

Record of Cabinet decisions

Tuesday, 3 September 2019

3.00pm to 3.25pm

Date of publication: 4 September 2019

Subject to call-in these decisions* will be effective from 12 September 2019

***Please note that decision no. 100/2019 will take immediate effect as the provision to call this decision in has been waived in accordance with rule 15.11 of Chapter 4, Part 5 of the Constitution**

The record of decisions is subject to approval at the next meeting of the Cabinet

Present:	Councillor Alan Jarrett	Leader of the Council
	Councillor Howard Doe	Deputy Leader and Portfolio Holder for Housing and Community Services
	Councillor David Brake	Portfolio Holder for Adults' Services
	Councillor Rodney Chambers, OBE	Portfolio Holder for Inward Investment, Strategic Regeneration and Partnerships
	Councillor Jane Chitty	Portfolio Holder for Planning, Economic Growth and Regulation
	Councillor Phil Filmer	Portfolio Holder for Front Line Services
	Councillor Adrian Gulvin	Portfolio Holder for Resources
	Councillor Mrs Josie Iles	Portfolio Holder for Children's Services – Lead Member (statutory responsibility)
	Councillor Martin Potter	Portfolio Holder for Education and Schools
	Councillor Rupert Turpin	Portfolio Holder for Business Management
In Attendance:	Neil Davies, Chief Executive	
	Wayne Hemingway, Principal Democratic Services Officer	
	Richard Hicks, Director Regeneration, Culture, Environment and Transformation and Deputy Chief Executive	
	Perry Holmes, Chief Legal Officer/Monitoring Officer	
	Julie Keith, Head of Democratic Services	
	Ian Sutherland, Director of People - Children and Adults Services	
Phil Watts, Chief Finance Officer		

Cabinet, 3 September 2019

Apologies for absence

There were none.

Record of decisions

The record of the meeting held on 6 August 2019 was agreed by the Cabinet and signed by the Leader as a correct record.

Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

Recruitment Freeze

Background:

This report presented information on a number of vacancies that officers had requested approval to commence recruitment for, following the process agreed by Cabinet on 7 January 2003 (decision number 9/2003).

Details of the posts were set out within Appendix 1 to the report.

Decision number:

98/2019

Decision:

The Cabinet agreed to unfreeze the following posts, as detailed in Appendix 1 to the main report:

Business Support Department

- a) Legal Support Assistant**
- b) Paralegals (x2)**
- c) Management Accountant – Social Care**
- d) Management Accountant – RCET**

Children and Adults

- e) QA Officer**
- f) Meeting Support Officer – Children’s**
- g) Personalisation and Client Finance Lead**

Cabinet, 3 September 2019

Public Health

h) Social Prescribers (x3)

Regeneration, Culture, Environment and Transformation

i) Data and Systems Officer.

Reasons:

The posts presented to Cabinet will support the efficient running of the Council.

Ofsted Inspection of Medway's Children's Services

Background:

The Cabinet accepted this report as urgent to enable it to formally receive and consider the outcome of the inspection and the statutory direction at the earliest opportunity.

This report provided details of the outcome of the Ofsted Inspection of Local Authority Children's Services (ILACS) which took place in Medway from 15 to 26 July 2019. The report also set out information relating to the statutory direction issued by the Department for Education (DfE) and gave an overview of the completed and planned actions.

The report stated that the inspection found the overall effectiveness of Children's Services to be inadequate. Ofsted's published report identified 10 areas for improvement as set out in paragraph 3.2 of the report, as well as highlighting some strengths, as set out in paragraph 3.3 of the report. Ofsted also recognised that the service had 'committed workers and frontline managers who strive to provide children with a good service' and that morale was high amongst frontline practitioners and their managers.

The report stated that following the publication of Ofsted's report, the DfE had issued a statutory direction to Medway Council due to poor performance in Children's Social Care Services. As such, an independent Children's Services Commissioner had been appointed by the Secretary of State. The Commissioner's remit was set out in paragraph 4.4 of the report.

In addition, the report provided details of progress made since the inspection, as set out in section 6 of the report. In particular, the Council was required to submit an Action Plan to Ofsted by 28 November 2019, whilst the Children's Services Commissioner was required to report to the Parliamentary Under Secretary of State for Children and Families by 1 December 2019.

Cabinet, 3 September 2019

Decision number: **Decision:**

The Cabinet noted the content of this report and improvement steps taken so far.

The Cabinet noted that a further report will be submitted to the Cabinet in December 2019 subject to the receipt of the feedback from the Children's Services Commissioner to the Secretary of State.

Reasons:

To formally notify the Cabinet of the outcome of the inspection.

To ensure the Cabinet is informed of the feedback from the Children's Services Commissioner.

Exclusion of the Press and Public

Decision number: **Decision:**

99/2019 The Cabinet agreed to exclude the press and public from the meeting during consideration of agenda item 7 (Council Response to Draft Further Report from the LGO Re: Mainstream Home to School Transport Decision and Policy) because consideration of this matter in public would disclose information falling within paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 6 (Exclusion of the Press and Public) and, in all the circumstances of the case, the Cabinet considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Council Response to Draft Further Report from the LGO Re: Mainstream Home to School Transport Decision and Policy

Background:

The Cabinet accepted this exempt report as urgent to enable the Council's response to be submitted to the Local Government and Social Care Ombudsman (LGO) by 12 September 2019.

This exempt report provided details of a draft further report submitted by the LGO in response to the decisions of the Cabinet on 11 June 2019 to approve the continued use and application of the Council's current Education Travel Assistance Policy.

Cabinet, 3 September 2019

It was noted that in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. In this case, the deadline for the submission of the Council's response to the LGO was 12 September 2019. The Chairman of the Children and Young People Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call in.

Decision number: **Decision:**

100/2019 **The Cabinet reviewed the draft further report from the Local Government and Social Care Ombudsman and approved the proposed response, as set out in Appendix 6 to the exempt report.**

101/2019 **The Cabinet agreed that decision no.100/2019 is considered urgent and therefore should not be subject to call in.**

Reasons:

This is set out in paragraph 9.1 of the exempt report.

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Leader of the Council

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Date

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