



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** held on **Wednesday 11 April 2018**. The decisions will come into force and may be implemented from **Monday 23 April 2018** unless the Corporate Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Annual Enforcement Programme Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003

Summary

The Cabinet considered a report of the Corporate Director of Adult and Health Services which reviewed enforcement activities under the Children and Young Persons (Protection from Tobacco) Act 1991, the Anti-Social Behaviour Act 2003 and the Licensing Act 2003 for the period April 2017 to March 2018 and sought approval of a new enforcement programme for 2018/19.

The County Council has a statutory duty to consider, at least once a year, the extent to which the Authority should carry out a programme of enforcement under the Children and Young Persons (Protection from Tobacco) Act 1991 and the Anti-Social Behaviour Act 2003. These acts deal with the enforcement of underage sales of tobacco and aerosol paint containers respectively. The County Council has statutory responsibility for enforcement of age restricted products, namely tobacco, nicotine inhaling products, spray paint containers, alcohol, videos and DVDs, cigarette lighter refills, fireworks and the proxy sale of tobacco products and sale of nicotine inhaling products to under 18s.

The Authority has also elected to enforce the age-restricted sales of solvents and glue, knives, access to gaming establishments and access to sunbed premises. A review of activities during 2017/18 was included in the report at Appendix 2.

The report provided details of the enforcement programme for 2018/2019 which includes the following activities:

- a) An intelligence led approach to under age sales enforcement and tobacco. This will continue to develop the intelligence from the "Keep it Out Campaign" to deliver enforcement action where possible.
- b) Working in partnership with the Police and other enforcement agencies to identify and disrupt the involvement of organised criminality in the illicit tobacco supply chain.
- c) Investigation of all consumer and trader complaints.

- d) Continuation of joint working with the Police Harm Reduction Unit and other agencies to adopt a holistic approach to solving problems associated with the accessibility and misuse of age related products.
- e) The holding of events to raise public awareness of the harms associated with illicit tobacco, to publicise the work of the service and encourage reporting of this criminal activity.
- f) Continuation of the 'Do You Pass' retailer training as a way of assisting business.
- g) Continuation of work in partnership with the police, HMRC and other agencies to tackle sales from private premises to children, particularly in relation to alcohol and tobacco.
- h) Working with the County Durham Tobacco Alliance partners and providing guidance to traders on the legal requirements surrounding E Cigarettes / Vaping equipment and products and access of their customers to advice on smoking cessation support.
- i) Continuation with a practice of reviewing premises when appropriate.
- j) Continuation of work to tackle health inequalities and antisocial behaviour associated with the misuse and illegal supply of age-restricted products, in particular alcohol and tobacco.
- k) Delivering business advice on and carrying out enforcement of new legislation for which the Council may be statutorily responsible, including all new legislation which may emerge in relation to knife sales and corrosive substances.

The Enforcement Programme for 2018/2019 will ensure that the Council continues to address the problem of underage sales and access to age restricted products by those under age as well as the wider health and criminal issues surrounding these products.

Decision

The Cabinet noted the work done during 2017/18 and supported the proposed Enforcement Programme for 2018/19.

Developing a Health and Social Care Plan for County Durham

Summary

The Cabinet considered a report of the Corporate Director of Adult and Health Services which provided an update on the current position on the integration of health and social care services in County Durham, and outlined the proposed direction of travel to develop a Health and Social Care Plan for County Durham which includes integration of commissioning functions and governance for the management of the integrated provider model of health and social care in local communities.

The integration of Health and Social Care Services has been a key policy driver for many years within health and social care. Most recently. The Five-Year Forward View and the Care Act 2014 outlined the need to design and implement services around individuals and their communities, to further enhance pathways and joint service provision across health and social care.

In February 2018, the NHS England (NHSE) 18/19 planning guidance was clear in articulating the expectation that Integrated Care Systems would need to develop to enhance the quality of health and social care.

The report reviewed the current state of integration plans and provided details of the options for future commissioning models.

To assist in the development of a Health & Social Care Plan for County Durham Price Waterhouse Coopers (PWC) were engaged, given their experience in working on this agenda. PWC held workshops with key officers to share models and thinking around options for the development of a joint strategic commissioning function for County Durham. This included consideration of models adopted elsewhere in the country. Based on this work, an agreement was reached in principle that exploring a Joint Strategic Commissioning Function would make sense for County Durham. This could potentially include the commissioning of community-based services for children and adults across the County. Acute (hospital based) and other health care commissioning would sit outside of this model, being undertaken by CCGs at a regional/sub-regional level. This was the preferred option because with a potential integrated fund of this significant size, commissioners will be able to shape the provider market in County Durham, whilst recognising that other health care and acute commissioning will best serve the local population if it is undertaken by the CCGs at scale. This can be across a number of CCGs or for other more specialist areas at a North East level.

As a County, Durham has already developed various successful integrated initiatives, which have required joint governance arrangements. For example, joint teams have successfully governed integrated contracts for adult mental health and learning disabilities, commissioning care under a cooperation agreement and S75. In addition, there is a Memorandum of Understanding (MoU) in place for the Accountable Care Network (ACN), which seeks to align the efforts of all organisations in Durham. A review will take place of the current MOU and a formal partnership agreement will compliment it. Agreement has been reached to have a combined and Integrated Care Board (ICB), which will be responsible for driving service development with partners to ensure there is system integration. The ICB will be a key decision making authority for the new strategic model of care. As membership will include leaders from all organisations in the system, the ICB will be in a position to act as a forum where whole-system challenges can be addressed, and solutions identified and initiated. In this way, the board will play a crucial role in the success of the new model of care, enabling swift and decisive leadership across multiple organisations, including both providers and commissioners.

As the new NHS Community Contract will commence in October 2018, it will be necessary to have the new governance arrangements in place by the end of April 2018 to manage and oversee the mobilisation period in advance of October. A number of other groups will meet to oversee elements of business relevant to whole system delivery and these were illustrated in Appendix 2 of the report.

Within this Governance structure, each organisation would retain its own scheme of delegation with the various strands of integrated services e.g. integrated direct service delivery and integrated commissioning reporting to their respective Executive Bodies.

However, it is clear that there is ambition across the public sector to take the model further and to devolve decision making to an overarching body that operates on behalf of all partners. This would require separate governance arrangements and a dedicated budget pooled from all partners for the various elements of activity. Whilst this is not the model outlined in the report, it is the aspiration of the partners to explore this option in more detail.

The next steps would include the establishment of a Task and Finish group, reporting to the current Integration Board and Health and Well-Being Board. This group would be responsible for the development of:

- a) A detailed plan to build and implement a joint strategic commissioning function; from defining the vision, scope and structure through to the development of a commissioning strategy, outcomes framework and financial plan;
- b) A Governance Plan, detailing how the system will be governed and what bodies need to be adapted or created as part of that;
- c) The inclusion of Children's health and social care in the developing plans.

Decision

The Cabinet:

- a) Noted the content of the report and the work to date on Integration of Health and Social Care Services;
- b) Supported the intention to develop a Health and Social Care Plan for County Durham through the development of a Joint Strategic Commissioning Function and Integrated Governance arrangements;
- c) Agreed to receive further reports on the Joint Strategic Commissioning Function and Governance Plan

Annual Review of the Constitution

Summary

The Cabinet considered a report of the Corporate Director of Resources which sought approval for the proposed revisions to the Constitution prior to them being presented to Council.

The Council's Constitution describes the four methods by which the council operates: the Council, the Executive, Overview and Scrutiny, and the Committees. It also provides framework within which each must operate by including:-

- (a) the rules and procedures to be followed by the Council and committees when conducting their business;
- (b) the decision making powers of the Council, Executive, Committees and Officers;
- (c) the financial and contract regulations;
- (d) the rights of the public;
- (e) codes of conduct for councillors and employees;
- (f) members' allowances.

Decision

The Leader and Cabinet:

- a) Approved the delegation of executive powers as set out in the proposed amendments to the officer scheme of delegation as set out in the report.
- b) Recommended that Council agree the proposed revisions to the Constitution at its annual meeting on 23 May 2018.

Guaranteed Interview Scheme for Veterans

Summary

The Cabinet considered a joint report of the Corporate Director of Resources and the Director of Transformation and Partnerships which requested Cabinet to consider the introduction of a guaranteed interview scheme for veterans, together, with a review of the current advertising arrangements for external vacancies to promote better access for veterans.

In June 2012 the Council and the County Durham Partnership signed the Armed Forces Covenant. The Armed Forces Covenant is a nationally recognised initiative and the introduction of a guaranteed interview scheme for veterans would further demonstrate the Council's commitment to the Covenant.

The veterans guaranteed interview scheme is a pledge by businesses to invite those who have served in the armed forces to an interview where they meet the minimum criteria for a job vacancy. It affords veterans the opportunity to demonstrate their abilities beyond the initial application stage where appropriate. The introduction of a guaranteed interview scheme for veterans would further improve the delivery of local covenant pledges and contribute to Durham becoming a more veteran friendly employer.

The scheme would apply criteria as detailed in the report which would create a longer shortlist of candidates than might otherwise arise. No candidate would therefore be displaced from a shortlist by the application of the scheme. The scheme would not represent a guaranteed job for veterans and in all other respects they would be subject to the Council's Recruitment and Selection Policy and Procedure. The application of the policy would still ensure that the best candidate for the job was appointed based on objective criteria. The scheme would have no bearing on redeployment, redundancy selection or internal restructures.

Decision

The Cabinet agreed:

- a) The introduction of a guaranteed interview scheme for veterans in order to demonstrate commitment to becoming a more veteran friendly employer and to support veterans' transition to civilian life;
- b) To a review of the Council's existing advertising practices with the aim of increasing the accessibility for veterans to the Council's external job adverts.

The Cabinet resolved to exclude the press and public by virtue of paragraph 3 Part 1 of Schedule 12A of the Local Government Act 1972 during discussions on agenda item 11.

Chapter Homes Progress and Business Plan

Summary

The Cabinet considered a joint report of the Corporate Director of Regeneration and Economic Development and the Corporate Director of Resources which provided information on the progress of Chapter Homes. The report sought Cabinet's agreement for a Business Plan and funding framework for the company to enable future growth and expansion.

Decision

The Cabinet approved the recommendations contained in the report.

Helen Lynch
Head of Legal & Democratic Services
13 April 2018