

MINUTES of the meeting of Adult Social Care and Strategic Housing Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 19 December 2008 at 9.30 am

Present: Councillor PA Andrews (Chairman)
Councillor WLS Bowen (Vice Chairman)

Councillors: ME Cooper, H Davies, BA Durkin, MJ Fishley, AE Gray,
KG Grumbley, MD Lloyd-Hayes, JE Pemberton and RV Stockton

In attendance: Councillor PJ Edwards

81. APOLOGIES FOR ABSENCE

Apologies were received from Councillors LO Barnett and JG Jarvis.

82. NAMED SUBSTITUTES

There were no named substitutes.

83. DECLARATIONS OF INTEREST

Councillor A E Gray declared a personal interest in items 6, 7, 14 and 16, as a provider of care for people with learning disabilities.

84. MINUTES

RESOLVED: That the minutes of the meeting held on 3 October 2008 be confirmed as a correct record and signed by the Chairman.

85. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

There were no suggestions from the public for future topics for scrutiny.

Mrs Grisman, a member of the public, raised an issue with the Committee. She said that Kemble care had withdrawn two hours of weekly care from residents of the Rose Garden, Ledbury Road, Hereford. She was concerned by this reduction in service provision, and asked whether the Supporting People Programme would be charging users in the future.

The Interim Director, Adult Social Care, said that she was aware of the issue surrounding the continuity of service from Kemble Care, and that she would respond take these concerns away and respond as quickly as possible. She believed that The Rose Garden had otherwise proved to be an excellent facility.

Councillor WLS Bowen added that he had been in discussions with the Chief Executive of Hereford Hospitals NHS Trust concerning the possibility of undertaking a Review on the processes involved in leaving hospital and returning to home. The Chief Executive felt that there was a lack of co-ordination between the agencies involved. This subject would be looked at by the ongoing Scrutiny Review into

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Support for Carers' in Herefordshire.

The Interim Director, Adult Social Care said that additional care was needed whilst patients changed between services, and this had impacted on the Service in ways that had not been anticipated. The Director of Integrated Commissioning added that there was pressure on the present system, and that it had been agreed with the Chief Executive of Hereford Hospitals NHS Trust to undertake a review of the system. The care aspects of this review would involve this Committee. The Head of Integrated Commissioning pointed out that NI's 20-21 were much broader than currently recorded, and that they would be easier to understand once there was an evidence base from which to work.

86. ADULT SOCIAL SERVICES ANNUAL ASSESSMENT AND PERFORMANCE RATING 2007/2008

The Committee received a report from the Business Relationship Manager on the Commission for Social Care Improvement (CSCI) Annual Assessment and Performance Rating for 2007/08.

She reported that overall there had been a steady improvement in Adult Social Care over the year. A baseline to modernise services for Herefordshire had been created and the Directorate had been prioritised by the Council in order to improve the rating of 'adequate' from the previous year.

Areas for improvement that had been outlined were the intermediate care provision, where support needed to be more robust, and more needed to be done in order to bring this area within the joint commissioning framework. There were opportunities to build on what had already been achieved, and improvements in data collection for intermediate care would allow the Service to understand what was happening in the field, and how well the Service was working.

She went on to say that improvements in the area of Learning Disabilities had taken place, and the culture of adoption agendas had changed: residential care was not offered as the first and only option and telecare options were regularly and usefully being used.

Work had been started with carers, but this was coming from a very low base and was an area that did need improvement. As a result it had been prioritised, and as more Carers' were engaged with the Council's agenda, then outcomes would improve. Whilst there was no obvious plan to improve areas such as the implementation of major and minor adaptations to homes, the Centre for Independent Living had been offering to provide training for Council staff to enable a greater understanding as to the problems of living with a disability.

The Business Relationship Manager went on to say that the reduction in waiting time for assessments was an important step forward, but that improvements should continue to be made. The Council was pioneering in its use of individualised budgets, and the momentum for the use of these should be kept up. The Service was a local one for local people, and the commissioning structure would need to ensure that the broadest range of services possible were in place. She remarked that the spend on advocacy had failed to reach target for the year, but CSCI had been reassured that people could access advocacy. This was an area that needed to be addressed.

Strong leadership of the Service was vital, and it was important that sufficient people were in place to ensure that the change agenda could be delivered. It did appear

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that the appropriate arrangements were in place at the moment, and staff had been re-energised over the last few months. The change of culture that had been seen had meant that the visibility of Officers had improved and the role of elected Members had become more important. Improvement had been seen in both the business planning and performance management processes.

The overall impact of the changes made by the Directorate in the implementation of new structures has provided an improvement of service across all user groups. The commissioning and use of resources had improved. The commissioning issue was a major part of ensuring that the Service improved performance, and a clear baseline had been laid out by the joint commissioning plan.

The Interim Director of Adult Social Care said that it was helpful to have feedback from the Business Relationship Manager. She pointed out that the assessment was up to April 2008, and was therefore two thirds of the way through the year that the Directorate was assessed on. There were anomalies, in the way the assessment was reported. Personalisation of budgets had been at a very low base during most of the assessment period, but had been addressed in a very positive way during the year, and would be taken on by Wendy Fabbro in her role as Head of Integrated Commissioning.

In reply to a question from a Member, she went on to say that the domiciliary care was in the process of being re-commissioned, and one of the issues that was being considered was that of the right options that would be available for staff in order to prevent the sort of disillusionment of seconded staff to which the Member referred.

She went on to say that the care assessments were outdated, and these had been re-examined with the view to replacing them with another means of assessment. In answer to a further question, she said that there was currently a transition period that affected individualised budgets in that the Council was moving away from block contracts. The bureaucracy associated with direct payments would be reduced with the new system.

In reply to a question about migrant workers, the Interim Director went on to say that currently this group did not seek help at an early stage of mental illness, and ways would have to be found to offer help at the appropriate juncture.

RESOLVED: That the report be noted.

87. UPDATE FROM THE CHIEF EXECUTIVE OF HEREFORDSHIRE HOUSING LTD

The Committee received a report from the Chief Executive, Herefordshire Housing Ltd, on the activities of the organisation over the last year.

In his presentation, the Chief Executive raised the following issues:

- That the activities of the organisation were based on the property assets that had been transferred to it by the Council, and that planning for the future of had been strengthened. The intention was to build a vision of an organisation that offered a wide range of services; not just a housing provider, but as a provider for the needs of the vulnerable.
- It was important that the stock should be managed well into the future, and to that end £24m had been found from budgets to be used in maintenance over the next 5 years.

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- That additional funds had been put into maintenance of trees, the cleaning of communal areas and tackling anti social behaviour.
- Although the Warden Service had been withdrawn, improved targets had been set for support services that would be targeted on vulnerable people.
- Careline was a service that Herefordshire should be proud of, and it had dealt with calls from 24,000 people in the current year at a low cost. Additional telecare services would be offered on a round the clock basis.
- The effects of the recession could well last up to five years and it was likely that both homelessness and poverty would be on the increase.
- Prevention of homelessness should be a priority, and Herefordshire Housing contributed £82k a year to the Home Point Partnership's total budget of £274k. A review had been undertaken into the charity's activities to enable better and more targeted delivery of affordable housing.
- Care should be taken not to concentrate solely on development of new stock, but also on support services for residents, and a number of ways of doing this were being pursued. There was a policy of supporting people to remain in their homes during the recession in order to tackle the issue of homelessness, and more properties would be let in order to provide additional housing stock.
- Sixteen thousand repairs were undertaken each year to improve and maintain existing stock, and orders were enforced in order to help people feel more secure in their environment.

In the discussion following the presentation, the following points were raised;

- That the Warden Scheme did not provide the care that was required as the Warden only worked until 3.30pm, and was unavailable at weekends. Better targeted and trained support was now available through Careline.
- In reply to a concern from a Member that there should be a frontline desk to allow people to register as homeless, or to bring debt problems, the Head of Strategic Housing said that early advice could be provided. The Services was working with Registered Social Landlords to ensure that their staff notified the Council as soon as possible.
- In response to a further query concerning the installation of adaptations in homes, the Head of Strategic Housing said that there had been a budget of £525k for the last two years for the installation of adaptations, but that there had been a huge increase in demand partly because occupation therapy referrals were now taking place much faster. Whilst these installations were funded from the Disabled Facilities Budget, there was now a shortfall of available funds to meet the needs of the users, and a paper outlining possible options would be presented to Cabinet.

RESOLVED: That the presentation be noted.

88. ADULT SERVICES AND STRATEGIC HOUSING PERFORMANCE MONITORING

The Committee received a report on the performance of the Adult Social Services and Strategic Housing Performance Monitoring to 31 October 2008. The Performance Manager drew the Committee's attention to a number of performance indicators (PIs) that had the prospect of exceeding their targets in the Adult Social

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Care Directorate. These were C31, (People with MH helped to live at home), C62 (Carers), C72 (Older People admitted to permanent residential care), C73 (Younger adults admitted to permanent residential care), D40 (reviews). In the future, reports would be available from the Frameworki system, which had been launched in November, and would allow for comprehensive reporting of all relevant PIs and would provide a new corporate performance management system called PerformancePlus, which will go live in the first half of 2009. Appendix 3 of the document outlined the National Indicator sets.

He went on to say that following the user consultation events that had been held in August, a feedback brief had been produced which set out the views and suggestions from those involved. These findings were now being used to inform the development of an Involvement Strategy across Health and Social Care.

In response to a comment from a Member, the Director of Joint Commissioning said that work would be undertaken to review how performance was identified. At present, the Council assessed areas through the Comprehensive Performance Report, which were not necessarily assessed by the Commission for Social Care Inspection (CSCI), which considered wider issues than the Council's Performance Indicator set.

The Performance Manager said that the performance of the Strategic Housing Service was monitored against the new National Indicators (NI's) and current Best Value Performance Indicators (BVPI's). NI 155, the target to deliver 200 units by end of year was currently on track, although the likelihood of achieving the target remained challenging. The current financial market was likely to severely hit targets for future years as a result of the downturn in house building.

A Member remarked that there was an opportunity for the Council to increase its social housing stock in this period of decline in house prices. The Head of Strategic Housing replied that the Council was trying to encourage developers into lease agreements in order to bring properties that had been left empty back onto the market. The Council would ensure that a proportion of these would be let at housing benefit rates. He added that where there was a risk of individuals losing their houses, the Council provided access to a Court desk worker to enable the Citizen's Advice Bureau to provide support.

The Performance Manager went on to say that early indications were that the target for Indicator BV64 (delays in receiving information of properties that have been brought back into use using the Rent Deposit scheme) would be achieved by year end. A Member suggested that it could be beneficial to undertake a discussion with letting agents across the County in order to find short term compromises for rented accommodation. The Head of Strategic Housing concurred, and added that the rents charged by landlords would be affected by market forces, and were currently being reduced across the County.

RESOLVED:

That; (a) The report be noted;

and;

(b) Areas of concern should continue to be monitored.

89. REVENUE BUDGET MONITORING 2008/09

The Committee considered the projected outturn as of the end of October 2008-09 for Adult Social Care and Strategic Housing.

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In response to a question from the Chairman, the Director of Integrated Commissioning reported that there would be a meeting the following week which would identify the key variables in the Learning Disabilities budget and address the issue of the cost of individuals meetings the Continuing Health Care criteria, which amounted to £942k. The required funds should be forthcoming thereafter.

He went on to say that there were a number of potential risks that could impact on the position of the forecast out turn. These included outstanding invoices that had been raised against the PCT from previous years for the Community Health Council (CHC) and the Shires Nursing Home, Hereford, contracts. Both of these were the subject of ongoing negotiations, as was the issue raised by Shaw Healthcare concerning the ongoing costs of vacant units at Leadon Bank Nursing Home, Ledbury.

The Management Accounts Manager reported that that whilst there had been a reduction in bed and breakfast costs to the Strategic Housing Service, there had been a significant increase in expenditure in the homelessness prevention fund, which included the payment of rental deposits. This was a volatile area of the budget, which made forecasting complex.

The Head of Strategic Housing reported that the Service was undertaking important work with the Citizen's Advice Bureau on debt advice. He added that the position regarding the numbers in bed & breakfast accommodation had not worsened, and it was likely that there would be no families in bed and breakfasts over the Christmas period. He pointed out that the Service was trying to achieve a reduction in homelessness numbers in the middle of the economic downturn, but that they were on target at this point. Private sector lease options were being considered to help manage the position.

It was noted that the issue of housing ex-military personnel, some of whom suffered from mental health problems and physical injuries was being addressed.

The Interim Director of Adult Social Care added that the pressures that faced the Service were the same throughout the year; that of increasing demand. The information available to the Service was better than that which had been available year ago, and work was in hand to ensure that the most up to date information was available for all areas of uncertainty. It was expected that the budgets would be balanced by Year End.

In reply to a query, the Director of Adult Social Care said that there was an underspend on the Supporting People programme. This was a substantial sum of money, a proportion of which could be used to meet the needs of vulnerable people. A plan had been approved to ensure that it was utilised for those who required it.

RESOLVED:

That;

- a) The forecast outturn for 2008/09 agreed with the Directors based on service and financial performance outlined in this report is noted,**
- b) The continuing efforts of the Directors to ensure service targets are met within the approved budget are endorsed,**
and;
- c) An improved forecast of outturn for the 2008/09 financial year be reflected in the next financial monitoring report.**

90. REVIEW OF HOUSING ALLOCATION

The Committee noted the Review of Housing Allocation.

The Head of Strategic Housing reported that there were in the region of 13,000 Registered Social Landlords in the County. There were up to fourteen properties falling vacant in a given week of which a third were sheltered housing.

He went on to lay out the areas that had been covered by the review, which included the legislative framework surrounding Housing Allocation Policies which included recent consultation for the 'Allocation of Accommodation, Choice-Based Lettings, Code of Guidance for Local Housing Authorities'.

The Review had identified a number of areas that the Group had wanted to highlight, and these included:

- the high level of overcrowding in the County;
- the success of the Home Point 'Talking Brochures' concept, the use of which should be encouraged;
- ways of maximising the delivery of affordable housing;
- their support for the concept of a Housing Contact Centre / One Stop Shop approach to meet the wide ranging housing needs in the County.

The Head of Strategic Housing went on to say that it had been agreed that it was appropriate for the Home Point Partnership to produce a draft policy to deal with the issues that had been identified in the paper.

In reply to a query from a Member, he went on so say that there was an issue around families that wanted to foster children within a family environment, and ways of releasing larger housing stock to address this need would be considered.

RESOLVED:

That;

- (a) The Cabinet Member be requested to invite the Home Point Partnership to undertake a review of the Allocations Policy with particular attention to the recommendations identified by the Review Group;**
- (b) That the Home Point Partnership review the operation of Home Point with a view to maximising the cost and operational efficiency of services with particular attention to the outcomes of the Review;**
- (c) That the outcomes and recommendations from the Home Point Partnership Review should be reported back to the Committee:**

and;
- (d) That the final recommendations should be submitted to the Home Point Partnership Board and Cabinet for approval.**

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**91. REVIEW OF THE CABINET'S RESPONSE TO THE JOINT SCRUTINY REVIEW
OF THE TRANSITION FROM LEAVING CARE TO ADULT LIFE**

The Committee received a report on Cabinet's response to the joint Scrutiny Review of the Transition from Leaving Care to Adult Life. The Head of Safeguarding and Assessment reported that there was an Action Plan attached to the paper, which would be altered following the Committee's deliberation.

A Member supported the comments outlined in paragraph four of the report. She said that the Review Group had been impressed with the Pathway Plans, but it did seem that fewer people than might be expected were using them. It was a very valuable process, and she would be concerned were it to fall into disuse. She went on to say that the Personal Education Plans outlined in point seven of the Action Plan seemed to be very effective, but she was concerned that there did not seem to be very good take up of the initiative by those it was aimed at. She was also concerned over the apparent recalcitrance of OFSTED to release information that had been requested by the Council.

The Cabinet Member thanked her for her comments, and said that there had been a letter forthcoming from OFSTED, so that the Council did have more information than it was previously privy to. It was not a full a reply as had been desired. In reply to the Vice Chairman's suggestion that pressure should continue to be put on OFSTED for a fuller disclosure, she replied that it was felt that the Council had received as much information as it was likely to at the moment.

RESOLVED:

- That; (a) Cabinet's response to the Joint Scrutiny Review of the Transition from Leaving Care to Adult Life be noted, subject to any comments which the Committee wishes to make;**
- (b) Scrutiny Committee endorses the proposed strengthening of the Action Plan as outlined above;**
- and;**
- (c) A further report on progress with respect to the Action Plan be made after six months with consideration then being given to the need for any further reports.**

92. SAFEGUARDING ADULTS

The Committee noted a paper on safeguarding vulnerable adults in Herefordshire.

The Safeguarding Adults Manager reported that the responsibility to ensure that vulnerable adults were safeguarded from harm rested with Adult Social Services. However, unlike safeguarding children, the responsibilities around Adult Safeguarding were not covered by legislation but by good practice policy and guidance. However, as part of the statutory role of Director of Adult Social Services, the Director was expected to ensure that there were effective multi-agency arrangements in place. There were clear responsibilities for other statutory agencies such as Police, Probation and the NHS and independent providers of care services to work with Social Services in order to ensure that adults were protected and a proactive approach was taken to safeguarding.

She went on to draw the Committee's attention to Appendix 1 of the report, which outlined cases that had been dealt with by the Service.

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In reply to a question from a Member regarding the risk that some agency staff members were placed under, the Interim Director of Adult Social Care said that as a result of the legislative position, it was difficult to ensure that agencies took as much responsibility for their staff as they should. In reply to a further question, the Safeguarding Adults Manager added that there were reports of incidents in Care Homes.

In reply to a question from a Member, the Safeguarding Adults Manager said that there was a whistle blowing process in place as part of the contract with the domiciliary care providers.

RESOLVED: That the report be noted and a progress report should be brought back to the Committee in six months time.

93. UPDATE REPORT ON THE IMPLEMENTATION OF FRAMEWORKI

The Committee received an updated report on the implementation of the Frameworki project.

The Head of Transformation reported that the system was well managed and supported, and that the staff had received excellent training.

RESOLVED: That the report be noted and a progress report should be brought back to the Committee in six months time.

**94. PARTNERSHIP AGREEMENT WITH MIDLAND HEART FOR THE PROVISION OF
LEARNING DISABILITY SERVICES**

The Committee noted a paper on the partnership agreement with Midland Heart to provide accommodation and support for adults with a learning disability in Herefordshire.

The Safeguarding Adults Manager reported that, as the final stage in a long and complex tender process, Cabinet had approved a contract with Midland Heart in May 2008. Services had been transferred to Midland Heart during July and August 2008.

The contract had an annual value for £3.3m (2008/9) and included residential care, short break and supported living services, which currently supported 80 individuals. The contract was for five years during which time Midland Heart will support an increased number of individuals for the same annual value. There were a number of planned developments within the first year of the contract, and these included the development of a Housing Facilitation Team to work with younger disabled people and a £120k refurbishment plan for Ivy Close, funded by Midland Heart.

RESOLVED:

That (a) The report be noted and a progress report should be brought back to the Committee in six months time;

and;

(b) The Committee should visit the facilities at Ivy Close, Ledbury Road, Hereford and Southbank Close, Southbank Road, Hereford once the programmed capital works had been undertaken.

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**95. UPDATE REPORT ON PROGRESS OF PERSONALISATION OF CARE IN
HEREFORDSHIRE**

The Committee considered a paper which outlined the progress of the introduction of personalised budgets in Herefordshire.

The Head of Transformation reported that the numbers of people receiving individual budgets was increasing monthly, and the Council was on target to achieve 250 service users receiving individual budgets by March 2009. She added that the Directorate had joined a national pilot being run by FACE (The Functional Analysis of Care Environments), with Department of Health backing, to develop a single Resource Allocation System (RAS) across all service user groups that is compatible with systems of assessment and review including the Single Assessment Framework and development of a Common Assessment Framework. The FACE approach to Individual Budgets has also been designed to support personal healthcare budgets which would enable this support to be extended to Primary Care Trusts.

She went on to say that Herefordshire Adult Social Care, together with the Primary Care Trust, Deloitte and Corelogic (suppliers of Frameworki) had led on the submission of a bid to the Department of Health for £2.5m to become part of a national pilot for 'Early Adopter' sites to implement a Common Assessment Framework across health, social care and voluntary and independent sector provider organisations. From forty nine applications submitted, Herefordshire were one of seventeen short-listed local authorities and were now in the process of putting in a second stage bid to become one of the final twelve sites to be selected. Ministers would notify successful sites by the end of January 2009.

RESOLVED: That the report be noted.

**96. PROPOSED RESTRUCTURING OF HEREFORDSHIRE COUNCIL ADULT
SOCIAL CARE AND PRIMARY CARE TRUST COMMISSIONING FUNCTIONS**

The Committee noted a report on the proposed restructuring of Herefordshire Council Adult Social Care and Primary Care Trust Commissioning Functions.

RESOLVED: That the report be noted and a progress report should be brought back to the Committee in six months.

97. WORK PROGRAMME

The Committee noted the Work Programme.

It was agreed that the Supporting People Programme should be added to the Work Programme.

RESOLVED: That the work programme as amended be approved and recommended to the Strategic Monitoring Committee.

The meeting ended at 13.05

CHAIRMAN