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**Sefton Council**



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To: Members of the Council

Date: 20 April 2023

Our Ref:

Your Ref:

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Dear Councillor

## **COUNCIL - THURSDAY 20TH APRIL, 2023**

I refer to the agenda for the above meeting and now enclose the following documents which were unavailable when the agenda was published.

<b>Agenda No.</b>	<b>Item</b>
3	<b>Minutes of Previous Meetings</b> (Pages 263 - 264) Minutes of the Extra-ordinary meeting held on 13 April 2023
6	<b>Questions Raised by Members of the Council</b> (Pages 265 - 272) Schedule attached
7	<b>Appointment of Chief Executive</b> (Pages 273 - 274) Note of the Leader of the Council

Yours faithfully,

DWAYNE JOHNSON

Chief Executive

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**THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"**

## **COUNCIL**

### **EXTRA-ORDINARY MEETING HELD AT THE TOWN HALL, BOOTLE ON THURSDAY 13TH APRIL, 2023**

**PRESENT:** The Mayor (Councillor Carragher) in the Chair  
The Deputy Chair (Councillor June Burns) Vice  
Chair

Councillors Atkinson, Danny Burns, Byrom, Cluskey,  
Corcoran, Cummins, Dowd, Doyle, Hansen, Howard,  
John Kelly, Sonya Kelly, Lappin, Chris Maher,  
Ian Maher, Moncur, Morris, O'Brien, Pugh, Riley,  
Sayers, Spencer, Spring, Thomas,  
Lynne Thompson, Tweed and Waterfield

#### **110. WELCOME AND APOLOGIES FOR ABSENCE**

The Mayor reported that it was her immense pleasure to welcome everyone present to the Extra-Ordinary Council meeting, when Members of the Council would be requested to agree to the Freedom of the Borough being conferred on HMS Mersey which is the highest honour the Council can bestow on any service unit.

The Mayor indicated that the Council had a long and honourable close association with the Royal Navy, going back to Captain Frederic John Walker and the Battle of the Atlantic and we can see many naval plaques, ensigns, the Great Chase Signal flags and other Naval memorabilia in this Council Chamber.

The Council was affiliated with HMS Mersey in 2003 and it was very fitting in the year of the 80<sup>th</sup> Anniversary of the Battle of the Atlantic, that the Freedom of the Borough would be conferred on HMS Mersey at this meeting.

The Mayor reported that the Council was very honoured to have the Lord Lieutenant of Merseyside, Mr Mark Blundell, the High Sheriff of Merseyside, Mrs Lesley Martin-Wright, Peter Dowd MP, the Commanding Officer of HMS Mersey, Lieutenant Commander James Mitchell and other representatives from HMS Mersey with us tonight.

Apologies were received from Councillors Bennett, Bradshaw, Brodie-Browne, Brough, Carlin, D'Albuquerque, Dodd, Evans, Fairclough, Grace, Halsall, Hardman, Hardy, Irving, Jones, John Joseph Kelly, Killen, Lloyd-Johnson, Lunn-Bates, McGinnity, McKee, McKinley, Murphy, Myers, Page, Prendergast, Richards, Robinson, Roche, Roscoe, Sathiy, Shaw, Anne Thompson, Veidman, Sir Ron Watson, Webster and Wilson.

# Agenda Item 3

COUNCIL- THURSDAY 13TH APRIL, 2023

## **111. FREEDOM OF THE BOROUGH - HMS MERSEY**

It was moved by Councillor Ian Maher, seconded by Councillor Byrom, supported by Councillors Riley and Sayers and, unanimously

RESOLVED:

That in accordance with Section 249 (5) of the Local Government Act 1972, this Council wishes to place on record its high appreciation of, and the debt of gratitude of the Borough to HMS Mersey and in the light of the long and honourable association between the Borough of Sefton and the Royal Navy, resolves that the Honorary Freedom of the Borough of Sefton be conferred on HMS Mersey and that it be granted the right, privilege, honour and distinction of marching through the streets of the Borough on all ceremonial occasions with colours flying, bands playing, drums beating and bayonets fixed.

QUESTIONS RAISED BY MEMBERS OF THE COUNCIL

	<p><b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Leader of the Council (Councillor Ian Maher)</u></b></p>
	<p><b>Subject: Children’s Social Care Services</b></p>
<p>1</p>	<p>1. Can the Leader of the Council confirm the figure that was placed in last year’s budget for agency staff within the Children’s Social Services Department?</p> <p>2. The Leader of the Council will be fully aware of the latest OFSTED report regarding Children’s Services in Sefton. Given that OFSTED have clearly stated that many of the failings identified in February 2022 still remain, who does he hold responsible for these continued failings?</p>
	<p><b>Response:</b></p>
	<p>1. “Following direction from the then Director of Children’s Services through the budget process, the 22/23 budget provided for additional budget provision for accommodation placements and the permanent budget required for the new substantially increased permanent staffing structure of £2.5m in the service that was accelerated to support the service post inspection.</p> <p>At that time there were agency staff in the service and costed into the budget. As reported to members through 2023, substantial cost increases emerged. These came through the agency market where staff could earn significantly higher salaries than our own permanent staff and the move to expensive managed teams being available to provide extra support.</p> <p>The councils demand for agency staff also increased as it sought to populate its new structure at a time when there were few candidates seeking permanent positions in the market - this further increased the impact of the change in the agency market on the Council.”</p> <p>2. “As the Governments own independent Advisor recently stated, “Child protection is overwhelmed” and what is needed is a “transformative whole systems reset”.</p> <p>This was also supported by the Association of Directors Children Services who stated that rising workloads, an onerous inspection regime and lack of policy leadership resulted in a lack of coherent policy focus for children.</p> <p>As I have previously stated these are exactly the issues which Sefton faces, with unprecedented numbers of children referred for our services, and with higher than average numbers of children in our services. The other major issue we need to tackle is recruitment, but as the DfE own statistics highlighted in March 2023 staff vacancies and reliance on agency workers are now at record levels, showing the “number of vacancies up 21% on the previous year and the highest rate since 2017 when the DfE began collating the data in this way.”</p>

# Agenda Item 6

2	<p><b><u>Question submitted by the Leader of the Conservative Group (Councillor Prendergast) to the Leader of the Council (Councillor Ian Maher)</u></b></p>
	<p><b>Subject: Local Authority Publicity</b></p>
	<p>The Leader of the Council will no doubt recall at the Council Meeting prior to last year's local elections, there was a notice of motion on the agenda relating to a letter that he sent out with the council tax notices that were sent to every household in the borough.</p> <p>Can the Leader let Members know if there have been any further investigations/correspondence by/from central government, since the motion was placed on the agenda, on this issue and whether they are still ongoing?</p>
	<p><b>Response:</b></p>
	<p>"Although I have not been party to the correspondence, I am aware that there has been correspondence between the Department of Levelling Up, Housing and Communities and the Chief Executive over the issue and those discussions are ongoing".</p>
3	<p><b><u>Question submitted by the Leader of the Liberal Democrat Group (Councillor Pugh) to the Cabinet Member for Locality Services (Councillor Fairclough)</u></b></p>
	<p><b>Subject: Blue Bins for Glass Recycling</b></p>
	<ol style="list-style-type: none"> <li>1. Has the council abandoned plans to introduce blue bins for glass recycling?</li> <li>2. What funds, capital or revenue, has the Council committed so far in progressing the plan to introduce blue bins for glass recycling?</li> </ol>
	<p><b>Response:</b></p> <ol style="list-style-type: none"> <li>1. Yes</li> <li>2. Nothing</li> </ol>
4	<p><b><u>Question submitted by the Leader of the Liberal Democrat Group (Councillor Pugh) to the Cabinet Member for Locality Services (Councillor Fairclough)</u></b></p>
	<p><b>Subject: Potholes</b></p>
	<ol style="list-style-type: none"> <li>1. What assessment has been made of the funds required to rectify pothole damage on the arterial roads in Sefton?</li> <li>2. What assessment has been made of the funds required to rectify all current pothole damage on Sefton roads?</li> <li>3. What funds did the government make available to the council specifically for pothole repair in each of the last three financial years?</li> <li>4. What funds have the government made available to the council for the forthcoming council year?</li> </ol>

	<b>Response:</b>
	<ol style="list-style-type: none"> <li>1. "Roads are not assessed specifically on pothole damage. If the question is asking how much would be required to bring the arterial roads up to maintainable standard, then it is estimated that this would cost approximately £5m for carriageways alone, excluding footways</li> <li>2. Roads are not assessed specifically on pothole damage. If the question is asking how much would be required to bring the highways up to maintainable standard, then it is estimated that this would cost approximately £52m for carriageways alone, excluding footways.</li> <li>3. Specifically for pothole repairs £167,400 in 2020/21, zero in 2021/2 and in 2022/3 we received a £120,000 allocation from the Combined Authority.</li> <li>4. Assuming this relates specifically for pothole repairs the Council has received £120,000".</li> </ol>
5	<b><u>Question submitted by Councillor Halsall to the Cabinet Member for Regeneration and Skills (Councillor Atkinson)</u></b>
	<b>Subject: What Support Do Business in Sefton Receive from the Council</b>
	Can the cabinet member explain what support businesses in Sefton receive from the Council?
	<b>Response:</b>
	<p>"I'd like to thank Cllr Halsall for his question and to clearly state on record our support and genuine admiration for what has been a tough time for many businesses in our borough here in Sefton. We will continue to support, champion and work closely with them, to ensure our Borough recovers post Covid.</p> <p>During Covid, this Labour controlled Council made 23,000 grant payments to local businesses to the tune of just under £98 million. 2,600 businesses regularly updated after Government announcements; 27,000 requests answered by the business rates team with a further 4,000 requests answered by the Invest Sefton team.</p> <p>Our Invest Sefton service deals deal with thousands of businesses with a variety of needs covering land enquiries, marketing plans for business, growth strategies, improvements in accountancy software, identifying target markets, research in areas such as Net Zero policies for a range of businesses, market research, eco energy schemes, networking opportunities, workshops and webinars. Events to support mental health and wellbeing to business owners and their employees. Working with owners and agents of development sites ensuring Sefton remains a location of choice for new businesses. Holding very successful and well-attended Economic Forums across the Borough.</p> <p>In addition, the Tourism team provide one-to-one business reviews for several guesthouse accommodation properties in Southport. The business reviews are designed to identify how to increase bookings, reduce costs, improve standards, retain customers and grow their customer base. Annually they manage marketing campaigns to support local businesses. These campaigns include digital activity, radio and out of home advertising. <b>Page 267</b></p>

# Agenda Item 6

	<p>They also offer support for those businesses interested in generating overnight stays. The team work with England's Golf Coast to generate overseas and domestic golf visitors to support local accommodation providers, bars and restaurants.</p> <p>Finally, you will be aware Seton Council was recognised as being best in the region, beating 250 Councils in England for our support to the local small business community by the Federation of Small Businesses, of which we are extremely proud".</p>
6	<p><b><u>Questions submitted by Councillor Lloyd Johnson to the Cabinet Member for Children's Social Care (Councillor Doyle)</u></b></p>
	<p><b>Subject: The Culture within the Children's Services Department</b></p>
	<p>1. The DFE appointed Commissioner and the monitoring visit letter of February 2023 both make repeated reference to the need to improve the culture within. Can the Cabinet member set out: -</p> <ol style="list-style-type: none"> <li>a. The culture they believe has existed and which has led to the failure of the department.</li> <li>b. The key characteristics of the culture the department aspires to.</li> <li>c. The practical steps being taken to achieve this change.</li> </ol>
	<p><b>Response:</b></p>
	<ol style="list-style-type: none"> <li>a) "The culture referred to in both the commissioners report and the recent OFSTED letter is one of non-compliance, lack of ownership on learning and a "them and us" between senior leaders and front-line staff. This is a culture which the previous and current DCS and senior leadership team have been addressing since the ILACS inspection in February 2022.</li> <li>b) We are aspiring to be a culture in which our social workers feel safe, supported and wanting to create better outcomes for the children and families of Sefton. A culture which learns and celebrates success whilst also recognising and learning from their mistakes. A culture in which senior leaders and visible and knowledgeable and recognise that our social workers are our greatest asset.</li> <li>c) Both the commissioners report and the recent OFSTED letter highlighted some of the practical steps we have taken. Primarily we have a stable and visible leadership team who walk the floor and are accessible to all staff. Other steps have revolved around the creation of an improved quality assurance framework which identifies both good and bad practice. We are creating a culture around performance in which all staff know what impact our work is having on families. This approach continues to be a work in progress but as stated in the letter this has significantly improved since the time of the inspection in February 2022.</li> </ol> <p>As stated in the monitoring visit letter the response from staff has been positive in that they feel supported, valued in their practice, and listened to. Most importantly the inspectors found that the culture currently in Sefton is one in which Social Workers are trying their very best to improve children's lives".</p>
7	<p><b><u>Questions submitted by CouPage 268 Johnson to the Cabinet Member for</u></b></p>



	<p><b><u>Children’s Social Care (Councillor Doyle)</u></b></p>
	<p><b>Subject: Lack of Understanding of the Complexity of Domestic Abuse within Children Services</b></p>
	<p>The Ofsted monitoring visit letter of February 2023 says, “Some social workers lack an understanding of the complexity of domestic abuse.” Given the terrible physical and psychological effects, both immediate and long-term, that we know domestic abuse has, how was this allowed to happen and what specific steps are being taken to improve knowledge of domestic abuse, and its consequences, across the department?</p>
	<p><b>Response:</b></p>
	<p>“The lack of understanding around domestic abuse as referred to in the monitoring visit has occurred due to multiple factors.</p> <p>Social workers have been operating in an environment in which high caseloads and complex family’s needs contribute to an approach that is reactive and non-reflective. The lack of time to think creates a lack of understand about why violence occurs, what impact it has and most importantly what is the appropriate response. It is important to note that this is not the case for all social workers who are working for Sefton.</p> <p>To stabilise the workforce and reduce high caseloads we have taking a proactive approach to recruitment. From mid-May we will begin to welcome the first of twenty-three social workers who we have recruited from South Africa. These social workers will have a settling in period before they begin to undertake frontline work with families and add much needed capacity to our teams.</p> <p>Between October and January, the first tranche of our new social workers will graduate from our Social Work Academy. These social workers have been recruited as surplus to requirements and therefore we have been able to give them protected caseloads and a positive experience in their ASYE.</p> <p>We have now also refined our recruitment process and created a fast-track approach in which anyone interested in joining Sefton completes a concise application form. This fast-track approach also means that applicants will wait no longer than one week between application and interview.</p> <p>Another contributing factor has also been a lack of good quality training, informed by recent research, on how to work with families affected by DVA. Training is available but is somewhat generic and attendance has not been to the level that would have any meaningful impact.</p> <p>In Children Services we have created a DVA practice focus team which includes experienced social workers with an expertise in working with DVA. The team also includes an IDVA (Independent Domestic Violence Advocate) who will ensure that the voice of victims is not lost. We are also currently recruiting two additional staff from our commissioned service, SWACA, who will ensure that all plans consider impact. The team will work alongside case holding social workers to improve both practice and outcomes for children and their families.</p> <p>The final contributing factor has been the lack of effective services in which to link families into. Sefton does have several initiatives around working with DVA, but these programmes are mostly focPage 269 victim approach and can also lack</p>

# Agenda Item 6

preventative interventions. As stated in the letter, at the time of the monitoring visit, there was no perpetrator programme available in Sefton.

To address these concerns several actions have been taken. We have now agreed a partnership DVA action plan in response to the DVA strategy. This plan was already being constructed and includes input from children services.

The action plan sets out the partnership response to tackling both the cause and impact of DVA in Sefton. It includes plan to create improved governance, services for families and better social work practice. The new DVA practice focus team within Children services will also deliver essential training and programmes, including a perpetrator programme”.

**8 Questions submitted by Councillor Shaw to the Cabinet Member for Children’s Social Care (Councillor Doyle)**

**Subject: Press Release from Children’s Services**

On 1 April a Press Release was issued in relation to Children's Services which included the following comments from the Cabinet Member:

... Now the Sefton Cabinet Member in question, Councillor Mhairi Doyle MBE, has given a withering response to the MP and explained how things are turning for the better. She commented:

"Mr Moore has little understanding of, or sympathy for, children's issues I'd suggest. If he had then he would not have twice refused to vote in support of providing extra school meals to help feed the children of some of our most struggling families. He is now talking concern for children but his actions show otherwise."

"He also refused to back 80% furlough support to help local families during the pandemic, and he has supported government colleagues who have reduced funding in our schools and devastated the Sure Start system to help give kids a good start in life. They also slashed early crime intervention pathways to stop youngsters going into a life of lawlessness... the list goes on."

"With regard to the situation here, for year after year, the Conservatives have failed to sit on the vitally important Corporate Parenting Board that oversees our work with our cared for and care experienced children. The latest Sefton Conservative Leader, Cllr Mike Prendergast, also refused to attend despite repeated requests and has only recently deigned to do so."

"That tells you all you need to know about their overall interest and integrity in this area I'd say but the vile attempt to appeal for votes when Mr Moore issued his Ofsted response certainly adds to that."

"Sefton in contrast has rightly apologised for the mistakes that have been made. Let's be clear though - those mistakes came about because of the pressure of the profound funding cuts that were imposed upon us by the Conservatives and Lib Dems."

"Although the Coalition has long since passed, it still survives in Sefton as the local Tories and Southport Lib Dems still work together in the council to this day. It was the local Lib Dems who cut our youth centres back then and one of the senior Lib Dem councillors has just evidenced this collaboration yet again."

"He tried to back the MP's statPage 270ttack line by pointing out that Labour has

been in charge of social services for over 20 years."

"He's proved unintentionally helpful though by highlighting this - as we clearly did not have issues to this extent back then, or 20 years ago or at 15 years or even later. They began to surface around 2016 and so you have to wonder what changed?"

"What changed was huge cuts to council funding and the pressure that brought. What's also changed was the huge increase in the numbers of our children in care here. In 2013 it was just over 420, and it's now at 617."

"It's clear to me that's a result of the years of Conservative and Lib Dem austerity cuts and decisions which have made life very difficult for local families and their children."

"On top of that, what's also changed is the increasing privatisation of social work with social workers leaving authorities to go work for agencies that pay double. The resulting gaps in the workforce mean councils then have to essentially employ the same people back at exorbitant rates."

"So, the extra cost for us is now immense. In 2015 costs were £33m, they are now £70m plus. That's basically a third of our total budget."

"This is the situation I am trying to turn around with the help of some amazing social work colleagues and management.

It will take some time but we have already unified a previously fractured service and are tackling these seemingly intractable problems head-on. For instance, we are rectifying the social worker shortage by growing our own."

"We've created The Social Work Academy, the first cohort of which will graduate in October giving us 30 fully trained and much-needed staff to help local children and their families."

"We have also recruited 25 fully experienced social workers from South Africa, they will start arriving in May. All of this should massively help resolve the issue Ofsted has identified as our main barrier to improving practice."

"I repeat, mistakes were previously made as a result of the pressures and I will not shirk from that as it is an important part of the process of learning and improving services for our children."

"Equally, we did not create the root cause of the problems. Others did, and Mr Moore's efforts to pretend otherwise is a rather ignorant and grubby attempt to blatantly try to play political games with this incredibly important issue."

"I get that he is increasingly desperate as he knows he is going to lose his seat shortly, however, I'd say his response shows he is still far more the Asda fruit and veg aisle manager or whatever he was before than he is a credible politician now. My focus is on our children."

1. Does the Cabinet Member stand by what she says there?
2. On reflection, does the Cabinet Member consider it appropriate to add anything?

**Response:**

# Agenda Item 6

	<ol style="list-style-type: none"> <li>1. Yes</li> <li>2. No</li> </ol>
9	<p><b><u>Questions submitted by Councillor Shaw to the Cabinet Member for Health and Wellbeing (Councillor Moncur)</u></b></p>
	<p><b>Subject: Tree Removal in Birkdale Area</b></p>
	<p>Within the last week or so, notices have been attached to three attractive, mature trees within the Birkdale Village Conservation Area stating that they are proposed to be removed before the end of June 2023 on the basis that they are "in decline".</p> <p>Residents have expressed concern about a number of aspects including the applicability of the Wildlife and Countryside Act 1981.</p> <ol style="list-style-type: none"> <li>1. Would the Cabinet Member please advise me what consideration was given to the timing of these notices in terms of the 1981 Act?</li> <li>2. What consultation, if any, took place with any members of the Planning Department prior to the decision to place these notices?</li> </ol>
	<p><b>Response:</b></p>
	<ol style="list-style-type: none"> <li>1. "The Sefton Council Tree and Woodland Team mainly programme street tree works throughout the nesting season, rather than works within our parks and open spaces, thus, to reduce any impact the tree works may have on wildlife. Due to the sheer volume of work and the size of the tree asset the council manages it would be unfeasible to stop <i>all</i> works in nesting season.</li> </ol> <p>All trees are checked for nesting birds before work commences, if an active nest is found the works to that tree (or any other works which may disturb the birds) stops and the tree gang move to the next piece of work/next tree. This is in line with the 1981 Act.</p> <ol style="list-style-type: none"> <li>2. No consultation took place with the Planning Department. The council does not consult with itself on tree works within Conservation Areas, as it is the statutory undertaker".</li> </ol>

## **NOTE OF THE LEADER OF THE COUNCIL**

### **COUNCIL - 20 APRIL 2023**

#### **APPOINTMENT OF CHIEF EXECUTIVE**

In view of the forthcoming retirement of Dwayne Johnson, the Employment Procedure Committee has met on several occasions (as detailed in the report to Council) to conduct the selection process for the new Chief Executive post.

I am pleased to advise that several good quality applications were received, and a full selection process was carried out in accordance with the wishes and guidance of the Employment Procedure Committee (EPC).

The salary range for the role is £155,279 to £170,615 per annum in accordance with the Councils Pay Policy, and with the previous Chief Executive's salary. The actual salary offered within the salary range will be confirmed by the Chair of the EPC in consultation with the Chief Personnel Officer. The exact start date is to be determined.

The EPC consider that Philip Porter should be offered the role of Chief Executive in Sefton subject to the constitution and necessary pre-employment checks. It is therefore recommended to Full Council that the candidate recommended by the EPC is confirmed.

Philip is the current Corporate Director of Adult Social Care and Health in Brent Council. He has worked for Brent Council since 2011 and has carried out several senior management roles.

#### **COUNCIL MOTION:**

That the Council confirms the appointment of Philip Porter as the new Chief Executive and Head of Paid Service, on terms and conditions recommended by the Employment Procedure Committee. The salary range of £155,279 to £170,615 is in accordance with the Pay Policy. Confirmation will be subject to the consideration of any material or well-founded objection by any Member of the Cabinet and appropriate standard pre-employment checks.

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