

# Adult and Community Services Overview Committee

Minutes of a meeting held at  
County Hall, Colliton Park, Dorchester on 22 January 2014.

Present:

William Trite (Chairman)

Ronald Coatsworth, Robin Cook, Beryl Ezzard, David Jones, Ros Kayes, Kate Wheller and John Wilson.

Toni Coombs, Cabinet Member for Education and Communications, and Jill Haynes, Cabinet Member for Adult Social Care, attended under Standing Order 54(1)

## Members in attendance

Barrie Cooper, County Council Member for Blandford (Minutes 17-19)

## Officers:

Catherine Driscoll (Director for Adult and Community Services), Phil Rook (Group Finance Manager for Adult and Community Services) and Lee Gallagher (Democratic Services Manager).

## For certain items as appropriate:

Andrew Archibald (Head of Adult Services), Paul Leivers (Head of Community Services), Ruth Davis (Assistant Commissioning Manager), Tracy Long (Library Service Manager), Paul St.Quintin (Commissioning Manager) and Alison Waller (Head of Commissioning and Improvement).

(Note: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Adult and Community Services Overview Committee on **17 March 2014**.)

## **Apologies for Absence**

1. Apologies for absence were received from Michael Bevan, Fred Drane, Paul Kimber and David Walsh.

## **Code of Conduct**

2.1 John Wilson declared a disclosable pecuniary interest under the Code of Conduct at minute 14 in respect of Grant Funding for Voluntary Organisations as he was a trustee of Age Concern, Ferndown. He withdrew from the meeting for the duration of the item.

2.2 David Jones informed the Committee that although he did not have a disclosable pecuniary interest, he wished to declare that his wife was disabled and had a private carer.

2.3 Ros Kayes also mentioned that she was a Director of a non profit making training organisation that received funding from the adult learning service.

## **Minutes**

3. The minutes of the meeting held on 7 October 2013 were confirmed and signed, subject to the wording of the final sentence of minute 141.17 being amended to read 'It was also felt that POPPs should be provided for all adults, not just for adults over 50 years old'.

**Matters Arising****Minute 141 – Pathways to Independence – Redesign of Adult Social Care to meet the financial challenge for Adult and Community Services Directorate**

4.1 The Cabinet Member for Education and Communications informed the Committee that the Forward Together Group tasked with the 'Wider Dorset' remit was in the process of looking at the POPP model following the successful rollout for adult services to see how it could be applied for other services.

**Public Participation****Public Speaking**

5.1 There were no public questions received at the meeting in accordance with Standing Order 21(1).

5.2 There were no public statements received at the meeting in accordance with Standing Order 21(2).

**Petitions**

6. There were no petitions received in accordance with the County Council's petition scheme at this meeting.

**Revenue Budget 2014/15**

7.1 The Committee considered a joint report by the Director for Corporate Resources and the Director for Adult and Community Services on the key issues within the Provisional Local Government Finance Settlement and the impact of the settlement on the budget strategy for Dorset County Council.

7.2 The Adult and Community Services Group Finance Manager introduced the report and summarised the proposed financial position of the Council for 2014/15 and 2015/16. It was noted that the Cabinet would meet to consider the budget on 3 February 2014 and the report would be informed by each Overview Committee. The Group Finance Manager explained that a Council Tax Freeze Grant had been offered to local authorities for 2014/15, but that the budget assumptions were based on an annual Council Tax increase of 2%. Members recognised that the increase rate that could trigger a referendum had not yet been set by Government and was expected to be announced shortly, but this could change from the current 2% level. It was clarified that every 1% of Council Tax was equivalent to £1.9M.

7.3 The Committee acknowledged that there was a structural deficit within the Directorate of £3-4M each financial year. It was hoped that future savings to be achieved through the Better Together Programme and the Pathways to Independence Programme would collectively aid in reducing some of the structural deficit by transforming Adult and Community Services.

7.4 In relation to the Better Together Programme, it was reported that the Health and Wellbeing Board would consider a Better Care Plan on 5 February 2014 to outline funding and resourcing arrangements through the Better Care Fund for 2015/16 and working arrangements with Bournemouth and Poole Councils and the Clinical Commissioning Group. The Committee discussed the arrangements regarding funding and the impact on different partners together with the associated risks. The Director for Adult and Community Services highlighted that there were specific targets and challenges in relation to the whole health and social care system including the performance of acute hospitals, avoiding unnecessary admissions to hospital, and hospital seven day working. It was also clarified that funding for 2014/15 would be unaffected as it had already been set.

7.5 Members noted that the targets and performance would not influence the funding allocated to 2015/16 but there may be sanctions in the future which were

## Adult and Community Services Overview Committee – 22 January 2014

performance related. Discussions were still ongoing with Andrew Webster, Department of Health Lead on Better Care Fund, in relation to the future funding arrangements.

7.6 In relation to integrated working with hospitals, one member confirmed that Poole Hospital, in discussion with the Clinical Commissioning Group, was very keen to work with as many bodies as possible to achieve efficiencies and appreciated the advantages of working with local authorities.

### **Resolved**

8.1 That the savings proposals relating to services within the Adult and Community Services Directorate for 2014/15 as outlined within section 4 of the Director's report, and in line with the agreed Pathways to Independence Programme be noted.

8.2 That the views and comments of the Committee be reported for consideration at the Cabinet meeting on 3 February 2014.

### **Alternative Offer**

9.1 The Committee considered a report by the Director for Adult and Community Services on the County Council's partnership working with Dorset County Hospital NHS Foundation Trust to pilot an alternative approach to care home placements from a hospital setting in the geographical area of Dorchester and Weymouth.

9.2 The Head of Adult Services reported that Care Home placements for older people were currently one of the biggest budget pressure areas for the Directorate, and the Alternative Offer pilot would address how and when decisions were made in relation to an individual's long term care needs. It was explained that decisions were too often made in a hospital setting and that this should not be the case, decisions should be made as far as possible within an individual's usual environment. It was also noted that Urgent Care funding had been received from the Clinical Commissioning Group (CCG) to fund the pilot.

9.3 Members recognised that the pilot would enable users to access more intensive care, waking night care, roaming night care and assisted technology. This was in addition to other routine services such as meals for service users. It was also noted that the Care Board would monitor the effectiveness of the pilot

9.4 The Committee felt that it was a good idea to reassess how referrals were managed and to reduce the long term implications for service users. Although there were many excellent care homes across Dorset, it would be a more positive move for people to return home, which would then reduce the impact on the Council.

9.5 Members highlighted the need to focus on preventative measures to reduce the number of people admitted to hospital in the first place through appropriate communication channels with service users, carers, and relatives. The Cabinet Member for Adult Social Care confirmed that this was part of the scheme to enable people to be at home and have support to feel safe, and that the Pathways to Independence Programme was focused on prevention.

9.6 In relation to the cost of the service, it was noted that the fair access to care services criteria would be applied to determine if a user received free care, but the same services would also be available to self funding users who wished to pay for them. It was envisaged that users could access the information with regard to the support and services available as part of the reablement service currently provided within hospitals. It was noted that this was a top up for those without funding, but discussions would be held with paying users as to how this service could be available. Officers undertook to make it clear that the service was not free of charge.

9.7 One member sought clarification of the cost of the pilot, and asked if £255,840 was an appropriate level of funding. It was confirmed that funding for the pilot would be sufficient for the first year and funding would be readdressed by the Care Board, together with the Clinical Commissioning Group.

### **Resolved**

10.1 That the development of the alternative offer as a way of approaching alternatives to care home placements and stimulating growth and capacity within the home care sector be noted.

10.2 That the exploration of joint commissioning opportunities to support the project, following the evaluation of the pilot in March 2014, with the Clinical Commissioning Group, the Borough of Poole and Bournemouth Borough Council, be supported.

### **Dorset Carers' Strategy 2014-16**

11.1 The Committee considered a report by the Director for Adult and Community Services on the Dorset Carers' Strategy 2014-16 which outlined what the NHS Dorset Clinical Commissioning Group and Dorset County Council want to achieve for carers. However, it was also noted that significant changes could be made as a result of the Care Bill which would be reported back to the Committee in due course.

11.2 The Commissioning Manager introduced the report and summarised the Strategy and action plan, and drew attention to the additional area, young carers, added to acknowledge the overlap with Children's Services support for under 18s supporting family members.

11.3 It was noted that the Adult and Community Overview Committee on 7 October 2013 considered the Strategy and asked that additional information be provided on support for Young Carers and the role of the Dorset Partnership for Older People Programme (POPP). It was reported that sections covering these two areas had been included in the strategy and the Children's Services Overview Committee had considered the same report on 21 January 2014 and supported the revised strategy.

11.4 The Cabinet Member for Education and communications highlighted that the Children's Services Overview Committee had specifically drawn attention to the linkages with schools. She also asked that a photo of young people be included on the cover of the Strategy, to which officers confirmed that this would be done.

11.5 Members recognised the huge impact that small changes could make to the number of carers in Dorset, with a turnover of 30% per year, and an increase of 17% in the County over the past 10 years, which was still 20% more than the national average and equated to £1bn.

11.6 The Committee welcomed the positive report but asked that reference in the 'Our Vision' section of the Strategy be clarified to reflect Dorset County Council rather than just leaders, which would be more inclusive. Officers confirmed that this was appropriate.

### **Recommended**

12. That the Cabinet be recommended to endorse the strategy and action plan as a basis for developing carers' support over the next three years.

### **Reason for Recommendation**

13. The service contributed to the County Council's aim to protect and enrich the health and well-being of Dorset's most vulnerable adults.

### **Grant Funding for Voluntary Organisations**

(John Wilson declared a disclosable pecuniary interest under the Code of Conduct in respect of Grant Funding for Voluntary Organisations as he was a trustee of Age Concern, Ferndown. He withdrew from the meeting for the duration of the item.)

14.1 The Committee considered a report by the Director for Adult and Community Services on a proposal to consult organisations on the future of grant funding for voluntary organisations.

14.2 The Director for Adult and Community Services outlined the current arrangements for grant funding to voluntary organisations, and explained that £50,000 was spent per year to support a range of voluntary organisations, predominantly for lunch clubs, day services and transport provision. However, these arrangements were no longer in line with the County Council's corporate approach to grant funding and it was proposed that consultation be undertaken with the organisations receiving the grants to understand the financial impact and risk on service delivery, with the aim that the grant funding be withdrawn over a period of time and that support be offered through the local authority's Partnership for Older People Programme (POPP) to ensure these organisations continued to be sustainable.

14.3 It was explained that consultation would be undertaken with the 13 organisations throughout 2014/15 with the new allocations of grant funding being provided through Partnership for Older People Projects (POPPs) from April 2015.

14.4 Members understood the principle of why the funding arrangement needed to be reviewed as it was not in line with the corporate approach, but some concerns were expressed in relation to an increased risk posed to those organisations that would be consulted on future funding. It was felt that they would be at increased risk of losing out financially by being included in the POPPs mechanism of funding. Further concern was expressed generally about the pressures and problems in securing funding as a voluntary sector organisation due to the financial climate.

14.5 The Cabinet Member for Adult Social Care confirmed that funding was not being withdrawn as it was being transferred to POPPs. She clarified that it was the process of funding allocation and assessment for these organisations that would change. Assurance was given that the organisations would be consulted and assessed to make sure that the funding level was appropriate, which could include an increase in funding. Members asked for this to be made clear throughout the review and evaluation of the current system, and asked that reference should be made to 're-evaluate' rather than 'withdraw'.

14.6 The Cabinet Member for Education and Communications indicated that local members needed to be engaged in relation to the consultation with the voluntary organisations in their divisions.

14.7 The Committee discussed the wording of the recommendation to the Cabinet in detail and felt that it needed to clearly set out that consultation would be undertaken throughout 2014-15, and that the new system would be put in place from 1 April 2015.

### **Recommended**

15.1 That the Cabinet be recommended to agree that the present system of grant funding be discontinued from 1 April 2015;

15.2 That grants to any organisation under the present system be re-evaluated during 2014-2015, with funding sustained for a further period after consultation with individual organisations, including impact assessments if required; and

15.3 That advice and support be offered through the POPP programme to ensure the continued sustainability of the organisations affected.

#### Reason for Recommendations

16. This work would contribute to the County Council's aims to protect and enrich the health and well-being of Dorset's most vulnerable adults and to help build strong communities for all.

#### **The Reconfiguration of Phoenix House**

17.1 The Committee considered a report by the Cabinet Member for Adult Social Care on the reconfiguration of Phoenix House, Blandford as a residential care home for adults with a learning disability. It was also noted that the report would be considered by the Cabinet on 3 February 2014.

17.2 The Head of Commissioning and Improvement introduced the report and explained that there was under occupancy at Phoenix House which resulted in high unit costs, particularly for long term places. She reported that a number of options had been considered for future use of this building, but in the circumstances, none of these options satisfactorily met the needs of the existing service users. It was therefore proposed Phoenix House be sold and the accommodation for the single existing long term service users and the short breaks service be reprovided elsewhere. The service reconfiguration would create potential on-going savings of £654,000 per year.

17.3 Members were informed that the decision to build the home for residential learning disability services was made in 2009 as part of the Campus Reprovision project to move users from a hospital setting to a residential setting to avoid sending people out of the County for placements. However, the focus on the service had now changed to move away as far as possible from providing residential placements and instead provided more community support through alternative accommodation and sheltered accommodation to promote independent living.

17.4 The County Council Member for Blandford, as a local member, addressed the Committee to express his concern that staff knew of the recommendation to go to consultation in advance of a decision by the Cabinet, to which it was confirmed that as much information was made publicly available as possible in order to promote transparency. He was also concerned that the building was being proposed for sale rather than reprovision for other community uses, or for conversion to domestic housing as previously considered by the Cabinet. Officers clarified that the future use had not yet been determined as this was at an early stage and that reprovision or sale would be considered through the normal asset management processes, and following the advice of the Director for Environment.

17.5 Concern was also expressed in relation to the level of staff employed for the minimal users being accommodated in the building and he felt that this was a management failure. It was explained that a specific level of staffing was required for the intense support needed for the current long term service user, and to keep the short term accommodation running.

17.6 The County Council Member for Blandford asked further detailed questions in relation to the proposed financial savings. The Group Finance Manager indicated that he would provide an explanation outside of the meeting of the breakdown of the financial position.

17.7 The Director took the opportunity to outline the changes with the national approach to dealing with complex learning disability accommodation, arising from the Winterbourne View scandal in Bristol, and failures of provision. The review highlighted the

## Adult and Community Services Overview Committee – 22 January 2014

impact of using such facilities as a modern equivalent of an asylum. The National agenda was to challenge and support complex needs in other settings.

17.8 She expressed regret that a large amount of funding had been used to develop the facility, and although it was difficult to admit, the previous provision was wrong and the service had to be provided in the most appropriate and sustainable way for the future.

17.9 Members asked that the outcome of the consultation and recommendations be reported back to the Committee before being reported to the Cabinet for decision in May 2014.

### **Recommended**

18.1 That the Cabinet be recommended to undertake consultation with service users and families on the proposed closure of Phoenix House and the nature of alternative provision;

18.2 That individual service user reassessments be carried out to determine alternative provision;

18.3 That consultation be undertaken with staff and Trades Unions on the impact of the closure proposal;

18.4 That the outcome of the consultations and future recommendations for Phoenix House be reported back to the Adult and Community Services Overview Committee in April 2014, and to the Cabinet in May 2014; and

18.5 That subject to the decision to close Phoenix House following consultation that the property be disposed of on the terms to be agreed by the Director for Environment.

### **Reason for Recommendations**

19. The proposal to close Phoenix House contributed to the County Council's aim to protect and enrich the health and wellbeing of Dorset's most vulnerable adults and to provide innovative and value for money services.

### **Corporate Performance Monitoring Report 2013/14 (Quarter 2)**

20.1 The Committee considered a joint report by the Chief Executive and the Director for Adult and Community Services on the monitoring of the County Council's Budget and Corporate Plan for the second quarter of 2013-14, with a specific focus on those elements of the plan which are managed by the Adult and Community Services Directorate.

20.2 The Director for Adult and Community Services introduced the report and explained that the work, and budget, of the Adult and Community Services Directorate was encapsulated in Aim 1 of the plan to "Help to build strong communities for all", and Aim 2 "Protect and enrich the health and well-being of Dorset's most vulnerable adults". It was noted that at the end of the second quarter, the performance indicators for Aim 1 had a "green" (on target) rating, and Aim 2 had an "amber" (0-5% off target) rating. The amber rating was largely due to spend on the learning disability programme and supporting people to live independently.

20.3 It was further explained that the projected year-end overspend for the whole authority at the end of Quarter 2 was £152k, but this had been in part offset by savings on central budgets. Members acknowledged that this was a very good forecasted year end budget position from a total budget of £248M, especially due to the ongoing significant financial pressures facing the Council.

20.4 Members noted that the 2014-15 Corporate Plan, which included the new Forward Together Programme, would demonstrate a significant change of direction from the current plan, but would still link to the budget.

**Noted****Revenue Budget Monitoring 2013/14, including Forward Together (Residual Meeting Future Challenges (MFC) update)**

21.1 The Committee considered a report by the Director for Corporate Resources which reported on the budget monitoring for the Adult and Community Services Directorate to November 2013, which included the Forward Together Programme.

21.2 The Adult and Community Services Group Finance Manager summarised the current financial position which showed a forecast overspend against service budgets for the County Council of £5,665k compared to £8,205k at the end of August 2013.

21.3 It was noted that the overspend would be offset by the forecast underspend on other central budgets of £5,513k meaning a net forecast overspend of £152k, largely from lower than expected borrowing costs, additional interest receipts and the Council's contingency budget.

21.4 The Committee acknowledged that the Adult and Community Services Directorate's projected overspend of £2.2M was in relation to Specialist Adult Services (£3,701k), Adult Services (£476k) and Dorset Adult Learning (£311k). However, it was also noted that there were underspends in all other parts of the Directorate.

21.5 Members discussed the ongoing structural deficit of the Directorate which amounted to £3-4M in the base budget on an annual basis and expressed support for the transformation programmes underway to continue to address the future of services within the Directorate.

**Noted****Learning Disability Service Plan**

22.1 The Committee considered a report by the Director for Adult and Community Services in relation to the Learning Disability Service Plan and the challenges faced by the service.

22.2 The Director for Adult and Community Services reported that the learning disability service faced significant financial and service challenges with a current prediction of £3.1M overspend against the 2013/14 budget of £28.7M. It was therefore necessary to undertake a fundamental review of the way in which services were delivered to ensure they were sustainable, promoted independence, and helped people to achieve their maximum potential. She also highlighted that the Learning Disability Programme was one of highest risks in financial management and performance terms for the Council, and was a challenge nationally.

22.3 Members noted that the Peer Review held in March 2014 identified that Dorset was more generous and provided more support than expected. It was also clarified that there were no plans to amend the fair access to care services criteria used to assess service users, and that the changes were focussed upon applying the criteria to those people who had critical and substantial needs.

**Recommended**

23.1 That the Cabinet be recommended to support and approve the high level learning disability plan described in the Director's report; and



23.2 That the development of comprehensive strategies for commissioning learning disability services; for a learning disability housing strategy and for an employment strategy which reflect the development of high quality services within the resources available also be approved.

#### Reasons for Recommendations

24.1 To ensure learning disability services across Dorset were sustainable and met the current and future needs of local communities.

24.2 The plan would contribute to the County Council's aims to help to build strong and healthy communities for all and to protect and enrich the health and well-being of Dorset's most vulnerable adults.

### **Adult Social Care – Lifting our Performance**

25.1 The Committee considered a report by the Director for Adult and Community Services in relation to improvements to be made to Adult Social Care performance.

25.2 The Head of Commissioning and Improvement introduced the report and provided an overview of the issues faced in terms of performance. It was recognised that performance information in 2012/13 measured nationally through the Adult Social Care Outcomes Framework (ASCOF) showed that Dorset did not perform well and was in the bottom quartile nationally for 8 of the 18 indicators. For self directed support, which was a key priority for the Directorate in the way care and support was facilitated, Dorset was ranked 134 out of 152 authorities nationally. It was explained that a recovery plan had been produced and the initial phase focused on self directed support, reviews of service users and safeguarding referrals, with further phases following in the forthcoming months.

25.3 However, it was acknowledged that in some areas Dorset did perform well and for new permanent admissions to residential / nursing homes for older people we were ranked 25<sup>th</sup> nationally and 1<sup>st</sup> in the region.

25.4 Since the publication of the report it was reported that self directed support performance had increased from 59% to 61%, reviews of service users had increased from 38% to 41%, and safeguarding referrals had increased from 46% to 53%. The improvement was welcomed by members, but it was recognised that there was much more work to do to meet the national targets for all three areas.

25.5 The Committee recognised that it was a positive move to identify areas of weakness so that measures could be put in place to rectify the performance across Adult Social Care. It was also noted that the SW region was generally a poor performing region, which the Director and Cabinet Member for Adult Social Care were committed to addressing.

25.6 Questions were asked about the level of detail that underpinned the work required to achieve the performance improvements, to which the Director explained that there were weekly reports considered in relation to the key areas. The Cabinet Member for Adult Social Care also highlighted the scrutiny element of the Committee which would also provide an added level of monitoring on a six monthly basis, or on a more frequent basis if there was any urgent need to address performance in a particular area.

25.7 Members welcomed the report and asked that some examples be included in the next report to the Committee together with more factual analysis and benchmarking detail. The Committee also thanked the Director and officers for their continued focus on performance improvement.

### **Resolved**

- 26.1 That current performance be acknowledged.
- 26.2 That the measures being put into place be supported.
- 26.3 That quarterly progress reports from the Director for Adult and Community Services during 2014 be supported.
- 26.4 That the potential risks to the authority in terms of poor performance and the potential reputational consequences with partners and other agencies be recognised.

### **Policy Development Panels**

#### **Policy Development Panel on Charging for Social Care Services**

27.1 In the absence of the Chairman of the Panel, members were advised by the Cabinet Member for Adult Social Care that the Panel was dealing with the complicated issue of how to provide care services and domiciliary care at rates that are competitive and manageable which was a very difficult task. She further explained that it was a specific challenge for domiciliary care in rural areas in West and North Dorset.

27.2 It was hoped that a written report would hopefully be submitted at the next meeting of the Committee.

#### **Noted**

### **Future Topics for Policy Development Panels**

28. It was noted that there were no additional topics to be considered by Policy Development Panels at present, but there may be a number of areas of particular interest in the coming months and as a result of an additional Overview Committee meeting in April 2014 to focus on a Local Authority Trading Company.

#### **Noted**

### **Adult and Community Services Overview Committee Work Programme**

29.1 The Committee considered and agreed its work programme for 2014.

29.2 The Cabinet Member for Adult Social Care explained that a report would need to be submitted to the Committee in relation to a Local Authority Trading Company, and asked the members to agree that an additional meeting to be added to the schedule of meetings in April 2014, and also mentioned that a further additional meeting may be required in September 2014.

29.3 It was also noted that the report back on the Phoenix House consultation and final proposals would be considered at the April meeting.

#### **Resolved**

- 30.1 That the work programme be noted.
- 30.2 That an additional meeting be scheduled for April 2014 to consider the items detailed in the minute above.

### **Schedule of Member Seminars and Events 2014**

31. The Committee received a schedule of forthcoming seminars and events arranged for members for the remainder of 2014.

#### **Noted**

### **Member Briefings**

32. Members were informed of the arrangements for member briefings following meetings of the Overview Committee. No further topics were suggested for future member briefings.

**Noted****Outside Bodies**

33. The Committee received comments from members appointed to outside bodies which related to Adult and Community Services. It was noted that all appointed members had been invited to provide updates as required. The following comments were received:

- Joint Archives Advisory Board John Wilson, as the Chairman of the Board, briefed members on the budget issues facing the Board as a result of an approach by Bournemouth Borough Council to alter the current funding arrangement which could potentially damage the service. He highlighted that the service was currently the best value for money for any South West authority and Hampshire. It was noted that senior officers were in the process of addressing this issue.
- East Dorset Heritage Trust Robin Cook explained that the Trust ran Dorset History Tours with Christchurch Borough Council. He explained that there were a few issues with the District Council in respect of a new Service Level Agreement, and there were continuing financial pressures.
- Shared Lives Panel Ros Kayes explained that a recent decision had been taken to enable elected members to Chair the Panel instead of officers. It was confirmed that Michael Bevan would undertake this role and that she would be the Vice-Chairman. It was also noted that the Panel was seeking to expand the current service.

**Questions from Members of the Council**

34. No questions were asked by members under Standing Order 20(2).

**Exempt Business****Exclusion of the Public****Resolved**

35. That in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified in minutes 36-38 because it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in the paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

**Library Services to Prisons in Dorset (Paragraphs 3 and 4)**

36.1 The Committee considered an exempt report by the Director for Adult and Community Services in relation to the future provision of Library services to prisons in Dorset.

36.2 The Dorset Library Service Manager introduced the report and summarised the recent developments of the MW Prison Service to which had previously been contracted through individual service level agreements to provide a library service for each of the four prisons in Dorset. Following the closure of HMP Dorchester and the change from HMP The Verne to an Immigration Removal Centre, together with changes to funding for prison library services, the contractual stance that the prisons have taken, and the introduction of a new Prison Service Instruction it was timely that the County Council reviewed its library service provision.

36.3 Although there was no statutory requirement for the County Council to deliver a library service to prisons, there was a statutory requirement for the prison service to provide libraries in prisons. It was also noted that a new Prison Service Instruction in relation to libraries was anticipated shortly.

36.4 Members supported Option B within the Director's report, which presented a full cost recovery model for the future of library services, although it was noted that this option could create difficult contract negotiations as the Prison Service was unlikely to accept it easily, but it would provide a more robust approach and reduce risks to the Council.

#### **Recommended**

37.1 That the Cabinet be recommended to agree Option B within the Director's report, that the County Council continues in principle to provide a library service via contract to the two prisons and the new Immigration Removal Centre in Dorset on a full cost recovery basis so that the service is delivered at neutral cost to the Council; and

37.2 That if Option B is adopted, to recommend the Cabinet that the need for robust contract management be recognised and that as part of this the Director for Adult and Community Services, after consultation with the relevant Cabinet members, should seek to minimise the transitional costs to the County Council.

#### **Reason for Recommendations**

38. To ensure that the County Council managed its budget in an effective and sustainable way.

Meeting Duration: 10.00am – 1.00pm