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CHESHIRE EAST COUNCIL

Minutes of a meeting of the Advisory Panel - People
held on Monday, 8th December, 2008 at Tatton Room, Macclesfield Town
Hall

PRESENT

Councillor R Westwood (Chairman)
Councillor Miss C Andrew (Vice-Chairman)

Councillors C Beard, D Beckford, D Brown, J Crockatt, P Findlow, R Fletcher,
A Knowles, W Livesley, M Parsons and Mrs C Tomlinson

Apologies

Councillors R Domleo and Mrs D Flude.

30 APOLOGIES FOR ABSENCE

Councillors R Domleo and Mrs D Flude.

31 DECLARATIONS OF INTEREST

None.

32 PUBLIC SPEAKING TIME/OPEN SESSION

A representative from the Older People's Network attended the meeting and gave a presentation to the Panel on the role of the OPN. In addition she expressed concern in respect of a letter she had received which stated that funding for the OPN would not continue for the period 2009/2010. Furthermore she raised concerns that the new structure for the People Directorate did not refer to Older People.

In response to the concerns expressed by the OPN, the Strategic Director Designate (People) gave his assurances that Cheshire East Council had a commitment to providing funding beyond 2009. In respect of the change in name of the structure to Adult Services, the Director confirmed very few Authorities distinguished between Older People and Adult Services. The term 'Adult Services' had been used generically to incorporate all people over the age of 18. He reassured the representative from the OPN that the choice of structure did not reflect a weakening of the Council's commitment to older people.

The Panel were concerned that the OPN had received a letter, which stated that funding from 2009 would cease to exist. Members requested that the Director confirm in writing his assurances, that funding for the Organisation would continue in 2009.

RESOLVED

That the Strategic Director Designate (People), confirm in writing to the OPN that funding for 2009 would continue.

33 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting be approved as a correct record subject to the inclusion of Councillor J Findlow in the list of those present.

34 CHILDREN'S TRUST IMPLEMENTATION

Consideration was given to a report on the implementation arrangements in relation to the establishment of a Children's Trust.

The report highlighted to Members the key issues which needed to be addressed over the next 12 months as well as including a number of recommendations for how best to develop and implement future Trust arrangements taking account of current legislation, emerging DCSF guidance and local experience of setting up and operating the current Children's Trust.

Members expressed the importance of ensuring that the implementation arrangements went ahead as soon as possible. It was felt that Cabinet should be recommended to expedite the process without delay.

It was requested that a statement outlining the differences between a Children's Trust and Local Safeguarding Board be circulated to Members on the Panel, in order to assess if there was an overlap between the two, how one could be held accountable over the other, their respective functions and how in practice they should operate. In addition it was considered appropriate that an electronic link be emailed to Members on the Panel in order for them to access copy of the Government's report and that a report be brought back to the Panel once further Government guidance on the matter became available.

Furthermore the Chairman suggested it would be useful if an induction programme for all Members of the Council was devised in order to address the complex nature of the subject combined with the fact that the majority of Members had little experience in this field.

RESOLVED

1. That Cheshire East Council be recommended to approve the creation of a Children's Trust Implementation Board with a mandate to consider the issues raised in the report and its appendices and take forward the future Children's Trust arrangements.

2. That the Executive be recommended to delegate authority on behalf of Cheshire East to the Lead Member for Children and the Strategic Director - People to ensure that the Trust is set up in a timely fashion in order to be sufficiently operational for 1 April 2009.

3. That final decisions in relation to the Governance Documents for the Trust, would, as with the (statutory) Children Plan and the LSP/LAA, be subject to the consideration and advice by the Cabinet and the final decisions of Council and partners.

35 AREA BASED GRANT

Consideration was given to a report updating Panel Members on the implications of the Area Base Grant and any potential budgetary consequences.

Concern was expressed that funding for Cheshire East was considerably lower than that of Cheshire West and Chester.

The Panel were advised that the formula used to calculate how much funding would be awarded to each of the Authorities included the severity of deprivation that a particular Local Authority was faced with.

RESOLVED

That the implications of the Area Base Grant and any potential budgetary consequences be noted.

36 COMMISSIONING STRATEGY - ADVOCACY

Consideration was given to a report highlighting to Panel Members the range of provision in East Cheshire and to propose, in high-level terms, the commissioning approach for the future, in partnership with the Primary Care Trust (PCT).

Members were informed that the report had already been considered by Cabinet and therefore was for information purposes only.

Reference was made to whether or not work on the disaggregation of funding for self-advocacy had been completed. In response to this Members were informed that work was ongoing with a number of Organisations.

RESOLVED

That the report be noted.

37 DEPRIVATION OF LIBERTY SAFEGUARDS

Consideration was given to a report informing Panel Members of a new statutory responsibility, the Deprivation of Liberty Safeguards, which would come into force in April 2009. In addition Members were requested to consider the appropriate administrative and procedural machinery that would be required to ensure their successful implementation.

With reference to the new legislation it was queried if additional posts would be advertised or if current employees would be used from existing Cheshire County Council.

In response it was anticipated that depending on the workload existing staff could be used, however if the workload was considerably larger than expected then Officers might need to consider looking at employing external staff.

With reference to paragraph 6.2 of the report Members queried how the Council ensured there was a sufficient number of Doctors available to undertake the assessments. The Panel was informed that the primary Care Trust charged the

Council for hiring out Section 12 Doctors trained specifically under the Mental Health Act. Availability of Doctors was not considered to be a serious issue as long as contractual arrangements could be resolved.

RESOLVED

That Cabinet be recommended to approve the appropriate mechanisms for the receipt and scrutiny of assessments for the Deprivation of Liberty Safeguards with the Primary Care Trust as outlined in the report.

38 LEASING CONTRACTS FOR SCHOOLS

Consideration was given to a report informing Panel Members of the change in process for schools taking out leasing agreements.

RESOLVED

That Cabinet be recommended to approve the proposed new procedures in order to enable schools to benefit from the Office of Government Commerce (OCG) contracts.

39 WORK PROGRAMME

The Strategic Director Designate (People) advised Members that the following items would need to be considered in the future:-

- (i) Transition for disabled people.
- (ii) Proposals for undertaking a comprehensive review of Sensory and Impairment Services.
- (iii) Requirement to establish the Independent Safeguarding Authority and to ensure anyone who has contact with vulnerable people had been vetted.
- (iv) Proposals in securing Lifelong Learning Services.

It was agreed that the Strategic Director Designate (People) would produce a list of items for the Panel to consider at the next meeting.

RESOLVED

That a list of items to be included on the work programme be considered at the next meeting of the Panel.

40 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 & 2 of Part 1 of Schedule 12(A) of the Act.

41 PEOPLE DIRECTORATE STRUCTURE - UPDATE REPORT

Consideration was given to a report updating the Advisory Panel Members on the progress of work to implement a structure for the People Directorate of Cheshire East Council.

Disappointment was expressed that three Managers working in the Children's Services Department at Cheshire County Council had obtained new posts outside of Cheshire.

RESOLVED

That the progress made on implementing the structure be noted.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

Councillor R Westwood (Chairman)

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