

# Public Document Pack

People Scrutiny Committee  
15<sup>th</sup> September 2016

## MINUTES OF A MEETING OF THE PEOPLE SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON THURSDAY, 15 SEPTEMBER 2016

### PRESENT

County Councillor D R Jones (Chair)

County Councillors A W Davies, L R E Davies, E R Davies, J Gibson-Watt,  
MC Mackenzie, P J Medicott, K M Roberts-Jones, G P Vaughan, Mrs A Davies,  
Mrs M Evitts and Mrs L Jenkin  
Church Representative: Mrs M Evitts

In attendance: County Councillors W. Jones (Portfolio Holder for Finance) and G.  
Brown (Portfolio Holder for Children's Services)

Officers: Ms S. Hughes (Senior Manager – Social Care Delivery), Ms F. Fitzpatrick  
(Interim Head of Children's Services), Ms K. Arthur (Adult Safeguarding Team  
Manager), Mrs E. Patterson (Scrutiny Officer)

<b>1.</b>	<b>APOLOGIES</b>	<b>PSC32-2015</b>
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Apologies for absence were received from County Councillors A. Holloway, S.  
McNicholas and T. Turner.

<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>PSC33-2015</b>
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No declarations of interest were received.

<b>3.</b>	<b>MINUTES OF PREVIOUS MEETING</b>	<b>PSC34-2015</b>
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The Chair was authorised to sign the minutes of the meeting held on the 9<sup>th</sup> June  
2016.

<b>4.</b>	<b>DECLARATION OF PARTY WHIP</b>	<b>PSC35-2015</b>
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No declarations of party whip were received.

<b>5.</b>	<b>CHAIR'S BRIEFING</b>	<b>PSC36-2015</b>
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The Chair advised that at the recent Council meeting on school modernisation a  
number of proposals had been made but this meeting had only been advisory  
and the decision on these schools would be taken at the Cabinet meeting on 27<sup>th</sup>  
September 2016.

Cabinet had met on 13<sup>th</sup> September 2016 and confirmed the closure of Nantmel  
Primary School from 31<sup>st</sup> December 2016.

The Chair advised that the Cabinet meeting on the 13<sup>th</sup> September had also  
received information that there was a large budget overspend with details  
reported to the end of June and a verbal update that the position had

deteriorated by the end of July. The overspend is particularly in the area of Adult Social Care.

At Joint Chairs it had been agreed to join with Audit Committee and undertake scrutiny of the position regarding the financial position of Adult Social Care. Scoping of this piece of work would commence the following week.

Members asked if the money held in the Icelandic account that had recently been returned to the authority could be used to cover the overspend. The Portfolio Holder for Finance confirmed that this money was part of the authority's reserves. Reserves can only be spent once and use of reserves does not address ongoing overspending.

Members commented that whilst it was important to address the financial position of the service the quality of care should not be forgotten. The Portfolio Holder advised that the authority had brought in someone to examine the position. The overspend had brought the authority close to tipping point. Not only was the current budget overspent but the proposals around residential care would not deliver the savings which are required in the medium term financial strategy. What is currently being provided is unaffordable.

<b>6.</b>	<b>POWYS REGIONAL PARTNERSHIP BOARD</b>	<b>PSC37-2015</b>
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The Senior Manager Adult Services presented a report on the Powys Regional Partnership Board (RPB) (copy filed with signed minutes).

The RPB has been set up as a requirement of the Social Services and Well-being Act 2015 ('the Act'). The Act requires the council to work with health, the third sector and the private sector in partnership to improve care and support, improve outcomes for health and well-being, provide co-ordinated person centred care and support, make more effective use of resources, skills and expertise, ensure sufficient capacity to respond to the needs of the people in the region.

The Act focusses on building on the strengths of an individual and using the individuals own support network and third sector support prior to the provision of more formal support. For the first time the Act also includes a requirement for preventative services to be provided. It is acknowledged that it is difficult to find the money to invest in preventative services when the overall budget is overspent.

There is a strong focus on carers who feature throughout the 11 parts of the Act.

Members queried the governance of the RPB. It was confirmed that the governance costs were funded by Welsh Government. The governance of the RPB is subject to a review by the Monitoring Officer of the Council and the Board Secretary of the Health Board which will be reported to both the Council Cabinet and Health Board.

Members queried how the move towards pooled funds would work in practice if one of the parties was experiencing budget pressures. It was confirmed that pooled budgets fall under a section 33 agreement between the Council and

Health Board but the Officer was not able to answer specific queries regarding section 33 agreements.

Members asked if the implementation of the Act would result in additional costs to the Council. It was confirmed that whilst many of the requirements of the Act were already being complied with by the Council there were some areas such as advocacy where there were additional requirements with no additional funding. In this case the Association of Directors of Social Services across Wales are discussing this position.

<b>7.</b>	<b>FOURTH QUARTER REPORT ON SAFEGUARDING</b>	<b>PSC38-2015</b>
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The Interim Head of Children's Services and the Adult Safeguarding Lead Manager presented the fourth quarter report on Safeguarding to March 2016.

The regional safeguarding board CYSUR meet quarterly and have a sub-group the Child Practice Review Group which also meets quarterly to share practice on multi agency reviews.

Locally the Powys Local Operational Group (PLOG) (which covers Children's safeguarding matters) and the Powys Local Operational Group – adults (PLOGa) now meets on the same day and has a joint session covering common areas. PLOG have a Safe, Stable and Secure sub-group as there are many young people placed in Powys from other local authorities. A Shadow Board comprised of young people is in place who suggest areas of work for PLOG.

The PLOGa now complies with legislation and whilst in its infancy is developing.

*Does an adults panel exist in the same way that there is a Children's Shadow Board?*

The panel are looking to engage with the community and are working with PAVO to facilitate this as part of the requirements of the Act. This work is in its infancy.

*It appears that there was a huge increase in referrals as a result of domestic abuse in quarter 2 (figure 6). Why was this?*

It may be due to a change in the way that a partner reports referrals. The referrals may be sent in bulk which may mean that they appear skewed in quarter by quarter figures.

*Does the authority take too long in getting cases to court for vulnerable children?*

In the Care Courts the test used is 'on the balance of probabilities'. The authority start by working with the family and if this is not working the authority will try to work with the extended family. If a case is going to proceed to court then it is necessary for the parent to be represented by a lawyer and the authority will undertake a considerable amount of pre-court work so that by the time the case goes to court all options have been exhausted. This is necessary as the court will want to know that everything possible has been done to work with the family. If all this has been done it is likely that the authority will be successful at court. The Interim Children's Services Manager confirmed that she had not heard of there being a problem with court matters.

The Adult Safeguarding Lead Manager advised that the next report would be amended to reflect the terminology of the Social Services and Wellbeing Act.

*What are the criteria for referrals and is this being implemented consistently across the county?*

The criteria is set out within the act but there is a degree of flexibility. Powys are working with Ceredigion, Carmarthenshire and Pembrokeshire to gain consistency with our partners. In Powys all referrals are made through Powys People Direct and thus there is consistency. What may skew the figures would be for example an issue with a larger care home which may affect a large number of people.

It was requested that further narrative regarding this be included in future reports.

*Does the authority monitor students that are placed out of county?*

If there were safeguarding issues this would be the responsibility of the authority in which the student is placed. However, it would be expected that the authority would inform Powys of any such issue.

The service is working hard to ensure data compliance and has employed additional staff who are starting work now.

*The high number of issues from Montgomeryshire was queried for quarter 4.*

It may have been due to a number of older cases which could have gone back up to 18 months being closed in one quarter.

**Recommended that the new style report contains sufficient narrative to explain apparent anomalies.**

8.	<b>ADULT SOCIAL CARE SCRUTINY GROUP</b>	<b>PSC39-2015</b>
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**Documents considered:**

- Progress Report – Scrutiny Officer
- Cabinet response to Scrutiny Report on progress against CSSIW Inspection 2015 improvement priorities

The Chair was still seeking a Lead Member for this group and hoped to be in a position to appoint the Lead Member by the end of the week.

**Outcome:**

- That the update be received.

9.	<b>CHILDREN'S SERVICES SCRUTINY GROUP</b>	<b>PSC40-2015</b>
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**Documents considered:**

- Progress Report – Scrutiny Officer

**Outcome:**

- That the update be received.

<b>10.</b>	<b>CULTURAL SERVICES SCRUTINY GROUP</b>	<b>PSC41-2015</b>
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**Documents considered:**

- Progress Report – Scrutiny Officer

The Place Scrutiny Committee are undertaking some pre-decision scrutiny of Library Services which the previous Lead Member of Cultural Services has been invited to attend.

**Outcome:**

- That the update be received.

<b>11.</b>	<b>EDUCATION SCRUTINY GROUP</b>	<b>PSC42-2015</b>
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**Documents considered:**

- Progress report – Scrutiny Officer

The Lead Member commented that he had received critical comments from schools that remained within budget regarding schools with unlicensed deficits. This would be discussed when the scrutiny group next looked at school budgets.

**Outcome:**

- That the update be received.

<b>12.</b>	<b>HEALTH SCRUTINY</b>	<b>PSC43-2015</b>
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**Documents considered:**

- Progress report – Scrutiny Officer

**Outcome:**

- That the update be received.

<b>13.</b>	<b>JOINT CHAIRS NOTES</b>	<b>PSC44-2015</b>
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**Documents considered:**

- Notes of the meeting held on 5<sup>th</sup> July 2016

**Issues discussed:**

- LEA Governors were yet to receive the training detailed in the notes

**Outcomes:**

- **The position regarding training for LEA Governors be queried.**

<b>14.</b>	<b>WORK PROGRAMME</b>	<b>PSC45-2015</b>
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The work programme was received.

**County Councillor D R Jones (Chair)**