

A T A M E E T I N G

- of the -

**HEALTH, SOCIAL CARE AND
INCLUSION SCRUTINY PANEL** held
at the Council House, Walsall on **28
SEPTEMBER 2006** at 6.00 p.m.

PRESENT

Councillor Oliver	(Chair)
Councillor D.Pitt	(Vice-Chair)
Councillor Ault	
Councillor Barton	
Councillor Griffiths	
Councillor Micklewright	
Councillor Robertson	
Councillor Woodruff	
Councillor Tweddle	
Councillor Paul	

ALSO PRESENT

Ray Walters	T&G
Dave Harrison	T&G

OFFICERS PRESENT

Kathy McAteer	Interim Executive Director Social Care & Supported Housing
Sue Byard	Assistant Director – Strategic Housing
Steph Simcox	Head of Leisure and Culture
Brandon Scott-Omenka	Head of Quality and Performance Monitoring
Andy Cross	Head of Older Peoples Services
Andy Flood	Procurement Specialist – Social Care & Inclusion
Lawrence Brazier	Procurement Manager
Nikki Ehlen	Scrutiny Officer

10/06 APOLOGIES

Apologies for non attendance were submitted on behalf of Councillor McCracken.

11/06 SUBSTITUTIONS

The chair advised the panel of the following changes to the membership of the committee for the duration of the meeting: -

- Delete: Councillor McCracken
- Substitute: Councillor Tweddle

12/06 DECLERATIONS OF INTEREST AND PARTY WHIP

Councillor Pitt declared an interest as an employee of the West Midlands Ambulance Service. Councillor Micklewright declared an interest as a member of the Development Control Committee.

13/06 LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Members noted that there were no items for consideration in private at this meeting.

14/06 MINUTES OF PREVIOUS MEETING HELD ON 27 JULY 2006

That the minutes of the meeting held on 27 July 2006, copies having been previously circulated to each member of the panel be approved and signed by the chair as a correct record.

15/06 QUARTER ONE FINANCIAL REPORT YEAR END 2005/06

Steph Simcox introduced herself to the panel and explained that she would be reporting on the 2005/06 outturn position and updating the panel on the current financial year.

Steph spoke to the presentation (annexed).

Steph Simcox explained that the current position of 2006/07 was that the directorate would incur a small overspend, providing that the current action plan achieved its objectives. Steph informed the panel that pressures in 2006/07 included a continued, increased demand for services. Officers discussed pressures and stated that although the corrective action plan was in place, any corrective actions were offset by increased needs of service users.

Councillor Robertson stated that he felt that there was a fine balance between reducing the number of staff to achieve savings and consequently negating the employment of agency staff. He asked officers if there was an appeal process for unsatisfied service users.

Kathy McAteer informed the panel that complaints were received through the social services complaints system, and service users were made aware of this procedure.

Councillor Robertson asked how healthcare was billed. Kathy McAteer explained that the tPCT were invoiced where care packages were part-funded.

Councillor Barton asked officers how long it took to assess service users' needs. Kathy McAteer stated that community care assessment took place within 2 days and were completed within 4 weeks.

Kathy McAteer stated that the rate of people being assessed, where the assessment starts within 2 days, has improved from 40% last year to 80% this year.

Councillor D Pitt asked officers if there were any instances of beds being blocked due to unsuitable care in the communities.

Officers replied that Walsall Council was one of the best performing authorities on delayed transfers from hospital, and advised the panel that once a person was assessed the Council had a legal responsibility to provide care for the person.

Councillor D Pitt asked if there were any financial deficits which would result in a reduction of services.

Kathy McAteer explained that there were 4 thresholds of need, and that the Council agreed policy is to provide services to those with substantial or critical needs. The criteria cannot be changed without a cabinet decision and formal consultation. This means that that these people had to be provided with a service or placed on a waiting list.

Councillor D Pitt asked if social services were planning to cut back on care packages currently provided to service users.

Kathy McAteer explained that this would only occur if their needs had reduced following a re-assessment.

Dave Harrison asked officers to clarify the statement to 'implement in-house salary savings' which was included on the presentation slide; officers explained that this was intended to mean that the service should avoid appointing interim staff.

Steph Simcox informed the panel that the directorate would be re-evaluating the action plan with a view to report back to Cabinet on 18 October.

Councillor Oliver expressed concern that overspends would affect service development in the future.

Officers and members discussed the possibility of exploring this issue in more detail at a future meeting.

Steph Simcox explained that the current process was to set a balanced budget for 2007/08, and the panel would have the opportunity to give their comments back to Cabinet.

Members and officers discussed the direct payment rules around the payment of relatives.

Councillor Robertson stated that the voluntary sector was an important factor in providing services where the Council does not, and asked officers if they had met the new director of Walsall Voluntary Action

Kathy McAteer informed the panel that she had met the new director of the WVA and that they had agreed to meet again in the future.

16/06 ADULT SOCIAL SERVICES – DELIVERY & IMPROVEMENT STATEMENT (DIS) 2006

Brandon Scott-Omenka advised the panel that a copy of the DIS can be obtained through the website or hard copies can be made available to members.

Councillor Robertson drew officers' attention to the areas of achievement in 2005-06 and stated that it may be useful for members to see actual percentages to evidence statements. Officers noted Councillor Robertson's suggestion.

17/06 HEALTH, SOCIAL CARE AND INCLUSION SCRUTINY PANEL SCORECARD APRIL – JUNE 2006

Brandon Scott-Omenka tabled the scorecard and apologised that members had not seen this document previously.

Councillor Oliver asked if it was possible to track ex-Goscote patients. Officers offered to bring a briefing note on this to a future meeting.

Councillor Ault asked officers for an update on community meals. Kathy McAteer informed the panel that the Council was ready to go out to tender for a service that included hot and cold meals. Kathy explained that a delay had been experienced due to legal complications of the rules governing TUPE of staff.

Councillor D Pitt drew the panel's attention to LP17 on the health, social care and inclusion scrutiny panel scorecard and asked how long service users were waiting for referrals to occupational therapy.

Kathy McAteer explained that at the moment category 'A' patients were seen more quickly, waiting a maximum of 8 – 10 weeks.

Sue Byard explained that once a referral was made to the grants section, every case was visited within 3 weeks. Sue stated that the Aids and Adaptations working group would receive more detail on these referrals.

Councillor Ault asked why there was a delay in applying for the grant and the work being completed.

Sue Byard explained that this was because there were a limited number of builders in the area, but that processes were in place to improve the delays.

Councillor Ault stated that in his experience communication with service users needed to be improved. Sue Byard stated that all cases were a priority, but that due to the volume of work it was not always possible to see everyone as quickly as they would like.

18/06 FEEDBACK FROM WORKING GROUPS AND SPECIAL MEETINGS

Councillor D Pitt gave feedback to the group on the information that Margaret Wilcox gave at the Health panel on 21 September 2006.

19/06 FEEDBACK ON OLDER PEOPLES INSPECTION

Andy Cross tabled the inspection of social care services for older people inspection report and explained that the document was embargoed until 27 September 2006.

(tabled)

Andy Cross informed members that an action plan would be formulated to address the issues raised by the social care services for older people inspection report, and this would need to be approved by the Commission for Social Care Inspection (CSCI). He asked members to scrutinise the action plan before it was approved by Cabinet.

Members agreed to receive the social care services for older people action plan.

Councillor Ault asked how the First Stop Shop dealt with enquiries on services for older people. Kathy McAteer explained that the First Stop Shop signposted people to adult social services. Kathy added that a piece of work was being completed through locality teams to develop a single point of access, and that this would provide a direct link to the First Stop Shop.

Councillor Ault expressed concern that this process may not address people's needs quickly enough.

Kathy McAteer stated that she recognised that progress had been made but that there was still a lot of work to be done.

Councillor Woodruff congratulated the management team on the work they had done to improve the service.

Members agreed that it was important to address the needs of Black and Minority Ethnic (BME) groups and provide adequate services to address these needs.

Andy stated that BME groups needed to be more engaged and that it was acknowledged that there were no easy solutions to achieve this, Kathy McAteer stated that it would take time to achieve the actions and realistically this could be over a 2 year period.

Andy Cross explained to the panel that a final draft of the action plan would be submitted on 18 October, and at the first available panel the action plan would be provided to the panel for members to scrutinise.

RESOLVED

That members will receive the social care services for older people inspection action plan at the first available panel.

20/06 OLDER PEOPLES REPROVISION GATEWAY REVIEW

Lawrence Brazier explained to the panel that the reprovision of older people's services was at a stage where it was just prior to the investment decision. Andy Cross explained that 2 different models were being explored; these were that staff

would either remain employed with the Council or would be transferred to be employed by the successful bidder. The panel were advised that on 18 October Cabinet will be requested to consider a risk analysis and a value for money assessment of the preferred bidder.

Councillor Oliver asked officers for an explanation of why the number of bidders had been reduced to one sole bidder. Andy Cross explained that a shortlist of 3 providers and a reserve provider had been identified. After a draft contract had been provided to bidders, one provider felt that they would be happy to provide the service but not in open competition. Officers stated that the process was incredibly expensive for bidders and they had to make a judgement as to whether they were likely to be awarded the contract. This means that some bidders decide to withdraw because the market leaders in this field had submitted a bid. Officers confirmed that one particular bidder was a significant way through the process before withdrawing.

Councillor Oliver expressed concern that the sole bidder was the market leader for the provision of this service. Andy Cross stated that it was important that the procurement process was secured with a high quality bid.

Councillor Robertson stated that he was concerned that the Council does not have a contingency plan.

Andy Cross explained that there were external financial implications, and that public sector comparisons had to be completed to ensure value for money was being received. Officers explained that a strategy was developed as a contingency plan with a series of alternatives; these did not allow the service to be developed as a single project, but with elements of the service bundled up. Officers acknowledged that this would not offer the same value for money as a single provider.

Ray Walters explained that as a trade union representative there were 3 major concerns. Ray advised the panel that one of these was the issue of pensions and was currently being addressed; the other was that if staff were transferred, the Council would lose control of staff and also that the particular company bidding operated a 2 tier wage system.

Andy Cross noted his concerns and stated that the panel would consider them in the negotiations.

Lawrence Brazier explained that the relationship between the bidder and the Council would be contractual and that this would negate certain requirements.

Councillor Oliver asked what the projected timescales were. Andy Cross explained that this would depend on the nature of the contract. Kathy McAteer clarified that the next phase would be to seek approval to progress with the contract negotiations at Cabinet on 18 October, and to consult with service users over a statutory 12 week period. Following this a report to Cabinet would be taken in February, and would come to scrutiny at the end of January, where details of the contract can be viewed. Kathy explained that once this had been to Cabinet at the end of February the timescales would be determined by the nature of the contract. If staff were to be transferred under TUPE, then further consultation timescales would apply.

RESOLVED

That the panel receive a report at the next phase of the reprovision of older people's services.

21/06 TRAINING OPPORTUNITIES

The panel noted the training opportunities.

22/06 FORWARD PLAN

Kathy McAteer clarified that there were inaccuracies on the forward plan.

23/06 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 22 November 2006 (budget).

TERMINATION OF MEETING

There being no further business the meeting terminated at 7.50 p.m.

Chairman

Date