

**Minority Report produced by Councillor Moira McLaughlin, Councillor Denise Roberts, Councillor John Salter and Councillor Brian Kenny following the special Health and Wellbeing Overview and Scrutiny Committee on 17<sup>th</sup> Feb 2010**

On Thursday 17<sup>th</sup> February a special meeting was called at the request of the Chair of the Committee Councillor Moira McLaughlin, Councillor Brian Kenny and Councillor Pat Glasman.

The purpose of the meeting was to examine in detail the plans of the Coalition administration for Social Care in Wirral as agreed by Cabinet and passed by Council in December 2010.

The meeting was attended by about 60 users of service and their carers and heard evidence from the Cabinet Lead Councillor Bob Moon, the Interim Director of Adult Social Services Howard Cooper, in the form of statements and questions answered, and the meeting also heard statements from Gwen Seller, the Chair of Wirral Mencap, Sue Newnes, the Area Manager of the Alzheimer's Disease Society, Susan Walshe the Chair of Family Tree, Matthew Hawes an Occupational therapist with expertise in developing home Reablement services and Mr. David Johnston whose mother is a resident of Meadowcroft.

Written statements were also submitted from 4 parents of people with Learning disabilities who live in supported living accommodation.

**The plans that were approved by Council in December were:**

- 1. To reduce the fees paid by the Council to care homes by 9.5%**
- 2. To consult on the introduction of a "nominal" charge for the use of assistive technology for people with moderate care needs.**
- 3. The closure of 5 care homes, those being Meadowcroft, Pensall House, Poulton House, Maplehome and Fernleigh and to re-provide all respite care, residential care, intermediate care and support living accommodation by the private/ independent sector by 31<sup>st</sup> March .**
- 4. The disaggregation of the HARTS service with the re-ablement element being transferred to the private/independent sector by 31<sup>st</sup> March.**

These plans have raised real concerns for members and these have been re-enforced by the number of users and carers who have expressed their views through emails letters and phone calls.

The overwhelming concern is that these changes are being attempted on a scale which is too big to facilitate a safe transition of care and at a speed that has led to confusion and fear among users of service.

Both the Cabinet lead and the Interim director said that they felt these changes were a continuation of the previous consultation which reported to Cabinet in November 2009, a Cabinet of which Councillor Moon was a member, that they are essential to prepare for the extension of personalisation and that they were needed to address the issues where the service was judged as poorly performing by the CQC, by increasing choice and control, for adults with learning disabilities, and safeguarding vulnerable adults.

However the recommendations that were accepted by Cabinet in 2010 were significantly different from those now being implemented.

**At that time it was decided to:**

- 1. Extend the flexible respite scheme called Take a Break at Maplehome**
- 2. That bed capacity at Meadowcroft should be retained and there should be a re-focusing of day-care there incrementally.**
- 3. That there should be a re alignment of staff in supported living units to bring costs in line with independent providers.**
- 4. That further work should be done with NHS Wirral about future provision of services offered at Fernleigh.**

**The timescale for implementation of these was set at the end of 2012.**

Though there was an acceptance by the Interim Director and the Cabinet Lead that the consultation since January was not to the standards of best practice, both felt that the process was being properly managed, and that the outcome would be a better standard of service

However this feeling was not borne out by the experience of the users and carers who supplied evidence to the committee. They said that the consultation was rushed, chaotic and confusing, and it was provoking fear and uncertainty among users and carers.

Two parents of people in supported living units said that the consultation was of such poor quality that they felt that their son and daughter had had their human rights compromised.

Mr. David Jones, whose mother is in her late 80`s and has dementia, reported that he had been told that afternoon by the manager that Meadowcroft was due to close on 25<sup>th</sup>, but the Interim director told him and committee that she was wrong and that closure was still planned for 31<sup>st</sup> March.

Neither the Interim Director or the Cabinet Lead were able to adequately reassure members that the proper period of 12 weeks statutory duty to consult had been adhered to, as the first meetings with users and carers had not taken place until W/C 17<sup>th</sup> January, or that those involved had been consulted in a meaningful way, since even up until that night it was impossible to give information about how or where users would receive service in the future, with less than 6 weeks to go until transfers of service.

Re-assurance was sought about flexibility of provision of future respite services, and about continuity and stability. Questions were asked about the involvement of service users in selecting the providers, but apart from the assertion that no-one would be left without service; it was not possible to get specific answers to these questions because, the director said, the tenders weren't to be opened until 22<sup>nd</sup> February.

Committee heard the concerns of Gwen Seller, Chair of Wirral Mencap, Susan Walshe, Chair of Family Tree and Sue Newnes, the Area Manager of the Alzheimer's disease Society.

All stressed the importance of providing clear information to their clients during periods of change, and that change should be carefully managed in a controlled way, and over a timescale that enabled users to adjust to the change.

They stated that good respite care was vital for maintaining often fragile home living circumstances, and that flexible respite arrangements were needed to allow for emergency access.

For those suffering from dementia, the importance of familiar surroundings and carers are essential, and, for people with mental health problems, the therapeutic element provided at Fernleigh was often what prevented crises.

They all felt that these things were being ignored by the pace and scale of the changes, and they were worried that this would de-stabilise people.

Though committee members were not permitted to ask questions about finance, there was a clear view expressed by contributors that they felt these changes were being driven by the need to make savings.

Questions seeking guarantees about quality of provision were answered by saying the contract would address those issues.

On availability of provision, the Interim Director said that at any one time there was a surplus of care home beds on Wirral, and he was confident about availability.

Hard information was difficult to get, again because the tenders would not be opened until 22<sup>nd</sup> Feb., though there was confidence that there would be enough and of the right quality to go ahead on 31<sup>st</sup> March.

Committee heard from Matthew Hawes an Occupational Therapist who, along with colleagues Gill McGlade, and Gareth Purnell, all re-ablement professionals who have developed expertise in re-ablement.

Matthew, having looked at the proposals from the HARTS service expressed the view that he doubted that a full re-ablement service could be established so quickly and that the failure to do so would mean that individuals were unable to meet their re-ablement potential and could actually lead to a loss of functional ability, need for greater level of care and higher costs associated with that.

When looking at the staffing issues, the Director confirmed that about 500 frontline care staff would be leaving and the posts deleted. Committee were told that were there were vacancies in the establishments that are to remain operational after 31<sup>st</sup> March such as the Day Centres were a total of 35 staff are leaving, Girtrell Court were 27 staff are going and Sylvandale, were 18 staff are to go, these places would be filled by staff from the care homes, supported living units and HARTS who had not taken EVR or Severance. When asked about getting these staff re-trained, formed into newly established teams and familiarised with users in time to be operational by 31<sup>st</sup> March, the Director said that work had already started to re-train and team build and he felt the time scale was feasible, though admitted that in some areas staff may find it challenging.

**At the conclusion of the meeting a recommendation was put by Councillor McLaughlin, and seconded by Councillor Kenny as follows**

(1) This Committee is concerned at the breakneck speed at which changes are being railroaded through in order to achieve a reduction in the Social Care budget over the next year.

(2) This Committee believes that this money led approach to change can only be detrimental to service users, creating fear and confusion and undermining and de-stabilising the real process of change which until now, has been moving steadily towards the personalisation agenda.

(3) This Committee supports the introduction and extension of the provision of personal budgets to those users of the care service who want to have the opportunity to have greater choice and control over their lives, and accepts that this process is likely to bring about changes to the type of service required over time. Committee also understands the need to make best use of financial resources.

(4) However, we strongly believe that those changes and the pace of those changes should be dictated primarily by the changing demands from service users and that every effort should be made to create a means and pace of change that is manageable and acceptable to those service users.

(5) This Committee believes that the proposals for re-provision passed by Cabinet and Council in December, 2010 and due to be implemented by 31 March, 2011 are now being undertaken at such speed, and on a scale so big, that they fail to conform to the principles of personalisation. Committee is concerned that the way in which the December budget decisions have been implemented has failed to allow for proper consultation with, and involvement of, those who use our services and their carers, which in turn has created a climate of fear and confusion and a loss of confidence in the whole exercise. This in turn has created a much higher risk for individuals and increased the risk that the exercise will fail.

(6) Committee further expresses great concern over the viability of the plans to complete by 31 March the redesign of staff teams in Day Centres and residential care homes for the most vulnerable group of people with severe learning and physical disabilities. Committee believes that this leaves insufficient time to re-train redeployed staff to work in a very challenging environment, and to restructure services in a safe and appropriate way.

(7) Committee therefore asks that Cabinet delay any implementation to allow for proper risk assessments and equality impact statements to be produced, and to allow for meaningful consultation, and a phased introduction of changes in line with the decisions originally taken by Cabinet in March 2010.”

**It was moved as an amendment by Councillor Watt and seconded by Councillor Mounthey, that –**

Delete all the above motion and substitute the following –

“(1) That this Committee welcomes the opportunity to hear the concerns of service users, carers and the voluntary and charitable organisations who are affected by the current changes in the provision of Adult Social Services.

(2) Committee accepts the explanations and assurances given by the Cabinet Member and the Interim Director in response to the issues raised.

(3) Committee welcomes the apologies previously given and repeated at this meeting for recent shortcomings in communications with service users and their carers and notes the undertaking given that individual contact has, or is now, being made with all concerned.

(4) Committee therefore recommends to Cabinet that the current process of change should continue with all due diligence for the best interests of service users and their carers, ensuring that the quality of service is maintained or improved, and that a progress report be brought to the next scheduled meeting of this Committee.”

**The amendment was put and carried (6:4)**

**The amendment, then becoming the substantive motion, was put and it was –**

**Resolved (6:4) –**

**(1) That this Committee welcomes the opportunity to hear the concerns of service users, carers and the voluntary and charitable organisations who are affected by the current changes in the provision of Adult Social Services.**

**(2) Committee accepts the explanations and assurances given by the Cabinet Member and the Interim Director in response to the issues raised.**

**(3) Committee welcomes the apologies previously given and repeated at this meeting for recent shortcomings in communications with service users and their carers and notes the undertaking given that individual contact has, or is now, being made with all concerned.**

**(4) Committee therefore recommends to Cabinet that the current process of change should continue with all due diligence for the best interests of service users and their carers, ensuring that the quality of service is maintained or improved, and that a progress report be brought to the next scheduled meeting of this Committee.**

This was accepted by the Conservative and Lib/Dems members of the committee. However Labour members are not able to accept that this properly reflects the information given and concerns expressed by those making statements to them and so have produced this minority report.

The overwhelming conclusions are that the evidence heard shows that users and carers believe that these changes are being driven by the need to take around £13m out of next year's Social Services Budget.

That the scale of the changes and the speed of implementation are such that it is not being properly managed with the result that service users and carers have been excluded from a meaningful consultation, and therefore from the planning of their future care.

The supply of information to them has been inadequate with staff dealing with them unable to answer their questions and the process has been rushed and chaotic. This has led to confusion and fear among them and a loss of confidence in the process. For these reasons we believe the principles of personalisation have been undermined.

We also believe that the same scale and speed is putting users at unnecessary risk of service breakdown. It is for this reason that we have produced this report.