



People Scrutiny Committee

16th December 2015

Adult Social Care Scrutiny Group

Purpose of Report: Progress report

Since the last meeting of People Scrutiny Committee on the 17th September 2015 there have been a number of changes in the Adult Social Care arena.

On 29th September 2015 the Leader announced a Cabinet reshuffle where Cllr Stephen Hayes (who joined the Cabinet on the resignation of Cllr Dai Davies) took on the Adult Social Care Portfolio and Cllr Darren Mayor moved from Adult Social Care to Property and Assets.

On the 12th October 2015 the Lead Member for the Adult Social Care scrutiny group advised that she had resigned from this role to concentrate on her Dementia Champion work. The Chair of People Scrutiny Committee subsequently appointed Cllr Matthew Dorrance as Lead Member to the Adult Social Care Scrutiny Group.

Since the last meeting of People Scrutiny Committee on 17^h September 2015 the Adult Social Care Scrutiny Group has undertaken the following work:

At the previous meeting it was reported that the **CSSIW Inspection of Adult Social Services in Powys County Council March/May 2015** was published on 10th August 2015. The Inspection Report was taken to Cabinet on 8th September 2015 and on the 9th September 2015 the CSSIW presented the report to the Adult Social Care Scrutiny Group. A copy of the observations from that meeting are attached at Appendix 1.

An Extraordinary Meeting of the Council will be held on 18th September 2015 which will receive the Inspection Report, the Councils Improvement Plan and the observations from the Adult Social Care Scrutiny Group.

A copy of the minutes from that meeting are attached at Appendix 2.

It was the intention of the previous Lead Member to report to Cabinet on a quarterly basis on the monitoring of the Improvement Plan with the intention of commencing this reporting in December 2015 to tie in with the quarterly meetings of People Scrutiny Committee. Changes to the Portfolio Holder and Lead Member have meant that this deadline will not be met and it is therefore intended to commence this in March 2016.

On Friday 6th November 2015 the group met to consider proposals regarding the **Home Care Options appraisal**. The group had an opportunity to go through the report with the Portfolio Holder, Head of Service and Director ahead of the Cabinet meeting on the following Tuesday 10th November 2015. An extract from the minutes of the Cabinet meeting on 10th November are attached at Appendix 3. This item will be included on the work programme for this scrutiny group.

The Lead Member has attended the following meetings in her role as Scrutiny Observer:

- The September meeting of ICPOP was cancelled
- HASCILB meeting on 2nd October 2015

The Lead Member will attend now have the opportunity to attend meetings in his role as Scrutiny Observer:

The Lead Member, Chair of People Scrutiny Committee and Scrutiny Officer met with the Portfolio Holder, Director and Head of Service on 12th November 2015 for an initial briefing on current service priorities.

A follow up meeting with the Lead Member, Chair, Scrutiny Officer and Head of Service took place on 2nd December 2015. From this meeting a work programme was developed.

The work programme for this group includes:

- Monitoring the Improvement Plan resulting from the CSSIW Inspection Report
- Domiciliary Care
- Day Service
- Residential Care
- Direct Payments
- Safeguarding
- Assisted Rubbish Collection September 2015
- Powys People Direct
- Replacement of DRAIG system

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Membership:

County Councillors: D. R. Jones, **M. Dorrance**
Dr G. Bowker, R. Davies, K. Roberts-Jones, T. Turner and M. Williams

**People Scrutiny Committee
Adult Social Care Scrutiny Group Observations on the CSSIW Inspection of
Adult Social Care August 2015, from a meeting held on Wednesday 9th
September, 2015.**

Present:

County Councillors D. Bailey (Lead Member), D.R. Jones, G. Bowker, M. Dorrance, K. Roberts-Jones, E. R. Davies, J. M. Williams

C. Humphrey (National Scrutiny Team CSSIW) and K. Redman (Area Manager CSSIW)

County Councillors D. Mayor (Portfolio Holder for Adult Social Care and Children's Services) and R.G. Brown (Portfolio Holder for Commissioning and Procurement)

A. Lewis (Strategic Director for People), D. Powell (Strategic Director for Resources), J. Garfitt (Head of Adult Services), C. Pinney (Solicitor to Council), L. Anderson (Senior Strategic Commissioning Manager) and J. Jefferies (Senior Manager – Older People), J. Lewis (Head of Professional Services and Commissioning)

W. Richards (Scrutiny Manager), L. Patterson (Scrutiny Officer)

Documents Considered:

- Presentation by CSSIW on the Report – August 2015
- CSSIW – Inspection of Adult Social Services – March / May 2015
- Cabinet Report 9th September, 2015 – CSSIW Inspection of Adult Social Care
- Adult Social Care Response to the CSSIW Inspection 2015
- Scrutiny Briefing Document

The Working Group received a presentation by Chris Humphrey and Ken Redman of CSSIW on the inspection of Adult Social Care Services. The inspection was focussed on determining whether the arrangements for commissioning and contracting of domiciliary care provided the framework for effective service delivery. It was stressed that there were positive as well as negative findings in the inspection report.

The presentation set out the methodology, summary of findings, key findings and 12 recommendations arising from the report, together with the next steps. The key findings were grouped into the following categories:

- Person Centred Assessment;
- Quality of Outcomes;
- Engaging the person and their carer;
- Quality of the workforce;
- Leadership and Governance.

It was confirmed that the inspection activity took place between February and April 2015 with the fieldwork undertaken in March and May 2015. The inspection focussed not only on commissioning and procurement but also on people's experiences, governance etc. Individual case tracking was undertaken looking back at cases for the previous year. Adult Social Care had submitted an action plan to CSSIW by the 4th September deadline. The report highlighted that there was a corporate (Council wide) responsibility which needed to be taken account of and improved, and that the report was not solely focussed on Adult Social Care.

The inspectors were asked if the report had taken into account any changes which were occurring as the inspection took place. It was confirmed that the report did refer to shifts in service delivery but also commented that as those changes had recently occurred it was too early to be able to comment whether those changes were sustainable or not.

The inspectors also accepted that the response which had been prepared by Adult Social Care was an improvement plan rather than an action plan, and that the service was on an improvement journey and that the changes required could not be a "quick fix". The improvement plan would need to include the vision for the future.

The next steps identified by CSSIW were as follows:

- Adult Social Care required to provide an improvement plan by 4th September, which had been received;
- CSSIW to consider the detail of this and the associated documents provided;
- Meeting to discuss and clarify the recommendations and the plans for improvement.
- Agree the monitoring arrangements.

Following the presentation the Working Group discussed the report's recommendations and the improvement plan prepared by Adult Social Services in detail with the Portfolio Holders and officers.

The discussion with Portfolio Holders and officers included the following aspects of the improvement plan:

- The Service accepts the inspectors' recommendations, understands where it needs to get to and what needs to happen to get there;
- The improvement plan is owned by the Council's Management Team;

- It is acknowledged that it is difficult to drive a change agenda whilst keeping day to day services operating;
- The Chief Executive has commissioned a review of the Council's commissioning approach. In addition the Strategic Directors for People and Resources have engaged Price Waterhouse Coopers (PWC) to undertake a review of commissioning in Adult Social Care which will include what differences have been made, has the sequencing of commissioning events been correct, does the Council have the skills and capacity required. It will also consider the modelling undertaken taking into account the budget cuts required by the service;
- Corporate steps taken to improve governance processes;
- Commercial Services "growing their own" in developing a skilled workforce which will take time to complete. The Commercial Services Team working with Northgate to improve the team's skills;
- The Council has recently successful examples of commissioning e.g. Leisure Services, Learning Disabilities;
- Demographic information obtained from Statistics Wales and Daffodil databases supplemented with the Council's own data and data from the Joint Strategic Needs Analysis. That data is able to provide mapping information based on an UK, Wales, Powys and a locality level;
- Gaps in service – work undertaken with providers to ensure flexible arrangements which will cover peaks and troughs in service demand. However the requirement to ensure a sufficient workforce is available needs to be addressed long term. Joint work being undertaken with Powys teaching Health Board (PtHB) on a workforce plan as part of the integration programme;
- Engagement – A range of activities being undertaken including working with Age Cymru. The service is trying to make more effective use of its own data;
- Collaboration with PtHB – work being undertaken with PtHB and the voluntary sector in relation to continuing need and what domiciliary care services will look like in future. Work also being undertaken with PtHB regarding rapid discharges from hospital and measures to prevent delayed transfers of care;
- Involvement of third sector in Powys – Adult Social Services already mapping what services exist in Powys to prevent duplication of work. Work also being undertaken with providers over the border as well as bringing in capacity into Powys, plus trying to get providers to work together;
- Market development – report to Cabinet in October regarding future of in-house domiciliary service. Work being undertaken with providers to encourage providers to work together on recruitment;
- Powys People Direct (PPD) are signposting requests to services provided by the third sector. Two members of PAVO staff currently working in the PPD. Adult Social Care only became part of the PPD in April 2015 and a review of this recently introduced service is programmed. The next stage of the Powys People Direct's development will be the inclusion of health;
- Staff Development – commissioning training provided for staff whose work includes an element of commissioning. A higher level of training provided

- for staff who have a more dedicated commissioning role. Commissioning training to be built into Social Care staff development programmes;
- Meetings with providers – providers getting a better understanding of the Council and the overall picture of the operating climate in which the Council is having to operate. There is a better transparency of engagement and stability of links between the Council and providers;
 - Grants – needs to be a more professional relationship between the Council and the voluntary sector and rather than grant funding, in future the relationships will be built on service level agreements;
 - Strengthening of safeguarding arrangements;
 - Carer assessments – discussions ongoing with others as to how improvements in the take up of carer assessments can be encouraged;
 - Integrated pathway – Adult Social Care and PtHB committed to an integrated pathway. Will need to be structural changes to Social Care and to corporate services as integration between the Council and PtHB happens
 - Workforce strategy – is the Council encouraging providers to attend job fayres, speaking to colleges to develop a future workforce;

The Scrutiny Working Group commented that a number of the issues which were picked up by the inspection report had been identified in the Scrutiny Review of the Service in 2013. The Lead Member indicated it was intended that a further scrutiny report on Adult Social Care would be prepared by the end of the year.

The meeting was advised by CSSIW that the future monitoring arrangements for the improvement plan would take into account that Adult Social Care had been the subject of inspection reports in 2011, 2013 and now in 2015.

Working Group Observation - Whilst it was clear on questioning from scrutiny that the service could articulate a full response, and indeed that additional evidence may be included in the 56 supporting documents which it had not been possible for scrutiny to fully examine in the timescale, it is deemed appropriate that further detail should be provided in the improvement plan.

RECOMMENDED to the Portfolio Holder for Adult Social Care that:

- (i) **the improvement plan be amended to include responses to all parts of the recommendations particularly with regard to:**
- **a strengthened blueprint for governance arrangements particularly to clarify exact levels of decision making;**
 - **information regarding work being undertaken in respect of learning from models of best practice being used elsewhere;**
 - **information regarding work undertaken in respect of potential future service models with communities;**
 - **the proposed development of a workforce plan that includes the domiciliary care sector.**

- (ii) That the improvement plan should include not only actions undertaken, but outcomes achieved as a result of that action, future action which would be undertaken and milestones for the completion of actions.

RECOMMENDED to the People Scrutiny Committee:

- (i) that the monitoring of the implementation of the Council's improvement plan in response to the inspection of Adult Social Services be included in the work programme of the Adult Social Care Working Group.
- (ii) that the Working Group undertake specific work in relation to the following areas:
- Domiciliary Care Options including market development;
 - The Older People's Strategy;
 - Statistical demand and needs analysis;
 - Grants Review;
 - Powys People Direct;
 - Adult Safeguarding.

The Lead Member expressed the thanks of the Working Group to the CSSIW, Members and officers for attending the meeting and responding so fully to the questions asked. The Lead Member also thanked officers of the department for both the work in preparing the improvement plan but also in their work to keep service users safe during a difficult period.

County Councillor D. Bailey.
Lead Member – Adult Social Care Working Group.

3.	CSSIW INSPECTION OF ADULT SOCIAL SERVICES	CC75 – 2015
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Council considered the CSSIW inspection report of Adult Social Services, the improvement plan approved by Cabinet to address the recommendations in the CSSIW report and the observations of the Adult Social Care Scrutiny Group on the improvement plan.

The Leader acknowledged the need to improve performance and restore public confidence in the service. He advised Council that he had asked for monthly monitoring reports on the implementation of the improvement plan to be brought to the Cabinet / Management Team meetings and for County Councillor Dawn Bailey, who had led the Scrutiny review, to be invited to those meetings.

The Chief Executive said that he and the Management Team recognised the impact on service users and their families. He was appreciative of the efforts of staff who had worked hard to rectify problems but he also noted that challenges over resourcing the service lay ahead. Cabinet and Management Team had taken ownership of the improvement plan and were focused on ensuring that it was delivered. He advised Council that he had ordered a review of commissioning.

The Portfolio Holder for Adult Social Care and Children's Services again put on record his apologies to those people who did not receive the quality of care that they deserve and had been let down . He welcomed the involvement of Scrutiny in monitoring delivery of the implementation plan and hoped that this would help give reassurance to Council.

The Strategic Director – People also acknowledged that it had been a deeply distressing experience for service users and their families. She noted that the service had made good progress in addressing many of the recommendations in the CSSIW report as it had already put in place actions in addressing similar recommendations made in the Institute of Public Care (IPC) report on domiciliary care that Cabinet had considered in January 2015. She gave an assurance that the position described in the CSSIW report was not the current position because of the actions taken to put things right. Together with the Head of Adult Social Care she outlined the actions taken to work with Powys Teaching Health Board on integrated delivery, to improve engagement with stakeholders including service users and to develop capacity within the service to undertake commissioning work as well as build the domiciliary care market in partnership with providers.

The Chair of the People Scrutiny Committee advised Council to concentrate on the robustness of the improvement plan. Members had to be confident that it would deliver the improvements the CSSIW report identified as being needed.

The Portfolio Holder and officers took questions from Members. Members noted the serious impact on service users, providers and the reputation of the Council. A number of Members asked whether accountability lay with the Cabinet and

Portfolio Holder or officers. The Portfolio Holder asked to be judged on whether he delivered the improvement plan and its effectiveness in light of the history associated with this project and the number of changes at both cabinet and officer level that have occurred over a number of years. The Strategic Director – People confirmed that she and the Head of Adult Services fully accepted the recommendations within the report and were working with continued determination to improve quality, capacity and the delivery of the improvement plan within the context of a challenging financial and modernisation agenda for the service. It is anticipated that the Strategic Review that the Strategic Director of People and Resources jointly commissioned in June 15 will assist with these challenges. A number of Members related problems experienced by their constituents. The Strategic Director – People advised that service users had been contacted and received an apology where they had not received the quality of care they deserved. All Members were encouraged that where they had concerns to raise these with the Head of Service

Members asked about the working relationship with service providers and Powys Teaching Health Board. Officers explained that monthly domiciliary care provider forums has been established and were helping to build good relationships. The service was also developing integrated older people's teams with Powys Teaching Health Board and was working with them on the development of a rapid hospital discharge service to prevent delayed transfers of care but further investment was required to establish this. Members also asked about the commissioning process. The Strategic Director explained that this had been strengthened with Adult Social Care having its own dedicated commissioning unit with staff undergoing training so the service could "grow its own" procurement and commissioning specialists.

The Leader thanked Members of Council for their comments. He gave an assurance to Council that the Cabinet and Management Team would, with the assistance of the lead member of the Adult Social Care Scrutiny Group, closely monitor the implementation of the improvement plan.

23.	HOME CARE OPTIONS APPRAISAL	C218- 2015
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Cabinet considered proposals introduce improved transitional contractual arrangements to support the work to finalise long-term domiciliary care commissioning proposals that promote personal independence. This would help to maintain and further develop the existing domiciliary care market currently operating under different contractual arrangements across the County.

The Chair of the People Scrutiny Committee welcomed the detailed briefing he had received prior to the meeting and asked for a further briefing before the next report back to Cabinet.

Externally commissioned home care – south

RESOLVED	Reason for Decision:
<p><i>1. To consolidate existing spot-contract arrangements held by larger domiciliary care providers in south Powys for a period of two years into formal ‘floor and ceiling’ contracts. Contracts will also be ‘zoned’, with providers concentrating delivery of care hours within agreed geographic locations (Option 3c).</i></p> <p><i>2. The Head of Adult Social Care be requested to undertake further work to review the benefits of implementing a Dynamic Purchasing System, and submit a future report detailing the outcome of this review for possible implementation in the future.</i></p>	<p><i>1. Preferred option following full options appraisal.</i></p> <p><i>2. Will further support the development of a sustainable domiciliary care market across Powys.</i></p> <p><i>3. Will maintain the existing provider market, whilst maximising use of market capacity.</i></p> <p><i>4. Will support the council to better control domiciliary care costs.</i></p>

Externally commissioned home care – north

RESOLVED	Reason for Decision
<p><i>To maintain existing contractual framework arrangements in north Powys, and look to harmonise contractual arrangement across the County when the current Framework Agreement ends in 2018.</i></p>	<p><i>1. Preferred option following full options appraisal.</i></p> <p><i>2. Existing contractual arrangements are meeting citizens need.</i></p> <p><i>3. Provides flexibility to harmonise contractual environment once current Framework ends.</i></p>

In-house home care

RESOLVED	Reason for Decision
<ol style="list-style-type: none"><li data-bbox="172 275 730 633">1. <i>To consult and following consultation with Domiciliary Care Staff to raise their hourly pay rate in line with the Council's current re-ablement workforce. This is on the basis that all other terms and conditions of domiciliary care workers' employment remaining the same as when they TUPE transferred into the Council.</i><li data-bbox="172 640 730 819">2. <i>To develop a detailed business case and structural and governance model with a view to transfer of the in house service to a new integrated arm's length body.</i>	<ol style="list-style-type: none"><li data-bbox="762 275 1315 521">1. <i>Improvement in rates of pay of domiciliary care workers will support staff retention, reduce the potential for service disruption for citizens, and reduce reliance of the In-House Domiciliary Care service on agency staff to deliver some care support.</i><li data-bbox="762 528 1315 633">2. <i>Transfer to an Arms-Length Body is the preferred option following full options appraisal.</i><li data-bbox="762 640 1315 781">3. <i>Will enhance market capacity by supporting the development of a sustainable domiciliary care service competing within the existing market.</i><li data-bbox="762 788 1315 893">4. <i>Will maintain the existing provider market, whilst maximising use of market capacity.</i><li data-bbox="762 900 1315 960">5. <i>Will assist the council to better control domiciliary care costs.</i>