

HEALTH AND WELL BEING OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 18 January 2011

Present: Councillor M McLaughlin (Chair)

Councillors A Bridson S Mountney
W Clements C Povall
P Glasman P Reisdorf
B Kenny G Watt

Deputy: Councillor J Salter (in place of T Smith)

Co-opted: S Lowe (Service users under OPP age group)
S Wall (OPP)
I Bowman (Interim Carer's Representative)

41 CHAIR'S ANNOUNCEMENTS

The Chair welcomed everybody to the meeting and congratulated Howard Cooper on being made a Commander of the British Empire in the New Year's honours.

The Chair informed the Committee that item 9 on the agenda, 'Commissioning and Procurement from the Voluntary Sector' had been withdrawn.

The Chair also referred to the temporary appointment of Ina Bowman as Carer's Representative and welcomed her to the Committee.

42 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 P Glasman declared a personal interest in minute 49 (Consultation Task Forces and Planned Service Changes between January – March 2011) by virtue of her attendance at a Management Board meeting of the Cambridge Road, Wallasey Day Centre.

43 MINUTES

Members were requested to receive the minutes of the meeting of the Health and Well Being Overview and Scrutiny Committee held on 1 November, 2010.

Resolved – That the minutes be approved as a correct record.

44 **PRESENTATION ON THIRD QUARTER PERFORMANCE 2010/11**

Mike Fowler, Head of Service (Finance and Performance) gave a presentation on the progress made against the indicators for 2010/2011 in the third quarter and key projects which were relevant to the Health and Well-Being Overview and Scrutiny Committee.

He referred to those performance indicators which had exceeded or met their target and expanded on those performance issues which weren't achieving on target, and the corrective action being taken to address them, these included:

- Self Directed Support & Personal Budgets
- People supported with Assistive Technology
- Safeguarding alerts dealt with in 24 hours
- Safeguarding incidents closed within 28 days

In respect of the financial position Mike Fowler outlined the key financial pressures and the budget efficiencies and actions in place to reduce the projected overspend which as at December, 2010 was £4.4m.

Responding to Members' comments Mike Fowler informed the Committee that Authorities had been lobbying the Government regarding the share of £1bn grant to be distributed via Personal Social Services element of the Formula Grant, although this grant was not ringfenced and the final settlement was due to be announced in February.

Kathy Doran, Chief Executive of NHS Wirral, informed the Committee that NHS Wirral would receive a ringfenced grant of £4.9m to support integration and the distribution of this would have to be agreed through a number of different agencies, including NHS Wirral, GP Consortia and the Department.

Responding to comments, the Director outlined the need to review the position around appointing staff because of the increased need for assessment and indicated that there would be some flexibility for existing staff to increase their hours.

Resolved – That the presentation be noted.

45 **PROGRESS REPORT ON REIMBURSEMENT IN RELATION TO PUBLIC DISCLOSURE ACT 1998 (PIDA)**

The Interim Director of Adult Social Services submitted a report which updated the Committee on the progress in implementing reimbursement to certain residents and former residents of Bermuda Road, Curlew Way and Edgehill Road following the agreement of Cabinet to the recommendations of this Committee.

Of the 16 individuals, relatives of the 4 deceased people had received reimbursements; one person with capacity had received theirs; the department had been appointed deputy by the Court of Protection for one person without capacity and payment had been made.

Since the report was written, Rick O'Brien, Head of Access and Assessment reported that two further court orders had been received by the Court of Protection so these two would also be paid and he outlined the progress made on the remaining cases.

Sandra Gilbert, Chief Executive of Wirral Mind, which had provided an independent advocacy service for 10 of the individuals concerned, addressed the Committee and explained the work of Mind on this matter.

In connection with the report, Councillor Mountney circulated a letter to the Committee, and the Chair then sought the advice of the Director of Law, HR and Asset Management's representative as to whether or not this should be considered in open committee. Vicki Shaw, Group Solicitor, advised that the matter should not be considered in open committee and that there should be further investigation into the matter before being brought back to a future Committee.

Responding to further comments the Interim Director indicated that he would be happy to report back on matters regarding Balls Road. The situation regarding the appointment of families as deputies, which was the responsibility of the Court of Protection, he would clarify with Members, following consultation with Mind. With regard to any story in the Wirral Globe he was unable to comment, having neither seen it nor received any correspondence about it.

On a motion by the Chair, it was –

Resolved –

(1) That the report be noted.

(2) That Committee be informed as to when final reimbursements have been made.

(3) That the Interim Director report on the matters in connection with Balls Road and the letter circulated by Councillor Mountney to a future meeting of this Committee.

46 **TRANSFORMATION OF ADULT SOCIAL SERVICES - PERSONAL BUDGETS PROJECT PHASE 2 EVALUATION**

The Interim Director of Adult Social Services submitted a report on the progress being made on personal budgets in Wirral. The report provided an evaluation of phase 2 and details of phase 3.

Responding to comments from Members, the Director and Heads of Service made the following points:

- The number of carers receiving an assessment had gone up as had the number of carers receiving support from the Department.
- It was important that all carers understood the impact of personal budgets and the involvement of carers in the Carers' Association and the Carers' Development Committee would help in this regard.
- Transition teams were being set up.

- The wording of future evaluation questionnaires would be looked at to ensure that there was no ambiguity in the questions.

The Director and Mike Fowler, Head of Finance and Performance also responded on the issue of resource allocation and explained the points system. All points (after applying the weightings to the responses to the assessment questions) were given the same monetary value, which was currently £1.62, as agreed by Cabinet on 4 November, 2010 (minute 214 refers). The Council only funded up to 29 points, ie a maximum value of £46.98. Points above this would imply the individual might be entitled to other sources of income, such as Health funding and that this would initiate another assessment process. The maximum value of £46.98 was per day giving a maximum weekly figure of £328.86 per week.

Resolved – That the contents of the report and the current progress of implementing personal budgets in Wirral be noted.

47 **TRANSITION SERVICES - UPDATE REPORT**

The Interim Director of Adult Social Services submitted a report which provided an up-date to the Committee on the development and progress of transition services following the agreed formation in January 2010 of a joint Social Care Team of both Children and Adult Services staff to improve the experience of young people with learning disabilities as they moved from children's into adult services. A previous report was submitted to the Children's Overview and Scrutiny Committee on 2 June 2010 (minute 5 refers) on this topic.

The new team, based within the Department of Adult Social Services at Westminster House, supported joint planning from the age of 14, had taken on the majority of social care casework responsibility from the age of 16, and continued a role until an appropriate point in the young person's life to pass onto a relevant service within the authority. Significant links had been established and developed with key partner agencies across the authority which was seen as further consolidation of a holistic service for young people with learning disabilities living in Wirral.

Resolved – That the content of this report be noted and this Committee continues its support of the Transition Services Team and its future development.

48 **CARE QUALITY COMMISSION - UPDATE PRESENTATION**

The Interim Director of Adult Social Services gave a presentation to the Committee on the progress being made to address the issues raised by the Care Quality Commission inspection of Adult Social Services in May, 2010. He also combined this with a presentation on planned service changes.

In addition to a graphic representation of Wirral's position in comparison with other authorities nationally, he set out the areas in which there was a need for changes to be made. These included:

- Integrated working and localism
- Personalised support and the personalised journey
- Access and personalised assessment

- Early intervention and prevention
- Policies, practices and safeguarding

The Interim Director went on to outline how this could be achieved by commissioning rather than providing. In respect of respite, intermediate care and residential care there were:

- 155 beds of public provision
- 523 independent sector vacancies
- The current fee was 9.5% above average

So, this would mean:

- Remove supply from the Council
- Reduce the fee to the average
- Increase occupancy and reduce unit costs

In respect of personal support and reablement:

- Both public and independent providers were available
- There was a relatively high public cost base
- Other providers were willing and able to diversify

So, this would mean:

- Invite interest from independent providers
- Encourage diversification amongst providers
- Retain assessment and quality assurance in the Council

Responding to comments from Members the Interim Director stated that staff with the department needed systematic development. A workforce strategy was critical to developing the workforce, equipping them with new skills to manage external providers rather than in-house providers. 450 staff would be leaving by the end of March, 2011 and there were areas which would need restructuring. This was an opportunity to build new teams around such areas as day centres. He acknowledged that there were risks in the pace of change but there would also be risks in not doing anything. Risks would be continually monitored and evaluated and he stated that the changes required would be delivered safely and within timescale.

In respect of the co-location of health and social care services, Kathy Doran, Chief Executive, NHS Wirral, informed the Committee that it was the intention of the new GP Consortia to retain these currently co-located services and the Interim Director commented that the department was likely to have a much closer working relationship with GP practices.

With regard to the charging policy review for residential care Cabinet had taken the decision to enter into a period of consultation.

Resolved – That the presentation be noted and a follow up report be brought to the March meeting.

49 **CONSULTATION TASK FORCES AND PLANNED SERVICE CHANGES BETWEEN JANUARY - MARCH 2011 - UPDATE PRESENTATION**

(See minute 48).

50 **COMMISSIONING AND PROCUREMENT FROM THE VOLUNTARY SECTOR**

This item had been withdrawn at the request of the Interim Director.

51 **LOCAL IMPACT OF GOVERNMENT PLANS FOR FUTURE OF NHS - UPDATE PRESENTATION**

Kathy Doran, Chief Executive NHS Wirral, gave a presentation on the Government's proposed health reforms and their impact on Wirral. The key points were:

- Independent NHS Commissioning Board
- GP commissioning consortia
- New Public Health Service – Director of Public Health to be a Local Authority and Public Health England appointment
- Community Services to be separate from PCTs
- All NHS trusts to become or be part of a foundation trust
- Local authorities to promote joining up of local NHS services, social care and health improvement

In the presentation she gave details of the establishment of a Community Trust, with a Shadow Board operating from January 2011. There would be three GP Consortia:

- Wirral GP Commissioning Consortium (27 Practices)
- Wirral Health Commissioning Consortium (23 practices)
- Wirral NHS Alliance (6 practices)

There were also currently 6 practices unaligned.

The PCT (NHS Wirral) would be abolished in 2013. By June 2011 PCTs would be reorganised into "clusters", with Wirral likely to be grouped with Cheshire and Warrington. These clusters would be responsible for managing the transition to 2013.

Fiona Johnstone, Director of Public Health gave a presentation on the strategy for public health as detailed in the White Paper, 'Healthy Lives, Health People' which would see a return of public health leadership to local government. The new public health service would be directly accountable to the Secretary of State for Health with a clear mission to:

- Achieve measurable improvements in public health outcomes; and
- Provide effective protection from public health threats

It would do this by:

- Protecting people from infectious disease and biological, chemical and radiological threats;

- Helping people and families to be able to take care of their own health and wellbeing; and
- Inspiring challenging and commissioning partners from all sectors.

The Director of Public Health would be jointly appointed by the relevant local authority and Public Health England and employed by the local authority with accountability to locally elected members and through them to the public. She also outlined the activities proposed for the local authority commissioning route. There would be some public health commissioning via the NHS Commissioning Board and some through Public Health England (PHE). In her presentation she also outlined the routes of accountability and gave a summary timetable of the implementation of the proposals which would see PHE take on full responsibility in April 2012 and grant ring-fenced allocations being made to local authorities in April 2013.

Responding to comments from Members Kathy Doran informed the Committee that GPs were already the ones committing resources in the NHS and they had to balance what was right for each of their patients with ensuring that they maintained responsibility for all the patients on their list. The scrutiny role of the Committee on health would continue and additionally a Health and Well Being Board would be established which would have on it representatives from GP Consortia, the Department of Adult Social Services and elected Members amongst others. The GP Consortia would not be strictly geographically grouped as there would be a spread across the Wirral and GP practices in one geographical area could belong to different GP Consortia.

Resolved – That the presentations be noted.

52 **COMMITTEE REFERRAL - SCRUTINY PROGRAMME BOARD - 26 OCTOBER, 2010**

The Committee considered minute 32 (Scrutiny Training) which had been referred by the Scrutiny Programme Board on 26 October, 2010. The minute had resolved, amongst other things, that this Committee be requested to invite the Director of Public Health to provide an overview of health scrutiny and to invite all Members of the Council to attend.

Resolved – That the minute be noted and the Director of Public Health be invited to provide an overview of health scrutiny to which all Members of the Council would be invited to attend.

53 **WORK PROGRAMME**

The Committee received an update on its work programme, which included the proposed outline meeting schedule for the current municipal year. The Chair referred to the report on Homelessness and Health which would now be brought to the March meeting.

A Member also suggested that a report be brought to the next meeting of the Committee on winter pressures and their effects on the department and the health service.

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

54 **MINUTES OF THE CHESHIRE AND WIRRAL COUNCIL'S JOINT SCRUTINY COMMITTEE**

The Committee received the minutes of the meeting of the Cheshire and Wirral Council's Joint Scrutiny Committee held on 11 October, 2010.

Resolved – That the minutes be noted.

55 **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.

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

With the agreement of the Chair, the Committee considered verbal updates on the affect of the winter influenza outbreak.

Fiona Johnstone, Director of Public Health, informed the Committee that surgeries were being kept busy, though demand for the seasonal 'flu' vaccine had been variable. On the Wirral 74% of those 65+ had been vaccinated and 50% of those under 65 in the 'at risk' groups.

Tina Long, Director of Nursing and Midwifery, Wirral University Teaching Hospital, NHS Foundation Trust, informed the Committee that in addition to the normal winter pressures the added issue of influenza had put a lot of pressure on critical care. The 'flu' plan had been activated early on in Wirral though this was likely to be 'stepped down' this week.

Rick O'Brien, Head of Access and Assessment, reported that there had been increased activity for social care over the last few months and the department was working closely throughout the year with the acute trust.

Resolved – That the report be noted.