

MINUTES of the meeting of Overview and Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 12 October 2012 at 10.30 am

Present: Councillor A Seldon (Chairman)
Councillor JW Millar (Vice Chairman)

Councillors: PL Bettington, WLS Bowen, EPJ Harvey, MAF Hubbard, TM James, Brig P Jones CBE, JLV Kenyon, JW Millar, R Preece and SJ Robertson

In attendance: Councillors MD Lloyd-Hayes, PM Morgan and AJW Powers

Officers: J Davidson, Director for People's Services, C Baird (Assistant Director People's Services Commissioning), S Binns, Joint Team Manager (Welfare & Financial Assessments), N Bridges (Sustainable Communities Manager), R Gabb (Assistant Director – Homes and Community Services), A Carswell (Interim Programme Director: Adult Social Care), J Lewis (Assistant Director, People, Policy and Partnerships), J Jones (Head of Governance), N Webster (Economic Development Manager) and D Penrose (Governance Services).

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors AM Atkinson and MJK Cooper.

49. NAMED SUBSTITUTES (IF ANY)

None.

50. DECLARATIONS OF INTEREST

Agenda item 8: Adult Social Care Charging Review: Councillor PL Bettington, Personal, as relative is a Service User.

51. MINUTES

RESOLVED: that, as the Minutes of the meeting held on 4 October 2012 were received the previous day, they should be approved at the next meeting.

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

The Committee received a suggestion for future scrutiny from Mr D Packman regarding Hoople Ltd and its exemption from the Freedom of Information Act. The Chairman thanked Mr Packman for his question, and said that the matter would be considered by officers in order to decide whether it was a feasible matter for scrutiny.

53. QUESTIONS FROM THE PUBLIC

The Committee received a question from Mrs V Wegg-Prosser Agenda Item 7: Hereford Futures:

Please explain how the management of infrastructure delivery requirements by Hereford Futures cross-relates to the same management carried out by the Local Development

Framework team, with respect to the Infrastructure Delivery Plan and the calculations needed to set the Community Infrastructure Levy?

Answer from the Team Leader, Strategic Planning

Hereford Futures work closely with the Council's team producing the Local Development Framework (LDF) in order to ensure that infrastructure requirements are properly coordinated. Officers from the LDF team attend the Hereford Futures infrastructure Group and Hereford Futures have been engaged in the LDF economic viability work which will help inform the LDF Infrastructure Development Plan and Community Infrastructure Levy."

54. HEREFORD FUTURES

The Committee noted a report on Hereford Futures. The Economic Development Manager reported that Hereford Futures Limited was a not for profit private company limited by guarantee, with the members of the Board being the guarantors. All of the Board had been recruited based upon their commitment to the County and their individual skills and knowledge relevant to the remit of the company. All Board members had signed letters of appointment on joining the Board, and served two terms of three years plus an option for one further term.

The objectives of the company were to promote and secure development and growth in the physical and economic environment of the whole of Hereford and its environs. The company was led by a highly experienced board of non-executive directors, chaired by Major General Ted Willmott. The company had put in place corporate governance procedures and separate Nominations, Audit and Remuneration Committees were in place.

In the ensuing discussion, the following points were made:

- That the paper before the meeting did not address the need of the Committee. An outline of the governance structures of Hereford Futures was useful, but should be supported by a diagram outlining where the roles and responsibilities lay between the various bodies and individuals, such as the Leader and Chief Executive of the Council. An understanding of the risks, both existing and emerging had been expected, as well as mitigating action for these.
- That information regarding progress on the Butter market project would be welcome, as this was a concern for Members who also served on the City Council.
- That there would not be a Hereford University included in the project, but that higher education providers were aware of the opportunities for training and reskilling the workforce within the County.

RESOLVED:

That

- a) the contents of the report be noted; and;**
- b) A working party comprised of Councillors EPJ Harvey, MAF Hubbard, JLV Kenyon and A Seldon should meet to provide a scope for a report to be brought back to the Committee.**

55. ADULT SOCIAL CARE FEES AND CHARGES FAIRER CHARGING POLICY

The Committee received a paper on the outcome of the consultation on charging for Adult Social Care Services and the recommendations for changes to the Fairer Charging Policy.

The Cabinet Member (Health & Wellbeing) reported that Cabinet had adopted a general policy of full cost recovery across all services. The implications of this policy for adult social care services had been consulted upon to update the Fairer Charging Policy. People in receipt of a "chargeable" service were entitled to a financial assessment and only those assessed as being able to pay will pay. It should be noted that 51% of people in Herefordshire who are in receipt of services did not pay following financial assessment. The introduction of a more equitable and transparent approach to charging would also have the benefit of promoting choice and market development and providing greater access to services for users.

The Interim Programme Director: Adult Social Care reported that this had been a widespread consultation, with 2000 questionnaires issued to service users, from which there had been a 564 replies. Face to face discussions had been held with 344 people, and there had been 16 public meetings.

In the ensuing discussion, the following points were made;

- That there would be no change to Extra Care, supported/shared living and adult placement, as these were already charged at full cost.
- Currently there was inequality between how charges are applied depending on whether service users decided to receive care through managed services or a direct payment. In the consultation, 59 % of replies agreed that equity of charging was needed.
- In the consultation, 51% of replies agreed that equity of charging was needed, whilst 69% agreed that adult placement should be charged equally. That whilst there was a proposed increase in cost for meals, some daycentre users were already paying more than the present rate. The Interim Programme Director added that the Council would go out to tender for all contracts. As an example, costs for short breaks for carers had been reduced from £20 to £16.
- The Interim Programme Director added that the Council was keen to ensure that value for money and tendering exercises had taken place which had reduced the costs of services.
- That as part of the charging process, if services received by an individual were chargeable, then the Benefits Team would visit them to undertake a financial assessment to ensure that they paid only as much as they could afford to pay.

In reply to a concern, the Director for Peoples Services said that whilst it was not possible to prevent a judicial review of the process being sought, the Council had mitigated as much as possible against such an outcome. The process that had been undertaken had been informed by those undertaken by other local authorities, and the Council had done everything reasonable and possible to ensure all service users were consulted on the proposals.

- That a cost benchmarking exercise of near neighbour local authorities as well as the Council's family of similar authorities had been undertaken in November 2011 by PricewaterhouseCoopers.

- That there had been much discussion around charges for transport, and following an assessment process, users would only be expected to pay the maximum that they could afford. The majority of users would not pay the full cost for the service.
- That the financial assessment process would be the subject of an adult social care seminar for all Members in November, which would look at how people were assessed, and the benefits of the process.
- That there was, at present, no proposal to phase the changes to the charges.
- That there would be a full financial assessment for all those involved in supported employment, and charges would not penalise those who were working, as earnings would be disregarded as part of this process.
- That reviews would be undertaken for those service users who were just out with the limit for financial support. If users did withdraw from services they would be referred back to the Wye Valley NHS Trust Assessment Team.
- That the financial assessment process was made as simple as possible, and that it was made clear to the user that the assessment team were looking after their wellbeing, and were ensuring that they were only paying the maximum that they could afford.

RESOLVED:

That

- a) **the Committee noted the outcome of the consultation on charging and the contents of the Equality Analysis;**
- b) **the Committee was satisfied with the report; and;**
- c) **An updated report on the outcomes of the policy be brought to the Health and Social Care Overview and Scrutiny Committee within 12 months of implementation.**

56. LOCALITY WORKING - FIRST YEAR OF IMPLEMENTATION

The Sustainable Communities Manager presented a report on the first year of locality working. And said that Locality working aimed to deliver the objectives of the Locality Strategy for Herefordshire, which had been approved by Cabinet in March 2011. Locality working was focused on four strategic objectives which were outlined in the report. As part of the Locality Strategy, a common approach to localities had been developed by Herefordshire Public Services (HPS) together with its wider partners. Nine locality areas had been identified to help structure service delivery closer to communities and to better address local needs. Work was in hand to shape how services could be delivered and communities engaged, on the basis of the nine areas.

In the ensuing discussion, the following points were raised:

A Member said that he believed that the current success of the scheme was patchy, and that whilst it was performing well in the rural areas, this was not the case in the some Market Towns or the City. It was becoming apparent that Localism was a more complex issue than was first thought, and issues that were important to the rural hinterlands bore little interest to the City and Market Towns. There was also an apparent split in the County to the North and South, as well as to the East and West. He suggested that

localities should look at how local pressures were divided up or fine-tuned in an effort to avoid this problem.

A Member added that she was supportive of locality working, but was concerned as to how it was managed. It was important that parishes of all sizes should be equally enthusiastic over the strategy, and suggested that a staircase of clear objectives be put in place that would ensure that they were focused on the aims that were set out in the strategy.

Concern was expressed over Neighbourhood Plans, and it was pointed out that many parishes were finding these both daunting and complex and took a lot of encouragement and explanation to get them involved in the process.

The Sustainable Communities Manager said that the Council had developed its success measures with the intention of working with the Lead Locality Officers in order to ensure that support was being provided to parishes. She added that consistent advice was being given to Parish Council regarding Neighbourhood Plans. As part of the second phase of the Root and Branch Reviews, consideration would be given as to how capacity could be built in order to better support the parishes.

RESOLVED:

That

- a) the report be noted;**
- b) the Committee recommend that greater engagement should be undertaken with the Town Councils; and;**
- c) As the Parish Councils will be taking on greater responsibilities, methods of providing them with additional funding should be considered.**

57. CORPORATE PLAN

The Assistant Director People, Policy & Partnership presented the Draft Corporate Plan. She said that the corporate plan was the key strategic policy framework document for the council. The proposals within the plan were informed by a situational analysis which included policy direction, current performance and a latest summary of the Council's evidence base which included Understanding Herefordshire and the Your Community, Your Say community engagement process.

The plan, which would be approved by Council on 23rd November, would provide the context for the development of budget proposals, the Medium Term Financial Strategy and 2013/14 service delivery planning.

Resolved:

That

- a) The Committee endorsed the approach taken by Cabinet in formulating the Corporate Plan; and;**
- b) The Committee recommended that the Council's values, as spelt out in the acronym PEOPLE, should be utilised as the foundation and the delivery of any project proposed as part of the Corporate Plan.**

58. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Committee considered its Work Programme.

It was agreed that the Chairman and Vice Chairman of the General Overview and Scrutiny Committee and the Health and Social Care Overview and Scrutiny Committee should consider the work programme in advance of the informal meeting of the two new Committees, to be held on the 23rd October 2012.

RESOLVED: That the work programme be noted.

The meeting ended at 13.20

CHAIRMAN