management decision regarding this service, there was an urgent need to consider this employee's request for voluntary severance before 31 March 2010 due to changes to the pension regulations. As a result the Executive Member for Resources agreed to release this employee under the terms of his delegated powers.

The meeting commenced at 2.00 pm and concluded at 2.40 pm

W Fitzgerald (Chairman)

## CHESHIRE EAST COUNCIL

### REPORT TO: Cabinet

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**Date of Meeting:** 11 May 2010  
**Report of:** Strategic Director People  
**Subject/Title:** The Pledge to Cheshire East Cared for Children

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#### 1.0 Report Summary

- 1.1 All local authorities are required to make a pledge to Cared for Children. The Cheshire East Children in Care Council have considered what they would wish to be included within 'The Pledge'. This report contains recommendations to meet the requirements of Care Matters.
- 1.2 On 31<sup>st</sup> March 2010, the Corporate Parenting Board resolved the following:
- To adopt the Children in Care Council recommendations as the Cheshire East Council Pledge to Cared for Children.
  - Recommend to Cabinet that the Pledge be adopted.

#### 2.0 Recommendations

The Cabinet is recommended to decide:

- 2.1 That the Pledge recommended by the Children in Care Council be adopted as the Pledge to Children who are cared for by Cheshire East Council.

#### 3.0 Reasons for Recommendations

- 3.1 The recommendation will enable the Local Authority to meet its duty to Cared for Children

#### 4.0 Wards Affected

- 4.1 All

#### 5.0 Local Ward Members

- 5.1 All

#### 6.0 Policy Implications including - Climate change - Health

- 6.1 Policy and procedures are to be reviewed to ensure compliance with the Children and Young Persons Act 2008 and Care Matters.

**7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

7.1 None

**8.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)**

8.1 The Council believes that its budget for 2010/11 does appropriately reflect the range of issues which are highlighted in this Pledge.

**9.0 Legal Implications (Authorised by the Borough Solicitor)**

9.1 In June 2007, the white paper "Care Matters: Time for Change" was published. It sets out a very clear expectation that every local authority is to develop a pledge for the children in care in their area. The local authority should ensure that:

- children are aware of the basic statutory requirements which the local authority should already be complying with
- children are aware of the of the key opportunities and benefits offered to them locally
- children in care are supported to engage with positive activities as much as possible
- children in care have been consulted and involved in developing the pledge, including those with special needs and disabled children
- the pledge is regularly reviewed and reflected in the local Children and Young People's Plan or equivalent.

9.2 The main legislation in respect of the pledge is the Children and Young Persons Act 2008, which underpins the Care Matters: Time for Change white paper. The main provisions of the Children and Young Persons Act 2008 aim to:

- ensure that the child's voice is heard
- ensure stability for children by ensuring that they are in the most appropriate placement
- provide more support for care leavers.

9.3 Basic statutory requirements that a local authority should be complying with in respect of children in care have been included in the pledge in plain, simple English that should be easily understood by children and young people.

**10.0 Risk Management**

10.1 Failure to adopt a pledge to Cared for Children will result in the authority failing to meet the requirements of Care Matters. The pledge is considered

by Ofsted in their inspection of services to Cared for Children and failure to make a pledge could result in the service being deemed unsatisfactory.

## **11.0 Background and Options**

- 11.1 The Care Matters White Paper, issued in 2007, set out an ambitious programme of change to improve the outcomes of children in care. Care Matters set out a vision to ensure that in the future children in care would have the same opportunities in life as their peers – a good education, good health care, and consistent support, advice and practical help to give them strong foundations on which they can build happy and successful lives.
- 11.2 As a part of the implementation of Care Matters, the Government requires all local authorities to develop a **pledge for children in care**, which will set out those things that all children in their care will receive.
- 11.3 Better outcomes for children in and leaving care often come about when they are empowered to act positively and effect change in their own lives. The Pledge should be developed as a key communication tool in partnership with children and young people. Crucial to the success of the Pledge is that it reflects the perception of children and young people about the parenting they need. Every child and young person's care or pathway plan must reflect how the commitments made in the Pledge will be delivered for that individual child.
- 11.4 The Government believe that there will be some things which should be at the core of the pledge offered by every local authority which might include:
- A choice, made with their social worker, of high quality placements;
  - 24/7 support from their social worker or an out of hours contact;
  - A minimum entitlement to sport and leisure activities – for example, 4 hours a week;
  - A chance to take part in volunteering;
  - Twice yearly health assessments for under 5's and annual health assessments and twice yearly dental checkups for older children;
  - An independent advocate;
  - The choice of when to move on to enter adult life, up to the age of 18; and
  - The right to have their voice heard and influence the work of the local authority through participation in a 'Children in Care Council'.
- 11.5 In accordance with requirements of Care Matters, Cheshire East has an established Child in Care Council. This council have considered what it is that they would wish to have included in the pledge (Appendix 1).

- 11.6 The Corporate Parenting Board is the vehicle for ensuring the Council is doing all it can to improve outcomes for our Cared for Children. The Corporate Parenting Board has considered the content of the pledge as described by the Children in Care Council and is recommending its adoption.
- 11.7 On acceptance of the recommendation, the Pledge will be drafted into an appropriate format to reflect the Councils commitment to children and young people, including an expectation that in response to a consistency of provision and support, children and young people will endeavour to maximise the opportunities provided to them.

## **12.0 Overview of Year One and Term One Issues**

- 12.1 Not applicable

## **13.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

Name: Paul Mossman

Designation: Services Manager – Integrated delivery

Tel No: 01244 973152

Email: [paul.mossman@cheshireeast.gov.uk](mailto:paul.mossman@cheshireeast.gov.uk)

This suggested pledge has been drawn up by experts, ie those who have first-hand knowledge of growing up in care.

Our aim is for all children and young people in Cheshire West & Chester / Cheshire East to receive the best parenting possible.

# THE PLEDGE

**You will be as passionate and committed to looking after us as you would your home grown children – and want no less for us. Being in care will not be a reason for missing out.**

The pledge should link into all decision-making structures that relate to children through Cheshire West & Chester / Cheshire East.

**Your Pledge should be based on children's rights under United Nations Convention on the Child (UNCRC), to which Britain is a signatory, as well as all rights awarded under relevant legislation, regulations and guidance**

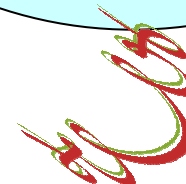
**YOU WILL ACTIVELY INVOLVE US IN THE DECISIONS THAT AFFECT OUR LIVES AND GIVE US OPPORTUNITIES TO BE INVOLVED**

- You will:
  - ask us what we want to say
  - listen to what we say
  - act on what we say
  - tell us what you have done and when you have done it
- You will give us clear information about the bigger picture too - like policies that affect us - but let us know in language we can understand, not just big documents
- You will give us a range of approaches, both formal and informal, that let us participate on our terms
- You will provide us with opportunities to be involved in recruitment of staff and foster carers, as well as contributing to the reviews of those people that care for us.



**YOU WILL KEEP US SAFE**

- You will ensure we are placed where it is safe for us and where we are well looked after
- You will not move us when we are happy and settled unless there is an issue around our welfare - and you will explain that clearly to us
- You will check that we will be given good quality parenting, by monitoring and offering ongoing training opportunities to carers/residential staff
- You will listen to us when we have concerns



**YOU WILL HELP AND SUPPORT US TO SORT  
OUT ANY PROBLEMS OR WORRIES WE  
HAVE**

- We will always be able to speak with our carers, social worker, family member, independent reviewing officer or teacher and know how to get hold of everyone. This means having access to a phone
- If we have no credit on our mobiles, you will make sure there are other ways to say if we are unhappy about something or have a complaint
- You will know us well enough to recognise when we are unhappy and help us to do something about it
- You will make certain we can contact independent advocates easily and that we have the number of a children's complaints officer
- As lead Councillor member, or as senior staff member responsible for children's services, you will make sure all your systems are easily understandable for children and young people



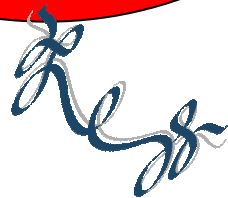
**YOU WILL RESPECT US AS INDIVIDUALS,  
WITH DIFFERING WANTS AND NEEDS - AND  
TAILOR THE SERVICE WE GET, TO FIT US**

- You will respect our rights in relation to disability, sexuality and race. You will support our right to follow both our culture and religion if that is our wish. You will understand that we are at different ages and our needs and wishes may change
- You will make sure everyone is encouraged to participate at a level they are comfortable with and that everyone is actively listened to whatever age or ability, so that this becomes part of the everyday life in Cheshire West & Chester/ Cheshire East
- You will recognise the difference between living in residential care or a foster family and how those differences affect young people
- You will give us extra support when we need it
- You will respect our right to privacy, with information stored on a 'need to know' basis



**YOU WILL HELP US STAY IN TOUCH WITH  
PEOPLE WHO ARE IMPORTANT TO US**

- You will help us stay in touch with our birth families (where appropriate, and if in our plan); previous foster families; friends and other people who are important to us where this is possible and if this is what we want to happen
- If this can't happen, you will be upfront with us and explain the reasons why
- You will help us keep items of our personal history safe, like photos of friends, family and school
- At 18, you will give us access to information that has been kept about us, where that is possible



**YOU WILL MAKE SURE WE HAVE NAMED  
WORKERS, WHO WILL STAY WITH US  
WHILST WE GROW UP**

- You will provide us with qualified named social workers and only change them if there is a problem
- You will expect all workers employed by Cheshire West & Chester/Cheshire East to tell us when they will visit and you will employ workers who are reliable, punctual and safe people to be around children.
- You will let us know ways to contact our worker/s and if we leave a message for them, someone will get back to us within 2 working days
- You will use text messaging, emails etc as our preferred way of contact, unless we tell you differently



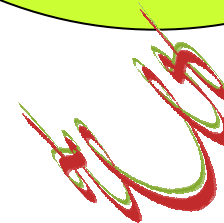
YOU WILL HELP US KEEP HEALTHY AND WELL

- You will help us get age appropriate and clear information about our health
- You will make sure all our hospital/GP and dental appointments are kept or we are supported to attend
- You will let us know where and how to get confidential help and advice
- You will contribute to issues around road safety and environment concerns that affect our health, as a good parent would
- You will give us guidance about healthy living, diet and exercise
- You will make sure there are safe places for us to play, that we can get to easily



YOU WILL SUPPORT US TO HAVE DIFFERENT EXPERIENCES, SO WE HAVE THE CHANCE TO DEVELOP OUR TALENTS, HOBBIES AND INTERESTS

- You will support us to do the things we enjoy
- You will reward and celebrate our achievements in our lives and education with us
- You will be committed to our success in all aspects of our life



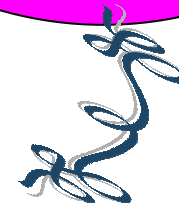
YOU WILL HELP US ACHIEVE WHAT WE  
ARE CAPABLE OF, AT SCHOOL AND AT  
COLLEGE, AND GIVE US EXTRA SUPPORT  
IF WE NEED IT

- You will actively encourage our social development
- The plan to support us at school will be recorded on our personal education plan and we will get a copy
- You will give us more choice in the school we attend.
- You will listen to our views about our school



YOU WILL HELP US MOVE ON TO ADULT LIFE

- You will support us to have a range of high quality work experience places
- The Council will act as a 'family' firm and give us priority in apprenticeships
- You will give us practical help, like driving lessons
- You will save for us when we are younger so we have something to help us when we start out
- You will help us learn about how to manage our money and how to get credit, etc
- You will help us fill out forms with other agencies such as housing and help us with all the negotiations
- You will support us if we make mistakes and help us get back on track



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of the Local Government Act 1972.

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