

HEALTH AND WELL BEING OVERVIEW AND SCRUTINY COMMITTEE

Monday, 12 March 2012

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| <u>Present:</u> | Councillor | P Glasman (Chair) | |
| | Councillors | A Bridson P Doughty M Hornby C Povall D Roberts | L Rowlands J Walsh G Watt P Williams |
| <u>Co-opted:</u> | | D Hill S Wall | S Saagar |

57 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP

Members were asked to consider whether they had a personal or prejudicial interest in any matters to be considered at the meeting and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any matter to be considered and, if so, to declare it and state the nature of the whipping arrangement.

Councillor Mrs P M Williams declared a personal interest in the item, 'Presentation on Kent House CQC Report' by virtue of it being in the Oxtton ward.

58 MINUTES

Members were requested to receive the minutes of the meeting of the Health and Well Being Overview and Scrutiny Committee meetings held on 19 January and 6 February, 2012.

The Chair referred to minute 48 (19/1/12) 'Annual Public Health Report' and requested that the minute be amended to record her expression of thanks to the Director of Public Health for her presentation.

In respect of minute 55 (6/2/12) 'Further Consideration of Anna Klonowski Associates Ltd (AKA) Report – Independent Review of the Council's Response to Claims Made by Martin Morton (and Others)', the Chair requested that the minute be amended at the paragraph beginning, 'Some Members informed.....' the second sentence should read, 'It was noted that the Overview and Scrutiny Committee did not know about the inspection at Kent House'.

Responding to comments on the minutes concerning the AKA Report, the Director of Adult Social Services stated that companies which had been criticised in the report were no longer operating contracts with the Council. However, former Directors of those companies were still involved in the care sector and further work was being undertaken with the Care Quality Commission regarding this. He informed the Committee that he had that day received a report from Caroline McKenna regarding safeguarding issues raised in the AKA Report, and once he had shared it with the Leader of the Council he would be able to share it with the Committee.

In respect of minute 42 (19/1/12), 'Vascular Surgery – Update Report on the Consultation Process', the Chair informed the Committee that the petition regarding the proposed changes would be debated at the Council meeting on 16 April. Martin McEwan, Director of Communications and Engagement, NHS Cheshire, Warrington and Wirral, had informed the Chair that the consultation process would end on 16 June, 2012 and a list of further consultation events was available.

In respect of minute 49 (19/1/12), 'Work Programme', the Chair informed the Committee that a report on changes to maternity services would be brought to the next meeting by the Clinical Commissioning Groups.

Resolved – That the minutes of the meetings of 19 January and 6 February, 2012 be approved as a correct record, subject to the two amendments referred to above.

59 SOCIAL CARE SERVICES FOR PEOPLE WITH DEMENTIA

The Director of Adult Social Services submitted a report which set out the challenges faced by the Council and its partners in supporting people with dementia in Wirral. Set against a backdrop of significant demographic growth in the Wirral older population where the prevalence of dementia was higher, the Committee was invited to consider their further scrutiny role in this area. The report listed a number of options for consideration as follows:

- Contributing to a current programme of engagement events which were setting priorities for development in this area.
- Nominating lead officers from this Committee to develop a scrutiny work programme for dementia services.
- Identifying specific areas of interest within the field of dementia. Examples could include the experience of carers in accessing support services for family members with dementia, standards of quality in care homes and safeguarding adults with dementia.
- Receiving additional reports from officers as advised on key issues:
 - Finance
 - Workforce
 - Performance
 - Developments
 - Systems modelling and evidenced based improvements
 - Site/observational visits to dementia services by members in areas of interest

With the agreement of the Chair, the report was considered concurrently with the report of the Acting Chief Executive of the Wirral University Teaching Hospital NHS Foundation Trust, which Lesley Metcalfe, Deputy Director of Nursing, introduced on

the progress made against the recommendations in “The care of people with dementia in an acute hospital setting” Final Report February 2011 scrutiny review. The report gave details of how each recommendation was being addressed.

Responding to comments from Members, Rick O’Brien, Head of Personal Assessment and Planning, commented that he would supply the information to the Committee on the number of specialist care homes dealing with dementia and also on the ratio of support staff to specialist staff. A lot of work had gone into developing robust partnership arrangements with the co-location of social care teams and the development of memory services. There were also five new staff in the contracts section which would strengthen quality assurance and ensure better checks on care homes and other services to make sure people with dementia got the best possible care.

The Chair welcomed the reports and Members suggested that this would be a good area for a scrutiny review in the forthcoming municipal year.

Resolved – That the options for further scrutiny by this Committee on Dementia Services be noted.

60 **PROGRESS REPORT FOR DEMENTIA SCRUTINY REVIEW - THE CARE OF PEOPLE WITH DEMENTIA IN AN ACUTE HOSPITAL SETTING**

This item was considered concurrently with the report, ‘Social Care Services for People with Dementia’ (see minute 59 ante).

Resolved – That Committee notes -

(1) Progress is being made with the dementia care action plan as described and the Dementia Care Steering group remains active in the pursuit of improvement. A Dementia awareness day has taken place on 9 January 2012, to celebrate and promote the work that has been done during 2011 and advertise initiatives for 2012. Collaboration with partners such as the Older People’s Parliament, Age Concern, Alzheimer’s Society and volunteers will continue to support the delivery of action required to improve the care for patients and their relatives and carers at the Trust.

(2) Publication in December 2011 of the final Report of the National Audit of Dementia Care in General Hospitals 2011, contains recommendations for action which will further populate the existing dementia care action plan for the Trust throughout 2012.

61 **PRESENTATION ON KENT HOUSE CQC REPORT**

Sheena Cumiskey, Chief Executive, and Andy Styring, Director of Operations at the Cheshire and Wirral Partnership NHS Foundation Trust, gave a presentation on the outcome of the Care Quality Commission (CQC) inspection at Kent House, Oxtou, a hospital for people with learning disabilities.

They outlined the reason for the inspection, the process of the inspection and the immediate actions taken afterwards. The CQC had carried out a re-inspection on 13

December, 2011 at which it had found that Kent House was compliant and doing everything that it should be doing.

Responding to comments from Members, both Sheena and Andy gave a full explanation as to the circumstances giving rise to the original inspection and outlined the plans for the future. These would include, even greater patient and carer feedback to the Board, implement findings of external review of Board assurance systems and invitation to staff advocacy group to assist in improving the patient experience. They also assured the Committee that they would be looking at how in future any such issues arising would be reported to this Committee.

In connection with this item, Gary Doherty, Acting Chief Executive of the Wirral University Teaching Hospital NHS Foundation Trust, suggested that a future meeting could consider the issue of medicine management in the Hospital Trusts.

Resolved – That the presentation be noted and the thanks of the Committee be accorded to both Sheena Cumiskey and Andy Styring for their full explanation.

62 **LINKS TRANSITION TO A LOCAL HEALTH WATCH ORGANISATION**

The Director of Adult Social Services submitted a report on the progress towards establishing a local HealthWatch organisation as directed by the Health and Social Care Bill which was currently progressing towards Royal Assent.

In Wirral, Voluntary Community Action Wirral (VCAW) currently had the contract to host the Wirral LINKs and had successfully provided support and guidance for the activities of the Wirral LINKs to date. The Health and Social Care Bill (2011) made provisions for the establishment of HealthWatch England and the transition of existing LINKs into local HealthWatch organisations. This was to have taken effect from 1 October 2012. However, a new start date of April 2013 was announced on 3 January 2012. The Act would charge Local Authorities with the duty to ensure that there was an effective and efficient local HealthWatch in their area, with functions, roles and responsibilities not currently available to LINKs.

During the course of discussion on this item, Councillor Hornby declared a personal interest by virtue of him being a Director trustee of VCAW.

Diane Hill informed the meeting that she was part of the transition group which was working through very complicated issues including the possibility of LINKs being part of HealthWatch.

Chris Beyga, Head of Personal Support, informed the Committee that the work of LINKs would dovetail into HealthWatch and she would provide regular updates to the Committee on progress.

Resolved - That this Committee supports the Transition Group in seeking to develop the most appropriate model for a successful Wirral HealthWatch organisation.

BRIEFING UPDATE FROM CLINICAL COMMISSIONING GROUPS

The Chair suggested that this item be considered in conjunction with the item, 'New Legislative Framework Summary Report'.

Dr Phil Jennings, of the Wirral Health Commissioning Consortium, one of the three clinical commissioning groups (CCGs) gave an update on the latest situation with regard to the commissioning of services. The three CCGs were not geographically aligned and the Strategic Health Authority and the Department of Health had confirmed their expectation that CCGs should cover a defined geographical area. Having considered a number of options, the three CCGs had decided to look to adopting a federated model, whereby a single overarching governing body would be created with the three CCGs becoming sub-divisions of this one structure. The governing body, reflecting the spirit of the Health and Social Care Bill, would have seven GP representatives with seats allocated proportionately:

- Wirral Health Commissioning Consortium – 3 seats
- Wirral GP Commissioning Consortium – 3 seats
- Wirral NHS Alliance – 1 seat

From this group would emerge one accountable officer which the group would be asked to nominate with the decision being taken nationally. There would also be patient representatives on the governing body along with an external nurse and external consultant from outside of Wirral.

The proposal would be taken out to all the GP Practices over the next few weeks and an application made to the National Commissioning Board in the summer with a view to a single Wirral CCG being signalled for authorisation from as early as October 2012 although it would not actually become a statutory body until April 2013.

Responding to comments from Members, Dr Jennings said that although people might draw comparisons of the new CCG with the previous PCT, the new body would be clinically led with many more clinicians involved. The new governing body was also a lot leaner in terms of a management structure. The new CCG structure would allow GPs to maintain some autonomy and he was confident that it would allow for navigation of the different health needs evident across the differing areas of Wirral. They would be examining ways to see how patient input could be captured across the 3 CCG sub-divisions and at least 2 patient representatives would sit on the governing body. Once the PCT clusters were disbanded in 2013 the main body above the CCGs would be the National Commissioning Body with regional outposts.

Gary Doherty, Acting Chief Executive of the Wirral University Teaching Hospital NHS Foundation Trust, welcomed the CCG model being proposed which would mean the Trust dealing with one single body rather than with three.

The Chair referred to the briefing paper, 'New Legislative Framework – Update' which had been considered by the Scrutiny Programme Board at its meetings on 4 January and 28 February, 2012, and which had been produced by the Centre for Public Scrutiny. A summary report on the content of the Policy Briefing, and its implications for Wirral, had then been presented to the Scrutiny Programme Board on 28 February, 2012. The Chair referred in particular to that part of the paper on the Health and Social Care Bill. The Bill amended the scrutiny provisions in the National

Health Service Act 2006. Powers were now to be exercised by the authority, rather than by a health overview and scrutiny committee. This provided more flexibility to local authorities in how they managed the delivery of their scrutiny responsibilities. This could enable creativity but risked dilution of independent scrutiny. Once the work of the Democracy Working Party was completed, the options for the most appropriate arrangements for health scrutiny would become clearer. The Chair suggested that every Member should receive this briefing paper.

Resolved –

(1) That the update on the Clinical Commissioning Groups be noted and Dr Phil Jennings provide regular updates to the Committee.

(2) That Committee would welcome regular updates on the implications of the Health and Social Care Bill.

The Chair then adjourned the meeting for a 5 minute break.

The Committee reconvened at 8.20pm and agenda items 9 and 10 were considered next.

64 NEW LEGISLATIVE FRAMEWORK SUMMARY REPORT

See minute 63 ante.

65 KINGSLEY HOUSE, WALLASEY - BRIEFING NOTE

Christine Beyga, Head of Personal Support, introduced a briefing note which gave details surrounding the recent adverse CQC inspection report at Kingsley House, Residential Home (Mental Health), in Wallasey. The note also detailed the action taken since, including an action plan, the date for completion of all its requirements being 23 March, 2012. In addition to the action plan an internal review had also been instigated to identify what, if any, practice issues could have prevented the deterioration of quality of care and standards at the home.

She stated that the home would receive ongoing support from an experienced manager identified by the Department of Adult Social Services (DASS) as well as the Staff Development Unit. DASS Quality Assurance and Contract Manager would carry out an inspection in the week beginning 26 March 2012. The CQC would carry out an unannounced inspection on an undisclosed date within the next three months. The internal review would report back by the end of March with a full report to the Director of Adult Social Services and Lead Member and a lessons learnt meeting would be held with senior managers and operational staff to identify any practice issues and areas for development.

Responding to comments from Members, Christine Beyga informed the Committee that there was an annual review of services and the Contracts Team had now been

strengthened and was working with a whole range of providers and carrying out formal visits. The home itself would bear the costs of any remedial work required.

The Chair suggested that the Director of Adult Social Services should consider providing a list of homes within each ward to all Councillors and there was a need for regular updates. The Director commented that he was keen to have discussions with Committee members about Councillors' involvement in lay visits to homes.

Resolved - That Committee notes and accepts the content of this briefing note as part of the ongoing process of working with the home owner to address the concerns raised and also to ensure an investigation is undertaken into the role of DASS and the Cheshire Wirral Partnership.

66 TRANSFORMATION OF DAY SERVICES - BRIEFING NOTE

Christine Beyga, Head of Personal Support, introduced a briefing note on the progress of the current consultation in relation to Day Services and Daytime Provision and development of a Business Centre/Social Enterprise Network. The consultation period had ended on 14 February with, to date 491 returned surveys, a 44% return rate. During the consultation the reasons for the consultation were outlined which included:

- The current cost of day services
- Attendance levels throughout 2008 – 2011 which had significantly dropped from 693 in 2008 to 554 in 2011

Following completion of the formal consultation a Data Analysis Group had been set up to consider and analyse all information and data gathered as part of the consultation which included:

- Qualitative data from surveys and face to face meetings
- Capacity and attendance data for all day services and day time activities
- Fully costed options appraisals for each building currently used as a day service, including building condition and status

In addition to all of the above a sub group of elected members from this Committee had undertaken consultation and scrutiny of the process. The group had conducted visits to centres and had had a full day of meeting key stakeholders to garner opinion not only on the consultation process but about the wider issues around how day services needed to be in Wirral. The group would present its findings to the Committee at its next meeting.

Between March and April analysis of the information received back would be undertaken with involvement from people who used services, parents and carers. Analysis of the consultation and a presentation of available options would be made to Cabinet in May 2012. There would be a further consultation process on the available options for the future of day service provision and delivery from July to September 2012, with a final report to Cabinet in October 2012. Implementation of the transformation of Day Services would then take place in January 2013.

The Chair commented that it had been a useful exercise being involved in the sub group and expressed her thanks to Nikki Hancocks in the Integrated Communities and Well Being Branch of the Department for organising the sub group.

Resolved – That Committee notes and accepts the content of this briefing note as part of the ongoing process of consultation and agree to accept a fuller report to the next meeting, following submission of a Cabinet report which will seek approval to consult on identified options that have emerged from the full consultation.

67 **2011/12 THIRD QUARTER PERFORMANCE AND FINANCIAL REVIEW**

Steve Rowley, Head of Service (Finance and Performance) introduced the third quarter performance and financial review report which set out the progress made against the indicators for 2011/2012 in the Council's Corporate Plan in relation to health and well being.

He referred to those performance indicators which had exceeded or met their target, performance issues which weren't achieving on target, and the corrective action being taken to address them. Budget pressures of £6.8 million had been identified.

Both Steve Rowley and the Director responded to comments from the Committee on those performance indicators which were under achieving. In respect of safeguarding referrals a peer review had been commissioned, there was a need for reassurance that safeguarding was as good as it should be and a report would be brought to the next Committee. The Director acknowledged the need for improvements in performance across a number of critical areas.

Resolved – That the report be noted.

68 **WORK PROGRAMME**

The Committee received an update on its work programme and Members were invited to consider whether any issues should be added to the schedule for the forthcoming municipal year.

A Member suggested that a report could be brought to the next meeting on the Clatterbridge Centre for Oncology, following press reports of a proposal to move some services to Liverpool. The Committee would also receive reports on the latest position regarding vascular services.

Resolved – That the report and addition to the work programme be noted.

69 **FORWARD PLAN**

The Committee had been invited to review the Forward Plan prior to the meeting in order for it to consider, having regard to the Committee's work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

Resolved – That the Forward Plan be noted.

70 **MINUTES OF THE CHESHIRE AND WIRRAL COUNCILS JOINT SCRUTINY COMMITTEE**

Resolved – That the minutes of the meeting of the Cheshire and Wirral Council’s Joint Scrutiny Committee held on 23 January 2012, be noted.

71 **ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR**

The Chair read out an email she had received from Sue Lowe, Co-opted Carers representative on the Committee, who had tendered her resignation from the Committee due to continuing ill health. The Chair expressed the Committee’s thanks to Sue for all her work with the Committee over the past three years.

The Chair also thanked Gary Doherty, who was attending his last Committee as Acting Chief Executive of the Wirral University Teaching Hospital NHS Foundation Trust, as a new Chief Executive had now been appointed and the Committee wished him well for the future.