

PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 14 July 2016

Present: Councillor M McLaughlin (Chair)

Councillors A Davies W Clements
T Johnson B Berry
C Meaden D Burgess-Joyce
T Norbury C Povall
D Roberts A Brighthouse
W Smith P Doughty (In place
of W Ward)
T Usher A Sykes (In place of
P Hayes)

In attendance: Councillor T Smith, Cabinet Member C&F Services.

Advisors Ms Sue Wells (in place of Dr Pete Naylor),
Mrs Gill Peters and Mr Mark Harrison.

Apologies Councillors P Hayes and W Ward.

Advisors Mr Jon Develing, Ms Suzanne Edwards,
Dr Pete Naylor and Ms Karen Prior.

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

A number of declarations of interest in respect of various agenda items were received.

Name	Nature of Declaration	Action
Councillor Chris Meadon	General - Personal - by virtue of her daughter's employment within the CYPD.	Took part in the discussions, remained in the meeting.
Councillor Paul Doughty	Item 12 (Queen's Speech – Childcare Facilities) Personal and pecuniary - by virtue of his being the owner of a children's nursery on the Wirral.	No discussion on this specific item, remained in the meeting.
Councillor Angela Davies	General - Personal and pecuniary – by virtue of her employment with partner organisation, Cheshire and Wirral Partnership Trust. Personal – by virtue of her position as Director, Hope Place Prenton (unremunerated)	Took part in the discussions, remained in the meeting.

2 MINUTES

The Chair informed that as the remits of the Scrutiny Committees had changed, the minutes for the final round of Policy and Performance Committee meetings had been approved at Council on 12 July 2016. As this was the first meeting of the People Overview and Scrutiny Committee there were no minutes to consider.

3 TRANSFORMING WIRRAL

The Senior Manager Transformation & Improvement introduced her report that provided a suggested approach to pre-decision scrutiny of proposals for new business models.

The report informed that new business models were being developed for Council Services to deliver Wirral's 20 pledges, respond to stakeholder views and provide the financial savings required.

The Chair informed the People Overview and Scrutiny Committee that a briefing session on alternative delivery was to be held on 20 July 2016 and all Members were invited to attend. The session would provide an overview of the different types of alternative delivery models and their relevance and appropriateness to different services.

The report informed that pre-decision scrutiny of proposals for new business models enabled Members to engage in reviewing transformation proposals in line with the need for Council to radically change the way services are delivered to secure 2020 outcomes.

Resolved – That

- 1) the committee note the report; and**
- 2) the Chair, Vice Chair and Spokesperson be given delegated authority to agree arrangements for the scrutiny of specific transformation projects, as appropriate.**

4 ELECTED MEMBERS AND THE QUALITY ASSURANCE OF CARE

Ms Amanda Kelly, Senior Manager, Families & Wellbeing - Adult Social Service Market Transformation and Contracts introduced the report of the Director of Adult Social Services that set out information on how elected members can become more fully engaged with promoting the quality of care. The report informed of three models - 'adopt a care home', 'formal visits with Quality Assurance Team' and 'Member as a lay assessor' - with the intention

of stimulating further scrutiny work to define a preferred approach to elected member visits to care homes.

Ms Kelly informed that the Director of Adult Social Services' report recommended that the option identified 'Member as a lay assessor' would best suit the development of this work. The People Overview and Scrutiny Committee was also invited to consider all three models or any hybrid of the three models to support the development of Elected Members in Promoting the Quality of Care in Wirral's care homes.

The People Overview and Scrutiny Committee noted that in the past, Wirral ran its own care homes, and as such regular member visits were required to ensure the Councillors had a role in improving the quality of care, and at the time the role had not been extended to independent care homes. Members noted that with the exception of a respite centre, Wirral now commissioned all of its care from independent sector care homes. Councillors had been concerned about the quality of care and Council had asked for member visits to be re-instated.

Members questioned the Senior Manager on a variety of aspects of adult care and independent sector care homes that included fee levels, benchmarking standards and consistency of care.

Members noted the officer recommendation in terms of Members as lay assessors, but felt that there was also opportunity to tailor the monitoring procedures to include additional elements such as briefing notes for Members based on past CQC inspection reports. The Chair informed that all Councillors would shortly be canvassed as to their wish to be involved in the lay assessor proposal. Members further noted that training would be organised, and feedback from Members would aid development of the final scheme.

Resolved – That

- 1) Option 3: 'Member as a Lay Assessor' be approved as the preferred approach to assist the Council's existing Healthwatch and Quality Assurance of Care resources in the assessment of care quality; and**
- 2) training opportunities be arranged to help develop Elected Members in their quality assurance role.**

5 THE IMPLICATIONS OF THE MODERN SLAVERY ACT 2015

The Group Solicitor introduced the report of the Head of Legal and Member Services that highlighted the implications of the Modern Slavery Act 2015 ("the Act") for local authorities and how Wirral Borough Council ("the Council") would implement this legislation. The report further set out what steps were needed by the Council in order to comply with these new duties.

The report informed that the Modern Slavery Act 2015 received royal assent on 26 March 2015 and according to the Prime Minister will “*tackle the worst exploitation*” and consolidate various offences relating to human trafficking and slavery.

The Group Solicitor informed the People Overview and Scrutiny Committee of the key provisions of the Act and recommendations as detailed in the report. A Member questioned whether information on the Act would be distributed to partner organisations to raise awareness of the matter. Another Member suggested that, for example, the information provided to the committee could also be shared with local taxi and private hire firms.

The Chair introduced a further recommendation that the report be presented to the Environment Overview and Scrutiny Committee.

Resolved – That

in order to meet the Council’s legal duty to notify the Home Secretary about possible victims under section 52 of the Act:

- 1) the Council roll out Modern Slavery specific mandatory training alongside all current mandatory training to alert staff in what circumstances a notification should be made to the Secretary of State and the process for doing so;**
- 2) there be a clear reporting system for all Council staff where a case of slavery is suspected. Reporting forms should be easily accessible on the Council’s website;**
- 3) Council staff should be trained on the reporting requirements and what must be included in any notification to the Secretary of State as per the Regulations;**
- 4) in accordance with the duty to notify, there will need to be a system in place for completing the necessary National Referral Mechanism (NRM) form or Notification of a Potential Victim of Modern Slavery (MS1) forms. These should also be accessible on the Council’s website with a clear system in place for who will be required to complete the forms;**
- 5) management should review their departments to identify any potential risk of slavery and human trafficking and take appropriate steps to manage that risk; and**
- 6) the report be forwarded to the Environment Overview and Scrutiny Committee for consideration.**

SAFEGUARDING CHILDREN SCRUTINY REVIEW - UPDATE

The Director of Children's Services introduced her report that provided an update on the Safeguarding Children Scrutiny Review. The People Overview and Scrutiny Committee noted that the report 'Safeguarding Children in Wirral' had been presented to Cabinet on the 21 March 2016, and that the decision of Cabinet had been that:

- the contents and recommendations of the Scrutiny Report, "Safeguarding Children in Wirral" be accepted; and
- an update report regarding the impact of the recommendations be presented to the Families and Wellbeing Policy and Performance Committee, and subsequently Cabinet at its July 2016 meeting.

Members were requested to consider and approve the actions as set out in the report appendix 'Safeguarding Scrutiny Review - Response to Report Recommendations 22/06/16'.

The Director of Children's Services provided a detailed summary of each recommendation and updated the People Overview and Scrutiny Committee on the latest position regarding actions undertaken to date, and proposed for the future.

The Committee were informed that the report had been welcomed by Members and Officers alike and had been a most useful document given that the Council was currently undergoing an inspection. Members questioned the Officer on a variety of subjects contained in the report that included data recording, child exploitation procedures, and number of (and handling of) referrals. Concerns were also expressed regarding the challenges faced by the Council with regard to staff turnover and vacancies, necessitating the use of agency workers.

Members ultimately expressed their desire for quality assurance and the safety of vulnerable children. A Member requested that information / feedback from the recent child exploitation training be circulated to all Members.

Resolved – That

- 1) the actions set out in response to the recommendations of the scrutiny report be approved; and**
- 2) feedback from the recent child exploitation training be circulated to all Members.**

7 **PERFORMANCE MONITORING - END OF YEAR 2015/16**

The Committee considered the report of the Strategic Director Families and Wellbeing that set out the 2015/16 year-end position in relation to the Families and Wellbeing Directorate Plan Performance. As this was the end of the planning cycle for the 2015/16 Corporate and Directorate Plans, the report (included as Appendix 1) also acted as a closedown report for this Directorate Plan.

The report captured performance across a broad suite of performance indicators and directorate projects. The report included an overview which included a summary analysis that also highlighted the key achievements of the plan.

In relation to the performance indicators, the Director of Children's Services explained that at the time of reporting, 68 percent of the indicators showed as green or amber, and 77 percent showed a direction of travel of either improving or sustained.

The Committee was further informed that the directorate was coping well, given the background of reduced budgets and increased demand in its services. The challenges had resulted in a 4 percent overspend in its budget, but even so improvements had been made in the Leisure Services and School / Children Service areas of the directorate.

Members questioned the Officer on the importance of parents submitting claims for free school meals and the waiting list for child and adolescent mental health 'CAMHs' assessments (currently estimated at 6 months).

Members noted that as part of the new performance measures, training would be provided to aid Members in the analysis of the background data.

Resolved - That the report be noted.

8 **WORK PROGRAMME FOR THE MUNICIPAL YEAR**

The Committee considered the report of the Chair of the Committee, updating on the progress and the activity proposed for this Committee in relation to its agreed Work Programme.

The Chair's report further informed that the Cabinet report relating to future scrutiny arrangements (6 June 2016) set out a proposal describing how existing pieces of work being carried forward from 2015/16 would transfer into the new scrutiny committee model. Members noted that the items relevant to the People Overview & Scrutiny Committee were:

Item	Former Committee	Timescale
Cumulative Impact on Public Health	Coordinating Committee	Reporting to September Committee
Avoiding Hospital Admissions Review	Families and Wellbeing Policy & Performance Committee	Reporting to September Committee
Children Ready for School Review	Families and Wellbeing Policy & Performance Committee	Review at scoping stage
Local Welfare Assistance Scheme Review	Transformation and Resources Policy & Performance Committee	Evidence day to be scheduled
Looked after Children	Families and Wellbeing Policy & Performance Committee	Evidence day to be scheduled

Committee was asked to consider topics for inclusion on the People Overview & Scrutiny work programme for the 2016/17 municipal year and to providing delegated authority to the Chair, Vice Chair and Spokespersons to undertake further detailed consideration to the Committee's work programme prior to the next scheduled People Overview and Scrutiny Committee meeting on 8 September 2016.

The Chair informed that additional items were to be added to the programme relating to the Notice of Motion (Pharmacy Services) and feedback from Girtrell Court Carers / Users.

Resolved - That

- 1) the report be noted; and**
- 2) the Chair, Vice Chair and Spokespersons be authorised to give further consideration to the Committees work programme prior to the next scheduled Committee meeting in September.**

9 FEEDBACK FROM THE MEETING OF THE HEALTH & CARE PERFORMANCE PANEL HELD ON 16 MARCH 2016

The Chair of the Health and Care Performance Panel introduced the report which provided feedback on the key issues arising from the meeting held on 16 March 2016.

The report summarised information on:

- CQC inspection of Cheshire & Wirral Partnership Trust (CWP);
- Sensory Impairment Service;
- Feedback from the CQC Quality Summit: Wirral University Teaching Hospital NHS Foundation Trust (WUTH);
- Future Arrangements and Work Programme for the Panel; and
- Actions Arising from the Meeting.

The Chair updated the Committee on the following:

- That as a result of a CQC inspection of Cheshire & Wirral Partnership Trust (CWP), the Trust had received a rating of 'Good'.
- That as a result of a CQC inspection of Wirral University Teaching Hospital (WUTH), the Trust had received a rating of 'Requires Improvement', although CQC are confident that the direction of travel is improving.
- That a special meeting of the Health & Care Performance Panel, held in May, had reviewed the draft Quality Accounts of the four main local health providers. Formal responses had been sent on behalf of members to these providers.

Resolved - That the report of the meeting of the Health and Care Performance Panel held on 16 March 2016 be noted.

10 **ESTABLISHMENT OF THE HEALTH & CARE PERFORMANCE PANEL FOR THE MUNICIPAL YEAR**

The Committee considered the report of the Strategic Director of Families and Wellbeing which sought approval for the terms of reference and nomination for the membership to the Health and Care Performance Panel for the 2016/17 municipal year.

It was noted that the Panel would be established on a politically proportionate basis i.e. that the membership for the 2016/17 municipal year will be Labour 4; Conservative 2; Liberal Democrat 1.

Nominations from the Labour and Liberal Democrat groups were proposed and accepted. Conservative group nominations would be provided to the clerk following the meeting.

Resolved - That

- (1) **subject to the inclusion 'monitoring of the delivery of the Healthy Wirral Programme' under 'key responsibilities', the terms of reference for the Health and Care Performance Panel be approved;**

- (2) the following nominations for members to the Health and Care Performance Panel be agreed as follows:-

M. McLaughlin (L),
T. Johnson (L),
W. Ward (L),
T. Usher (L), and
A. Brighouse (LD).

11 **ESTABLISHMENT OF THE CHILDREN SUB -COMMITTEE FOR THE MUNICIPAL YEAR**

The Committee considered the report of the Strategic Director of Families and Wellbeing which sought approval for the terms of reference and nomination for the membership to the Children Sub-Committee (formerly the Attainment Sub-Committee) for the 2016/17 municipal year.

The report informed that the remit of the Committee would focus specifically on the outcomes for children, young people and families. As per the previous municipal year, it was proposed that the Children Sub-Committee be established on a politically proportionate basis i.e. that the membership for the 2016/17 municipal year will be Labour 4; Conservative 2; Liberal Democrat 1.

Nominations from the Labour and Liberal Democrat groups were proposed and accepted. Conservative group nominations would be provided to the clerk following the meeting.

Resolved - That

- (1) the terms of reference for the Children Sub-Committee be approved;
- (2) the following nominations for members to the Children Sub-Committee be agreed as follows:-

M. McLaughlin (L),
A. Davies (L),
C. Meadon (L),
W. Smith (L), and
A. Brighouse (LD).

12 **POLICY INFORM BRIEFING PAPER**

The Committee considered the report of the Strategic Director, Families and Wellbeing presenting Members with the January 2016 Policy Briefing papers

that included an overview of ongoing and recent national legislation, bills presented to Parliament and emerging policies.

Resolved - That the contents of the Policy Briefing papers be noted.