

MINUTES of the meeting of Adult Social Care and Strategic Housing Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 31 March 2010 at 9.30 am

Present: Councillor PA Andrews (Chairman)
Councillor AE Gray (Vice Chairman)

Councillors: KS Guthrie, Brig P Jones CBE, MD Lloyd-Hayes, JE Pemberton, GA Powell and RV Stockton

In attendance: Councillor PJ Edwards

175. APOLOGIES FOR ABSENCE

Apologies were received from Councillors ME Cooper, BA Durkin and MJ Fishley.

176. NAMED SUBSTITUTES

Councillor Brigadier P Jones CBE substituted on behalf of Councillor MJ Fishley.

177. DECLARATIONS OF INTEREST

Councillor AE Gray declared a personal interest as a provider of provisions for people with learning disabilities.

178. MINUTES

RESOLVED: That the Minutes of the meeting held on 25 January 2010 be confirmed as a correct record and signed by the Chairman.

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

There were no suggestions from Members of the public for issues for future scrutiny.

180. PROCUREMENT OF MENTAL HEALTH SERVICES

The Committee received an update on the Mental Health Procurement Project being undertaken by NHS Herefordshire and Herefordshire Council.

The Associate Director of Joint Commissioning reported that the current Mental Health Services were provided by NHS Herefordshire supported by the Council. Whilst the services provided were satisfactory, the advantages of economies of scale offered by large specialist mental health providers were unavailable. NHS Herefordshire has taken the view that these services would be best provided by a specialist mental health provider.

Bids had been submitted as part of a competitive tendering process, and presented to stakeholders from three successful bidders. These were Gloucestershire Mental Health Trust, Worcestershire Mental Health Services and South Staffordshire and Shropshire Mental Health Trust. The final tender stage was in place, and the contract would be awarded by the

end of July 2010. The Powerpoint presentations from the bidders, together with staffing number, would be circulated to the Committee as a briefing note.

In the ensuing discussion, the following points were made:

In reply to a question from a Member, the Associate Director of Joint Commissioning said that there were clear advantages to going down this route, as larger organisations could minimize costs. It would also be possible to extend existing services and provide Memory Clinics in every market town, something that the existing Mental Health Service was unable to do through a lack of resources.

In reply to a further question, the Associate Director said that the commissioning intention was to focus on localities within the County, and that there was no intention that service delivery would be provided outside the County.

The Associate Director went on to say that as a result of this change there would be increased productivity for the same budget, rather than cuts to the Service. By using resources from other organisations it would be possible to increase services such as memory and personality disorder clinics.

RESOLVED: That the report be noted.

181. UPDATE ON THE EXECUTIVE'S RESPONSE TO THE REVIEW OF TRANSITION FROM LEAVING CARE TO ADULT LIFE

The Committee received a report on progress on the action plan that was produced on the Review of Transition from Leaving Care to Adult life on 19 December 2008.

RESOLVED:

That;

- (a) The Committee appreciates that there has been an almost complete change of management since the Review and that a new legal framework was currently being introduced. But it feels that the response to the Review, together with the actions required to implement recommendations that had been made almost two years ago, have been markedly less than adequate;**

and;

- (b) the report presented was a wish list of aspirations and promises with little in the way of clarity for action plans, designated responsibilities or time lines for delivery. As such the Committee is not prepared to accept this report and requests that a more considered response be presented, with specific actions and clear lines of responsibility for delivery within a defined timescale, to its meeting on the 21 June 2010.**

182. REVIEW OF CABINET'S RESPONSE TO THE SCRUTINY REVIEW OF THE SUPPORT TO CARERS IN HEREFORDSHIRE

The Committee received a report on Cabinet's response to the recommendations made to it in the Scrutiny Review of Carers' Services in Herefordshire.

The Chairman reported that all of the recommendations had been accepted apart from the first one, as it would be inappropriate for representations to be made to the Minister until after the forthcoming General Election.

RESOLVED:

THAT

- (a) **Cabinet's response to the findings of the Scrutiny Review of Carers' Services in Herefordshire be noted; and**
- (b) A further report on progress against the action plan be made after six months with consideration then being given to the need for any further report being made.

183. BUDGET MONITORING

The Committee received a report on the financial position for Adult Social Care and Strategic Housing revenue budgets for the period to 31 January 2010.

The Principal Accountant reported that the overspend for social care currently stood at £2.2m, which was a decrease of £400k from the previous month. To date, recovery action had achieved savings of £522k as a result of the recovery of £147k from Direct Payment surpluses, £164k from Daycare voids, the use of £196k of capital funding, £10k from a hold on spend and £4k from Independent Living Funding income. A further saving of £1,088k was likely to be achieved. The total saving for 2009/10 was £1,610k.

She went on to outline changes that had occurred since the report had been written:

- The Interim Director of Integrated Commissioning had met care providers in order to agree the principles for the new standard rate for residential care. This would see a significant increase in the base rate and would eliminate the requirement for discretionary top-ups. The rate would be effective from 1 April 2010.
- A review of the contract with Shaw Healthcare was underway in order to ensure that the existing contract was fit for purpose. This contract had the largest number of residential and daycare voids and it was anticipated that the review would generate efficiencies.
- Recent changes to the conditions for receiving Independent Living Funds. From 1st May it would only be possible to claim for those under 65 who were employed for more than 16 hours per week and had a package funded by the Council of over £340 per week. This would reduce the Council's capacity to raise funds in the future. Existing claims would not be affected.

The Principal Accountant went on to report on changes within the budget setting process for 2010/11:

- All budgets would be split between block and spot contracts. Service managers would ensure maximum use of block contracts prior to use of the spot market according to assessed needs of the client.
- Budgets would be set according to existing commitments. This would mean that service managers would have adequate budgets to work with, and monitoring would allow the Council to identify overspends as a result of a lack of funding or increased pressure on clients coming into the service. This would allow for a 'credit' budget being applied to each service area which would be the shortfall in funding under each client group for social care.
- Budgets have been set using zero based principles and vacancy factors had been incorporated at 4%.

- The new virement policy would allow budget movements within set limits, and add justification to the impact of future funding commitments.

The Associate Director of Integrated Commissioning added that the Supporting People underspend had occurred only because funds had not initially been allocated appropriately. The budget had been treated as outlined in the report in order to ensure that it would be ring fenced.

In reply to a question from a Member, the Associate Director went on to say that, in regard to the, Shaw Healthcare contract, there was an opportunity in November 2010 to negotiate changes as part of a corporate procurement review. Voids were being followed on a weekly basis, and were running at approximately 43% in day care. A report was still outstanding from Corporate Services that would allow her to undertake contract variation negotiations.

The Associate Director added that in June 2011 changes would take place regarding non residential care. These would allow free personal care at home for those assessed with critical and substantial needs, after they had undergone a period of re-ablement. As a result new assessment models and services would have to be put together that would interface with the IT system. The changes to residential care would not take place before 2014, and would only apply to those who had paid for care for two years. It was unlikely that many elderly patients would qualify under these rules.

RESOLVED

That;

- a) **the report be noted;**
 - b) **the Committee commended the admirable efforts of the Directorate in attempting to reduce the budgetary overspend, but feel that severe budgetary pressure will continue without an increase in the base budget;**
 - c) **the Committee noted with regret the decision to top slice the budget of this demand led service by 6%;**
 - d) **The Committee noted once more the delay in the provision of suitable accounting mechanisms in the Frameworki package to accurately cost services and to closely monitor expenditure;**
- and;**
- e) **the Committee expressed concern at the delay within Corporate Services in producing a report by the end of the financial year 2009/10 which would facilitate contract negotiations with Shaw Healthcare.**

184. ADULT SOCIAL CARE PERFORMANCE MONITORING 2009/10

The Committee received a report on the national performance indicator positions and other performance management information for the Adult Social Care Division within the Joint Commissioning Directorate

The Associate Director of Joint Commissioning reported that the target for NI 130 (Social care clients receiving self directed support) appeared to be higher than performance, but it was an average across the West Midlands

She went on to say that NI 132 (Timeliness of social care assessments) had shown a drop in the autumn of 2009, as a result of significant safeguarding problems: three residential homes had required full reviews. The severe weather in January had also had an affect on this indicator.

It was noted that NI 135 (Carers receiving a needs assessment or review and specific carer's service or advice) had been affected by a fault in the Frameworki recording system. This had been sorted out, and the indicator would be on target once the data performance staff had cleaned the data.

RESOLVED: That the report be noted.

185. COMMITTEE WORK PROGRAMME

The Committee noted its Work Programme.

RESOLVED: That the work programme be approved and reported to the Overview and Scrutiny Committee.

The meeting ended at 10.50 am

CHAIRMAN