



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** held on **Wednesday 16 May 2018**. The decisions will come into force and may be implemented from **Tuesday 29 May 2018** unless the Corporate Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Proposal to close the Sherburn Hill site of Sherburn Primary School on 31 August 2018

Summary

The Cabinet considered a report of the Corporate Director of Children and Young People's Services which sought approval to close the Sherburn Hill site of Sherburn Primary School on 31 August 2018, taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient places, and to ensure good outcomes for all children and young people in this local area.

In December 2016, Cabinet approved its overarching strategy for school organisation and the pattern and provision of schools across County Durham. In November 2017, Cabinet also approved a strategic review of school provision in County Durham to ensure the financial sustainability of schools.

Sherburn Primary School was formed on 1 September 2015 following the amalgamation of Sherburn Village and Sherburn Hill Primary Schools. The primary school runs across the sites of the two former schools. At the time of the amalgamation, the Council and the Governors of Sherburn Primary School had always hoped to maintain the two sites so that there could be education provision in both communities. However, because pupil numbers are significantly lower than expected – 166 instead of 225 – this model was not likely to be sustainable in the long term and it was not in the best interests of pupils and staff at the school to be split across two sites.

The statutory process involves an initial consultation period with relevant stakeholders including parents, Governors, staff and the wider community. On 6 September 2017, using delegated powers, the Corporate Director, Children and Young People's Services approved the start of consultation on the proposal to close the Sherburn Hill site of Sherburn Primary School on 31 August 2018.

A public consultation was undertaken from 15 January 2018 to 23 February 2018. This proposal generated a lot of interest within the local community of Sherburn Hill and neighbouring communities. Details of the consultation were included in the report.

A campaign initiated by the Sherburn Hill Community Action Group and meetings held with the MP for the City of Durham initiated a lot of response. Although there was a large response to the consultation, none of the responses presented a model of education that the council believes would be viable and sustainable for the communities of Sherburn Hill and Sherburn Village for the long term.

After full consideration of all of the responses to the consultation the Corporate Director, Children and Young People's Services on 3 March 2018 used delegated powers to agree to publish proposals to close the Sherburn Hill site of Sherburn Primary School on 31 August 2018.

A statutory notice was therefore published on 8 March 2018. There followed a statutory 4 week representation period during which comments on the proposal could be made.

The responses, including one from the City of Durham MP, were not in support of the proposal to close the Sherburn Hill site of Sherburn Primary School. The respondents were concerned that the closure of the Sherburn Hill site would remove the last community facility from the village. Concerns were also expressed about how children from Sherburn Hill would be able to get to and from the Sherburn Village site.

Officers believe that educationally the proposal to close the Sherburn Hill site of Sherburn Primary School is in the best interests of pupils and their families. Running the school across two separate sites is becoming unviable from both an educational and financial perspective. The reduction in pupil numbers from the predicted 225 to 166 and changes to school funding has put significant pressure on the school budget. This has already resulted in the school having to reduce staff from March 2017. Having all pupils on one site presents wider opportunities to organise classes making maximum use of the staff resources available for the benefit of all pupils. The proposal to close the Sherburn Hill site of Sherburn Primary School will help to enhance educational improvement.

Decision

The Cabinet:

- (a) agreed that the Sherburn Hill site of Sherburn Primary School is closed on 31 August 2018.
- (b) agreed to approve the capital investment of £1.1 million from capital contingencies.

Review of Special Guardianship Policy and Procedure – Assessment, Provision and Review of Support Services

Summary

The Cabinet considered a report of the Corporate Director of Children and Young People's Services, which further to the review of the Special Guardianship Policy and Procedures during 2017, sought to provide an overview of the proposed changes and the actions undertaken to ensure the assessed needs of children/young people subject to a Special Guardianship Order are met and there is compliance with the Special Guardianship Regulations 2005. In addition, the report also highlighted the importance of providing a consistent and timely method of reviewing support and ensuring Special Guardians and children/young people, subject to a Special Guardianship Order, have the appropriate access to a wide range of services and support.

In the White Paper, 'adoption: a new approach' issued in December 2000, the Government committed to creating a new private law order called Special Guardianship that would provide legal permanence short of adoption. The White Paper stated that Special Guardianship Order would be accompanied by proper access to a full range of support services including, where appropriate, financial support. This clearly recognised that financial support would not be provided to all Special Guardians.

The total number of children/young people subject to a Special Guardianship Order and receiving financial support has increased year on year and this increase also represents the findings from the Ministry of Justice (2015) who revealed a national increase of 81% in the total number of Special Guardianship Orders made since 2011.

A recent audit of Transitional Financial Support for Special Guardianship Orders (SGO) carried out by the Quality Improvement Team identified a 'limited' level of assurance about practitioners' compliance with the SGO procedure and review process. This highlighted the lack of a consistent approach across teams to review support, provide a timely and effective method of communication with Special Guardians and make full use of the appropriate documents within the policy for recording purposes.

The revised Policy which was attached to the report at Appendix 2 is similar to the style/layout adopted by a number of other local authorities and seeks a consistent approach in providing both practitioners and service users with an open and transparent policy. It sets out a structure with clear guidance, which is compliant with Special Guardianship Regulations 2005 and links to associated documents and policies to be used throughout the Special Guardianship process. The provision of a separate 'Support Services' Policy (attached to the report at Appendix 3) provides further clarity of support available. This support does not necessarily mean financial support and includes mediation services, therapeutic services, respite provision, counselling and advice, etc.

The main change set out in this Policy is the frequency of payment of transitional financial support. At present payments are normally paid in regular weekly payments. In accordance with Regulation 8, for new service users, periodic payments will only be provided to meet a need, which gives rise to recurring expenditure, otherwise financial support will be paid as a 'single' payment or, in agreement with the Special Guardians via instalments. It is envisaged that this will reduce the dependency on a weekly allowance and provide Special Guardians with the opportunity to purchase costly items, which support the child/young person's transition into the family home.

It is also proposed that where Special Guardians have received periodic financial support which is time limited or to be used for a specific purpose in accordance with Regulation 10 (2) and they make representations against the ceasing of this support, consideration should be given to a 'zero-based' assessment (the Special Guardians will still need to provide evidence of financial circumstances) to meet an assessed need. Regulation 6(d) allows the local authority to contribute to the expenditure necessary for the purpose of accommodating and maintaining the child, including the provision of furniture and domestic equipment, alterations/adaptations to the home, provision of means of transport and provision of clothing, toys and other items necessary for the purpose of looking after a child. This support can be offered at any time, it is not restricted to where the Special Guardians has made representations about the decision to cease paying financial support.

The new approach will reduce the amount of financial support being paid weekly and the reliance on weekly payments, providing a more targeted approach to financial support, which meets the assessed needs of children/young person.

The report proposed that views of the key stakeholders and the wider public be sought, through consultation on the proposed adoption of the revised Special Guardianship Policy and Support Services Policy and Procedure. Following Cabinet approval of the draft policies and procedures, it is proposed that a 6 week consultation will begin immediately thereafter. Cabinet is asked to delegate authority to the Corporate Director Children & Young People's Services in consultation with the Cabinet Member for Children & Young People's Services to consider the outcome to the consultation, make any consequent changes to and implement proposals. Any policy changes would be implemented from mid/end July 2018.

Decision

The Cabinet agreed:

- (a) That a 6 week consultation be undertaken on:
 - (i) Adopting new Special Guardianship Policy & Procedures which are open and transparent and seek to provide a consistent approach for practitioners in adhering to Special Guardianship Regulations (2005) and access to a vast range of support and services;

- (ii) Proposal to change frequency of payment of transitional financial support (still based on age-related fostering allowance and payable up to two years) for 'new' service users, who do not require ongoing financial support and provide 'one-off' payments or via instalments, reducing the dependency on weekly financial payments. In addition to provide the flexibility to access 'one-off' payments (not based on age-related fostering allowance) to meet an assessed need (Reg 6(d).
- (b) To delegate authority to the Corporate Director of Children and Young People's Services in consultation with the Cabinet Member for Children and Young People's Services to consider the outcome to the consultation, make any consequent changes to and implement the proposals.

Public Health and Children and Young People's Services Update: Best Start in Life

Summary

The Cabinet considered a joint report of the Corporate Director of Children and Young People's Services, and the Director of Public Health. The joint report between Public Health and Children's Services is to provide an update on national and local developments with regard to giving every child the best start in life.

Ensuring every child has the best start in life is one of Public Health England's 7 key priorities. Getting a good start in life and throughout childhood, building resilience and getting maximum benefit from education are important markers for good health and wellbeing throughout life. At a regional level, providers and commissioners are now operating as local maternity systems (LMS) with the aim of ensuring that women, babies and families are able to access the services they need and choose.

The North East have agreed seven public health priorities for during the antenatal period which will impact on health outcomes for both mother and baby as part of the best start in life.

1. Reducing smoking in pregnancy.
2. Increase vaccination uptake in pregnancy (flu and whooping cough).
3. Improve perinatal mental health (MH during pregnancy and first year of baby's life).
4. Reduce alcohol consumption in pregnancy.
5. Increase breastfeeding initiation rates and rates of ongoing breastfeeding at 6-8 weeks.
6. Promoting healthy weight and supporting women who are obese pre-conceptually, antenatally and postnatally. This would include promoting a healthy pre-pregnant weight as well as ensuring full implementation of national guidance for women with a BMI of 30 or more at booking and a postnatal referral for structured weight management support referral in those women who have a BMI 30 or above at the 6 – 8 week check.

7. Increase making every contact count.

At a County Durham level these seven prevention must do's are being incorporated into the work of the Best Start in Life (BSIL) delivery group which is a sub group of the Children and Families Partnership. A self-assessment process has been undertaken in County Durham through the BSIL multi-agency delivery group. This process generated rich intelligence at a local level on how County Durham is performing on BSIL as a system. To understand County Durham's position against the set LMS / BSIL priorities the report provided a highlight of the main indicators and high level actions which have been progressed.

The next steps for Best Start in Life is to embed the work into the newly formed children's integration steering group and the priorities will feature in any future children's strategy.

Decision

The Cabinet agreed to:

- a) note the content of the report
- b) receive further updates in relation to Children and Young People's Services on a quarterly basis

First World War Centenary Signature Commemorative Programme

Summary

The Cabinet considered a report of the Corporate Director of Regeneration and Local Services which outlined the proposed programme of events and activities taking place across the County in commemoration of the end point in the First World War. The report highlighted a range of activities organised by both the Council and other partners as well as proposing some additional activities which the Council may wish to commit to.

The report focused upon outlining existing plans and proposing additional signature funding to enhance existing plans to commemorate the centenary of the day the guns fell silent.

Initiatives that are already planned for the 2018 commemorative year include national events with a local focus, events taking place in County Durham being organised and delivered by others, and events to be delivered by the County Council. There is also an opportunity to deliver specially created events and initiatives in addition to those listed above. Together, they combine to mark the end of the centenary period in a creative and imaginative way. The Commemorative Light art installation builds on the success of Lumiere over the past decade. Linking to the new *Place of Light* branding, the commissioned light art/projection piece is proposed to be created and then installed in Millennium Place. This piece could involve both sound and light to establish a piece resonant to the end of the war, togetherness and homecoming at peace.

The aim will be to animate Millennium Place with a commemorative work influenced by the names of the DLI fallen and/or other suitable imagery. The exact nature of the installation will be shaped by the artist commissioned to deliver the project, using the archive of the DLI as inspiration and focus. To commission and create this work will be approximately £30,000. This includes the first venue set up and running costs only. It is envisaged that the installation will be in place for approximately two weeks although this will depend on the nature of the final work.

The reprise of the Durham Hymns was first performed at Durham Cathedral in 2016. The Durham Hymns was commissioned by the Northern Regional Brass Band Trust in partnership with Durham County Council. A century on from the Battle of the Somme, this new suite of hymns commemorated sacrifice, courage and endurance. Created for brass band and choir, with lyrics by Poet Laureate, Carol Ann Duffy, the work was inspired by the true-life experiences of County Durham people researched through the County Archive and DLI collections.

The second signature scheme being proposed is a reprise of the Durham Hymns which has proven to be highly popular with community groups and residents. Since its world premiere in 2016, the Durham Hymns have been “on tour” in communities across the region. It is proposed to stage a reprise at The Gala Theatre in November 2018. This would cost in the region of £12,500.

There would be 2 performances on Sunday 11 November, days providing the opportunity for over 1000 people to experience this visual and musical tribute.

The total cost of the additional signature events proposed is an estimated £42,000. In summary, the proposed signature events programme provides opportunities through visual arts and musical engagement to commemorate the heroic actions of local men, women and families, and create a lasting legacy for the County. The programme engages our local heritage partners within the county and ensures a county-wide approach is adopted to this historically significant period.

Decision

The Cabinet:

- a. Noted the existing programme of events
- b. That the additional Signature Event proposals set-out within the report are supported namely:
 - i. A WW1 themed light art installation;
 - ii. Durham Hymns performances;
- c. A contribution of £42,500 to fund the commissioning of the light art and hymns programme be funded from 2018/19 General Contingencies.

Overview and Scrutiny Review Cybercrime

Summary

The Cabinet considered a report of the Director of Transformation and Partnerships which presented the findings, conclusions and recommendations of the Safer and Stronger Communities Overview and Scrutiny Committee review report on Cybercrime which was attached to the report at Appendix 2.

Members agreed to undertake review activity looking at work in relation to cybercrime with a focus on partnership work being undertaken to prevent young people becoming in engaged in cybercrime activity.

The review gathered evidence through desktop research, meetings with officers from the Safe Durham Partnership, University of Sunderland, North East Regional Specialist Operations Unit and undertaken focus group activity. Evidence and findings within the report are set within the context to preventing young people being vulnerable to getting involved in cybercrime activity and to seek more positive use of their skills.

Evidence gathered throughout the review has highlighted the potential impact of cybercrime or a cyber attack and that this is not a victimless crime. It was highlighted that the motivations for undertaking this activity are not always financial. Some see it as a challenge and are unaware they are committing a criminal offence. In addition, offenders perceive the risk of being caught was low and there was a limited understanding of the consequences of the law and committing an offence.

The review's key findings focus on strategic context looking at national and local approaches to cybercrime and prevention through education and awareness, apprenticeships and careers and approaches to prevent young people from remaining in cybercrime activity and identifies recommendations for the Safe Durham Partnership and Council. The Safe Durham Partnership is asked to consider including prevention of young people becoming cybercrime offenders within the Safe Durham Partnership Plan priority objective of Cybercrime, engaging with young people and targeted groups through focus group sessions, carousel events and campaign activity. Furthermore the Safe Durham Partnership is asked to work with the County Durham Economic Partnership in exploring opportunities for the development of IT/Cybersecurity apprenticeships.

The Council's Children & Young People's Service is asked to note the availability of education and awareness resources and working with partners within the Safe Durham Partnership's Cybercrime task group consider development of a co-ordinated approach within schools to raise awareness to the consequences of forms of hacking, the Computer Misuse Act and use of careers advice to promote skills in a more positive way.

Decision

The Cabinet:

- (a) Noted the review's recommendations:
 - (i) That the Safe Durham Partnership Board note the content of this report and include as an action the prevention of people becoming cybercrime offenders within the Safe Durham Partnership Plan priority objective of Cybercrime.
 - (ii) That the Safe Durham Partnership Cybercrime task and finish group give consideration to holding further focus group sessions with Durham Constabulary's Police Cadets and with young people with a specific interest in coding or programming to improve young people's awareness to the Computer Misuse Act and its implications.
 - (iii) That the Safe Durham Partnership Cybercrime task group note findings of an anticipated report from the University of Bath, NCA and Research Autism into exploring any links between autism and cybercrime and consider any actions as recommended.
 - (iv) That the Children and Young People's Services note the availability of education and awareness resources and working with partners within the Safe Durham Partnership's Cybercrime task group consider development of a co-ordinated approach within schools to raise awareness to the consequences of forms of hacking, the Computer Misuse Act and use of careers advice to promote skills in a more positive way.
 - (v) That the Safe Durham Partnership Cybercrime Task Group explore the feasibility of a cyber-safety engagement event with schools similar to the Partnership's Wisedrive/Safety Carousel event of which awareness to the consequences of the Computer Misuse Act and hacking is one of the workshops.
 - (vi) That the Safe Durham Partnership Cybercrime Task Group give consideration to undertaking a campaign to promote the risks of undertaking cybercrime activity and to explore the viability of producing a video resource that could together with the NCA Cyberchoices videos be shown within schools and at events.
 - (vii) That the Safe Durham Partnership explore opportunities for the development of IT/Cybersecurity apprenticeships within organisations and companies within County Durham with the County Durham Economic Partnership.
- (b) Agreed that the scrutiny review report on Cybercrime is presented to the Safe Durham Partnership Board.
- (c) Agreed to respond within the six month period for a systematic review of the recommendations.

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 13.

Commercial Development Opportunity in the County

Summary

The Cabinet considered a joint Report of the Corporate Director of Regeneration and Local Services and the Corporate Director of Resources which provided Cabinet with proposals for a commercial development opportunity in the County.

Decision

The Cabinet approved the recommendations contained in the report.

Helen Lynch
Head of Legal & Democratic Services
18 May 2018