

MINUTES OF A MEETING OF THE HEALTH, CARE AND HOUSING SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON TUESDAY, 12 JUNE 2018

PRESENT

County Councillors G I S Williams (Chair), J Charlton, S C Davies, D E Davies, J Gibson-Watt, H Hulme, A Jenner, E Jones, MC Mackenzie, C Mills, P C Pritchard, K M Roberts-Jones, D Rowlands, E Vaughan, A Williams, J Williams and J M Williams

Cabinet Portfolio Holders In Attendance: County Councillors A W Davies, Portfolio Holder for Finance and S M Hayes, Portfolio Holder for Adult Services

Officers: Fay Smith, Community Safety Partnership Co-ordinator, Lee Anderson, Health and Social Care Change Manager and Sally Beech, Strategic commissioning Manager

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| 1. | APOLOGIES |
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Apologies for absence were received from County Councillors S Lewis, G Morgan and S Williams

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| 2. | ELECTION OF VICE CHAIR |
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RESOLVED that County Councillor J Charlton be elected Vice Chair for the ensuing year.

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| 3. | DECLARATIONS OF INTEREST |
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There were no declarations of interest.

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| 4. | DECLARATIONS OF PARTY WHIPS |
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There were no declarations of party whips.

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| 5. | CRIME AND DISORDER |
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Documents:

- Community Safety Partnership Update

Discussion:

- The CSP Co-ordinator informed the Committee of the background and legislative framework for the CSP
- An Action Plan is in place which is reviewed on an 8 weekly basis by the CSP Strategy Group
- Some time ago the Wales Audit Office (WAO) carried out a review and made 7 recommendations the majority of which were for Welsh Government to implement together with Police and Crime Commissioners and Local Authorities. A WG oversight group was established and a

- further review carried out and additional recommendations made. There is no direct impact on the workings of the Powys CSP but a Safer Communities long term programme of work will be devised.
- The PREVENT programme relates to the prevention of terrorism. A pilot project had been trialled by the Home Office and it has been decided to have a staged roll out. The North West will now be the first area, with Wales anticipated to be the second tranche towards the end of 2018/19. . The Committee asked how the work would change and how information would be disseminated to schools or social services. The CSP Co-ordinator advised that there would be no change visible – PREVENT policies were already in place and any referral would be progressed through existing safeguarding arrangements and on to the Police where appropriate. It is proposed that the work currently undertaken by the Police will now be undertaken by local authorities and services within the Authority will be advised by the Local Authority Co-ordinator and not the Police as had been the case under previous arrangements. The Committee was concerned that funding may be in jeopardy once it had been transferred due to the financial situation in which the Council was operating. The CSP Co-ordinator informed the Committee that Crime and Disorder was not devolved but that the Welsh Government may make a bid going forward. Both Carmarthenshire and Swansea have offered to host the Local Authority Co-ordinator. The project sits under CONTEST which is a much bigger piece of work which changes rapidly. The Home Office have confirmed that funds will be moved across for the project and there is no end date for that funding.
 - A Rural Crime Partnership is now in place and is developing its terms of reference and objectives
 - County Lines has had coverage in the media recently. A multi-agency awareness group has been established alongside tactical groups. Although the police have dealt with such issues in the past, the remit is to be broadened. A Member commented that it was sometimes difficult to contact the Police and the Police Community Support Officers (PCSOs) seemed to be overloaded with work and asked whether services in the Council, such as Road Safety Unit, could offer assistance. The CSP Co-ordinator agreed to refer this to the Police and Crime Commissioner as it was recognised that the PCSO resource was becoming overstretched. Members were encouraged to contact the CSP regarding any quality of life issues and were referred to the Authority's website to access the neighbourhood management toolkit. A Member referred a local incident relating to County Lines and Cuckooing and expressed concerned regarding the relationship between young people and mental health. Recent Inspection reports had highlighted the gap in provision of services for 16 to 25 year olds and that this group were falling between provision for Childrens and Adults Services. The CSP Co-ordinator reported that focus within the Police had been on higher priority areas as Powys had seemed to be managing – now the focus would move to Powys. A Partnership presentation was to be made on Friday 15 June to raise awareness – copies of the presentations would be circulated to Members for information.
 - In relation to Community Cohesion it was noted that funding is awarded for teaching English as a second language but a similar provision was not made for Welsh. It was thought that equal status should be given to both

- languages. This would be reported back to the Community Cohesion Co-ordinator.
- Integrated Offender Management (IOM) has been successful in Powys in managing prolific and persistent offenders. Whilst this may be low level crime Powys was the first to lead in the model. WISDOM (Wales Integrated Serious and Dangerous Offender Management) has been rolled out across four police forces in Wales and deals with the management of high risk offenders. The pilot project has now been completed and WISDOM will be amalgamated under IOM.
 - VAWDA – the Authority has not met its statutory obligation to train 100% of its employees to the required level by 31 March 2018 but Management Team are actively addressing this. Members asked whether their online training had been included in these statistics. The Portfolio Holder for Finance reported that all Cabinet Members and depots had had training. National Guidance was awaited and then there will be a considerable amount of work to do. It was noted that Powys was further ahead than other authorities.

Outcomes:

- **The CSP Co-ordinator would refer issues regarding the workload of Police Community Support Officers to the Police and Crime Commissioner**
- **Copies of presentations regarding County Lines would be circulated to Members**
- **The Community Cohesion Co-ordinator would be advised of Members' concerns regarding the inequality of funding being provided to teach English as a second language but not for the teaching of Welsh as a second language**

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| 6. | ACCESS TO INFORMATION |
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RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

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| 7. | DYNAMIC PURCHASING |
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Documents:

- Report of the Head of Transformation for Adult Services – Reshaping the procurement of Home Care support through the use of a Dynamic Purchasing System

Discussion:

- The Portfolio Holder explained that the report would be presented to him for decision and that he would consider the points made by the Committee in making his decision – he did not intend to take an active part in the discussion in these circumstances

- The Adult Services Scrutiny Group had considered an earlier draft of the report and the Committee were now given the opportunity for final comments prior to the Portfolio Holder making a decision
- There were currently 830 people supported per week
- 11,500 hours approximately of care were delivered per week
- 23 current providers
- An in house service was the third largest provider and delivered approximately 1000 hours of care, predominantly in the south of the county – a decision has been taken by Cabinet to enhance the service provided by the in house service by extending into the north of the county.
- Currently all domiciliary care hours are let through spot contracts (hours bought on an individual basis) – when these contracts are combined the service becomes liable under EU contract regulations. The current system is not in line with EU requirements and there is a need to bring future domiciliary care commissioning back in line.
- A Dynamic Purchasing System (DPS) is an electronic approved provider list which remains open allowing providers to join or leave the list at any time, or remain on the list but choose not to bid. The system does not guarantee any provider a set number of hours. It is anticipated that the list would remain open for a lengthy period, probably 10 years in the first instance.
- The benefit of a DPS is flexibility
- The proposal is to put three DPSs in place to further increase flexibility
- Each of the three DPSs (North Powys, South Powys (including Radnorshire) and Specialist Services) would each have a range of contracts underneath. Any provider could bid on any of the DPSs or any of the contracts underneath.
- A limit will be included on the maximum hours that can be awarded to any single provider to spread the risk to the council
- It is proposed to run a pilot scheme in the south to ensure that all systems are in place. A number of back office systems will need to change and the pilot will ensure that risk is minimized.
- No existing clients will be transferred and the DPS will only be used for new packages of care
- The in house service will provide the back up for those packages which are not bid for. It is expected that the in house service will become an interim service until a long term provider can be found for a client.
- Members asked how this would affect the reablement service. Eventually the service will move towards being a reablement domiciliary care service to increase clients' independence.

County Councillor C Mills left the meeting at 11.40

- The Committee sought assurance as to the diligence that would be used in ensuring that providers were fit for purpose. A number of quality thresholds will be used, such as skills and financial viability. Consideration is being given to building in feedback from clients and ways of evaluating competing packages. There will need to be scrutiny throughout the process. The Portfolio Holder informed the Committee that new regulations under the Registration and Inspection of Social Care Act (RISCA) had come into force which requires registration by companies

- and individuals. This had been introduced following a number of failures nationally and strengthens the regulatory regime.
- It was noted that the proposals were for a 10 year DPS but Members questioned whether this would address potentially increasing demand. Almost 75% of hours commissioned were for those over 75 years of age. In looking at demographics within the County there is a potential for a 7% drop in population over the next 20 years but an increase in the number of older people. The reduction in the numbers of working age to support an ageing population is one of the biggest challenges facing the Authority. There are challenges already in providing hours to some clients and this is not due to cost but to an inability to recruit. There is also a need to transform the service so that the number of hours required does not increase as quickly. The infrastructure is also being assessed to reduce pressure on the workforce – for example to reduce double handling. The Portfolio Holder commented that a key challenge for social care nationally was increasing demand and reducing resources. There were a number of initiatives to manage demand and so reduce the need for social care. The Welsh Government have issued a Plan for Health and Social Care in Wales following an all-party review. A key strand of the Plan is to manage demand and maintain individual's wellbeing without the need for formal support.
 - Members asked if those individuals in receipt of Direct Payments would be able to access the DPS. Anyone can apply for a direct payment to pay for their own care. It was acknowledged that a provider might charge less to the Council as more hours could be available than to an individual. Although individuals could not access the DPS they could form a co-operative and purchase care between them. Members were also informed that Direct Payments can now be used to pay family members and many thought that clients were not aware of this amendment.
 - The delays in obtaining packages, particularly in the north, were noted. It was hoped that the DPS would help alleviate some of these issues. Under the specialist services contract, consideration was being given to a home from hospital contract.
 - Members commented that there was concern amongst older carers regarding those they cared for should they become incapacitated. The Portfolio Holder reminded Members of the Message in a Bottle system that had been introduced. It was agreed that this information be recirculated to all members.
 - It was suggested that the warden service may not be used as efficiently as it might. The Portfolio Holder agreed to liaise with the Portfolio Holder with responsibility for Housing.
 - It was noted that existing care contracts would not come under the DPS and members asked whether they would be in breach of EU regulations and what the implications would be. The Authority is moving towards compliance and could be legally challenged but it was thought that this would be unlikely as no provider was likely to lose contracts under the new arrangements. EU legislation will become UK legislation until revised.
 - Could clients on existing packages choose to be recommissioned? Clients already have an option and this will not be removed. However, if there were to be only one provider in an area, choice would not

- necessarily be possible. It is hoped to stimulate the market but it won't be possible to guarantee a provider or carer of choice.
- The pilot would likely be in the south west of the County – this is the smallest geographic area and has four or five providers. This will give an opportunity to test all systems before being rolled out county wide. It is proposed that the pilot will last for three months, but this can be extended or shortened as appropriate.
 - The Committee asked how moving to a DPS system would increase capacity in the system. Although the Authority was working towards reducing demand there needed to be an increase in capacity in some areas. There needs to be a focus on developing some markets. The total number of hours of care delivered seems to be plateauing with a slight decrease in some areas. There are likely to be fewer care packages but those could be more complex. It will be possible to tailor what is needed in different localities. Time banding will also be introduced which will allow the workforce to be more flexible.
 - Would the increased flexibility enable the service to manage budget control? This is critical and will be closely monitored. The Portfolio Holder reported that care in mid Wales was fragile and local markets needed to be strengthened. It is hoped that the amendments to residential care fees will provide more opportunities for providers in that market.
 - It was suggested that services should not work in silos and that there should be liaison with the Regeneration Team regarding indigenous and new enterprises. In noting the pressures on the workforce, opportunities arise for training to develop a pool of talent. The Portfolio Holder agreed and informed the Committee that discussions with Higher Education providers were ongoing to tailor courses specifically for Powys' needs. PTHB is also developing GP practices to be training practices. If training is carried out in mid Wales, with placements available, there is more likelihood of retaining workers in the area.
 - The Chair asked whether limiting one provider to 45% of the market was too generous and should be lowered. There are 23 providers and it is hoped that more will be encouraged - one provider already has 42% of the market. If there was more control, there could be a challenge regarding constraint on trade.
 - The Health Authority are consulted and are willing to work with the Authority. Closer working will continue. Both organisations emphasize prevention and early intervention but if intervention is required, this should be provided as close to the clients as practicable.
 - The Lead Member of the previous ASC Scrutiny Group reported that that Group had considered an early iteration of the proposals and were concerned that financial modelling had been difficult.
 - DPS systems had been trialled in Ceredigion, Cardiff and Blaenau Gwent. The Committee asked if there had been any unexpected outcomes or difficulties and whether clients had been affected. Our clients should not notice any change in delivery of their service. There had been an issue in Cardiff around finances but work has been undertaken to ensure this does not happen in Powys. Providers will be monitored to ensure they remain sustainable.
 - The Committee requested that the results of the pilot project be considered by the Committee prior to it being rolled out across the County.

Outcome:

- **A further report on the pilot study be considered by Committee in the autumn**

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| 8. | WORK PROGRAMME |
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The work programme was still under review following the restructure of scrutiny committees.

In the meantime, Members were asked to consider trialling meeting at different times to encourage attendance at meetings.

RESOLVED that meetings remain at 10am to 1pm with the afternoons being held in reserve for additional items.

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| 9. | CORRESPONDENCE |
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There were no items of correspondence.

County Councillor G I S Williams (Chair)