

**SOCIAL CARE, HEALTH AND HOUSING SCRUTINY COMMITTEE**

**(Committee Rooms A/B - Neath Civic Centre)**

**Members Present:**

**8 October 2015**

**Chairperson:** Councillor Mrs.D.Jones

**Vice Chairperson:** Councillor Mrs.A.Wingrave

**Councillors:** J.S.Evans, R.James, J.Miller, L.M.Purcell,  
A.Taylor, J.Warman and D.Whitelock

**Officers In Attendance** Mrs.C.Marchant, Mrs.A.Thomas, G.Evans,  
S.Garland, A. Greenow, J. Stevens and  
S. Sullivan

**Cabinet Invitees:** Councillors P.D.Richards and J.Rogers

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1. **MINUTES OF THE PREVIOUS SOCIAL CARE, HEALTH AND HOUSING SCRUTINY COMMITTEE HELD ON 10TH SEPTEMBER 2015.**

The Committee noted the Minutes.

2. **SCRUTINY FORWARD WORK PROGRAMME 2015/16.**

The Committee noted and agreed the Forward Work Programme.

3. **MANAGED CARE, SAFEGUARDING AND QUALITY REPORT CARD**

Members considered the Managed Care, Safeguarding and Quality Report Card, which the Committee received as part of the new performance management framework of the Council.

Members drew attention to the abbreviations and acronyms used throughout the report and asked for this to be kept to a minimum in future.

The Committee asked if there were any measures built into the service to monitor customer satisfaction and were informed that customer and service user satisfaction was a key part of the quality assurance framework built into the service. As part of case file reviews, service users and families are contacted and regular surveys and questionnaires are conducted to consider their views and to test if what the service is doing is working. Members agreed that it could be worthwhile considering the service user and family feedback in their performance reporting, incorporating a 'what do they think of us' section.

Members asked for further information in relation to Deprivation of Liberty Safeguards (DOLS) referrals. They were informed that in 2013 there were 8 referrals and this year there have been 780 which represents a 10,000% increase in referrals. Members heard that this significant increase has resulted in cost and service pressures as well as having a significant impact on staff in the service.

Members asked if the recent case law in relation to 'sleep in' support had been implemented and asked for further information in relation to the decision. They were informed about the duties of 'sleeping in' and 'wakeful' and that the legal decision will have an impact on costs in the service.

Members queried the figures included in the performance data and asked for clarity on what the figures in brackets represented; officers committed to bringing back further information in relation to this data to a future meeting.

Members questioned the sickness data presented in the report. They highlighted that sickness levels in the service were reported at 3.2% in August 2015 but also that the report stated that the service would continue to work to 'reduce towards the 5% target required'. Members sought clarity that sickness absence levels were in fact 3.2% and were assured that this was correct and that focussed efforts would continue to actively manage sickness absence to keep it within accepted levels.

Following scrutiny the report was noted.

4. **SCRUTINY RECOMMENDATIONS FOLLOWING THE INQUIRY INTO SECTION 33 OF THE NATIONAL HEALTH SERVICE (WALES) ACT 2006 OVERARCHING PARTNERSHIP AGREEMENT**

The Chairperson presented the Scrutiny Recommendations following the half day inquiry held by the Committee into the proposed section 33 of the National Health Service (Wales) Act 2006 Overarching Partnership Agreement as contained within the circulated report.

In response to the recommendations, legal representatives gave an explanation of 'reasonable endeavours' as per sections 15.6 and 15.7 of the agreement. Members were informed that in this context 'reasonable endeavours' constituted a determined effort by either party and in this context to protect one party against the liabilities of the other.

Members additionally sought an explanation as per section 16 of the agreement in relation to 'variations'. They were informed that any variations to the agreement which are considered throughout the review processes will need to go through the governance procedures laid out in the agreement for approval.

Following the half day inquiry held by the Committee on the proposed section 33 of the National Health Service (Wales) Act 2006 Overarching Partnership Agreement and the explanation of certain sections of the agreement by legal representatives Members of the Social Care, Health and Housing Scrutiny Committee were supportive of the proposed s.33 agreement overall but made the following recommendations to be considered by the Cabinet Board:

- Members welcomed the reference to Scrutiny but felt the section needed to be strengthened to make explicit reference that the Social Care, Health and Housing Scrutiny Committee receives quarterly overview reports which will include budget, performance and complaints data. These reports will be presented to the Committee by the Pooled Fund Manager and the ABMU Locality Manager will attend on request.
- That the Western Bay Programme Manager is invited to attend a meeting of the Social Care Health and Housing Scrutiny Committee to present an overview of the Western Bay programme and project streams therein.

## 5. PRE-SCRUTINY

The Committee scrutinised the following matters:

### Cabinet Board Proposals

#### 5.1 NPT Homes Progress Report to September 2015

Members received the overview of progress made by NPT Homes in respect of the promises made to tenants in the Council's Offer Document as contained within the circulated report.

Members asked for information in relation to the length of time taken to resolve issues and complaints when they are submitted. It was explained that sometimes investigations are needed into the cause of the issue and sometimes the issues need to go back to individual contractors to go through their own insurance processes which can sometimes cause delays but in all instances issues and complaints are dealt with and resolved as quickly as possible.

Members queried if a 'one size fits all' model is used for all houses or if the age and style of the house is considered when exterior work is completed. It was explained that while the end product will look the same and uniform, different techniques are utilised depending on the age and style of the house.

Members inquired if there was a holistic approach to the work that is done on a property i.e. if there is a 'project manager' for each. It was explained that different contractors are each responsible for certain aspects of renovation i.e. kitchen, bathroom, re-wiring. The Tenant Group had decided to approve an elemental rather than a whole house approach which allowed for more houses to be completed at a quicker pace.

Further information was sought in relation to the reviews

Members asked if reviews on approved contractors are undertaken and were informed of the process. Members were pleased to note that satisfaction questionnaires are conducted with tenants, the results of which are closely monitored. Those

contractors who receive high satisfaction scores are allocated more work for the next six month period.

Members expressed their thanks to the frontline staff at NPT Homes and asked for further information in relation to the procedure for when tenants do not look after their properties. It was explained that this can sometimes be a breach of tenancy but there are Tenancy Support Schemes and Intensive Housing Management Schemes in place and there is strong partnership working with Social Services, Health and South Wales Police.

Clarification was sought on the processes for out of hours and weekends. Members were informed that there is an emergency contact number for use out of hours and at weekends.

Following scrutiny, the report was noted.

## 5.2 Safeguarding and Quality Annual Report 2014-15

Members received an overview of the key activity in the Safeguarding and Quality area of Adult Services and highlighted key issues leading into 2015/16 as contained within the circulated report.

Members were pleased to note the decrease in the number of referrals over the four year period and noted that a significant proportion of referrals were from providers; the highest number of referrals were from people at home followed by care homes and that neglect is the highest form of abuse. Members were also pleased to note that a significant number of Social Workers had been trained up to carry out the role of Designated Lead Manager who are responsible for the coordination of the protection plan and delivering safeguarding responsibilities.

Members also noted that 'frailty and older people' is now a category included in defining disability.

In terms of the Quality and Reviewing Team, Members were informed that there is a dedicated Quality Reviewing Officer in place for each care home.

Members discussed the Rota Visits that they (as Members of the Social Care, Health and Housing Scrutiny Committee) would be undertaking to Care Homes over the Autumn.

Members asked if there was a mandatory staffing ratio and officers explained the dependency tool that is used to determine the staff/service user ratio and as the commissioning body, the Local Authority is responsible for carrying out quality checks to ensure that the tool is being used adequately and accurately. Members further discussed the monitoring role of CSSiW (Care and Social Services inspectorate Wales) as well as the roles of Environmental Health in terms of inspecting areas such as kitchens in Care Homes.

Following scrutiny, the report was noted.

## 6. **URGENT ITEM**

Pursuant to Section 100B (4) (b) of the Local Government Act 1972, the Chairperson raised the decision taken by the Cabinet on October 7<sup>th</sup> 2015 re 'Creating an Arms' Length Company for Social Care?' which outlined the possible setting up of a new business model for the delivery of Domiciliary Care. She advised Members that following receipt of legal advice, the Authority's Constitution did not allow for the Social Care Health and Housing Scrutiny Committee to 'call-in' a decision of Cabinet as it was not the relevant Scrutiny Committee in relation to Cabinet.

Members were asked to note that Cabinet had agreed that the next phase would be to develop a full business case by no later than March 31<sup>st</sup> 2016 and this business case would be presented to the Cabinet Scrutiny Committee and Cabinet for decision.

### Reason:

In order to clarify the position regarding a decision taken by Cabinet on 7<sup>th</sup> October 2015.

## 7. **ACCESS TO MEETINGS**

**Resolved:** that pursuant to Section 100A(4) and (5) of the Local Government Act 1972, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraphs 12 and 14 of Part 4 of Schedule 12A to the above Act.

## 8. **PRE-SCRUTINY**

The Committee scrutinised the following matters:

### Cabinet Board Proposals

#### 8.1 Supporting People Local Commissioning Plan 2014-17

The Committee received the Supporting People Local Commissioning Plan 2014-17 as contained within the circulated report.

Members queried why, out of 24 providers information was only submitted by 11. Officers agreed that this was disappointing and agreed that they need to work with providers to encourage them to respond.

Following scrutiny, the Committee was supportive of the proposal to be considered by Cabinet Board.

#### 8.2 Afghan Resettlement Scheme

The Committee received the Afghan Locally Engaged Staff Ex-gratia Scheme as contained within the circulated report.

Members were reminded that Policy and Resources Cabinet Board had, on the 9<sup>th</sup> July 2015 resolved that the Council sign-up to the Afghan Locally Engaged Staff Ex-gratia Scheme but that in order to draw down the required funding, the Council is be required to enter into a Grant Agreement to provide deliverables in relation to Integration Support; Cash Support and Transport.

Members queried the contract monitoring arrangements that would be in place and were satisfied that obligations would be included in the contract.

Following scrutiny, the Committee was supportive of the proposal to be considered by Cabinet Board.

### 8.3 Dynamic Purchasing System

The Committee received the report to seek Cabinet approval to procure a Dynamic Purchasing System (DPS) as contained within the circulated report.

Members heard how as the Commissioner, the Local Authority would set the outcomes and quality thresholds and would oversee the balance between quality and cost.

Members were pleased to support the recommendations and felt the system represented value for money.

Following scrutiny, the Committee was supportive of the proposal to be considered by Cabinet Board.

The Chairperson took the opportunity to thank Mrs Claire Marchant (Head of Community Care and Commissioning) and to wish her well for the future as this was her last meeting of Social Care, Health and Housing Scrutiny.

**CHAIRPERSON**