



HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN,
YSTRAD MYNACH ON TUESDAY, 8TH SEPTEMBER 2015 AT 5.30 P.M.

PRESENT:

Councillor L. Ackerman - Chair
Councillor Mrs P. Cook - Vice Chair

Councillors:

Mrs E.M. Aldworth, A.P. Angel, M. Evans, J. Gale, C.J. Gordon, G.J. Hughes, A. Lewis, J.A. Pritchard.

Cabinet Members: Councillors N. George and R. Woodyatt.

Together with:

D. Street (Corporate Director Social Services), J. Williams (Assistant Director Adult Services), G. Jenkins (Assistant Director of Children's Services), C. Forbes-Thompson (Scrutiny Research Officer), M. Jones – (Interim Financial Services Manager). A. Dredge (Committee Services Officer).

Users and Carers - Miss L. Price, Mrs M. Veater, Mr C. Luke and Mrs J. Morgan.

Aneurin Bevan University Health Board – Ms D. Puckett.
Wales Co-operative Centre - A. Jones.

WELCOME

The Chair welcomed Councillor Mark Evans (New Tredegar Ward), to his first Scrutiny Committee.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors L. Binding, Mrs A. Blackman, Miss E. Forehead, L. Gardiner and A. Rees.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made at the commencement or during the course of the meeting.

3. MINUTES – 8TH SEPTEMBER 2015

RESOLVED that, subject to it being noted that a request had been received for slides in respect of hospital beds that had not been minuted, the minutes of the

meeting of the Health, Social Care and Wellbeing Scrutiny Committee held on 8th September 2015 be approved and signed as a correct record.

4. CONSIDERATION OF ANY MATTER REFERRED TO THE SCRUTINY COMMITTEE IN ACCORDANCE WITH THE CALL-IN PROCEDURE

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

5. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee received verbal reports from Councillor R. Woodyatt (Cabinet Member for Social Services) and Councillor N. George (Cabinet Member for Community and Leisure Services).

Councillor George advised the Committee that in July, Cabinet approved Public Space Protection Orders at Bargoed, Blackwood, Nelson and Caerphilly bus stations (including Caerphilly train station area) and a number of bus shelters. These Orders are made under new legislation and impose restrictions on a wide range of anti-social behaviour at these locations. The Orders will come into force on 12th October and will be enforced by the Police and the Authority's Community Safety Wardens. Appropriate signage will be in place in readiness for the commencement of the Orders.

Members were advised of the importance of Free School Meals and to the potential benefit to parents who pay for their child to have school meals that could save around £580 per year. Schools are also awarded Welsh Government's pupil deprivation grant for each free school meal claimant. Catering Services are again this academic year, working with other services to promote applications for free school meals. This will include media releases, staff briefings, work with the Parent Network, visits to schools and a template letter for head teachers to send to parents. The same campaign last year generated an additional 300 claimants.

In closing, Councillor George advised the committee of a number of accommodation changes that have been taking place, linked to the closure of the Civic Centre at Pontllanfraith. Public Protection Staff have begun to move into Penallta House with the majority planned to move in the last week of this month. This will include Catering, Environmental Health, Trading Standards and Licensing.

Councillor Woodyatt advised Members that the committee would receive two presentations at the meeting, from the Wales Co Operative Centre and Aneurin Bevan University Health Board. Firstly, the Wales Co-Operative Centre will explain the Principles and Social Care Enterprises. From April 2016 the Social Services & Wellbeing (Wales) Act will require local authorities to promote the use of Social Care Enterprises and the presentation will provide members with an opportunity to understand in more detail the benefits of this model of service delivery. Secondly, colleagues from the Aneurin Bevan University Health Board will present their 'Living well, Living Longer' programme.

Members were informed that Doctor Margaret Flynn, published her review into the events surrounding Operation Jasmine in July. The Director will present his report in terms of how the Authority is responding to the recommendations and make members aware of the other initiatives taking place to ensure an improvement in the quality of Care Homes.

Councillor Woodyatt advised of the recent seminar in relation to the financial challenges facing the Authority and the initial proposals brought forward within Social Services to contribute to the Medium Term Financial Plan, A report regarding the financial position of the Directorate at month 3 of 2015/16, will be presented. Members noted that good financial

management throughout 2015/16 will be essential to ensure the forthcoming challenges do not become more difficult.

In closing, Councillor Woodyatt advised the committee that an updated report would be provided in relation to the Deprivation of Liberty Safeguards (DoLS) that follows up on a report presented to Members in 2014.

The Committee thanked both Cabinet members for their informative reports.

REPORTS OF OFFICERS

Consideration was given to the following reports.

6. PRESENTATION: WALES CO-OPERATIVE CENTRE ALTERNATIVE DELIVERY MODELS – SOCIAL CARE

The Scrutiny Committee received a presentation from Andrew Jones, Business Development Manager of the Wales Co-operative Centre (WCC).

With the aid of slides, Mr Jones gave an overview of his presentation as it relates to Alternative Delivery Models (ADM's). Mr Jones informed members that this organisation was set up in 1982 and is now the largest co-operative development agency in UK. Their role is to support and train Co-operatives and Social Enterprises throughout Wales and work with public sector organisations to re-shape Public Services. The services include Day-Care, Supported Living, Respite and Dementia.

Mr Jones informed the committee of 'cuts' and to the increased pressure on both statutory and non-statutory services and of the requirement to maintain quality at a time of increasing demand and tighter budgets. Reference was made to 'The Barnet Graph of Doom' whereby that Local Authority thought that it would reach 'tipping point' within 5 years. A further example was given in relation to the City of Swansea Council, whereby their annual budget was £400 million pa and they had to make a saving of £100 million over a 5 year period (½ from Education and ½ from Social Services). Mr Jones stated that 'doing nothing is no longer an option'.

A member queried the need for such a service. The Director of Social Services confirmed that Mr Jones was invited to the Scrutiny Committee to share his experience as a report in relation to this subject had been requested by a member at a previous meeting. The Director also confirmed that under the Social Services Wellbeing Act 2014, there is a statutory duty to promote this matter.

Mr Jones informed members that the default position in relation to service delivery should be in-house but if this is no longer possible then Local Authorities should consider Alternative Delivery Models.

A discussion took place in relation to people with disabilities, the impact of how the ADM's would be held accountable for vulnerable people and the issue of funding, long term. Mr Jones assured members that the Local Authority would remain involved and that LA staff could make up 20 per cent of the Board and would have a direct role delivering the service. Staff could be TUPED across, if required. Scrutiny agreements would be reported on a 6 monthly basis. Mr Jones added that all levels of stakeholders would be involved and the WCC also work with the Voluntary Sector, which has resulted in a 'boom' for that area of activity. He further added that Council buildings could be utilised (by possibly leasing the buildings) with the service being externalised.

In closing, Mr Jones informed members that as this is a relatively new process with young organisations, it is difficult to say how many have failed, however, the percentage is quite small.

Mr Jones was thanked for his informative presentation and for responding to the questions raised by the Members.

7. PRESENTATION: ANEURIN BEVAN UNIVERSITY HEALTH BOARD LIVING WELL, LIVING LONGER

The Scrutiny Committee received a presentation from Dee Puckett, Programme Manager of the Aneurin Bevan University Health Board (ABUHB). Ms Puckett handed complimentary packs to those present, that contained water bottles, pedometers and information items relevant to the presentation.

With the aid of slides, Ms Puckett gave an overview and her presentation as it relates to Living Well, Living Longer, she referred to the role of ABUHB in reviewing the overview of patients of Blaenau Gwent West and in particular the age group of 40 – 64. (not on a disease register) living in a deprived area. She confirmed that the pilot scheme took 2 years with 10 workers, modifying behaviour changes.

Ms Puckett advised the committee of the risk assessment checks undertaken, as set out in the presentation, with other relevant factors being considered such as lifestyle, e.g. alcohol, physical activity patterns and family history. The statistics referred to premature mortality are Welsh Government based.

The committee were informed that the Healthcare Support Workers are trained in motivational interviewing and structured brief intervention. Each appointment lasts approximately 30 – 40 minutes with the results being made available during the sessions. Each citizen receives a personalised copy of their Health Check results and the results are data transmitted to the GP. Onward referrals, to support services are also available.

A member raised concerns as to the age group limit of 40 – 64 and Ms Puckett informed members that the ABUHB pilot allowed a 2 year period with 10 staff to undertake the task. The patients in Blaenau Gwent West wanted to employ a Community Worker but this was not considered feasible.

In closing, Ms Puckett, informed members that it was agreed that all patients not currently excluded via the Validation proforma would be invited to have a Health Check in Blaenau Gwent West. It was originally estimated that 25% of the 40-64 yr population in the GP Practices would already be on a chronic disease register/medication. However, in reality, between 32% - 56% were eligible to be invited. The initial Caerphilly modelling has identified 7,000 potential eligible patients, involving all GP practices.

Ms Puckett was thanked for her informative presentation and for responding to the questions raised by the Members.

8. BUDGET MONITORING REPORT (MONTH 3)

M. Jones, Interim Financial Services Manager, provided an overview of the report, which informed Members of the projected revenue expenditure for the Social Services Directorate for the 2015/16 financial year; an update on the progress made against the savings targets built in to the 2015/16 revenue budget and the projected financial position based on information available as at month 3 (June 2015).

The report highlighted the 2015/16 savings targets that have been achieved and the projected

underspends within the Directorate. Members were advised of the 2015/16 revenue budget settlement for Social Services that included targeted savings of £2.084m. Members also noted the projected underspends of £245k for Children's Services; £93k for Adult Services and £18k within Service Strategy and Business Support.

Members were pleased to note that even though the actual savings delivered in 2015/16 fall short of the £2.084m target, there would be no requirement to draw upon service reserves as other underspends are anticipated across the Directorate in 2015/16.

Members thanked the Officer for the report and discussed the £121k overspend in Management, Fieldwork and Administration and The Start Team (Pilot) and questioned whether Social Services are asking service users for ideas, ie transporting themselves to Day Centres, where possible. Officers advised that cases are dealt with on an individual basis. It was explained that the Start Team consists of 1 Team Manager, 1 Social Worker, 1 Occupational Therapist and 1 Admin Person and the Team are regarded as interventionists.

A Member sought clarification on the overspend within the Integrated Transport Unit (ITU) and whether it was as a result of a rise in fuel costs. The Officer advised that Taxi Service Rates have been considered and the Department are looking for better working practices.

Members discussed the targeted savings proposals for Social Services and a member raised a query in relation to proposals for cutting services and whether there has been a 'drop off' in the number of transport and meals on wheels users. Officers highlighted that figures were not available at present but numbers were decreasing. However, it was added that alternative service provision has been sourced for Service Users from the Shopping Service.

Members thanked the Officer for the report and noted its contents.

9. IN SEARCH OF ACCOUNTABILITY – A REVIEW OF THE NEGLECT OF OLDER PEOPLE LIVING IN CARE HOMES INVESTIGATED AS OPERATION JASMINE

Dave Street, Director of Social Services reminded Members that on 13th May 2014 Scrutiny Committee received a report explaining that Welsh Government had commissioned Dr. Margaret Flynn to undertake a thematic review of the issues surrounding Operation Jasmine, this was published on 14th July 2015 and the purpose of the review was, through a report to Welsh Ministers, to;

- Set out the experiences of those people and their families in residential care homes in Gwent that came to be known as Operation Jasmine.
- Set out the key events.
- Consider and set out actions that have been undertaken by the various parties involved in the interim.
- Set out key lessons for the future alongside recommendations regarding policy or legislation, regulation and operational practice, for the various parties involved.

The report summarised the key recommendations of the review, explained how the relevant recommendations would be implemented within Caerphilly CBC and provided an overview of the other initiatives being undertaken to ensure quality of care in care homes.

Mr Street informed Members that the lessons learned to date from Operation Jasmine have been a major factor in the ongoing developments in relation to work for the Protection of Vulnerable Adults, contract monitoring, care management reviews and focus on improving the quality of care.

Members thanked the Officer for the report and a discussion ensued in respect of Dr Daaz and the Care Homes he owned within the Borough. The Officer reminded Members that this

Review was commenced in 1995 and it was not solely in relation to Dr Das.

Members discussed whether it would be beneficial to visit a Care Home within the Borough and the provisions within such settings for families to raise concerns. The Officer confirmed that Members can visit Care Homes, and a rota of visits has been implemented. In addition, it was noted that there are Advocacy Services available for family members who have concerns and it was imperative that people know where to go, if they have concerns to raise.

Members noted that the Local Authority work much more closely with Care Homes and the CSSIW as a result of the review and there is a team in Social Services that visit Care Homes regularly providing advice and gathering statistical information.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

The Scrutiny Committee noted the report.

10. DEPRIVATION OF LIBERTY SAFEGUARDS (DoLS)

Jo Williams, Assistant Director of Adult Services provided Members with an update on the changes in the emerging case law involving authorising Deprivations of Liberty for people in Care Homes and in the community and the changes proposed by the Law Commission, currently out to consultation.

In March 2014, the Supreme Court, considered 2 cases concerned with potential Deprivations of Liberty. In the above ruling the Supreme Court clarified the criteria for judging whether the living arrangements made for a person who lacks capacity amounts to a deprivation of liberty for the purposes of Article 5 of the European Convention on Human Rights.

The ruling has many implications for how the Mental Capacity Act (MCA) is interpreted and used and for the situations in which people can be lawfully deprived of their liberty. The emerging case law is consistently redefining what is classified as a deprivation of liberty particularly in community settings.

The Law Commission were asked to review current practice and make recommendations for changes in the law and practice following criticism on MCA & DoLS by the House of Lords and the current un-sustainable position following Cheshire West.

Members were informed of the up-dated position on the current state of Deprivations of Liberty within Caerphilly, improvement initiatives within Wales and an outline of the proposed scheme within the current consultation paper ending on the 2nd November 2015.

The Scrutiny Committee noted the report.

11. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

There were no requests for items to be included on the next available agenda.

12. ITEMS FOR INFORMATION

The following item was received and noted without discussion.

- Summary of Members' Attendance – Quarter 1 – 15th May to 30th June 2015.

The meeting closed at 7.40pm.

Approved as a correct record, subject to any amendments agreed and recorded in the minutes of the meeting held on 20th October 2015.

CHAIR

CHAIR