

Questions from County Councillors

Questions from Cllr Kate Wheller and Cllr Susan Jefferies to the Cabinet Member for Adult Health, Care and Independence in relation to Tricuro

Questions from Cllr Wheller

Following a difficult few weeks for former DCC staff now employed by Tricuro can the Cabinet Member Cllr Mrs Haynes confirm that the threat of dismissal has now been withdrawn? Can she further confirm that assistance of ACAS has now been enlisted to find a solution to the proposals to terms and conditions which would lead to a loss of earnings from between £600 – £3000 per year. It is acknowledged that the biggest asset for Tricuro is its staff. A staff who when they worked for DCC felt valued and appreciated. This is no longer the case and the company risk losing these employees. Can Cllr. Haynes please explain to members how changes to pension and insurance and the shortfall in government funding have had an impact on Tricuro's finances. Why were these not factored into the budget? Is she able to give us an update on the staffing situation?

Will Cllr Jill Haynes the cabinet member for Adult Health and Social Care undertake to secure a proper budget settlement for Tricuro from its shareholders that delivers the undertakings given to staff and to the members of this Council. Thus allowing Tricuro to concentrate on stabilising its position. Leaving it free to grow its potential for income generation, serve the community and respond to the new health and social care requirements in the way we all envisaged and in which we as members and our staff can be proud.

Questions from Cllr Jefferies

Members will be aware that in May 2016, Tricuro started a consultation to change staff terms and conditions, contrary to a commitment given to Councillors, Trade Unions and staff that there would be no such change for the first five years following the establishment of Tricuro by Dorset County Council, the Borough of Poole, and Bournemouth Borough Council.

Members may not be aware that:

- a. On Tuesday 18 October 2016 Tricuro sent an email to all the staff that had been employed by Dorset or had been employed since 1 July 2015. The email asked them 'to voluntarily accept' a change to their terms and conditions.
- b. Staff were asked to sign and return the letter agreeing to the change 'by Wednesday 26 October' – just 8 days later. Staff without email addresses and informed by letter were given just 6 or 7 days to decide.
- c. The email went on to tell staff that "Should you not voluntarily agree to the changes in your terms and conditions, it will be necessary to move to a formal process of dismissal"
- d. Tricuro's briefing note for managers includes the following

Q What if the staff member does not accept the changes to Terms and Conditions?

If the member of staff does not accept the changes to the terms and conditions, it will be necessary to move to a formal process of dismissal. A dismissal letter will be issued on 31st October 2016....

- e. UNISON declared a collective dispute at the end of October that Tricuro accepted, and as a consequence dismissal letters that were due to be issued on 31st October were not sent.

Does the Leader agree that:

- i. This approach to its staff is unethical and ill befits a company that has been established to care for elderly and disabled people in the County of Dorset, including Poole and Bournemouth.
- ii. Railroading frightened staff, against their will, into signing these letters to accept a pay cut by threatening them with outright dismissal is unethical
- iii. The staff who have signed acceptance forms have not done so because they voluntarily agree with the change to their terms and conditions, but because they feared that if they didn't, they will be sacked outright.
- iv. Dorset County Council (as a Tricuro shareholder) deeply regrets these events and the considerable distress that has been suffered by ex Dorset staff and staff appointed since 1 July 2015.

Will the Leader intervene in order to find a solution that does not involve a change to the terms and conditions of ex-Dorset staff or staff appointed since 1 July 2015 in line with the solemn undertakings that this Council gave to its staff when they transferred, that their terms and conditions were to be protected 'for the first five years' and the equivalent undertakings given by Poole and Bournemouth Council to their staff when they were transferred to Tricuro in 2015?

Will the Leader press for the participation of the shareholders in the talks with Unison, through ACAS if necessary, and press other shareholders to do likewise?

Answer

Tricuro is the company that employees these staff, and as such questions concerning staff are a matter for Tricuro and should be addressed to them directly.

It is important to be clear that Tricuro has not dismissed anyone. The company is in the process of seeking voluntary agreement to these changes and has entered into period of 45 day consultation which commenced on 19th October. The company is holding further discussions with unions facilitated by ACAS to endeavour to reach an agreement. It is not the company's want or wish to dismiss any employee as it is essential that they retain a workforce to deliver the care required across our communities.

The County Council does keep under review all of its care contracts from a quality and performance perspective and will continue to do so for the contract it has with Tricuro. It is a matter for Tricuro to structure its business and cost base in order to be able to be a sustainable business going forward. It is very important that the company is able to grow and obtain business from other purchasers and commissioners.

The three partner councils are part of a governance structure in place through the ESG where council shareholders are able to discuss with the Board business strategy and its approach to a sustainable operating model. The council is satisfied that the consultation with staff prior to TUPE contained all of the necessary information required and assurance has been sought from Tricuro through the governance structure of the ESG that the current consultation and engagement is following best practice and legal requirements.

Question from Cllr Susan Jefferies to the Cabinet Member for Health Wellbeing and Children's Safeguarding in relation to Serious Case Reviews

Questions

I note the following from the Annual Report of the Children's Safeguarding Board

"The rise in the number of cases being referred for Serious Case Review has increased which could be indicative of pressures in the system. The cases reviewed in 2015/16 all centred on adolescent mental health and two of the cases were of teenage suicide. This led to work under the prevention of harm group and outcomes from the Serious Case Reviews informed an element of the CAMHS Review. The Board determined that emotional health and wellbeing will become a priority for the DSCB going forward into 2016/17."

1. I would be interested to learn how many Serious Case reviews we have had so far during 2016/2017 and whether the trend continues to increase. It was noted last year that the increase could be indicative of pressures within the system, implied as to being pressures within the CAMHS service.
2. Could the members be updated annually in future on the numbers of Serious Case Reviews?
3. Many of our Children's Care Social Workers report an increase in their caseloads, which may also create pressures. Please could members be told the level of caseloads of our workers, compared to the average recommended nationally which I understand to be under 15? Have we set a safe benchmark for our Social Workers?

Answers

1. There have been two Serious Case Reviews undertaken by the DSCB thus far in 2016/17. Both Serious Case Reviews will be ratified by the DSCB in November 2016 and following this learning documents will be shared with wider professionals. This dissemination of learning is a very important aspect of our work around SCR and feedback is that these synopsis are very useful

A further Serious Case Review was commissioned in October 2016 in relation to the demise of a toddler. This SCR will not be initiated until 2017 due to ongoing criminal proceedings.

We have seen further Serious Case Audits (cases which did not meet the SCR criteria but where it is felt there is learning for multi-agency staff) were also commissioned in 2016/17 and both are due to complete in December 2016.

The need for Serious Case Reviews has remained fairly stable and in order to manage new SCR requests in 2017, the DSCB Chair has taken a decision that theming reviews and learning will become a default position in order to maximise any new learning whilst minimising pressures on delivering costly individual reviews.

The Annual Report for the DSCB is published each autumn and contains an overview of the number of Serious Case Reviews. This is shared through boards and committees such as the HWBB and the Childrens Trust Board.

2. With regard to social worker caseloads the current service delivery model for the Care and Protection Service was established only recently on the 5th September. There is a new case load management protocol. In the Care and Support 0-12 service and the 13-25 service, social work caseloads reflect individual looked after children and average 15. There are higher caseloads for Personal Advisors who are responsible for 18-25 care leavers. This is an area under review to ensure that we achieve the right balance for this latter group.

3. In the Help and Protection Service there are four Area services which receive referrals out of the Single Point of Contact. Two Areas have either achieved 15 or less, caseloads while the other two are still in the process of achieving this objective. The current work has been supported by the new peripatetic team who are working closely with the Areas under pressure to take historical cases which need to be closed.

Question from Cllr Kate Wheller to the Cabinet Member for Learning and Skills and Cabinet Member for Organisational Development and Transformation in relation to Living and Learning Centres

Question

Underhill in my division of Portland Harbour is classified nationally as an area of significant multiple deprivation. May I ask members to agree with me that every effort should be made to develop and support activities that will benefit residents and foster community spirit and wellbeing. The Islanders Club, centred within a large housing estate with minimal public transport has been the object of considerable investment over recent years. It is the only voluntary facility in Underhill but has been identified by both DCC and W&PBC as a building that could be disposed of. Would the cabinet member seek a postponement of any decision on this until discussion has taken place into creating a Living and Learning Hub focused on the building. Thus securing the much needed youth club, and adding services for the elderly, young families and advice providers all under one roof.

Answer

Portland is one of the six areas which the Cabinet has agreed will be included in the community offer for living and learning. Work on this started in Blandford and Beaminster and the intention is to initiate work in the other places on a phased basis because it is not possible to work in all six places simultaneously.

Initial discussions in relation to Portland have taken place with a view to arranging a stakeholder meeting in late January 2017. We are continuing to engage with the Portland Community Partnership, Weymouth and Portland Borough Council and Dorset Health to ensure the correct people are involved at an early stage. Cllr Wheller will be invited to suggest which organisations should be invited.

Work on the community offer for living and learning is aiming to involve a range of partners and, in due course, communities in what services are delivered, who delivers them and where they are delivered from in terms of buildings. The aim is to seek joint working across the public services, voluntary and community sector and local community organisations to achieve outcomes which are important for local people. An important part of this is ensuring effort should be made to develop and support activities that will benefit residents and foster community spirit and wellbeing.

The Portland Community Partnership have advised us that the Islanders Club, which is owned by, Weymouth and Portland Borough Council, has been identified as a building which could be used more. Officers have received confirmation from the Borough Council that they have no current plan to dispose of the property and that there is an opportunity under the living and learning programme to help support its future use.

Officers have been invited to visit The Islanders Club before the stakeholders' meeting and would welcome Cllr Wheller's attendance. In addition the local councillor's involvement in

work on the community offer for living and learning is seen as essential. I can reassure Cllr Wheller that she will be fully engaged in the consideration of potential future use of this and other buildings although we must note that this particular property is not owned by the County Council.

Question from Cllr Paul Kimber to the Cabinet Member for Learning and Skills in relation to IPACA Portland

Question

Clearly with the news that the Aldridge Foundation no longer wish's to be involved with IPACA and with the number of parents opting to send their children off the island for Education, this is putting pressure on School places in Weymouth and beyond. The Governments direction to moving to Multi Academy Trusts has been a major concern for local people on Portland.

As Dorset County Council is a Partner with IPACA what is our responsibility to the IPACA school and what assistance are we giving the school?

Answer

The Council are co-sponsors of the academy with the Aldridge Foundation and we will want to continue that relationship if possible with other interested parties who might become the new sponsor.

The School is still operating and Aldridge are supporting the transition through the work of Regional Schools Commissioner.

The Council remains as committed as ever to helping children and young people on Portland to achieve their highest potential. Academies as you know are autonomous from the local authority yet we have an excellent track record of maintaining close working relationships with all of our academies. We are closely involved in the developments that are occurring at IPACA to the extent where Jay Mercer, Assistant Director in Children Services who is responsible for our continuing work with school is the LA representative on the board that oversees the academies' business.

The Council is also aware of the potential pressure that the movement of children is placing on the wider school system in Weymouth and Portland. We will continue to work with the schools on Portland to create an education offer that has the broadest appeal. The member is correct that there is a government drive for Multi Academy Trusts and through the Regional Schools Commissioner arrangements will be undertaken to secure the future of the academy, perhaps through Multi Academy Trust arrangements. These are groups of schools who come together to form a shared academy. IPACA provide the whole 0-19 education system on the island.

The local community are rightly interested in any new arrangements moving forward and the governors are sure to want to incorporate community feedback in any deliberations that they have.

From the County Council perspective, we continue to offer support to assist with any improvement plans that the academy will have and continue to reinforce our commitment to working together to bring about the highest possible education standards for Portland children.

Question from Cllr Kate Wheller to the Cabinet Member for Environment, Infrastructure and Highways in relation to Highways Adverts

Question

It has been a requirement to advertise road closures, traffic requirements, planning etc in the local press. This is expensive and adds greatly to the cost of events for charities as well as to our taxpayers via the Council when announcements have to be made. Fewer people now read a local paper and very many councils now rely upon publishing this information on-line in websites and social media. Can Cllr Finney tell me is DCC considering this? Are we in fact following this procedure at all? If not why not and could we please do so?

Answer

Following representations from across the highway sector, Central Government did carry out a stakeholder consultation three years ago.

This exercise was designed to consider whether in the modern digital age there was still a need for local authorities to maintain their statutory obligation of advertising Traffic Regulation Orders in two local newspapers.

As part of this process the then Secretary of State Eric Pickles was lobbied by the national media and many stakeholders involved in this process and decided to continue with the existing process, an unpopular decision for highway authorities across the UK, due to the cost involved.

However, with regards to regulation orders for "Events" on the highway under Section 16A closures, which have a duration of five days or less, Mr Pickles did give the Highway Authorities the discretion to not advertise. In these instances we produce what is titled a "Temporary Traffic Regulation Notice" which attracts a much reduced cost to the applicant many of whom are charitable or not-for-profit organisations.

This revised process has seen a significant reduction in advertising costs borne by the County Council.