

MINUTES OF A MEETING OF THE CABINET HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 11 APRIL 2023 AT 14:30

Present

Councillor HJ David – Chairperson

JC Spanswick
HM Williams

N Farr
JPD Blundell

W R Goode

J Gebbie

Officers:

Carys Lord	Chief Officer - Finance, Performance & Change
Claire Marchant	Corporate Director Social Services and Wellbeing
Kelly Watson	Chief Officer Legal, HR and Regulatory Services
Julie Ellams	Democratic Services Officer - Committees
Mark Shephard	Chief Executive
Nicola Echanis	Head of Education & Family Support
Zak Shell	Head of Neighbourhood Services

164. DECLARATIONS OF INTEREST

Cllr H Williams declared a prejudicial interest in item 4, Care Home Fee Setting Policy as he had a close relative in a care home within the County Borough. Cllr Williams left the meeting when this item was considered.

Cllr J Spanswick declared a prejudicial interest in item 6, Care Inspectorate Wales (CIW) Improvement Check Visit to Childrens Social Care Services 21 - 24 November 2022 and left the meeting when this item was considered.

Cllr JP Blundell declared a personal interest in item 8, Appointment of Local Authority Governors as he was a member of the Governing Body that they were appointing a governor too.

165. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meetings of the Cabinet dated 22 February 2023 and 14 March 2023, be approved as a true and accurate record.

166. CARE HOME FEE-SETTING POLICY

The Corporate Director, Social Services and Wellbeing presented a report seeking approval from Cabinet to implement a Care Home Fee-Setting Policy from 2023/24.

The Corporate Director, Social Services and Wellbeing outlined the purpose of the policy, the background and the current situation/proposal. She explained that they had commissioned the Institute of Public Care, following a fair, open and transparent procurement process, to support the authority to work independently with care homes and to develop the fee setting policy in Bridgend. IPC had also been commissioned nationally by the National Commission Board to support their work. The Care Home Fee-Setting Policy was included at appendix 1 to the report and it set out the approach, the context and background and how the fees were set for care homes within BCBC.

The Deputy Leader was pleased to note that the Policy was developed in conjunction with care home providers and reminded Cabinet that there were no further budget implications as a result of this policy and that they would continue to review the cost prices every year.

The Leader stressed that the review that formed the basis of this was undertaken by an independent organisation having undertaken a detailed cost of care analysis of the costs of care to the independent sector. He added that they were very open in sharing these costs. The review date was scheduled for March 2027, and he asked for confirmation that there would be trigger points for reviews during that time period. He also asked if the work undertaken was on a regional footprint and, with regard to the guidance provided by WG, if there were any further changes, the policy would be reviewed accordingly to reflect these.

The Corporate Director, Social Services and Wellbeing replied that the factors which drove the cost of care within the policy were set out within Table One of the report and there could be exceptional circumstances in relation to any of those particular drivers. She provided an example of a particular trigger, gas, electricity and water rates accounting for 5% of the weighting which could increase or decrease in future years resulting in a need to review the policy. She added that they would act accordingly because of the statutory duty about needing to understand the actual costs. In terms of the regional position in Bridgend, BCBC were part of the Cwm Taff Morgannwg Regional Partnership Board and the Regional Safeguarding Board and both of these statutory regional partnerships had a key interest in terms of the care home sector. A market stability report was approved by Cabinet in July 2021, along with all other Councils and the Health Board, which set out the state of the care home market and the commission priorities which they could work on together. The statutory guidance went back to 2010 and that set out what was required to understand the costs of care. BCBC had decided, in making this recommendation, to adopt good practice about how to set a care home fee policy, but it may be more mandated in future years.

The Leader noted that one of the requirements was around the payment of at least the real living wage to social care staff. There was additional funding that had been made available and Bridgend was one of the first local authorities to adopt that approach.

RESOLVED: That Cabinet approved the implementation of the Care Home Fee Setting Policy, to take effect from the end of April 2023.

167. **SOCIAL SERVICES COMPLAINTS POLICY**

The Corporate Director, Social Services and Wellbeing presented a report seeking Cabinet approval of the revised Social Services Complaints Policy (Appendix 1 to the report). The policy had been developed in accordance with legislation and statutory guidance around social services complaints.

The Corporate Director, Social Services and Wellbeing explained that it clarified the relationship between the Social Services Complaints Policy and the procedures which underpinned it and other processes and procedures that were operated by the Council. She added that Cabinet received an Annual Social Services Complaints report which set out performance around complaints and lessons learned from issues and representations raised.

The Deputy Leader explained that as part of the CIW inspection, they had to ensure that all policies were up to date and being managed appropriately and therefore these policies would be submitted to Cabinet regularly going forward.

The Cabinet Member for Regeneration asked why there was a separate policy for social services and why this area did not come under the Corporate Policy.

The Corporate Director, Social Services and Wellbeing explained BCBC was required to have a specific Social Services Complaints Policy because of the legislation and associated statutory guidance, as set out in detail within the covering report. She assured Cabinet that the two policies complemented each other in terms of the way that they worked, to ensure a representation or complaint was managed under the correct process.

The Deputy Leader stressed that they could not do anything with a complaint in social services if there were legal proceedings ongoing. They should make it clear, as Members, that they were following guidance and adhering to the Ombudsman and legal advice when doing this.

The Cabinet Member for Future Generations asked how this policy interacted with the Vexatious Policy. The Corporate Director, Social Services and Wellbeing explained that this helped to highlight the zero tolerance of this Council in terms of abuse, around any member of staff. The policy framework in BCBC had policies which complemented each other and worked well alongside each other. The Complaints Officer was a statutory role and he/she would be very skilled at working with individuals to take some time to properly and rightly investigate a complaint. On occasion there would be matters which were vexatious and would constitute abuse of members of staff which had to be managed through the Vexatious Policy.

The Leader stressed that the authority would not tolerate abuse, aggression or violence towards staff and would not hesitate to contact and work with South Wales Police if required, to protect staff.

RESOLVED: Cabinet approved the revised Social Services Complaints Policy attached as Appendix 1 to the report.

168. **CARE INSPECTORATE WALES (CIW) IMPROVEMENT CHECK VISIT TO CHILDRENS SOCIAL CARE SERVICES 21 - 24 NOVEMBER 2022**

The Corporate Director, Social Services and Wellbeing presented to Cabinet the Care Inspectorate Wales (CIW) report of their improvement check visit to Bridgend County Borough Council Children's Services during November 2022 and recommended that Cabinet consider the report and comments on the associated updated Action Plan.

The Corporate Director, Social Services and Wellbeing provided the background to the visit and explained that the improvement check focused on the progress made in the areas identified for improvement during the Performance Evaluation Inspection in May 2022. She explained that by and large the improvement check showed positive progress in terms of those priorities set, in that the majority of areas identified, either showed significant improvement or some improvement and a number of areas that required further action, as a consequence of that. She advised that the authority still required improvement, in terms of its children's social care, given that the plan that was approved was a three-year improvement plan. CIW identified improved practice in terms of hearing, and acting on the voice of the child, within practice and within case files and also continued to note that the workforce felt well supported in terms of their work. They also recognised significant strength in terms of partnership working and corporate support to children's social care and that this required a whole Council approach.

The Corporate Director, Social Services and Wellbeing highlighted two particular areas of concern. One was the ongoing fragility of the social care workforce where significant efforts had been made and continued to be made to retain and recruit a high quality, well supported, motivated children's social care workforce. The second area in need of urgent improvement was around criminal exploitation and practice in this area. Further reports would be submitted to Cabinet around this work. She added that a stocktake of progress against the 3-year strategic plan would take place over the spring and summer of 2023 and a refreshed plan would be brought to Cabinet in September 2023.

The Deputy Leader thanked staff as it would not have been possible to achieve this without the dedication of staff, including agency staff.

The Leader echoed these comments and thanked the staff for working incredibly hard. The case load was high, and staff had risen to the challenge. CIW identified areas for improvement but also many strengths in all areas. He also thanked colleagues across the Chamber including Group Leaders and the Chair of the Scrutiny Committee. He asked about one particular area that had been identified for improvement, the work being done by the Youth Emotional Wellbeing Team. He noted that some improvements had been made and the waiting list had shortened significantly. This action was not the sole responsibility of the authority and he asked if this was reflected in the progress reports they received.

The Corporate Director, Social Services and Wellbeing replied that that action should have been explicitly referenced in the action plan in terms of emotional health and well-being. There were a range of actions underway and the Health Board had received some significant resource and investment to support all schools across the Cwm Taff Morgannwg footprint to implement the Nest Framework which was a whole school approach to emotional health and well-being. A very close eye was kept in terms of any waiting list for those services. It was a recommendation for the authority in conjunction with the Health Board around that work with CAMHS, making sure that children and young people had timely access when they needed it.

The Cabinet Member for Regeneration said that it was pleasing to see that some progress had been made and asked if any recommendations had been made by the Scrutiny Committee and if so, had those recommendations been implemented. She also asked what improvements had been made regarding management oversight as noted in the report and if the Director could evidence how staff were being supported.

The Corporate Director, Social Services and Wellbeing replied that the recommendations from Scrutiny had only recently been received and they would be reporting back to scrutiny in a timely manner. The first recommendation was regarding the financial strategy for children's social care as they had been in an overspend position throughout the year. They clearly needed to work very closely as one Council to make sure there was a financial strategy which supported the service to deliver statutory duties within the budget. At the moment it struggled to do that in because of the caseloads they were working with. The Corporate Director, Social Services and Wellbeing outlined the remaining recommendations and provided an update on each one. In terms of management oversight, Cabinet had approved a new supervision policy across social services and wellbeing, and this was fundamental as evidenced by CIW. With regard to supporting staff, the Social Work Support Officer had started from 1st April and would be key in supporting social workers to do their social work. An extensive wellbeing offer including trauma informed support, was also available to staff.

The Cabinet Member for Resources referred to the action plan and asked the Corporate Director, Social Services and Wellbeing to provide further information regarding the BRAG rating system. He asked how far the one point was into red and if progress was

being made turning the red into green. He asked when the next progress report would be submitted and if anything was required from Cabinet to help them to achieve their aims.

The Corporate Director, Social Services and Wellbeing replied that she would ensure that action plans contained a key in future. She explained that blue meant complete, green meant they were on track to complete within the timescales, amber was work in progress where there were concerns around meeting timescales and red indicated they were not on track at the moment. The one indicator that was red was around workforce. Despite the challenges, the workforce remained positive however they were still very reliant on agency staff and this could impact on the quality of work when trying to embed a new model of social work practice. The international recruits were very welcome and would make a real difference over time. There had been some success with recruiting newly qualified workers, and they continued to recruit into management roles. They were recruiting more into the Grow Our Own scheme and that was a medium, longer-term solution to the challenges they faced. As a Council, continued corporate support and a whole Council approach would be critical to sustainability and a move to “good”.

The Deputy Leader referred to a mental health event that she had recently attended, and she read a poem written by a young person about CAMHS. To hear the poem, use the following link:

RESOLVED: Cabinet considered the CIW report on the improvement check of Bridgend’s Children’s Social Care Services and commented on the associated updated Action Plan. Cabinet noted the development of a sustainability plan to most effectively meet the needs of children and families in Bridgend as set out in paragraph 4.15 of the report.

169. **MEDICATION POLICY**

The Corporate Director, Social Services and Wellbeing presented a report seeking Cabinet approval of the Medication Policy as required under the Registration and Inspection of Social Care (Wales) Act 2016 (RISCA). She explained that this was an important policy in terms of regulated social care services and that the policy covered all of the regulated care services that were provided as a Council such as residential care homes for children and for adults. The policy had been subject to significant engagement with colleagues in the NHS and pharmacists who were obviously experts in the field of medication.

The Deputy Leader noted that this was a risky undertaking carried out by the lowest paid members of staff and this was an area of concern. This would protect their wellbeing and safety and the Council. She added that all costs would be met from existing budgets.

The Leader was happy to see the involvement of the specialists in this field in developing and implementing the policy.

The Cabinet Member for Regeneration asked who had been consulted in the development of the policy. The Corporate Director, Social Services and Wellbeing replied that development of the policy had been led by the Social Care Workforce Development Team and pharmacy professionals, the workforce, Trade Unions and registered managers.

The Leader referred to the scope of the policy and services they had responsibility for that were not regulated such as special schools. The Corporate Director, Social Services

and Wellbeing replied that in terms of special schools, they would have their own policies in terms of medication.

RESOLVED: Cabinet approved the Medication Policy for implementation across Regulated Services within Bridgend County Borough Council.

170. **APPOINTMENT OF LOCAL AUTHORITY GOVERNORS**

The Head of Education and Family Support presented a report seeking approval from Cabinet for the appointment of local authority governors to the school governing bodies listed at paragraph 4.1 of the report. She explained that for the six current local authority governor vacancies at the six schools, all applicants met the approved criteria for appointment as a local authority governor and there was no competition for these vacancies.

The Cabinet Member for Education thanked the applicants that had put their names forward for this important task and encouraged Members and the public to apply for one of the many vacancies.

The Deputy Leader encouraged colleagues to become school governors as it was a very rewarding role.

RESOLVED: Cabinet approved the appointments detailed at paragraph 4.1 of the report.

171. **COUNCIL TAX DISCRETIONARY RELIEF POLICY**

The Chief Officer – Finance, Performance and Change and Section 151 Officer presented a report seeking Cabinet approval for a Council Tax Discretionary Relief Policy, in line with powers set out in Section 13A(1)(c) of the Local Government Finance Act 1992 (as inserted by Section 10 of the Local Government Finance Act 2012). Cabinet was also asked to approve an amendment to the Council's Scheme of Delegation of Functions to enable applications to be dealt with in a swift and timely manner.

The Chief Officer – Finance, Performance and Change explained that the billing authority had discretionary powers to reduce Council tax liability where national discounts and exemptions could not be applied. The Council did not currently have an agreed policy and the objective of this policy was to offer financial assistance to Council taxpayers who were experiencing exceptional financial hardship.

The Chief Officer – Finance, Performance and Change outlined the proposed policy, the three categories of eligibility and how the applications would be determined and the appeal process.

The Cabinet Member for Resources thanked the Chief Officer – Finance, Performance and Change for the report. He confirmed that use of the policy would be in exceptional circumstances only and it would provide a means to assist the applicant for a short period.

RESOLVED: Cabinet:

- a) approved the proposed Council Tax Discretionary Relief Policy at Appendix A;
- b) approved a change to the Scheme of Delegation of Functions, as set out in paragraph 4.3.

172. **CONSULTATION ON COMMUNITY RECYCLING CENTRES**

The Head of Operations, Community Services presented a report seeking Cabinet approval to formally enter into public consultation on the potential closure of three Community Recycling Centres (CRC) for one day a week and for Cabinet to note that the outcome of the consultation would be reported to Cabinet in due course. He explained that questions for the consultation were being prepared and the consultation would begin in April and last for 12 weeks. Costs for the consultation would be met from the existing budgets.

The Cabinet Member for Communities explained that as part of the Medium-Term Financial Strategy 2023-24 to 2026-27, approved by Council on the 1 March 2023, a Budget Reduction Proposal of £50,000 was included in relation to the Waste Services budget. In order to achieve these savings, it would be necessary to close each CRC for one weekday per week. This consultation would inform discussions with the current provider in terms of the most appropriate days. He added that implementation would be later in the year so it would be a struggle to achieve the £50,000 saving in the first year.

The Deputy Leader asked for details of where the three sites were and the cost of Pyle CRC not opening because of the delay with the licence from NRW.

The Head of Operations, Community Services explained that the community recycling centres were in Brynmenyn, Maesteg and Tythegston. The position with Pyle CRC was frustrating. They were going through a long-winded process with the current contractor and National Resources Wales (NRW) to obtain the license that was necessary to be able to operate at that site. Small technicalities had prevented it from opening to date, and the process was continuing. He did not have details of the costs to hand but would provide details following the meeting. The biggest impact was that they were still having to pay for the rental of the Tythegston site because that was not owned by the Council.

The Leader agreed that it was disappointing that they were still waiting for the license from NRW and he would be writing again to NRW because apart from the license, the site was ready to be opened. With regard to the consultation, it was important for the public to know that weekends would not be selected because of how busy the CRCs were on a weekend. Current thinking was that CRCs would close on different days of the week, so seven days of the week, at least two of the CRCs would be open and for most of the days, all three would be open.

RESOLVED:

- Cabinet gave approval to commence a public consultation on the proposal to close each CRC one day per week.
- Cabinet noted that the outcome of the consultation would be reported to Cabinet in due course.

173. **VALLEYS REGIONAL PARK FUTURE FUNDING**

The Head of Operations, Community Services presented a report providing an update on the Valleys Regional Park (VRP) and seeking approval, following a request from the VRP board, that Bridgend County Borough Council (BCBC) continues in its role as host of the VRP to the end of the 2023/24 financial year. The report was also seeking approval to accept a grant offer of £265,000 from Welsh Government (WG) for funding VRP for the remaining 9 months of the 2023/24 financial year following the end of the current European Social Fund (ESF) funding in June 2023.

The Head of Operations, Community Services outlined the vision and purpose of the VRP undertaking and the steps that had resulted in Bridgend acting as the host authority for the delivery team for the Valleys Regional Park and how that has been funded in the main by the European Social Fund due to end this June. Discussions had taken place with the Board for the VRP and with the Deputy Minister for Arts and Sports and a grant offer was forthcoming of £265,000. This would cover the costs through to the end of the current financial year and would provide a basis for planning and looking at a longer term approach, so that hopefully the VRP or equivalent could bring benefit to these areas in the long term and assuring a continuation right away.

The Cabinet Member for Regeneration said that it was pleasing that the grant offer was forthcoming to continue this work. She asked what would happen after this financial year. The Head of Operations, Community Services replied that as in the report, work would be carried out to seek funding for the administration of the VRP going forward to secure the future for VRP or something equivalent.

The Cabinet Member for Communities referred to point 4.3 of the report and asked for confirmation that the final bullet point, "Development of a viable business plan to secure sustainable funding for VRP by the 31 March 2029" should read through to 31 March 2029. The Head of Operations, Community Services explained that the objective was to have a self- sustaining initiative by that point in time.

The Deputy Leader asked if staff were available to run this? The Head of Operations, Community Services replied that there were staff in place, some of whom were on secondment from WG so it was a case of continuing with the arrangements in place.

RESOLVED: Cabinet:

1. Noted progress to date in developing the VRP.
2. Approved the request from the VRP Board that BCBC continue in its role as host of the VRP to the end of the 2023/24 financial year.
3. Delegated authority to the Corporate Director Communities, in consultation with the Chief Officer – Finance, Performance and Change and the Chief Officer - Legal and Regulatory Services, to approve the final terms of the grant offer, accept the offer of funding from Welsh Government and to enter into any appropriate funding and legal agreements necessary to fulfil the role as host the VRP delivery team.

174. **URGENT ITEMS**

None

The meeting closed at 16:00