

CABINET

Monday, 3 October 2016

<u>Present:</u>	Councillor	P Davies (Chair)	Leader of the Council
			Strategic Economic Development, Finance & Devolution
	Councillors	G Davies	Housing and Community Safety
		C Jones	Adult Social Services
		AR McLachlan	Transformation, Leisure & Culture
		B Mooney	Environment
		M Patrick	Community Engagement and Communications
		T Smith	Children and Family Services
		S Whittingham	Highways and Infrastructure
		J Williamson	Public Health

42 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Councillor Stuart Whittingham declared a personal and prejudicial interest in Item No 4 on the agenda – Approval of Liverpool City Region Tenancy Strategy (Minute No. 45 refers) by virtue of him being a Board Member of Magenta Living.

Councillor Bernie Mooney declared a personal and prejudicial interest in Item No 4 on the agenda – Approval of Liverpool City Region Tenancy Strategy (Minute No. 45 refers) by virtue of her being a Member of Leasowe Community Homes Management Board.

43 MINUTES

RESOLVED:

That the Minutes of the meeting of the Cabinet held on 5 September 2016 be confirmed as a correct record.



Councillor Tony Smith, Error! Unknown document property name., said:

“Making sure our most vulnerable young are people are safe, protected and enabled to reach their full potential is our most enduring responsibility. We have important, and rapid, improvements to make to areas of our services and we are committed to achieving them.

“We are proud of our high numbers of dedicated foster carers who do an outstanding job with some of our most vulnerable children, but we recognise that for a small number of children and young people residential care best meets their needs. We want Wirral children to be placed in Wirral. We will work with our partners and the residential care provider market to develop more locally-based places for children with more complex needs, including brothers and sisters who need to stay together, teenagers with challenging behaviour and children and young people who may be at risk of sexual exploitation. By placing these children in Wirral we will be able to wrap services around them more effectively, responding to changes and so keeping them safe. We will keep a sharp focus on these children through crisper, outcome-focused care planning, listening to children’s voices and encouraging their ambition.

This report helps us to maintain the quality of our residential care services and develop this more specialist provision in the borough. This is vitally important for those young people who are in the care of the Council.”

Councillor Tony Smith introduced a report by the Interim Strategic Commissioning Manager. It informed that the Local Authority had a duty to provide or procure placements for Children Looked After (CLA) which was

explicit in the Children Act 1989. This had since been strengthened by the introduction of Sufficiency Statutory Guidance (2010) and the Care Planning, Placement and Case Review Regulations (April 2011).

There was also a duty of 'sufficiency' that required Local Authorities and Children's Trust partners to ensure that, through provision or commissioning, a range of placements sufficient to meet the needs of all CLA were available locally or that there was a plan in place to move towards that position.

Residential fees had remained static over recent years, due in part to the framework agreements negotiated and agreed by Placements North West (PNW), a regional consortium of 22 local authorities. However, the implementation of the National Living Wage (NLW) had seen wages rise from £6.50 in 2016-16 to £7.20 in 2016-17 with expected increases to over £9.00 by 2020. Other factors driving fees increases included:

- The EU Working Time Directive (sleeping nights)
- Wage increases across the sector to maintain career structures and pay differentials
- Inflation
- Pension costs

The Cabinet was informed that Wirral's use of external placements was low compared to other local authorities. 13% of Children Looked After were placed externally compared to the North West (29%) and England (34%) averages. (This measure included residential care and independent foster carers). In addition there was a higher fostering to residential ratio in Wirral (11.1) compared to the North West (7.7), i.e. for every residential placement there were 11.1 fostering placements. This ratio had helped keep the average cost of placements lower in Wirral, at £2,682 per week compared to the North West at £2,781 per week (source: PNW census 2015).

The Cabinet noted that for this exercise, however, it had been difficult to benchmark uplift requests across providers, because each had very different staffing models, capital costs and remuneration packages.

It was reported that a process for regional and local challenge to providers' requests for fee uplifts had been established in autumn 2015, agreed by the Local Authority members of PNW. Wirral had led the negotiations, on behalf of a number of Local Authorities, with a locally-based provider, who had described a range of additional cost pressures the most significant of which had been the additional cost of sleep-ins (10pm to 8am) as they were classed as "working time" under the new Working Time Directive, and had to be paid at the NLW rate of £7.20 per hour.

In the local negotiation officers had brokered a reduction in the weekly uplift requested by the provider, following challenge on some of their costings. In

addition, as Wirral had a number of young people on long term placement with the provider a phased introduction of the new rate for existing placements had also been agreed. Taken together these actions had reduced the Council's exposure to the full impact of the fee uplift for 2016/17.

The Cabinet was made aware that this extra cost could not possibly have been foreseen at the outset of the last PNW tendering exercise. Providers had argued that they were left with no alternative but to request uplift in fees from the local authorities. The ramifications of this had caused a ripple effect in the Residential Care sector, placing some providers at risk of financial difficulty.

The report set out the options:

- not to pay the NLW uplift; or
- ask providers to absorb costs of the legislative increases.

The report also detailed the risks associated with each option.

Residential Care and Independent Fostering placements were procured as part of a regional framework for the period 2014 to 2018. This was run by Placements North West (PNW) on behalf of 22 Local Authorities in the region.

The Cabinet was also informed that the budget for Residential Care was £5.6m. In addition there were budget pressures of £1.9m which were being dealt with through demand management. The fee increase was projected to cost £250,000 in 2016-17 and it was recommended that this be met from the Revenue Budget Contingency. Whilst 2016-17 was impacted by both the Working Time Directive and the National Living Wage future years would take into consideration the National Living Wage.

Councillor Phil Davies informed that it was very important that employees paid the National Living Wage and the cost of sleep-ins.

RESOLVED: That:

- (1) the actions taken by the Director of Children's Services to increase residential care fees where necessary with effect from 1 April 2016 and the continuing pressure in future years resulting from the National Living Wage (NLW) and the Working Time Directive be noted; and**
- (2) the increased cost of £250,000 be met from the funding set aside in the Revenue Budget Contingency 2016/17.**

Councillors Bernie Mooney and Stuart Whittingham left the meeting.



Councillor George Davies, Error! Unknown document property name., said:

“A key pledge in our Wirral Plan is to ensure ‘good quality housing’ for Wirral residents. A fundamental element of this is doing all we can to enable people to access affordable, high-quality social housing.

“This Liverpool City Region Tenancy Strategy helps us towards our goal, working in partnership with our neighbours throughout the region to create a social housing market which meets the needs of our communities.”

Councillor George Davies introduced a report that reminded the Cabinet that the Localism Act 2011 had given new flexibilities and powers to Registered Providers of social housing, including the option to use flexible tenancies. Registered Providers had been given the ability to offer different kinds of tenancies to respond to the particular needs of their communities, ensuring social housing was focused on those who were in genuine need. The Localism Act had also placed a duty on all Local Authorities to publish a Tenancy Strategy setting out how they would like Registered Providers to make use of these flexibilities.

In 2013 the Council had produced a Tenancy Strategy which had been approved by the Cabinet. As all Liverpool City Region local authorities were due to review their Strategies in 2016 and many Registered Providers operated across more than one local authority, it had been agreed to produce a single Strategy for the whole sub-region.

The draft Liverpool City Region Tenancy Strategy 2016-19 was attached to the report for approval.

Councillor Phil Davies reported that all six Merseyside Councils would adopt the Strategy which would ensure a consistent set of standards across the region.

RESOLVED: That

- (1) the Liverpool City Region Tenancy Strategy 2016-2019 set out at Appendix One to the report be approved, subject to the unanimous**

agreement of each Liverpool City Region Local Authority through their corresponding approval processes; and

- (2) should any minor amendments be required to the Strategy as a result of these approval processes, the Cabinet Member for Housing and Community Safety be given delegated authority to approve these amendments on behalf of the Council. It is intended, subject to approval, that the Liverpool City Region Tenancy Strategy 2016-2019 will replace the existing Tenancy Strategy for Wirral.**

Councillors Bernie Mooney and Stuart Whittingham returned to the meeting.

46 HOYLAKE GOLF RESORT

RESOLVED:

That this item of business and its exempt appendix be deferred for further information and be considered by the Cabinet at its next meeting scheduled for 7 November 2016.

47 TRANSFORMING WIRRAL - DASS BUSINESS CASES

Councillor Phil Davies introduced a report and appendices that set out the scrutiny response to two outline business cases relating to proposed new service delivery models within the Council Transformation Programme, specifically:

- Creating a commissioning hub to jointly commission services with Wirral Clinical Commissioning Group (CCG)
- Creating integrated community care teams with Wirral Community NHS Trust to deliver services to older people.

The scrutiny response was included in the report to the People Overview and Scrutiny Committee on 8 September 2016 and was appended to the report. This approach had been adopted to enable Elected Members to be engaged in reviewing transformation proposals as they were being developed.

The Cabinet noted that the report supported the enabling work being undertaken to support delivery of the Wirral Plan.

New business models were being developed for Council Services to deliver Wirral's 20 pledges, respond to stakeholder views and support the delivery of the financial savings required.

A briefing session on alternative delivery models and the Council's emerging transformation programme had been provided for Members on 20 July 2016.

The Cabinet Member for Transformation, Leisure and Culture was keen to ensure there was pre-decision scrutiny of the proposed new delivery arrangements. This was to enable Members to engage in reviewing transformation proposals in line with the need for Council to radically change the way services were delivered to secure better outcomes for residents.

The Cabinet was asked to review the comments of Elected Members in respect of the two outline business cases and include these considerations when reviewing the progress of the proposals to the stage of full business case.

Councillor Phil Davies invited Councillor Moira McLaughlin, Chair of the People Overview and Scrutiny Committee, who was in attendance at the meeting, to present her Committee's report on Transforming Wirral – DASS Business cases.

Councillor Moira McLaughlin informed that the report was the result of the first of, what would be a series of workshops which gave Overview and Scrutiny Members the opportunity to examine, in some detail, the business cases for changing the way some services were currently provided, to work with partners and to deliver on the pledges of the Wirral Plan.

In this case the proposal was to take another step towards integrating health and social care by bringing together community nurses and social workers into integrated teams based in four hubs, one located in each constituency.

At the Workshop, the Director of Adult Social Services had explained the rationale for the proposal and the mechanics of implementing it. Then Members had asked questions and comments which were incorporated into the report that had first been considered and approved by the People Overview and Scrutiny Committee.

Councillor Moira McLaughlin informed that she was pleased that the session had been well attended and Members had participated in the discussion, asking questions and making comments on a range of issues, including staffing and HR matters, finance, governance and risk, user experience and quality assurance, as well as performance monitoring and Officers had supplied additional information as requested. The points raised and responses provided were all set out in the report.

At the conclusion of the Workshop, Members had agreed that the plan was a further move in the right direction, though they were keen to see that measures were put in place to provide rigorous monitoring of quality and robust governance arrangements with clear accountability.

Councillor Moira McLaughlin reported that, although it was acknowledged that to take the next step in this process, required a further decision to be made by the Cabinet, it did contain an element of pre-decision scrutiny, a process that had been underway incrementally for some time.

Finally, Councillor Moira McLaughlin informed that her Committee had wanted the whole process to be an exercise in true pre-decision scrutiny, so she had met with the Senior Manager – Transformation and Improvement to establish the timeframe for further proposals coming forward so that the Workshops required could be accommodated within the Committee's Work Programme and to also determine, at what stage in the process of considering options, the Committee could expect to be involved.

Councillor Ann McLachlan responded informing that it was part of the Council's Transformation agenda to consider new business models to meet both 20/20 and budgetary challenges and she was keen to ensure recommendations, particularly those around staffing, funding, vanguard issues and governance issues etc. were implemented. Councillor McLachlan considered this to be a good example of work completed by the Overview and Scrutiny Committees. There was a further opportunity for this work to be considered by the Cabinet, as the outline business case, which would include these recommendations. She considered the wider Member engagement to be very important.

RESOLVED:

That the Cabinet notes the comments of Elected Members as set out in the report and will include these as part of its considerations when the full business case is presented to it.

48 AVOIDING ADMISSIONS SCRUTINY REVIEW

The Cabinet considered the Avoiding Admissions Scrutiny Review report that informed that Wirral had made really good progress in avoiding Hospital admissions. Key commissioning activity in relation to the Better Care Fund had enabled the development of schemes that were evidencing real impact and progress in establishing a sustainable seven day community offer. The 3.5% target for non-elective admission reduction had been overachieved for 2015/16, but there was still more to be done to ensure the quality, consistency and sustainability of these services.

A task and finish group had been established by Members of the former Families and Wellbeing Policy and Performance Committee to undertake a scrutiny review of the actions being taken to strengthen community based services which were intended to reduce the demand for acute services and thereby reduce hospital admissions. The report documented the findings of the Members and the conclusions which had been drawn.

The review looked in detail at demand drivers and the responses that had been put in place to strengthen the urgent care system. This was a comprehensive approach that had led to nine important recommendations being made across the four strategic themes. The report also included a summary of the evidence base on which those recommendations were based, for consideration by the Cabinet.

The Cabinet noted that the recommendations made by the task and finish group were welcomed by Adult Social Care and the Clinical Commissioning Group (CCG).

Councillor Moira McLaughlin, the Chair of the former Families and Wellbeing Policy and Performance Committee introduced the report of the task and finish group. She informed that this work was in response to the impact an increasing ageing population with greater health and care needs was having on local services and concerns over whether the service currently on offer were the right ones to avoid increased strain on the acute health service by helping to reduce demand there and provide alternative community based services.

Councillor Moira McLaughlin reported that it had been a lengthy study which had involved evidence gathering from a very wide range of service providers and in a number of different settings. Councillor McLaughlin put on record her thanks to all those who had given the task and finish group the benefit of their knowledge and experience. She also thanked Alan Veitch, the Scrutiny Support Officer and her colleagues Councillors Bruce Berry, Alan Brighthouse, Treena Johnson and Denise Roberts, along with Karen Prior, Chief Executive of Healthwatch who had joined the task and finish group, for the work they had put in to producing the report.

Councillor Moira McLaughlin referred to page 3 of the report which set out the key issues to be addressed in the review and drew attention to the concentration of the review on understanding the demand and reasons for the increases in it. Members had considered how funding was currently allocated, whether the services in place were the right ones and whether or not they could be rapidly changed or adapted to meet a changing situation.

In Wirral, the need to establish services to reduce avoidable hospital admissions and facilitate more timely discharges had already been identified and the use of the Better Care fund had been successful in reducing unplanned admissions in 2015/16 by 5%, which was above the target set of 3.5%.

However, during that same period Wirral University Teaching Hospital's Accident and Emergency Department had experienced an increase in attendance of 4.5% and those people who had been admitted were sicker and had more complex needs.

Councillor Moira McLaughlin referred to the key findings set out in section 4 of the report which highlighted welcome developments, set against areas of challenge and these findings determined the task and finish group's nine recommendations detailed in the report.

Councillor Moira McLaughlin informed that funding and organisational arrangements were clearly central to helping to deal with the current situation and Members were aware of the work being carried out to bring together funding and the skills of health and social workers in integrated teams, based in locality hubs. This work was set to continue to be developed and it had progressed further since this report had been completed. The first two recommendations addressed this with a requirement to strengthen the governance arrangements for the integrated service with clear lines of responsibility and accountability, and also a recommendation to explore ways to change the current method of allocating funding for the acute sector with the aim of re-distributing available funding into "out of hospital" services. There was work underway on this too.

The task and finish group had also highlighted, in its report, the absolute essential requirement of ensuring quality in commissioning service.

The task and finish group had understood, from what it had heard, that those services in place needed to be the most appropriate in order to reduce the pressure on the hospital and re-focus activity in home based settings but also that, as circumstances change, the commissioning ability needed to be able to respond quickly to develop different services.

Councillor Moira McLaughlin reported that there was more work to be done to promote awareness among the professionals who made the decisions on care and treatment about what alternatives were available to hospital care, and also amongst the general public, in respect of the range and value of community based services.

As was always the case, communication between different organisations and professions was crucial to making sure that care and treatment was safe and effective, and the work being done to introduce the single patient record was recorded. The Committee wanted to see this extended and would monitor progress.

The task and finish group's final recommendation related to the development of a performance management framework that accurately measured how well the plans were working.

Finally, Councillor Moira McLaughlin informed that during the time that the task and finish group was carrying out this study, Members had seen some really excellent examples of collaborative working, with some imaginative developments in service delivery which really were making a difference. They

had also clearly seen the immense strain that both health and social care were under and they understood that, although there was a need to work in different ways to support people, the service was simply in need of more funding.

Councillor Chris Jones responded thanking Councillor Moira McLaughlin and everyone else who had been involved for their hard work. She informed that this was an example of challenging scrutiny where difficult questions had been asked.

Councillor Phil Davies also thanked all concerned for their excellent piece of work and informed that the move to a single health and care system for the whole of Wirral was definitely the way forward. He also informed that the Cabinet looked forward to further reports on how it was progressing and that the Government needed to put more money into these vital services as they were completely underfunded.

RESOLVED: That

- (1) the contents and recommendations of the Scrutiny report 'Avoiding Admissions' be noted; and**
- (2) the recommendation that an update report on the implementation and impact of the recommendations be presented to the People Overview and Scrutiny Committee by March 2017, be supported.**

49

URGENT BUSINESS - THE GREAT WIRRAL DOOR KNOCK

Councillor Phil Davies informed that he had agreed that the Cabinet would receive a report on an initiative led by Age UK Wirral working in partnership with Wirral Citizen Advice Bureau, the Council, Merseyside Fire and Rescue, Merseyside Police and Merseytravel. Staff and volunteers from all the organisations, along with a number of Wirral Councillors had spent three days working within the Mill Park Estate in Eastham.

Councillor Chris Jones reported that this had been a fantastic three days where staff and volunteers from all of the organisations involved had knocked on every single door on the estate, and talked to residents about their hopes, needs and aspirations. They had identified many issues that people were experiencing, and through their partnership presence, many of these issues had been dealt with on the doorstep. Some of these interventions had literally been life-changing for people.

Over the three days staff and volunteers had knocked on 1,100 doors, left 800 leaflets, had conversations with 300 people and made 64 referrals to the various partner organisations involved. They had reached many hundreds of

people week that, without the Great Wirral Door Knock, they simply would not have otherwise engaged with.

Councillor Chris Jones thanked everyone who had been involved in this very worthwhile project.

Councillor Janette Williamson informed that the feedback from Mill Park residents, partner organisations and stakeholders had been brilliant, and they were now planning on visiting a different part of Wirral for three days every month.

RESOLVED:

That the report on the Great Wirral Door Knock initiative be noted.