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HEALTH AND WELL BEING OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 9 September 2010

Present: Councillor M McLaughlin (Chair)

Councillors A Bridson S Mountney
W Clements C Povall
P Glasman P Reisdorf
B Kenny T Smith

Deputy: Councillor S Williams (for G Watt)

Co-opted: S Lowe (Service users under OPP age group)
S Saagar (BME Community)
S Wall (OPP)

Apologies D Hill (LINKs)

13 CHAIR'S OPENING REMARKS

The Chair reported that Bev Bray had resigned as a co-opted member of the committee owing to her increased commitments as a carer. The Chair will write to thank Bev for her contribution to the work of this committee and seek a replacement.

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

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Councillor Steve Williams declared a personal interest in respect of minute 21 (Wirral Local Involvement Network Annual Report) by virtue of his company having previously carried out work for this organisation.

Councillor Mountney asked the Chair to clarify her position regarding minute 18 (Care Quality Commission Inspection Report) because she would now be scrutinising a decision taken by the executive when she was the portfolio holder.

Following appropriate advice on the Members' Code of Conduct, requested from the Director of Law, HR and Asset Management, the Chair indicated that she would not be declaring an interest in this matter because this was a review of the whole service. She would stay in the chair and allow a full and open discussion on this matter.

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 item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement. No such declarations were made.

15 **MINUTES**

Members were requested to receive the minutes of the meeting of the Health and Well Being Overview and Scrutiny Committee held on 21 June, 2010.

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

16 **NHS WHITE PAPER - 'LIBERATING THE NHS'**

The Director of Adult Social Services submitted a report, supplemented by a presentation, regarding the NHS White Paper - 'Liberating the NHS' which made fundamental changes to the way health services are organised across the UK.

Russell Favager, Director of Finance, NHS Wirral gave a presentation on the strategic issues announced in the White Paper and the latest guidance on their implementation locally. Key issues brought to the Committee's attention included:

- (a) Independent NHS Commissioning Board
- (b) General Practitioner commissioning consortia
- (c) A new Public Health Service
- (d) Community Services to be separated from NHS Wirral
- (e) The move to Foundation Trust
- (f) The Council's role in joining up local NHS services, social care and health improvement

Mr Favager responded to a range of questions from members including the timelines and key milestones for the transition process; the role and responsibilities of the Health and Well Being Board (co-ordinating an integrated approach on delivery of national and local priorities; development of strategic commissioning; reshaping local strategic partnership priorities; and building the views of key stakeholders and the local community into strategic plans and service delivery); the role of the local authority in the scrutiny process; the patient choice agenda and their involvement in the new commissioning consortium.

The Director of Adult Social Services referred a keynote speech delivered by Andrew Lansley, Secretary of State for Health, at a recent partnership event, outlining the key reforms which aimed to deliver a patient led services based on the G.P. model, and emphasising that this was the way in which health services would be determined in the future.

Resolved –

(1) That the Committee note the report and receive the presentation.

(2) That the regular reports on the progress of the White Paper be included in the committee's work programme.

17 MANAGING THE BUDGET ACROSS HEALTH AND SOCIAL CARE

The Director of Adult Social Services submitted a report introducing a presentation regarding the financial pressures facing the NHS and the Council and their joint approach, at a strategic level, to deliver improved outcomes for local people and reduce inequalities whilst facing significant reductions in available resources.

Russell Favager, Director of Finance, NHS Wirral gave a presentation confirming their commitment to joint working, as reflected in the Local Area Agreement, to address key issues across the health and social care economy including:-

- (a) Too many avoidable admissions to hospital
- (b) Longer stays in hospital than is necessary
- (c) High numbers of people supported in residential and nursing home care.

He submitted details of the total efficiency requirements; the cumulative cost implications, the potential for improved performance against better value indicators and targets; and the role of the partner leadership group in co-ordinating the response of all agencies to achieve the savings targets.

Resolved –

(1) That the Committee note the report and receive the presentation.

(2) That a further report be presented to this committee following the leadership group progress review meeting.

18 CARE QUALITY COMMISSION INSPECTION REPORT

The Director of Adult Social Services submitted a report providing an introduction to the Care Quality Commission(CQC) Inspection findings from its inspection undertaken in May 2010. The focus of the inspection had been on safeguarding adults, making a positive contribution for adults with a learning disability and increased choice and control for adults with a learning disability.

He gave a presentation setting out the main findings of the inspection, that had taken place over six days in May. The CQC had criticised the Council's performance on safeguarding adults and increasing choice for adults with learning disabilities stating it was "poor". It was rated just "adequate" on making a positive contribution for adults with learning difficulties and the Council's capacity to improve had been categorised "uncertain".

The Inspection Report identified what the CQC found the Council was doing well, areas for development, and its recommendations for improvements in each of the areas inspected that would need to be addressed through a robust Improvement

Plan. Cabinet had recognised that improvements would need to be made, both to Safeguarding and Services for People with Learning Disabilities. The first comprehensive Improvement Plan had been submitted to the Care Quality Commission and would be kept under close scrutiny with progress reports to Cabinet submitted at two monthly intervals. A second revised Improvement Plan would be submitted after wider consultation and refinement by 17 October.

The Council had produced an action plan in response to the inspection report to address all areas for improvement and the Care Quality Commission would return to Wirral in approximately six months' time undertake a follow up inspection and check on progress made.

The Director of Adult Social Services apologised that this Service had not been acceptable. He was given full Cabinet support, and a timetable to take whatever action was necessary to turn the unacceptable performance around.

Councillor Bob Moon, Cabinet Member, had thanked the CQC for bringing this matter to the Council's attention and noted that they would return in January to check on progress.

The Chair said that she was dismayed and disturbed by the report. Having worked in the social care sector for many years with the most vulnerable people she was committed to improving services and therefore offered her apologies to these service users.

The Director outlined the role of the Reform Team in introducing reforms in safeguarding and changes in processes which had been acknowledged by the CQC. However, the CQC were concerned with outcomes when they had examined the individual case files. The Reform Team would therefore focus on review and reform of day time services.

There was a general discussion regarding the failures identified in the CQC report which highlighted the need to drive forward the improvement plan and closely monitor its progress.

It was moved by Councillor Mountney and seconded by Councillor Williams that:

- (1) That this Committee note the disturbing findings of the CQC inspection report published on 2 September, 2010 and note the improvement plan put forward and initially agreed by Cabinet
- (2) That Committee note the content of the improvement plan and understand that this will be monitored and amended as necessary by cabinet

It was moved as a friendly amendment by Councillor McLaughlin and seconded by Councillor Bridson that the motion be amended by the addition of the following:

- (3) That a working group be established comprising the chair and party spokespersons (or their nominees) to monitor the progress of the improvement plan

The friendly amendment was accepted without a vote.

The motion, as amended, was put and carried unanimously.

Resolved –

(1) That this Committee note the disturbing findings of the CQC inspection report published on 2 September, 2010 and note the improvement plan put forward and initially agreed by Cabinet.

(2) That Committee note the content of the improvement plan and understand that this will be monitored and amended as necessary by Cabinet.

(3) That a working group be established comprising the chair and party spokespersons (or their nominees) to monitor the progress of the improvement plan.

19 PRESENTATION ON FIRST QUARTER PERFORMANCE 2010/11

The Director of Adult Social Services presented an overview of progress made against the indicators for 2010/2011 and key projects which were relevant to the Health and Well-Being Overview and Scrutiny Committee covering the first quarter, from April to June 2010. Appendix 1 provided the detail of the performance indicators that were reported for the first quarter and included the context and corrective action as requested by the committee.

In summary, 21 out of the 32 performance indicators had performed close to the 2010-11 target, 9 were underperforming, 18 showed stable or improving performance, and 10 had deteriorated since the last report. He reported by exception on the indicators that were significantly underperforming (red) and outlined the corrective actions that were being taken.

He reported that the quarter one projection had identified financial pressures of £6.1 m. The options for budget stabilisation were being progressed. However, there was still a shortfall of £3.3 m which would need to be identified to achieve a balanced budget.

Resolved – That the report be noted.

20 CHANGES TO INDEPENDENT LIVING FUND (ILF)

The Director of Adult Social Service submitted a report highlighted the recent changes made to the Independent Living Fund, the impact that this may have on supporting adults with complex needs to live independently, and the possible related impact on the Department's budget.

The Independent Living Fund (ILF) was administered through a national government charity to enable people to pay for a range of support services, or to provide access to other services that were not statutory, and had been predominantly used to support people with complex needs as part of wider packages of funding and support to allow them to live independently. In response to a significant increase in demand and the incremental increase in costs, ILF had changed its regulations and advised that it would only accept new applications from people working 16 hours or more with effect from May, 2010. However, this decision was followed by an unprecedented

demand and the ILF had now advised that they would not be in a position to honour any of these new applications.

The ILF had given assurances regarding their commitment to continue funding for existing people but were unable to increase individual awards above the amount currently paid.

There were currently 13 people supported by DASS who had outstanding applications for ILF funding and a further 3 where applications were in the process of being submitted. This was an increase on the previous year's average figures over a two month period when applications under the old regulations were being allowed. Based on the average funding this equated to a total of £5,040 per week and £262,080 in a full year. Some of these people were close to moving into Supported Living accommodation with friendship groups, and this decision had severely disrupted financing of these schemes and delayed "moving in dates" which in some cases were only weeks away.

A supplementary paper on a sample of individual case studies was circulated to show how the use of ILF fitted into the care package.

The Director reported that it was too early to assess the impact of the withdrawal of ILF, and this would be subject to a monitoring report on the 16 individual cases and the budget implications. From a support planning point of view and without alternative funding available, the local authority may need to reconsider situation where moves into Supported Living required additional ILF funding, the support coming from other less expensive FACS eligible services. These may not afford the same opportunity for independence, such as care placements, and could increase cost pressures in DASS.

Resolved –

(1) That the Committee note the contents of this report and the possible impact of pressures on the community care budget in year.

(2) That it be noted that further direction may be required from Cabinet in addressing the impact of ILF changes.

21 **WIRRAL LOCAL INVOLVEMENT NETWORK (LINK) ANNUAL REPORT 2009/10**

Audrey Meacock, Vice Chair of Wirral LINK, gave a presentation on the progress of Local Involvement Networks (LINKs) in Wirral, which was the mechanism for involving patients, the public, people who use Social Care Services, Carers and interested groups and organisations in improving health and social care. The presentation outlined the objectives of Wirral LINK, the governance framework, the range of activities which were currently being undertaken and the future work plan.

Resolved – That the Comments accepts the Annual Report and acknowledges the positive contribution Wirral LINK towards the improvement of health and social care services in Wirral.

22 **NHS WIRRAL PUBLIC AND PATIENT INVOLVEMENT ANNUAL REPORT - APRIL 2009 - MARCH 2010**

Martin McEwan, Director of Communications and Engagement, NHS Wirral, presented a report providing an outline of the NHS Wirral Public and Patient Involvement Annual Report April 2009-March, and an opportunity for discussion and amendments to the draft report prior to final NHS Wirral board approval mid September.

Resolved – That the Committee accepts the content of the Annual Report.

23 **PROSTATE CANCER**

Teresa Owen, Consultant in Public Health, presented a report in response to the Council Motion 108: Prostate Cancer in Wallasey and Moreton and amendments (Council – 15 February 2010); providing a brief overview of prostate cancer and the Prostate-Specific Antigen (PSA) Test. It also outlined the reasons why the National Screening Committee had recommended that population screening for prostate cancer should not be introduced in England, and information on the Department of Health informed choice programme known as 'Prostate Cancer Risk Management'.

Resolved – That the Committee note the recommendation by the UK National Screening Committee, that a national prostate cancer screening programme should not be introduced at this time.

24 **UPDATE ON PODIATRY SERVICE AND WAITING TIMES**

John South, Director of Primary Care & Provider Services, and Michael Milton, Head of Podiatry, presented a report covering Podiatry provision by NHS Wirral; the Scope of Service, Referral process, Access and Acceptance Criteria, Discharge Criteria, Activity and Performance Management.

Resolved - That the Committee note the contents of this report.

25 **WORK PROGRAMME**

The Committee received an update on its work programme, which included the proposed outline meeting schedule for the current municipal year.

In addition to items on the programme already, the following items were added:

- (1) A report on progress on payments to clients as identified in PIDA
- (2) A report on diversification of services on offer in care homes to be incorporated into the report on contracts for personal support.
- (3) The visit to talk to young people coming up to transition
- (4) Progress to single sex wards - follow up report
- (5) Explore the offer of training to members by NICE.
- (6) A piece of panel work on domestic violence (the Chair, Councillor Glassman and nominations from the Conservative and Liberal Democrat Groups).

It was also agreed that a sub group be established to monitor progress on implementation of the Improvement Plan resulting from the CQC report (the Chair and nominations from the party spokespersons).

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

26 **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.

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

(a) Children's Heart Surgery

Martin McEwan presented a briefing paper on the NHS review of children's heart surgery services in England. The views of Health Overview and Scrutiny Committees were requested on their proposed scrutiny arrangements in time for formal public consultation in the Autumn of 2010.

Resolved – That the response on this matter be referred to the Chair and party spokespersons.

(b) NHS Appointments

The following new appointments were noted:

Russell Favager, Director of Finance, Wirral University Teaching Hospital, NHS Foundation Trust, NHS Foundation Trust.

Tina Long, Director of Nursing and Midwifery, Wirral University Teaching Hospital, NHS Foundation Trust.

Fiona Johnstone , Joint Director of Public Health, Wirral.