

HEALTH AND WELL BEING OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 17 February 2011

<u>Present:</u>	Councillor	M McLaughlin (Chair)	
	Councillors	A Bridson B Kenny S Mountney	C Povall G Watt
<u>Deputies:</u>	Councillors	T Harney (for P Reisdorf) A Pritchard (for W Clements) D Roberts (for T Smith) J Salter (for P Glasman)	
<u>Co-opted:</u>		S Lowe (Service users under OPP age group) S Wall (OPP) I Bowman (Interim Carer's representative)	

57 CHAIR'S ANNOUNCEMENTS

The Chair welcomed everyone to the meeting and asked members of the Committee to introduce themselves.

She gave an explanation as to why the special meeting had been called and that the meeting would examine the plans for the future delivery of social care on the Wirral following the decisions made by Council last December.

The meeting would hear from both the Interim Director and the Cabinet Member for Social Care and Inclusion, Councillor Bob Moon and also representatives of various interested groups. It was intended that the structure of the meeting would be broadly in four parts;

- Consultation
- Finance
- Service implications
- Staffing issues

Councillor Bridson asked for clarification that no budget arrangements would be discussed other than what came out of the December Council meeting and the Chair confirmed that this would be the case.

58 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.

No such declarations were made.

59 BUDGET PROPOSALS

The Special Meeting of the Committee had been called, in accordance with the Overview and Scrutiny Procedure Rules, by Councillors M McLaughlin, B Kenny and P Glasman, in order to give consideration to matters concerned with budget proposals.

A document submitted by the Labour Group Members referred to:

- The failure of this administration to refer any budget savings to the relevant Overview and Scrutiny committees for proper scrutiny.
- The decision taken by Council on December 13th to suspend the relevant part of the Constitution in order to avoid any such scrutiny.
- The lack of any detailed Cabinet reports setting out the details of the budget savings, and their consequences.
- The lack in particular of any explanation of the impact of the loss of over 1300 posts, the restructuring necessary to protect services, and the costs of that restructuring.

Both the Interim Director of Adult Social Services and Councillor Moon, Cabinet Member for Social Care and Inclusion, responded to questions from the Chair and Committee members.

1. Consultation

Councillor Moon commented that consultation had been ongoing for the past three years since a report on the transformation of Adult Social Services to Cabinet on 6 November, 2008, although this Cabinet decision was the subject of a call-in on 4 December, 2008, the decision was endorsed (4:3), but he stated there was little political will to move on at that time. Since then consultation had taken place on Options for Change papers which had been presented to Cabinet and from May 2010 onwards it had been decided to go ahead with the results of consultation.

The Chair then referred to the Task Force consultation process to which 5600 had responded but of these, only half, less than 3000 had filled in the social care part of the questionnaire and of these, the numbers of people with any experience of using services was approximately 300.

Councillor Moon stated that this was not just a random sample, as they had gone to great lengths to consult with carers and people in care homes with staff, in some cases, helping users fill out questionnaires.

The Chair commented that from December 2010 when proposals were agreed for the closures of homes there should then have been a 12 week period of proper and meaningful consultation.

Councillor Moon stated that an initial letter had been sent out on 6 January, 2011 but acknowledged that this was perhaps not the best worded letter. Since then where concerns had been raised, one-to-one conversations had been held with users and carers.

The Interim Director stated that there were seven permanent residents across the five Council run care homes and a number of other users who accessed those services for a number of days per year. Of the seven, alternative arrangements had been agreed for five and discussions were ongoing with the remaining two. A number of discussions had been held with carer groups broadly and by Tuesday 22 February, 2011 all users would have been contacted and dates would be arranged for further consultation.

The Chair then read out some correspondence which she had received from service users and relatives which amongst other things stated, 'don't feel it is meaningful consultation' with relatives of service users and also the 'indecent haste' of the changes taking place.

Councillor Moon commented that the Department was trying its best to contact all those involved and the most important consultations were taking place with social workers, advocates, service users, family members etc.

At 6.45pm the Chair adjourned the meeting for 5 minutes due to a disturbance by a member of the public.

The meeting resumed at 6.50pm

Councillor Moon referred to an apology which had been issued in the press for the way in which the closures of homes was introduced to those affected.

The Interim Director stated that he had apologised to the Carers' Development Group as it was fair to say that following the decision by Council in December and up until 21 January the implications for service users could have been communicated in a better manner.

Rick O'Brien, Head of Access and Assessment, referred to the consultation requirement for permanent residents which was 80 days, although there was no required timescale for consultation with those in temporary care. He also referred to the involvement of a number of different voluntary sector groups, including those in the adult mental health area.

Responding to comments, he stated the clear need for best practice to be applied and for those family members affected to be involved in discussions. There would be different perspectives about pace and speed of change and for some an extended period of change could create a longer timeframe of uncertainty.

2. Finance

The Interim Director gave a breakdown of employees within his department who he had agreed could leave under the EVR / VS offer. By the end of June 2011 this would amount to a total of 502 staff. A large proportion of these would be staff not working directly on front line services, although there would also be staff working in services which the department would no longer be maintaining.

The Chair suggested that it would appear that financial factors were driving this change and not the best interests of the service.

Councillor Moon responded that the local authority had a statutory duty to meet the needs of vulnerable people within the borough and this was of paramount importance. The personalisation agenda started three years ago and although the pace was fast the changes were being managed in a planned and structured way.

The Interim Director referring to the duty to meet the needs of vulnerable people stated that the Council had to ensure that they were met but not that the Council had to directly provide the service. The Council wanted to make sure there was a diversity of provision available for people to choose through personalisation. He also commented upon the assistive technology service for those with substantial or critical need and the possibility of providing this service at a nominal charge for those with moderate needs. There were no current plans to introduce charges for assistive technology for those with substantial or critical needs.

The Interim Director also commented that there were no plans to charge 100% of disposable income for people supported in their own homes, although this was the case in some neighbouring authorities. He also referred to tenders which were due on 21 February for care home fees, negotiations had been held with care home owners as part of the tendering process. Neighbouring authorities were currently paying lower fees than Wirral. A telephone survey to care homes which elicited a 65% response rate last week showed that there were 300+ beds available. Independent sector provision was available in all categories of provision including, learning disability, nursing care and respite care.

At the invitation of the Chair, Gwen Seller, Chair of Wirral Mencap addressed the Committee and spoke of her concerns for carers and service users and the lack of consultation with service users and the pace at which changes were being introduced.

At the invitation of the Chair, David Johnson, son of a resident in Meadowcroft addressed the Committee and spoke of his concerns at the rushed closures of Council run care homes and the lack of communication from the department.

The Interim Director stated that he could not comment on an individual case in open Committee but would be happy to discuss issues raised by Mr Johnson after the meeting. He responded to comments made and assured the Committee that there would be involvement of carers in the tendering scrutiny process and an 'approved list' of providers would be drawn up, all of whom would have to be of a sufficiently high standard. Independent provision was, on average, higher than other neighbouring authorities and also, on average, higher than the quality the Council provided. He also informed the meeting that a transitional support team would be in

place from Monday 21 February. It was planned that Meadowcroft home would close on 31 March, however, there were reserve plans to keep it open until April. There were processes in place for monitoring external providers.

Maura Noone, Head of Integrated Communities and Well Being informed the meeting of the average weekly occupancy of the Council care homes as follows:

- Mapleholme 14 (Capacity 23)
- Meadowcroft 15 (Capacity 23)
- Pensall House 15 (Capacity 25)
- Poulton House 31 (Capacity 38)

3. Service implications

The Head of Access and Assessment responded to comments by the Chair and stated that intermediate care would be provided with dedicated beds within the independent sector with the support of NHS Wirral. There was also provision within the market for specialised mental health services to be re-provided and work was ongoing with NHS Wirral colleagues to deliver this.

At the invitation of the Chair, Susan Walshe, Chair of Family Tree (an organisation supporting carers and families affected by severe mental illness) addressed the Committee and expressed her concerns regarding the speed of the closures, that services were being dismantled before any viable alternative services were in place and that there had been no reasoned and meaningful consultation process.

At the invitation of the Chair Sue Newnes, Support Services Manager for Wirral Alzheimer's Society, addressed the Committee and spoke of her concerns particularly in relation to the high risk from moving people with dementia for whom routine and continuity were vitally important. Unpaid carers had to be supported as carer support could avoid the need for costly residential care. Carers also had great difficulty in accessing respite care.

The Interim Director responded and informed the Committee that the Council had a duty to continue and a commitment to meet assessed needs. Following the tender process a range of quality providers would be registered and approved. This would include accreditation of a range of providers for those with mental health needs and service users and their families from which they would be able to choose. There was currently a mixed economy now between Meadowcroft and the private sector. For those with Alzheimer's or a related illness, there were 300 in residential care and 400 in nursing care.

In respect of the Home Assessment and Reablement Team (HART) the Chair queried whether there was a mature provider in the market for reablement. In response the Head of Access and Assessment informed the Committee that 1800 people had accessed the service in the past 12 months with significant benefits and he was mindful that there should be no deterioration in service following the outsourcing of the reablement side of the service. Over 40 staff would be retained for the assessment side of the service which was remaining in-house.

At the invitation of the Chair Matthew Hawes, independent Occupational Therapist and consultant on re-ablement services speaking on behalf of himself and colleagues, Gill McGlade and Gareth Pennell, addressed the Committee and spoke of his concern at the rushed manner in which the Council was changing its HART service. Enablement and rehabilitation was a skill which couldn't be learnt over night.

The Head of Access and Assessment assured the Committee that the service would be managed on a daily basis and that NHS Wirral was absolutely committed to investment in the service.

4. Staffing issues

The Interim Director stated that there were 73 staff who would remain with the Council following the closure of the 5 care homes and outlined the process for their redeployment which would involve one to one meetings and the completion of a preference exercise.

The Chair then thanked everybody for their attendance including the officers and Councillor Moon who had responded to questions.

It was then moved by the Chair, seconded by Councillor Kenny, that –

“(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 destabilising 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 Mountney, 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.