



## HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN,  
YSTRAD MYNACH ON TUESDAY, 2ND DECEMBER 2014 AT 5.30 P.M.

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PRESENT:

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

Councillors:

Mrs E.M. Aldworth, L. Binding, Ms E.J. Gale, L. Gardiner, N. George, C.J. Gordon,  
G.J. Hughes, A. Lewis, S. Morgan, J.A. Pritchard, A. Rees.

Cabinet Member: Councillor R. Woodyatt.

Together with:

D. Street (Corporate Director Social Services), G. Jenkins (Assistant Director Children Services), J. Williams (Assistant Director Adult Services), M. Jones (Finance Manager), S. Howells (Service Manager for Older People), J. Jones (Democratic Services Manager), S.M. Kauczok (Committee Services Officer).

Users & Carers: Mr C. Luke.

### 1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors A.P. Angel, Mrs G. Bevan, Mrs P.A. Griffiths, Ms L. Price, Mrs J. Morgan, Mrs M. Veater MBE and Sarah Glyn Jones (CSSIW).

### 2. DECLARATIONS OF INTEREST

Councillor C. Gordon declared a personal interest in agenda item 8 in that a close relative used to be in receipt of the shopping service.

### 3. MINUTES

RESOLVED that the minutes of the following meeting be approved as a correct record and signed by the Chairman: -

1. Health, Social Care and Wellbeing Scrutiny Committee held on 21st October 2014 (minute nos. 1-12).

**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 MEMBER**

The Scrutiny Committee received a verbal report from Councillor R. Woodyatt, Cabinet Member for Social Services.

It was hoped that representatives of CSSIW would be attending the meeting to present the Annual Performance Evaluation for 2013-2014 for Caerphilly. Unfortunately they were unable to attend and had tendered their apologies. It was noted that the report recognises the improvements made during the last financial year and identifies areas for further development.

Members were asked to note that there would be discussion on the current performance management information under agenda Item 10 which is a timely reminder of the consistent performance of the Directorate. Reports would also be presented providing updates on the MTFP proposals previously discussed at Committee. In addition, a report would be received on a recent Supreme Court Judgement in relation to Deprivation of Liberty, which will have an impact on working practices within Adult Services.

Since the last Scrutiny Committee, Councillor Woodyatt had attended the Celebration of Achievement Awards in partnership with Blaenau Gwent. This was a wonderful opportunity to recognise the achievements of staff at all levels and to publicly thank them for their hard work and commitment. Councillor Woodyatt had also had the pleasure of starting the "Walk a Mile in her Shoes" walk around Caerphilly Castle, drawing attention to the White Ribbon Campaign against domestic violence against women.

In addition, it was noted that Carers from the South East Wales Adult Placement Scheme managed by Caerphilly had recently won a National Gold Award at the Care Forum Wales Awards. Earlier in the day Councillor Woodyatt had visited Bon Bon Buddies in Oakdale to receive a donation of Christmas goodies for the Santa Appeal.

Finally, the Scrutiny Committee received the news that following her secondment to Merthyr Tydfil, Lisa Curtis-Jones had been appointed to the permanent Head of Service post. The Scrutiny Committee extended their congratulations to Lisa and wished her every success in her new role.

The Chair thanked Councillor Woodyatt for his report and invited questions. Members sought confirmation that the post vacated by Lisa Curtis-Jones at CCBC would be filled on a permanent basis in the future and looked forward to discussing the Annual Performance Evaluation for 2013-14 with CSSIW in February 2015.

**6. CABINET REPORTS**

There had been no requests for the Cabinet report - Charging for Telecare Services - dated 12th November 2014 to be brought forward for discussion at the meeting.

**SCRUTINY REPORTS**

Consideration was given to the following reports.

## **7. CSSIW ANNUAL PERFORMANCE EVALUATION 2013-2014**

It was noted that CSSIW had tendered their apologies for the meeting. The report was therefore deferred to the next meeting of the Health Social Care and Wellbeing Scrutiny Committee in February 2015.

## **8. SHOPPING SERVICE**

Councillor C. Gordon declared a personal interest in this item as he has a close relative who used to receive the service.

The Assistant Director Adult Services presented the report, which provided additional information on the discretionary shopping service, as part of the agreed budget strategy for 2015/2016.

At the special meeting of the Scrutiny Committee on 16th October 2014 members requested additional specific information on the shopping service which is provided as part of a care package. Since that time the survey had been re-run and sent to the 124 users of the shopping service only. A total of 42 questionnaires were returned which equates to a 34% response rate.

It was noted that one full time employee had been appointed to a fixed term Engagement Officer post until 31st March 2015. The Officer is developing knowledge of local communities and services available from local shops, supermarkets, local eateries that deliver meals and independent agencies that provide shopping services.

Care providers currently undertake the shopping service for individuals, with this service primarily being commissioned from the independent sector at a cost of circa £13.50 per hour. In 12 cases the service is provided by the in-house Home Assistance Reablement Team (HART), as part of a care package. A review of a range of providers has indicated prices to individuals for this service vary and on average would be £12.00 per hour.

During the course of the ensuing discussion clarification was sought on the criteria that would be applied to assess whether an individual would require the service. Officers advised that social workers would carry out the assessments and the situation would be kept under constant review under the care package. Assurances were given that the Authority would meet a person's need for a shopping service if necessary.

Following consideration and discussion it was moved and seconded that the recommendation to withdraw the service be endorsed and people be sign posted to other appropriate options, on the understanding that if none of these options are suitable for an individual, the Authority will ensure that the service continues to be provided to that person and kept under constant review as part of the care package. By a show of hands this was unanimously agreed.

## **9. DRAFT SAVINGS PROPOSALS**

The report, which was presented to Cabinet on 29th October 2014, provided details of the Provisional 2015/16 Local Government Settlement along with an updated Medium Term Financial Plan for the period 2015/16 to 2017/18. Details were received of the proposed savings for 2015/16 totalling £12.208m and a proposal to increase Council Tax for 2015/16 by 3.9%.

The Scrutiny Committee noted the report.

## 10. PERFORMANCE MANAGEMENT 2014/15

The Corporate Director Social Services presented the report, which informed the Scrutiny Committee of the position in relation to the performance management figures for both Adult Services and Children's Services for the period up to September 2014.

Both the Adult Services and Children's Services Divisions have a range of national and local indicators that oversee the work of the Divisions. The targets are set at the start of each financial year and managed via the Authority's Ffynnon system. The targets are a mix of national indicators set by Welsh Government (SCA's and SCC's) and local indicators (ASPI's). Performance figures for Adult and Children's Services as at September 2014 are attached at Appendix 1 of the report.

Adult Services has a total of 15 national and local indicators several of which justified further comment. Members were aware that delayed transfers of care continues to be a challenging area for the Authority. The position at September 2014 is showing improved performance but it is accepted that the Authority is entering a particularly challenging time of year and this would need to be monitored closely. In terms of ASPI 02, delays in this area were primarily due to the Occupational Health Team, which was carrying two vacancies. Members were advised that these two posts had now been filled. Other areas are Older People Mental Health and Substance Misuse where delays are currently being examined in more depth. Members were reminded of the difficulty in validating performance against ASPI 17 and 18 as the Adult Mental Health Teams are putting the information into Epex (the Health System).

Children's Services have a total of 47 national and local indicators, several of which required further comment. It was noted that SCC/025 is currently Amber due to incorrect recording. In terms of CSPI 01, 186 children were 0-4 and were not seen alone. Therefore out of a possible 519 children, 258 were seen alone by a worker, which equates to 69%.

During the course of the ensuing discussion further information was sought with regard to ASPI 02 and ASPI 17. Officers advised that two Occupational Therapists had since been recruited which should improve the figures for ASP1 02 and in relation to ASP1 17, a lot of work was being undertaken on the validation which should result in more accurate information being provided in the future.

The Scrutiny Committee noted the report.

## 11. DEPRIVATION OF LIBERTY

Mr S. Howells, Service Manager for Older People, presented the report, which had been requested by a Member of the Scrutiny Committee. The report informed Members of the changes in case law involving authorising deprivations of liberty for people in care homes and in the community.

In March 2014 the Supreme Court considered two cases concerned with potential deprivations of liberty. The judgement known as the "Cheshire West" case has introduced a revised test about the meaning of a deprivation of liberty. The Supreme Court has now clarified that there is a deprivation of liberty for the purposes of Article 5 of the European Convention on Human Rights when the person is: under the continuous supervision and control (and the care provided is imputable to the state); is not free to leave; the person lacks the capacity to consent to these arrangements. The five guiding principles in considering whether people lack mental capacity are listed in paragraph 4.4 of the report.

It was noted that there are different processes when considering deprivation of liberties depending on where the person lives. For people who live at home or in community settings deprivations of liberty can only be authorised by the Court of Protection. For people who live in care homes or are currently occupying a bed on a hospital ward, the deprivation can be

authorised by a Supervisory Body. This Authority is both a Supervisory Body and a Managing Authority under Deprivation of Liberty Safeguards.

To respond to deprivations of liberty in care homes Caerphilly is part of a Pan Gwent Consortium where assessments are coordinated through a small DoLS Team managed by ABUHB. Before the Supreme Court judgement the Team comprised 2 Best Interest Assessors (BIS's) supported by casual staff and administration. The original funding for the Team was via grant funding for DoLS from Welsh Government. Subsequent to the judgement authorisation was given to recruit 2 additional BIA's from existing resources. Further funding has recently been agreed to increase the staffing by 6 FTE with agreement for each statutory body to contribute funding for a further BIA including associated training costs.

The Supreme Court judgement is recognised as having a significant increase in the demand for assessing for potential deprivation of liberty. This has significant implications for current social work practice specifically in increased complexity and time management should numbers increase substantially. A screening tool has been implemented to identify those individuals at greatest risk in order to prioritise their assessment over those who would normally not have fallen within the criteria of the safeguards. The level of required advice and activity around cases will also have implications for Legal Services.

Members expressed concerns in relation to the financial implications for Local Authorities together with the likelihood of increased workloads for staff. Officers estimated that there would be significant financial and staffing implications and had estimated that Caerphilly would need 8 BIA's. Mr Street advised that a steering group of directors meets on a regular basis and extensive representations had been made to Welsh Government in terms of the financial impact.

Arising from the ensuing discussion, It was agreed that an update would be brought back to the Scrutiny Committee in six months. In addition, following a Member's request, Officers would forward details of the two cases referred to in paragraph 2.1 of the report to all members of the Scrutiny Committee.

Following consideration and discussion, it was moved and seconded that the recommendation in the report to note the changes in the case law and the implications for practice and resources, be endorsed. By a show of hands this was unanimously agreed.

## **12. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA**

Councillor E.J. Gale referred to a previous request regarding the feasibility of Members visiting private residential care homes. The Assistant Director Adult Services advised the Scrutiny Committee of a recent meeting she had attended during which providers had confirmed that they would welcome ward members visiting their establishments.

## **13. ITEMS FOR INFORMATION**

The following item was received and noted without discussion.

1. Summary of Members' Attendance - Quarter 2 - 1st July 2014 - 30th September 2014.

## **14. ANNUAL REPORT FOR MENTAL HEALTH**

A Member of the Scrutiny Committee had requested that this information report be brought forward for discussion at the meeting. Officers were requested to make representations to the Health Board in terms of the dark background colours used within the report, which made the text difficult to read in places.

The Annual Report had been co-produced between people who have a mental health issue and those who provide services that support good mental health and well-being. The report covers the whole of Gwent via 6 statutory organisations and 5 unitary authority areas. It highlights some aspects of the work of the Mental Health and Learning Disability Partnership Board over the past year. The report also reflects the priorities and areas of preferred updates from people who use the service and their carers and finally, it presents areas of good practices that staff have selected to be included within the Annual Report.

During the course of the ensuing discussion, officers responded to the various issues raised by Members in relation to the report. In terms of information that was sought regarding the CAMHS (Child and Adolescent Services) strategy, Mr Street pointed out that the Health Board, who had tendered their apologies for the meeting, would be in the best position to respond to this matter. He agreed to discuss the matter further with the Member concerned following the meeting.

The Scrutiny Committee noted the report.

The meeting closed at 6.56 pm.

Approved as a correct record subject to any amendments agreed and recorded in the minutes of the meeting held on 10th February 2014.

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CHAIR