

ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE

Thursday, 3 March 2022

Present: Councillor Y Nolan (Chair)

Councillors M Jordan T Cottier
S Mountney C Jones
I Camphor P Gilchrist
K Cannon C Cooke
C O'Hagan Jason Walsh

87 WELCOME AND INTRODUCTIONS

The Chair welcomed attendees and viewers to the meeting and reminded everyone that the meeting was webcast and retained on the Council's website for two years.

The Chair led the Committee in a minute's silence in support of the victims of the war in Ukraine.

88 APOLOGIES

An apology for absence was received from Councillor Sam Frost who was deputised by Councillor Chris Jones.

An apology for absence was received from Councillor Moira McLaughlin. The Chair and Committee Members thanked Councillor McLaughlin, who would not be standing at the next election, for her work in previous years on this Committee and its predecessors and her contribution to the development of adult social care.

89 MEMBER DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.

The following declarations were made:

Councillor Mary Jordan	A pecuniary interest in item 13 (Clatterbridge Cancer Care) by virtue of her employment in the NHS, personal interests also by virtue of her son's employment in the NHS and her involvement as a trustee for 'incubabies'.
Councillor Jason Walsh	Personal interest by virtue of a family member's employment in the NHS.

Councillor Tony Cottier	Personal interest as the Director of a construction company engaged in a contract with Cheshire and Wirral Partnership NHS Trust.
Councillor Chris Jones	Personal interest by virtue of her employment with the Cheshire and Wirral Partnership NHS Trust.
Councillor Ivan Camphor	Personal interest as a senior partner at Heatherlands Medical Centre in Woodchurch, Medical Secretary for Mid Mersey LMC and a General Practices Committee representative at BMA for Cheshire Mid-Mersey.
Councillor Clare O'Hagan	Personal interest by virtue of her employment in the NHS.

90 **MINUTES**

Resolved –

That the minutes of the meeting held on 25 January 2022 be approved and adopted as a correct record.

91 **PUBLIC QUESTIONS**

One public question had been received and was read out by the Chair.

Question:

Given that the policy and resources Committee voted for a cost cutting budget, what guarantees do people supported in day services have that if the services were brought back in house those services won't face closure?

Answer:

As your question highlights, The Council has been having to make some really difficult decisions this year to be able to agree a legal budget for the following financial year. But for social care the Council has proposed a budget that doesn't rely upon service cuts but on using our resources as well as we can and to support people in managing their daily lives and to provide extra support to people as and when it's needed, so there are no direct cuts at all in relation to social care. Tonight's decision regarding Wirral Evolutions is not about that but is about whether the Council needs to continue to pay for an arms-length company with all the extra cost that that model brings in order to deliver day services. There's no proposal to cut any of the services that are delivered to people and we fully expect those services to be unaffected should the decision be made to deliver day services in-house. Our primary aim as shown in in the paper is to reduce the cost and bureaucracy of having a separate company and that does include the cost of having a head office, a company board and complicated shareholder arrangements. Indeed, we propose to bring decisions regarding day services closer to people that use them and work in them and supported by them through a formal consultative

board of stakeholders that will have a direct say in decisions about the services.

92 **RATES AND FEES ENGAGEMENT EXERCISE OUTCOME**

The Lead Commissioner, Community Care Market, introduced the report of the Director of Care and Health which concerned the outcome of the annual engagement exercise with the Local Community Care Market for fee rates to be paid to care providers for 2022/2023.

Members queried the effect of inflation and the real living wage on fees.

Resolved – That:

- (1) the rates as set out in the table at 4.1 of this report that apply to services commissioned by Wirral Council and jointly commissioned services between Wirral Council and NHS Wirral Clinical Commissioning Group (CCG), in relation to Residential and Nursing care, Supported Living, Extra Care, Care and Support at home, Direct Payments and Shared Lives be approved.**
- (2) the application of the rates with effect from 1 April 2022 be approved.**

93 **COMMISSIONING ACTIVITY Q1**

The Lead Commissioner, Community Care Market, introduced the report of the Director of Care and Health which notified Members of the commissioning activity for Quarter 1 of financial year 2022/2023 and recommended contract extensions where necessary. The report covered the Wirral Independence Service Medequip and also the Delegated Social Work contracts with Cheshire and Wirral Partnership Foundation Trust and the Wirral Community Health and Care NHS Foundation Trust.

Members queried details of the report which confirmed:

- Renewal of contracts will enable the Council to renew partnerships with stakeholders and enable the Council to consider future options for a future report.
- Contract values were based upon the existing price.

Resolved: That

- (1) a. the current Wirral Independence Service contract with Medequip on the terms set out in the report for a period of 2 years until 30th June 2024 at a total cost of £7.7m be extended**
 - b. further S75 Agreement on substantially the same terms as those which currently apply with Cheshire and Wirral Partnership Foundation Trust for a period of 6 weeks until 30th September 2023 at a total cost of £710,598 be entered into**

- c. a further S75 Agreement on substantially the same terms as those which currently apply with Wirral Community Health and Care NHS Foundation Trust for a period of 16 months until 30th September 2023 at a total cost of £12,377,167 be entered into
 - d. the Director of Law and Governance in consultation with the Director for Adult Social Care and Health be authorised to negotiate and conclude both of the S75 Agreements within the overall financial envelope set out and on substantially the same terms as those which currently apply.
- (2) the Director of Care and Health be requested to submit a report to a future meeting of the Committee in respect to the delivery of Delegated Social Work services.

94 **INTEGRATED CARE SYSTEM**

The Director of Adults, Health and Strategic Commissioning introduce his report which provided an update on the development of the Integrated Care System and the changes to Wirral's Clinical Commissioning Group (CCG) and requested approval in principle to the draft terms of reference for the Wirral Place Based Partnership. It detailed the impacts of expected changes and recommended a Sub-Committee be formed with the terms of reference detailed in the appendix.

Members questioned the new arrangements and noted the additional democratic oversight and that there was new legislation which was progressing through Parliament regarding such arrangements which this would help the Council be ready for.

Resolved – That the implementation plans of the Council and the NHS in respect of the Health & Care Bill still going through Parliament and its impact on the Council be noted. In readiness for which:

- a) the terms of reference for the Wirral Place Based Partnership Board be approved; and
- b) a shadow Committee in common be established in the form of a subcommittee consisting of 3 Members politically balanced with terms of reference as detailed in appendix 2.

95 **WIRRAL SAFEGUARDING ADULTS BOARD**

The Assistant Director for Care and Health Commissioning People introduced the report of the Director of Care and Health which provided an update on the establishment of the Wirral Safeguarding Adults Board (SAB) since June 2021. Is partnership focussed. Other groups feed into it. we retain independent chair.

Members noted that the Health and Social Care Bill included a statutory responsibility within the NHS to oversee the Integrated Care System but that did not preclude local authorities having their own safeguarding arrangements, and that there was scope for closer working with the Children Safeguarding Partnership.

Resolved –

That it be noted that the new arrangements have been put in place to meet all statutory requirements in relation to the Safeguarding Adults Board.

96 **DIRECT PAYMENTS UPDATE**

The Lead Commissioner for Integrated Services presented the report of the Director of Care and Health which updated Members on the review of the Direct Payments offer to Wirral residents who were eligible to receive care and support under the Care Act 2014. The review aimed to identify why the take-up of the offer was low and find strategies to increase it through a working group.

Members noted that residents with impaired capacity could be accommodated by different options for payments.

Resolved –

That the content of the report and the aims of the Direct Payments review to increase the number of packages of care and support provided by way of a Direct Payment be noted.

97 **COVID 19 RESPONSE UPDATE**

The Director of Public Health presented her report which provided an update on surveillance data and key areas of development in relation to Wirral's COVID-19 response and delivery of the Local Outbreak Management Plan, as well as the Wirral Plan 2021 - 2026. It was noted that on 21 February the Prime Minister had announced an intention to 'learn to live with Covid' and removed requirements for self-isolation although guidance remained. Cases remained relatively high with around 254 per 100,000 residents so contingency plans had to be retained, although over 80% of people had received two doses of vaccine and hospital numbers were falling.

Members noted that free testing was to end on 31 March 2022 which was a concern.

Resolved –

That the contents of the report and the progress made to date be noted and the ongoing COVID-19 response be supported.

98 **WIRRAL UNIVERSITY TEACHING HOSPITAL CARE QUALITY COMMISSION INSPECTIONS AND PROGRESS AGAINST THE ASSOCIATED IMPROVEMENT PLANS**

The Executive Medical Director of Wirral University Teaching Hospital presented the report of the Director of Law and Governance which detailed the improvement plan resulting from a trust-wide inspection by the Care Quality Commission in 2019. Most actions had been completed and others were delayed due to the Covid-19 pandemic or national pressures but had now been taken forward into a new action plan.

Members queried the details of the hospital capacity where Accident and Emergency throughflow was affected by hospitals being unable to discharge patients and were informed that each patient was assessed daily to see if they could move on. It was noted that the NHS Emergency Care Incident Support Team had said that the process was strong and robust.

Members also queried the support given to staff who worked through the pandemic and were informed that there a culture of support had been implemented with staff support teams offering refreshment and counselling.

Resolved –

That the briefing which has been appended to the covering report be noted.

99 **THE CLATTERBRIDGE CANCER CENTRE NHS FOUNDATION TRUST UPDATE REPORT**

Councillor Mary Jordan left the meeting for this item as she had declared a pecuniary interest in it.

Members consider the report of the Director of Law and Governance which had been requested by the Chair and Group Spokespersons of the Adult Social Care and Public Health Committee to provide an update on the improvement plan following the 2019 Care Quality Commission (CQC) inspection of the move for most cancer care from Wirral to Liverpool. The transfer had gone well with patients moved in one go. There are also some additional beds available on the Wirral for patients who cannot be moved.

Resolved:

That the briefing which has been appended to the covering report be noted.

100 **ADULT SOCIAL CARE AND HEALTH PERFORMANCE REPORT**

The Assistant Director for Commissioning People presented the report of the Director of Care and Health which provided a performance report in relation to

Adult Social Care and Health. The report was designed based on discussion with Members through working group activity in 2020 and 2021. There had not been significant movements in performance following the movement out of the pandemic with capacity of bed and a reduction in care home closures from infections.

Resolved:

That the content of the report be noted.

101 **WIRRAL EVOLUTIONS VALUE FOR MONEY REPORT**

The Director of Adults, Health and Strategic Commissioning introduced his report which detailed a value review instigated by Wirral Council between November 2021 and January 2022, following a request initiated at the Adult Social Care and Public Health Committee on 18th January 2021. The objectives of the review used several criteria to determine value for money which included, economy, efficiency, stakeholder value and achievability. In addition, stakeholder views had been gathered from staff, people accessing the service, their families, carers, and charitable bodies, throughout November and December 2021. The report set out proposals for the insourcing of the services currently carried out by Wirral Evolutions Limited. The review had been prompted by a number of reports about the company not being able to deliver services within the contract price, although there was no criticism of the quality of services which was well regarded and would not change even if the work was taken in-house. The review concluded that delivery did not justify the costs and bureaucratic burden and none of the expected expansion had been achieved. Staff would be transferred and savings would result from reduced office costs and more direct actions. A consultative board would be formed including users and staff to maintain quality and let them have a say in development of services.

Members expressed regret at the loss of Wirral Evolutions which had been set up in hope of growth and they asked questions about the savings to be achieved. They were reassured that the consultative board would maintain quality and satisfaction.

Resolved - That:

- (1) the Director of Care and Health be authorised to extend the contract to provide services to support adults with a learning disability currently held by Wirral Evolutions Limited for a limited period not exceeding six months from the 1 April 2022 so as to enable the effective implementation of transition of services currently supplied by the company to the Council.**
- (2) the transition of services which are currently delivered by Wirral Evolutions Limited to an in-house model of delivery by the Council be approved starting as soon as reasonably practicable**

with the intention that those services will be fully transferred back into the Council within six months of the 1 April 2022.

- (3) the Director of Care and Health be authorised to terminate or allow to expire the contract to provide services to support adults with a learning disability currently held by Wirral Evolutions Limited as soon as practicable after the complete and effective transfer of services currently supplied by the company to the Council.
- (4) a Consultative Board be established with stakeholder and staff membership tasked with oversight of the provision of personalised day services and opportunities for adults with a wide range of learning and physical disabilities, enabling people who access the service and their representatives to have a greater input into the delivery of the service.
- (5) the Director of Care and Health be authorised to make all necessary arrangements to insource the services carried out by Wirral Evolutions Limited.
- (6) it be recommended to the Shareholder Board that the Director of Law and Governance be authorised to progress the necessary steps to transfer Wirral Evolutions Limited's undertaking to the Council, including the cancellation of the current contract with Wirral Evolutions Limited and to consider all appropriate options for the future deployment or disposal of Wirral Evolutions Limited.
- (7) the Director of Care and Health provide a further report to a future Adult Social Care and Public Health Committee to update on the service transition arrangements.

102 **ADULT SOCIAL CARE AND PUBLIC HEALTH WORK PROGRAMME**

The Head of Legal Services introduced the report of the Director of Care and Health which provided the Committee with an opportunity to plan and review its work across the municipal year.

A Member made a request that suicide prevention be considered early in the new municipal year.

Resolved:

That the proposed Adult Social Care and Health Committee work programme for the remainder of the 2021/22 municipal year be noted.