

**People Scrutiny Committee**

**14<sup>th</sup> December 2016**

<b>Adult Social Care Scrutiny Group</b>
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<b>Purpose of Report:</b> Progress report
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Since the last meeting of People Scrutiny Committee on 15<sup>th</sup> September 2016 the following work has been undertaken:

Powys People Direct

This is being looked at jointly with Children’s Scrutiny and is reported in the Children’s Scrutiny update.

Residential Care

On the 7<sup>th</sup> October 2016 the group met to look at Residential Care. On the 13<sup>th</sup> September 2016 Cabinet had considered this issue and the following is an extract of Cabinet minutes from that meeting:

<b>1.</b>	<b><i>OLDER PEOPLE'S ACCOMMODATION - OPTIONS APPRAISAL FOR THE MANAGEMENT AND OPERATION OF COUNCIL-OWNED RESIDENTIAL CARE</i></b>	<b><i>C175- 2016</i></b>
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*Cabinet considered options for the management and operation of the Council owned residential homes. A number of options had been appraised and the preferred option identified was the creation of a Local Authority Trading Company by May 2017 with the objective of stabilising the current market and positioning itself as a driving force in the development of residential care services. An LATC would be a separate legal entity from the County Council but would be fully controlled by the Council. It would require the establishment of a stakeholder scrutiny group to take decisions but the day to day running of the homes would be undertaken by the existing staff.*

*Members questioned the Portfolio Holder for Adult Social Care and officers about the risk involved and the budget implications of not achieving savings set out in the Medium Term Financial Plan. The Portfolio Holder acknowledged the risk but pointed out that there were risks with all the options. He also acknowledged that the preferred option did not offer savings in the short term but that it did so in the longer term. He explained that if Cabinet approved the first recommendation the service would press ahead and would only come back to Cabinet if there was any significant change.*

<b>RESOLVED</b>	<b>Reason for Decision:</b>
<b><i>1. To move to the next phase of the project, completing an Outline Business Plan based on Option 3 (LATC), and provided that this plan validates the work contained</i></b>	<ul style="list-style-type: none"> <li>• <b><i>To secure and maintain welfare and care of residents in the short to medium term.</i></b></li> <li>• <b><i>Complete due diligence,</i></b></li> </ul>

<p><i>within the Options Appraisal, to proceed with the implementation of a LATC for the management and operation of the council owned residential care homes by May 2017. Should the Outline Business Plan raise issues of principle or significant variance, further Cabinet approval will be sought in December 2016.</i></p> <ol style="list-style-type: none"> <li><i>2. That cabinet give agreement to the current MTFP savings required in 2017/18 (£940K) and 2018/19 (£940k) being delayed in order that longer terms gains can be maximised allowing suitable time to transition to one of the models in Option 5 (to be determined by the LATC).</i></li> <li><i>3. To endorse the principle that under LATC management, Private/Self-funders should continue to be charged at the market level.</i></li> <li><i>4. That the LATC retains capital receipts to fund future capital work programme subject to Cabinet approval on a case by case basis.</i></li> <li><i>5. That the Portfolio Holder for Finance and the Portfolio Holder for Adult Social Care in consultation with the Strategic Director Resources and the Strategic Director People be given delegated authority to decide the best way of funding these needs.</i></li> <li><i>6. To continue to resource the complex and accelerated work programme necessary to secure integrated recommissioning of residential care with effect from May 2017, in accordance with Cabinet decision of 22<sup>nd</sup> March 2016.</i></li> </ol>	<p><i>defining the strategic direction of the LATC</i></p> <ul style="list-style-type: none"> <li><i>• Develop the proposed company governance and management arrangements</i></li> <li><i>• Specify the support services required by the LATC</i></li> <li><i>• Complete the Outline Business Plan for validation with this Options Appraisal</i></li> <li><i>• To secure a recommissioned service by May 2017.</i></li> </ul>
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The Scrutiny group received a briefing on the position from the Project lead and Portfolio Holder. Since then the Lead Members of Adults and Children’s Scrutiny have observed a meeting of the Project Board and undertook pre-decision scrutiny of the Residential Care proposals at a meeting of the group on 6<sup>th</sup> December 2016.

This matter is due for consideration at Cabinet on 20<sup>th</sup> December 2016.

### Budget position

The meeting of the group on the 7<sup>th</sup> October had also been designed to be briefed on the position regarding savings from the service. On 13<sup>th</sup> September Cabinet had heard how the budget position had deteriorated and instructed a Recovery Plan to be prepared. In the light of this a verbal report was provided to scrutiny

outlining the work that was being undertaken to support the preparation of the recovery plan.

To enable further scrutiny of the financial position in this service a joint working group between Audit and Adult Social Care was set up. The representatives from People Scrutiny Committee are Cllrs David Jones, Kath Roberts-Jones and Maureen Mackenzie. The representatives from Audit Committee are Cllrs John Morris and Aled Davies and Independent Member John Brautigam.

The group have met once and further meetings are being arranged. The findings of this group will be reported to both the Audit Committee and People Scrutiny Committee.

### Day Centres

On the 26<sup>th</sup> July 2016 Cabinet discussed the future of Day Centres and the following is an extract from the Cabinet minutes:

<b>2.</b>	<b>REVIEW OF DAY TIME ACTIVITIES FOR OLDER PEOPLE INCLUDING DAY CENTRES</b>	<b>C148- 2016</b>
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*The Portfolio Holder for Adult Social Care explained that he was seeking approval to go out to consultation on the options for Day Time Activities for Older People including day centres. Whilst acknowledging the high regard in which communities held their day centres, he pointed out that currently there was not an equitable service in the county as not every community had access to a day centre.*

*The service would consult on three options:*

- To not close any of the existing services and to continue as is.*
- To close all day centres including 3<sup>rd</sup> sector provision with effect from March 2017 (but excluding Westwood in Welshpool), and to ensure any clients who have assessed need will be found / offered alternative existing services available to adult social care such as domiciliary care.*
- To take a phased approach to decommissioning all existing provision (except for Westwood in Welshpool) whilst developing a new home support and befriending model using different funding streams so that closure and the phasing in of the new model align up to March 2019.*

*The option favoured by the service was a phasing out of day centres and a move towards a locality based early intervention and prevention service. The Portfolio Holder explained that the Social Services and Wellbeing Act had placed an obligation on local authorities to focus on prevention and delaying the need for care. This model would help the authority meet the challenges of demographic change as well as the savings target set in the Medium Term Financial Strategy. The Portfolio Holder pointed to examples of good practice such as the Powys Befriending Scheme in Crickhowell and Rhayader Home Support and explained that the service was looking to work in co-operation with the third sector.*

*County Councillor E Michael Jones, who declared a personal non pecuniary interest as a non-remunerated director of the East Radnor Day Centre, and County Councillor Joy Jones spoke in favour in retaining their respective day centres in East Radnor and Newtown. Councillor Joy Jones questioned the funding given to Welshpool Town Council in respect of the Westwood Day Centre.*

*The Chair of the People Scrutiny Committee said that Scrutiny would play its part by considering the proposals. He said that the Council was not in a position to do everything and that it needed*

to work with volunteers and the third sector. He asked for information on the funding available in each area to be provided.

In answer to Members' questions, the Portfolio Holder confirmed that respite care would be built into any new model.

<b>RESOLVED</b>	<b>Reason for Decision</b>
<p>1. That Cabinet provide approval to go out for consultation, following the Listen and Learn exercise already completed, in order to seek the public's view on all three options and in line with the advice and guidance of the Consultation Institute.</p> <p>2. That Cabinet notes the issues outlined for each of the three options in the report and acknowledges that the financial risks will require further work to be done on the impact and implications of each option to the MTFS in order to help Cabinet form a decision on how to proceed following the public consultation process.</p>	<p>1. To ensure that Cabinet receives the views of the public in relation to the 3 options in order to support them in making an informed decision.</p> <p>2. That Cabinet is assured that plans to cover the identified costs are in place ready for when they make their final decision following public consultation</p>

The Scrutiny Group met on 23<sup>rd</sup> November 2016 to undertake pre-decision scrutiny on the proposals and observations have been made available for Cabinet/Management Team to consider.

#### CSSIW Improvement Objectives

On the 22<sup>nd</sup> November 2016 a report on the monitoring of the CSSIW Improvement Priorities went to Cabinet. A copy of this report is attached at Appendix 1. The Cabinet minutes relating to that item are copied below:

1.	<b>SCRUTINY OBSERVATIONS ON THE CSSIW IMPROVEMENT OBJECTIVES</b>	<b>C224- 2016</b>
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*Cabinet received the Adult Social Care Scrutiny Group's observations on implementation of the CSSIW recommendations for improvement. The Chair of the People Scrutiny Committee reported concerns that the results of the Commissioning Strategy for Older People had not been reported back to Cabinet but to the Joint Partnership Board which was not a public meeting. The scrutiny Group also had some concerns about the operation of Powys People Direct and would be carrying out a follow-up review.*

*The Portfolio Holder for Adult Social Care would provide a response within 2 months.*

The Cabinet response will be reported to the next meeting of the People Scrutiny Committee.

The work programme for the period to May 2017 is to be agreed but will include:

	Implementation of Social Services and Wellbeing Act
	Workforce
	Domiciliary Care
	Learning Disabilities
	Powys People Direct – including third sector brokers

Other pre-scrutiny as identified by Joint Chairs.

**Report contact:** Liz Patterson, Scrutiny Officer  
**Contact details:** 01597 826980, [elizabeth.patterson@powys.gov.uk](mailto:elizabeth.patterson@powys.gov.uk)  
**Sources/background papers:**

**Membership:**

County Councillors: D. R. Jones,  
R. Davies, J. Gibson-Watt, K. Roberts-Jones and T. Turner



**People Scrutiny Committee**  
**Adult Social Care Scrutiny Group**  
**CSSIW Inspection 2015 – Improvement Objectives**  
**Scrutiny Observations October 2016**

Introduction

In March and May 2015 the CSSIW undertook an inspection of Adult Social Services in Powys County Council the report of which was published in August 2015. The report was presented to the Adult Social Care Scrutiny Group on 9<sup>th</sup> September 2015 and the Scrutiny Observations from that meeting were submitted to the meeting of Powys County Council on 18<sup>th</sup> September 2015 where the CSSIW report was discussed.

It was agreed that a quarterly report would be presented to Cabinet and People Scrutiny Committee on the monitoring of progress against the improvement priorities. The first report was submitted to Cabinet on 22<sup>nd</sup> March, 2016, a second report on the 5<sup>th</sup> July 2016 and this will be the final report.

The Adult Social Care Scrutiny Group has met on the following dates:

- 25<sup>th</sup> May – Commissioning Strategy for Older People
- 12<sup>th</sup> July – Powys People Direct Review (No 9) – jointly with Children’s Services Scrutiny Group
- 23<sup>rd</sup> September 2016 – Domiciliary Care and overview of all CSSIW recommendations
- 29<sup>th</sup> September 2016 – visit to PPD

The meetings are attended by the Heads of Service, Senior Managers and Portfolio Holder for Adult Social Care.

The Adult Social Care Scrutiny Group understands that the CSSIW have written to the Statutory Director of Social Services outlining their current view on progress made against the recommendations and areas that they would wish to follow up on.

The Adult Social Care Scrutiny make the following comments in respect of the twelve original recommendations:

1. The **corporate governance arrangements** for social care commissioning need to be clarified and strengthened in order to effectively challenge and test the design, planning and delivery of the demanding work programme that Powys is facing.

*Corporate governance arrangements have been strengthened but scrutiny have raised concerns regarding the operation of the Commissioning and Procurement Board. The Cabinet has not responded to these concerns to date. In addition it appears that decisions are being made in forums such as the Joint Partnership Board which are not held in public. Whilst it is appreciated that some items would be of necessity discussed in private session it appears that some items of public interest are also decided at this*

*Board (see item 2) and it is recommended that this aspect of governance of joint arrangements should be reconsidered.*

2. The **commissioning strategy** for older people must be based on a rigorous analysis of need and demand at community level and include local infrastructure and innovative and collaborative solutions. It should also consider models of best practice used elsewhere.

*Scrutiny are aware of much work which has been undertaken in this area and the joint Commissioning Strategy for Older People. The Council's Cabinet made a decision in November 2015 to go out to consultation on the document. Scrutiny then understand that the decision to agree the strategy was made at a meeting of the Joint Partnership Board in June 2016. The Joint Partnership Board is not a meeting conducted in the public domain which makes tracking the decision making process of such issues impossible.*

3. The approach to commissioning social care services should make greater use of **service user and carer experiences** and facilitate a wider conversation with its communities about what future service models might look like.

*Scrutiny are aware of the service user forums which are in place although it is acknowledged that the level of engagement at these forums varies and consequently in some of these forums there is more work to be done to ensure meaningful engagement. The service also undertake listening and learning exercises ahead of consultations to improve user engagement.*

4. Future commissioning and procurement exercises for domiciliary care services should be built on a **market development** and partnership approach. It must robustly test the tender submissions, the capacity and capability of organisations to manage the transition of services and deliver the service specifications.

*Scrutiny continue to monitor the activities related to domiciliary care and this will be the case for the foreseeable future.*

5. The **knowledge and skill base** for managers in commissioning and the management of contractual relationships needs to be developed through a range of solutions including training and mentoring opportunities.

*The service has provided assurance that there has been a full programme of training in commissioning and that new staff are encouraged to undertake the training.*

6. The Council needs to strengthen its **relationships** with and oversight of domiciliary care providers operating in Powys, including setting up regular meetings and clear lines of communication with the commissioning managers to address ongoing concerns and queries.

*Scrutiny will continue to monitor the activities related to domiciliary care and this will be the case for the foreseeable future.*

7. The Council needs to consider carrying out a review of the **grants and service level arrangements** to ensure they align with the Powys One Plan and the Integrated Pathway and provide the best value for money.

*A Portfolio Holder decision was taken in March 2016 to consult on proposals to introduce a competitive grant allocation process for 2017/18. At this date actions relating to this item were behind schedule. Scrutiny understand this review is currently being undertaken but have had no further detail on progress.*

8. The development of the **integrated pathway** for older people with Powys Teaching Health Board should be clearly defined and articulated to capture the projected demand and therefore capacity required at each stage, including reablement. The future integrated service model must be supported by clear governance arrangements that include financial commitments and management accountability.

*Scrutiny examined this item in April 2016 and were concerned that progress seems to have been limited with the acknowledgement that the project deadline of December 2016 was unlikely to be achieved.*

9. The **first contact** arrangements via the Powys People Direct should be further developed to ensure it can provide the appropriate level of response, advice, support and information for adult services and therefore reduce the need for an additional duty response at team level.

*Scrutiny initially monitored Powys People Direct in March 2016 and requested sight of the Review of the service that had been undertaken. This report was considered at a joint meeting with Children's Services in July 2016 where Members noted progress had been made but there were still a number of issues to address. The group visited the service in September 2016 and noted further progress had been made over the summer. There are a number of activities which still require attention and scrutiny will continue to monitor progress of this improvement item.*

10. The new adult **safeguarding** management structures and reporting mechanisms must be secured and established as a priority, to ensure that the Designated Lead Managers are supported in their responsibilities and there is consistent reporting, decision making and oversight at an appropriately senior level.

*Scrutiny now monitor adult safeguarding along with children's safeguarding at the People Scrutiny Committee.*

11. The low uptake of **carer assessments** needs to be further investigated to understand the needs of this group of people and how they can be supported in their role.

*Scrutiny understand that this recommendation has been superseded by the Social Services and Wellbeing Act.*

12. A **workforce strategy** which supports the establishment of the integrated pathway for older people should be developed across the wider health and social care workforce including domiciliary care. Opportunities to build



workforce capacity such as care apprenticeships should be considered, as well as potential barriers such as housing and transport.

*Scrutiny will be examining progress against this improvement item at their meeting in December.*

### **Conclusion**

The Adult Social Care Scrutiny Group note the progress outlined to date, in particular that the corporate governance arrangements have been to an extent strengthened, that service user forums are in place, that listening and learning exercises are held and the progress to date developing Powys People Direct. Scrutiny will continue to monitor those items outlined above.

The group would reiterate the comments from the interim report in July that the information provided during the meetings over the year has highlighted a number of areas where progress has slipped from that intended when the action plan was developed. Whilst there may be understandable explanations for this slippage and the Portfolio Holder has expressed confidence that some of these issues can be brought back on time, attention needs to be paid to the timeliness of work undertaken on these improvement priorities. These priorities are of necessity essential to be met and if problems meeting timeframes are being experienced the Portfolio Holder should consider prioritising resources within the service.

The group understand that CSSIW will be undertaking a follow-up review of progress on the recommendations in particular regarding Powys People Direct and the integrated pathway for older people in March 2017. Other areas such as adult safeguarding and carer assessments will be monitored through the CSSIW's national programme.

Scrutiny would invite Cabinet's observation on this report in particular in regard to comments made regarding corporate governance arrangements.

