



## HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN,  
YSTRAD MYNACH ON TUESDAY, 5TH FEBRUARY 2019 AT 5.30 P.M.

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PRESENT:

Councillor L. Binding - Chair  
Councillor J. Bevan - Vice Chair

Councillors:

C. Bezzina, D. Cushing, Miss E. Forehead, A. Gair, D.C. Harse, V. James, B. Owen, S. Skivens and C. Thomas.

Cabinet Member: C. Cuss (Social Care and Wellbeing).

Together with:

J. Williams (Assistant Director Adult Services), G. Jenkins (Assistant Director Children's Services), M. Jones (Interim Financial Services Manager), N. Broom (Customer Services Manager), C. Evans (Interim Scrutiny Officer) and A. Dredge (Committee Services Officer).

Users and Carers – Mrs M. Jones and Mr C. Luke.

### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A. Angel, M. Evans, J. Gale, L. Jeremiah, Mrs A. Leonard, D. Street (Corporate Director - Social Services and Housing), Ms J. Lawton (Co-opted Member) and Ali Gough (ABUHB).

### 2. DECLARATIONS OF INTEREST

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

### 3. MINUTES – 4TH DECEMBER 2018

RESOLVED that the minutes of the meeting of the Health, Social Care and Wellbeing Scrutiny Committee held on 4th December 2018 (minute nos. 1 - 8) be approved and signed as a correct record.

### 4. MINUTES – 6TH DECEMBER 2018

RESOLVED that the minutes of the meeting of the Special Health, Social Care and Wellbeing Scrutiny Committee held on 6th December 2018 (minute nos. 1 - 4) be approved and signed as a correct record.

**5. 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.

**6. REPORT OF THE CABINET MEMBERS**

The Scrutiny Committee received a verbal report from Councillor C. Cuss (Cabinet Member for Social Care and Wellbeing), which had been circulated to Members in advance of the meeting. He provided an update of the events that he had attended in relation to his portfolio. He was saddened to advise that the Council in conjunction with the Aneurin Bevan University Health Board has recently cancelled its contract with Valley Manor Nursing Home in Pontlottyn. In response to Members queries raised, the Cabinet Member advised that the Council had been made aware of concerns at the Home about the quality of care received going back several years. The concerns related to the lack of support provided to care staff and issues around health and medication. The Council had worked with the Health Board by providing advice and daily visits to ensure sustained improvement. The Care Inspectorate Wales (CIW) issued a number of non-compliance notices on the 3rd December 2018 who also identified the home as a service of concern. CIW provided a follow up report in January 2019 which confirmed that the issues that had been raised previously, had not been addressed. The Home has subsequently been closed and all residents have been transferred to other local Care Homes chosen by their families.

Mr Luke congratulated the residents that recently moved into the Ashfield Road Development in Newbridge. He stated that it had been a pleasure working with the individuals where his team provided safeguarding training and other activities such as cooking etc. The facility, developed by the Pobl Group in conjunction with staff from Social Services and Housing provides tenancies for eight people with a learning disability.

The Chair thanked the Cabinet Member for the update and responding to queries raised.

**7. HEALTH SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

The Interim Scrutiny Officer introduced the report that informed the Committee of its Forward Work Programme planned for the period March to April 2019. Members were asked to consider the work programme and to make any amendments or request additional agenda items to be included for future meetings.

Members discussed the next meeting scheduled for the 19th March 2019 and it was suggested this meeting be held solely to consider the report for GP closures as other (non-committee) elected Members may wish to attend. It was also suggested a Special Scrutiny Committee be held to consider the two other reports currently scheduled for the 19th March namely, Hospital Discharge and Dementia Training. In respect of the meeting scheduled for the 30th April 2019, the Foster Care Fees report will now be named Foster Care Recruitment to include Fees.

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.

RESOLVED that subject to the foregoing:

- (i) the meeting scheduled for the 19th March 2019, will solely consider the report in respect of GP closures;

- (ii) a Special Scrutiny Committee be convened to consider the two other reports currently scheduled for the 19th March namely, Hospital Discharge and Dementia Training;
- (iii) the work programme appended to the report be approved.

## **REPORTS OF OFFICERS**

Consideration was given to the following reports.

### **8. 2018/19 ANNUAL COMPLAINTS AND COMPLIMENTS REPORT**

The Chair gave permission for this item to be brought forward on the agenda.

The report provided the Scrutiny Committee with information and analysis on the operation of the Social Services Directorate's Representations and Complaints procedure from 1st April 2018 to 11th January 2019. The Report also included an overview of the compliments received during this period. Representations, complaints and compliments relating to Social Services are dealt with by the Directorate's Complaints and Information Team.

The Customer Services Manager explained that a representation is a request for information or a referral for a service made by a third party (including Elected Members) on behalf of another person. In terms of complaints, she advised that in 2014, the Welsh Government undertook a review of the "Listening and Learning" complaints guidance. This resulted in the introduction in August 2015 of the "guide to handling complaints and representations by local authority social services" (the guidance). The revised complaints process adopts a three stage approach to complaints, details of which were set out in paragraph 2.3.1. in the report.

Members were advised that by ensuring staff comply with legislation and to minimise the opportunity for information to be shared inappropriately, the Complaints and Information Team deliver awareness training sessions to all teams. During the period 1st April 2018 to 11th January 2019, 28 sessions have been carried out for 147 members of staff.

The Officer provided an overview of the complaints and compliments received and Members questions were welcomed. Clarification was sought in relation to the breakdown of Service areas for the 43% decrease (45) on the previous year's figure of 79 representations received during 2018/19. Details would be distributed to Committee following the meeting. A Member queried the significant difference in figures with reference to Adults and Children's Services relation to Stage 1 complaints for 2018/19. Officers advised that there has been a high increase in caseloads in Children's Services by approximately one third in total so proportionately, an increase in complaints could be expected. There is also a big difference with Children's Services as quite often families simply do not want any Social Services involvement. Common themes of complaints relate to decision making and communication. Clarification was also provided in terms of POVA complaints and the criteria required for a full POVA investigation or where the complaint is progressed via the complaints process.

Members noted that praise is received by teams in the form of thank you cards, letters and emails and these are logged by the Complaints and Information Team. In addition, annual survey responses by some service areas results in positive feedback that can be used to measure the success of the Directorate in those areas.

The Chair thanked the presenting Officers for delivering the report and responding to questions raised during the course of the debate.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved.

RESOLVED that the contents of the report be noted.

## **9. BUDGET MONITORING REPORT (MONTH 9)**

The report updated Members on the projected revenue expenditure for the Social Services Directorate for the 2018/19 financial year and set out the progress made against the savings targets built in to the 2018/19 revenue budget for the Directorate.

The Interim Financial Services Manager advised that the projected financial position for the Social Services Directorate for the 2018/19 financial year set out in the report was based on information available as at month 9 (December 2018). The report identifies a significant projected underspend for the Directorate for the current financial year due to non-recurring savings and short term funding streams but highlights longer term budget pressures relating to services for adults, particularly those with learning disabilities. The Scrutiny Committee were referred to Appendix 1 that provides a detailed analysis of overspends and underspends across the directorate. Attention was also drawn to paragraphs 4.2.3 and 4.2.4 of the report which set out how various strategies within the Children's Services division have mitigated the financial impact of a further increase in the numbers of looked after children. The report identifies the savings targets that have been factored into the Directorate's budget for 2018/19 and highlights the good progress made towards achieving those targets.

Members noted the Children's Services Division is currently projected to underspend its budget by £1,036k. In terms of Adult Services, a number of budget virements have been undertaken since the month 5 position was reported to Members on 23rd October 2018. This reflects the transition of previous Independent Living Fund grant recipients in to mainstream social care services. These virements are summarised in paragraph 4.3.1. in the report. It was also noted that the Adult Services Division is currently projected to underspend its budget by £255k while Service Strategy and Business Support Services are currently projected to underspend by £137k.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved.

RESOLVED that: -

- (i) the projected underspend of £1,428k against the Directorate's budget for 2018/19 and the projected overspend of £118k against the Directorate of Communities' transport budget for 2018/19, be noted;
- (ii) the budget virements set out in paragraph 4.3.1 and the proposed application of Supporting Sustainable Social Services Grant funding set out in paragraphs 4.1.3, 4.1.4, 4.2.2, 4.2.5 and 4.3.6, be noted;
- (iii) the progress made towards delivering the savings target of £1.328m that was included in the Directorate's budget for 2018/19, be noted.

## **10. NON RESIDENTIAL SOCIAL SERVICES CHARGING**

The report sought Members' views in respect of the proposed changes to the current non-residential charging model to ensure equity for all Service users and also that the Council is complying with the Social Services and Well-being (Wales) Act 2014.

The proposed changes include charging for the support element of domiciliary care, charging for day opportunities provided in a community setting and charging for day opportunities provided by independent and third sector providers.

Members were advised that inequities in the system have been identified. The current position is that individuals for the support element of domiciliary care that they receive are not being charged. Buildings based day care is subject to the non-residential charging policy whereas community based day opportunities where individuals access their local community often with 1:1 support is not subject to the charging policy. The options available for Members' consideration was set out in paragraph 4.12 in the report.

The Scrutiny Committee discussed the report and proposals contained therein. They referred to the cross-party working group that had been established in 2013 that consisted of Members of the Scrutiny Committee that considered this position at that time regarding the current policy. Members expressed that this would be an opportune time to establish a Task and Finish Group to consider the policy and future charges and make recommendations to the Executive by ensuring that a coherent policy is in place for future years that is also fit for purpose.

Clarification was sought in respect of paragraph 4.2. in the report relating to waived and deferred charges. Officers advised that payments could be deferred for example in cases where there are safeguarding issues and an individual may be at risk if services are not received.

Members supported the recommendations in the report in principle with a change to paragraph 10.1 and 10.3. to include the duration of a 2 year period and not 5 years. Members considered this to be an opportune time to establish a Task and Finish Group to consider future charges and whether the Charging Policy remains fit for purpose.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved.

RESOLVED that for the reasons outlined in the Officers report and discussed at the meeting: -

- (i) the charging for domiciliary support services via application of Caerphilly's Non-Residential Charging Policy which complies with the legislation as set out in the Social Services and Well-being (Wales) Act 2014, be agreed;
- (ii) the proposal of charging for all buildings-based day opportunities at a daily rate and for community based day services at an hourly rate via application of Caerphilly's Non-Residential Charging Policy which complies with the legislation as set out in the Social Services and Well-being (Wales) Act 2014, be agreed;
- (iii) the level of inflationary uplift in charges for non-residential care for 2019/20 and subsequent financial years continue to increase the hourly rate by 10% per annum and the daily rate by 20% per annum, for a period of 2 years and subject to review by a Task and Finish Group.

The meeting closed at 6.45pm

Approved as a correct record, subject to any amendments agreed and recorded in the minutes of the meeting held on 19th March 2019.

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CHAIR