

SCRUTINY COMMITTEE FOR ADULT SOCIAL CARE

MINUTES of a meeting of the Scrutiny Committee for Adult Social Care held at County Hall, Lewes on 21 November 2006

PRESENT - Councillor Mrs Tidy (Chairman)
Councillors Forster, Gubby, Taylor (Vice-Chairman),
Tunwell, Webb and Woodall

Chief Officer: Keith Hinkley, Director of Adult Social Care
Legal Adviser: Angela Reid, Head of Legal Services
Scrutiny Lead Officer: Gillian Mauger, Scrutiny Lead Officer

ALSO PRESENT - Councillor Bentley, Lead Cabinet Member for Adult
Social Care
Councillor Livings (for minute 28)
Councillor Mrs Healy (for minutes 28 and 29)
Philip Pragnell, Policy Officer, Learning Disability (for
minute 28)
Barry Sugg, Policy Officer, Strategy and Commissioning
Unit (for minute 28)
Rita Stone, Assistant Director, Adult Social Care (for
minute 29)
Janette Lyman, Complaints Officer (for minute 33)
Samantha Carr, Interim Head of Performance and
Engagement (for minute 39)

Before the start of the meeting the Chairman explained that a request had been received from a member of the public to present to the Committee a joint paper on the Review of Day Services for Adults with Learning Disabilities and to speak on behalf of the West Carers Planning and Development Group, the Patient and Public Involvement Forum, Sussex Partnership (East Sussex and Brighton and Hove locality) and MENCAP East Sussex District Committee. Copies of the paper had been circulated to all Members of the Committee. As public speaking was a new step for the Scrutiny Committee a protocol for public speaking had been drawn up and circulated to Members of the Committee. The aim of hearing the public presentation was to give the Committee an opportunity to hear the views and concerns of the above groups so that Members would be more informed when the review of the Day Centre at Avis Way was considered by the Cabinet in December.

23. MINUTES OF LAST MEETING

23.1 RESOLVED – to approve as a correct record the minutes of the meeting held on 12 September 2006.

23.2 Under this item the Director of Adult Social Care reminded Members that public consultations on the Local Health Sustainability Plan (minute 12.2) had been scheduled to start in October 2006. He was advised that those consultations had now been deferred until February/March 2007 to link in with the health economy and community plans. This would give the local authority the opportunity to look at the plans and identify potential risks. The delay would now provide an opportunity for a further Members seminar to be held in the Spring.

24. DECLARATIONS OF INTEREST

24.1 Councillor Webb declared a general personal non prejudicial interest by virtue of his work for the Mental Health Association.

25. URGENT ITEMS

25.1 The Chairman reported that she intended to take, as an urgent item on the Inspection of Social Care Services for Older People by the Commission for Social Care Inspection (CSCI) The reason for urgency was that the report had been embargoed until after the date of the agenda despatch and deferring the item until the next meeting of the Scrutiny Committee in March 2007 would be too late.

26. REPORTS

26.1 Copies of the reports referred to below are included in the minute book.

27. RECONCILING POLICY AND RESOURCES

27.1 The Committee considered a report by the Chief Executive and all Chief Officers detailing the amended policy steers and the latest position on financial and policy issues. Members were advised that the report recommendations were very general and it was suggested that the Committee should:

- consider if the policy steers are reflected within the key areas of budget spend in the forthcoming year;
- Consider whether all possible efficiencies are being identified; and
- Assess the potential impact these savings will have on the service provided to East Sussex County Council customers.

The Committee was also asked to note the change to the 7th policy steer following the comments made at the September Committee meeting.

27.2 The Director of Adult Social Care referred Members to the budget summary set out in Annex C to the Cabinet Reconciling Policy and Resources (RPR) report. The current funding gap would not be as significant as last year because of efficiency savings achieved through the Business Transformation programme in 2006/2007 which did not impact directly on service users. However, there would still be a £1.233 million shortfall in 2007/08. The Department aimed to reduce this shortfall by reviewing directly provided services which would have a bigger impact in future years.

27.3 The Director of Adult Social Care, in responding to Member questions, confirmed that the Business Plan would contain all the key performance targets relating to the policy steers and CSCI action plans. He noted that Members considered that the term "service users" to be more appropriate than "customers".

27.4 The Chairman reminded Members that, at the last meeting, the Committee had agreed to set up a Board which was empowered to act on behalf of the Committee with regard to future input into the Reconciling Policy and Resources process. The Board (which comprised all Members of the Committee) was scheduled to meet on 18 December and all Members should attend if at all possible.

27.5 RESOLVED - to (1) note the amended policy steers set out in the Cabinet report attached as an appendix and how they are reflected within the key areas of budget spend in the forthcoming year;

(2) note that possible efficiencies are being considered; and

(3) note the potential impact these savings will have on the service provided to East Sussex County Council service users.

28. LEARNING DISABILITY BEST VALUE REVIEW: SIX MONTH MONITORING

28.1 The Chairman welcomed Janice Eggers who presented the joint paper on the Review of Day Services for Adults with Learning Disabilities on behalf of the organisations listed. Ms Eggers addressed the Committee for five minutes and responded to questions of clarification from Members. The Director of Adult Social Care made a brief statement and also responded to questions from the Committee.

28.2 On behalf of the Committee, the Chairman thanked Ms Eggers and members of the public in the public gallery for attending the meeting. Members now had a wider knowledge of the issues discussed which would inform any representations they might wish to make to the Cabinet when this issue was discussed.

28.3 The Committee then moved on to consider a report by the Director of Adult Social Care detailing the progress made with the implementation of the Learning Disability Best Value Review Action Plan. Councillors Livings (who chaired the Best Value Review Board) and Councillors Mrs Healy and Webb, the other Review Board Members, spoke to the report.

28.4 Members expressed concern about the provision of transport for people with a disability and the implications for that provision if day centres are closed as well as possible efficiency savings arising from recommendations by the current Cabinet Best Value Review of Passenger Transport. The Scrutiny Lead Officer undertook to check the position in respect of the Best Value Review (see also minute 34.3).

28.5 RESOLVED – to (1) endorse the Department's work to implement the recommendations arising from the Best Value Review of Learning Disability Services, as outlined in the updated Best Value Review Action Plan; and

(2) request the Director of Adult Social Care to (a) report back to the Committee in six months time with a progress update on the review of Health Pooled Funding; and (b) circulate to Members information on the timescales involved when a person decided to take up Direct Payments.

29. BUSINESS TRANSFORMATION PROGRAMME: UPDATE

29.1 The Committee considered a report by the Director of Adult Social Care detailing the progress made on the Business Transformation Programme to date.

29.2 RESOLVED – to note the progress of the Business Transformation Programme to date.

30. COMMISSIONING STRATEGY FOR CARER'S SERVICES

30.1 The Committee considered a report by the Director of Adult Social Care outlining the progress made in developing and implementing the Commissioning Strategy for Carers Services.

30.2 Members were advised that, in response to the request for more flexible forms of respite care (paragraph six of the Draft Strategy), it was hoped to pilot an extension of the existing out of hours service. The work programme would be developed from the Strategy and would be tied into the Business Plan.

30.3 RESOLVED – to endorse the draft Strategy and the process for consultation and implementation.

31. ADULT SOCIAL CARE COMPLAINTS PROCEDURE ANNUAL REVIEW 2006/2007

31.1 The Committee considered a report by the Director of Adult Social Care on the functioning and effectiveness of the Complaints Procedure.

31.2 Members, whilst noting the increase in complaints, welcomed this positive report and, in particular, the high percentage of local resolutions to complaints at stage 1, the improvement in the average time taken by the Department to respond to complaints and the increase in compliments recorded.

31.3 RESOLVED – to (1) note the Complaints procedure Annual Review Report; and
(2) request the Director of Adult Social Care to include the comments of the Committee in his report to the Adult Social Care Lead Member on 11 December 2006.

32. QUARTER TWO MONITORING REPORT AGAINST THE 2006/2007 COUNCIL PLAN

32.1 The Committee considered a report by the Director of Law and Personnel updating on performance against the Council Plan for the second quarter of 2006/2007.

32.2 Members were advised that the BVPI Board, comprising Councillors Mrs Tidy, Gubby and Webb, had met on 16 November 2006 to consider selected BVPI targets for 2006/2007. The Board had considered the following Performance Assessment Framework (PAF) Indicators and noted detailed explanations from the Adult Social Care Performance Manager:

- PAF C62 – services for carers
- PAF D39 – percentage of people receiving a statement of their needs and how they will be met
- PAF D40 – clients receiving a review (as a percentage of those receiving a service)
- PAF D41 – delayed transfers of care (per 100,000 population aged 65 or over)
- PAF D55 – acceptable waiting times for assessments for new older clients
- PAF D56 – acceptable waiting times for care packages. For new older clients, the percentage for whom the time from completion of assessment to provision of all services in the care package is less than or equal to four weeks
- PAF E50 – assessment of adults and older people leading to provision of service

The Board had generally been happy with the explanation around each target and its current performance, with the exception of D 55. Members had expressed concern about the disappointing performance on this PAF and requested that (1) they be kept updated regularly on progress in improving performance between now and March 2007; and (2) the indicator be reviewed again by the BVPI Board in twelve months time.

32.3 RESOLVED – to (1) note the selection of early successes and achievements made by the Adult Social Care Department and the summary of performance measures recorded as amber for quarter two;

(2) request that future monitoring reports also include the percentage of performance measures recorded as green, amber and red.

33. IMPROVEMENTS TO SCRUTINY ARISING FROM AWAYDAYS AND PEER REVIEWS

33.1 The Committee considered a report by the Director of Law and Personnel setting out some practical suggestions for improving scrutiny in East Sussex.

33.2 Members welcomed the suggestions and, in particular, considered that the attendance of representatives of external and partner organisations at committee meetings, when appropriate, would be a valuable resource and help inform debate. It was stressed that participation at meetings should not be regarded as an automatic right: invitations should be made at the discretion of the Chairman and after discussions with the Director of Adult Social Care.

33.3 The Committee were concerned that the proposal for Members to feed back on individual activities undertaken since the previous meeting perhaps needed some further consideration in terms of possible conflicts of interest and relevance to items on the agenda.

33.4 RESOLVED – to (1) agree that all the suggestions listed in the appendix to the report be taken forward subject to the caveats set out above and with the exception of number 6 (The Leader of the Council be required to appear before the Scrutiny Committee twice a year to answer questions about the overall stewardship of the Council) which had been suggested by the Peer Review; and

(2) request the Director of Law and Personnel to report to the next meeting on the concerns expressed in relation to suggestion number 7 (Greater Member involvement by feeding back on individual activities since the last meeting) and the best way of taking this proposal forward.

34. SCRUTINY COMMITTEE WORK PROGRAMME FOR 2006/2007

34.1 The Committee considered a report by the Director of Law and Personnel setting out the Committee's planned programme of work for the forthcoming year.

34.2 Members were advised that the Project Board undertaking the Review of Preventative Services would report to the Committee in June 2007, although an interim report might be brought to the March 2007 meeting.

34.3 The Committee expressed some concerns about the scope and timetable for the current Cabinet Best Value Review of Passenger Transport across East Sussex and the apparent lack of Scrutiny Committee involvement. The Scrutiny Lead Officer undertook to check on the current position and scope of the review and to E Mail the information to Members (see also minute 28.2).

34.4 The Director of Adult Social Care suggested, and it was agreed, that Members might welcome a presentation at their next meeting from a Primary Care Trust representative.

34.2 RESOLVED – to (1) note the Committee’s planned programme of work which would be updated to reflect decisions made at this meeting; and

(2) request the Director of Adult Social Care to invite a representative from the Primary Care Trusts to attend the next Scrutiny Committee meeting on 15 March 2007 to discuss the Health Sustainability Plan.

35. FORWARD PLAN

35.1 The Committee considered the Forward Plan for the period 4 December to 28 February 2007.

35.2 Members noted that, at his meeting on 11 December 2006, the Lead Member for Adult Social Care would also be considering a report on a proposed interim charging policy for Telecare equipment and services.

35.3 RESOLVED – to note the Forward Plan.

36. COMMISSION FOR SOCIAL CARE INSPECTION OF OLDER PEOPLE’S SERVICES: ACTION PLAN

36.1 The Committee considered a report by the Director of Law and Personnel setting out the Action Plan produced in response to the recommendations of the Commission for Social Care Inspection (CSCI) of Older People’s Services.

36.2 Members noted that the Action Plan had been considered by the Cabinet on 15 November 2006. The Cabinet had noted the CSCI report and approved the Action Plan.

36.3 RESOLVED – to (1) agree that the Action Plan is robust enough to meet the recommendations made in the Commission for Social Care Inspection report; and

(2) request the Director of Adult Social Care to report back to the Committee in March 2007 if there is any significant progress or any issues to be addressed, but otherwise report back on a six monthly basis.