

**MINUTES OF A MEETING OF THE HEALTH AND CARE SCRUTINY COMMITTEE
HELD AT BY ZOOM ON FRIDAY, 7 JULY 2023**

PRESENT

County Councillor A Jenner (Chair)

County Councillors G E Jones, B Breeze, J Ewing, C Robinson, E Roderick,
E Vaughan, L Brighthouse and H Hulme

Cabinet Members in attendance: County Councillors S Cox (Cabinet Member for a
Caring Powys) and S C Davies (Cabinet Member for Future Generations).

Officers: Wyn Richards (Scrutiny Manager and Head of Democratic Services), Nina
Davies (Director of Social Services and Housing), Sharon Powell (Head of Children's
Services), Sharon Frewin (Head of Adult Services), Rachel Evans (Head of
Commissioning and Partnerships), Joanna Harris (Senior Strategic Commissioning
Manager), Steve Holcroft (Policy and Customer Care Manager) and Katie Blackburn
(Regional Director Powys, Llais).

Apologies for absence were received from County Councillors L Rijnenberg and
C Walsh

1.	APOLOGIES
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Apologies for absence were received from County Councillor Liz Rijnenberg,
County Councillor Chris Walsh and Lynette Lovell Director of Education and
Children.

2.	DECLARATIONS OF INTEREST
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The Committee received the following Declarations of Interest from Members
relating to items to be considered on the agenda:

Relationship between Llais and Powys County Council

- County Councillor Edwin Roderick declared a personal interest due to
being a member of Llais.
- County Councillor Heulwen Hulme declared a personal interest due to
being a member of Llais.

3.	DISCLOSURE OF PARTY WHIPS
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The Committee did not receive any disclosures of prohibited party whips which a
Member had been given in relation to the meeting in accordance with Section
78(3) of the Local Government Measure 2011.

4.	RELATIONSHIP BETWEEN LLAIS AND POWYS COUNTY COUNCIL
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Documents Considered:

- Relationship between Llais and Powys County Council Presentation 07-07-2023

Background:

- Previously the Community Health Council had a remit solely regarding health services.
- Llais' remit now includes both health and social care services, not just health services provided by Powys Teaching Health Board.
- Going forward, Llais will still retain a strong relationship with Powys Teaching Health Board, and the Regional Director sits as an observer at Board meetings and meets on a fortnightly basis.
- Llais would like to develop a relationship between Councils and Scrutiny Committees.
- On 1 April 2023, the Act establishing Llais replaced the Community Health Councils.
- Llais is an independent statutory body, established by the Welsh Government.
- The body's legal name is "Citizen Voice Body for Health and Social Care, Wales", operating as "Llais".
- Llais is divided into 11 localities throughout Powys.
- Llais have two offices in Powys - Brecon and Newtown.
- Llais will no longer have nominated volunteers (i.e., from Welsh Government, County Councils, Third Sector), all members are volunteers in their own right.
- The new volunteering strategy for Llais offers flexibility, diversity, accessibility, and inclusivity, as well as learning support.
- Commitment to be flexible, allowing people to volunteer who previously may not have been able to under the Community Health Council model.
- Three core areas of activity:
 - Engage and gather people's views.
 - Work with decision makers at a local, regional and national level through making representations.
 - Provide health and social services complaints advocacy.
- Llais meets with Health Board and Local Authority complaint teams on a weekly basis.
- Part 4 – Section 17 of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 imposes a duty on the NHS and Local Authorities to promote awareness of Llais' activities.
 - The legislation applies to all organisations who provide health and social care services to service users.
- Requests for Llais to access health and social care services and engage with individuals will be made in line with the Welsh Government Code of Practice.
- Representations will be addressed according to the Statutory Guidance on representations made by the Citizen Voice Body – Llais.
- Llais will work with people and make decisions according to the following:
 - Collaborating and partnering with the public, health and social care sector and the voluntary and community sectors.

- Independence in acting on behalf of the people of Wales.
 - Accessibility and inclusion, ensuring the needs of the diverse population of Wales are represented and that no-one is excluded.
 - Influence and advocacy for person-centred health and social care services in Wales.
 - Good governance so that resources are used for the greatest impact, with clear plans and priorities, transparency and accountability.
- Llais would like to ask the Authority to:
 - Raise awareness within the organisation and the communities served so that everyone knows about Llais' role.
 - Work with Llais to develop their ways of working to establish effective partnerships, ensuring the voice of communities are heard.
 - Help Llais to understand the key priorities and challenges for health and social care services in Powys.

Issues Raised by the Committee and Responses Received:

Issues Raised by the Committee:	Responses Received:
<p>The District General Hospital for many of our residents is in Hereford. I am told about concerns that residents are being treated as 'second-class citizens'. What powers do you have, if any, to influence that?</p>	<p>These types of comments are raised with the Health Board and Welsh Ambulance Trust to seek assurance. There is not any evidence that suggests this to be the case, however it is acknowledged that the feeling exists.</p> <p>The access to Hereford Hospital is one of the better routes to hospitals which are near our borders. If people are having issues, Llais would like to hear about these views, and Llais can then make representations to Powys Teaching Health Board.</p>
<p>Are Town and Community Councils included on the stakeholder list?</p>	<p>Yes, Town and Community Councils are on the stakeholder list which remains unchanged, however more groups will be added to the list going forward.</p>
<p>What enforcement powers do you have available?</p>	<p>Regarding Llais, we still have the right to communicate our concerns to the Minister, there is also the concept of judicial review available, although I hope we do not get to that stage. Good working relationships with the Local Authority should avoid this from needing to happen.</p>
<p>What are the plans for engaging with</p>	<p>Previously under the Community Health</p>

<p>hard-to-reach groups?</p>	<p>Council, we would speak to everyone in Powys about access to GP services. In Powys for the last 2 months, we have focused on a geographical are, in this instance it was Welshpool. We have focused on the wider communities, the carers, young and older persons, carers, schools and other organisations who we have previously not worked with. There are challenges due to resource, however the draft report is really interesting. We would like to specifically work with the Gypsy and Traveller community going forward.</p> <p>We have also established relationships with groups such as Dementia Powys. We have previously done work on loneliness and isolation in the farming community, there are many communities where we need to reach out to. If we work together with the community groups, we feel this would make our work much easier.</p>
<p>How are you managing with a team of seven? How many volunteers would you ideally need?</p>	<p>We would like around 11 volunteers to correspond to each of the 11 localities of Powys. If Councillors know people who would be interested, please forward them to Llais as the volunteering requirements are not as strict compared to the past, inclusivity and flexibility is a major factor. Volunteers can contribute as much as they are able to.</p>
<p>Do you have any resources we could share on social media and to share with residents?</p>	<p>We have electronic means for advertisement such as QR codes, although we are aware that these are not always accessible to all people. We also have posters, leaflets and business cards which can be given to individuals so they can make direct contact to Llais.</p>
<p>Would an officer of Llais be happy to attend Community Council meetings.</p>	<p>Yes, we want to engage and get the word out on Llais as much as possible so that should be possible.</p>

Actions:

- Share Llais resources to all Members of the Council.

Observations and Recommendations:

- The Director of Social Services and Housing recommended that Llais be invited to Full Council to provide an update on Llais' role, and to also provide a Member Development session on Llais.

5.	SOCIAL SERVICES COMPLIMENTS, COMMENTS AND COMPLAINTS REPORT 2022 - 2023
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Documents Considered:

- Social Services Compliments, Comments and Complaints Report 2022 - 2023

Background:

- Powys County Council has a statutory duty to have a complaints procedure in place.
- It is also a statutory requirement to produce an annual social services complaints report which is the report considered.
- The approach is based on “getting it right first time, and if we cannot, then putting it right as soon as possible”.
- Many comments are regarding financial aspects of providing care to individuals or issues with receiving Direct Payments.
- There has been a reduction in compliments, although this may be due to post-pandemic working arrangements.
- Analysis of complaints received:
 - Compliments have reduced since 2017.
 - Most complaints are handled at Stage 1 (the informal stage) rather than Stage 2.
 - Compliments are sorted into the following primary element categories:
 - Standard of work done.
 - Communication
 - Quality of service provided.
 - Provider Complaint.
 - Failure to adhere to policy/procedure.
 - Failure to carry out agreed actions.
- Complaint outcomes:
 - Every complaint is given an outcome of either “upheld”, “partially upheld” or “not upheld”.
 - The majority of complaint outcomes for Childrens Services were partially upheld.
 - A new system for managing complaints will be in place from 1 August 2023.
- Social Services Complaints Procedure (Regulations) Wales 2014 state that a complaint must be acknowledged within 2 days.

- This target is difficult to meet due to limited resources.
 - A receipt/acknowledgement cannot be sent until the details are known regarding how the complaint will be investigated, and who will investigate the complaint.
 - It is therefore difficult to meet the 2-day requirement, due to officer leave for example.
- The Regulation timescales for complaint resolution differ to those of the NHS. Officers are discussing these issues at the All-Wales Complaints Officers Group with Welsh Government, and understand that a review of the Regulations is likely to happen at some point in the future.
- Stage 2 complaints usually take 20-25 working days to investigate, once drafted the complaint report is checked for quality, and then forwarded to the Director of Social Services for sign-off, which can take an additional 20 working days.
- The time taken to issue a complaint report is being actioned, and the Director for Social Services has dedicated time to review and sign the complaint reports.
- Complaint handling improvement:
 - Services have been reminded to be aware of potential complaints, and to forward the complaints onto the Feedback Team as soon as possible.
 - The Feedback Team keep a log of actions that are agreed in monthly Quality Assurance meetings with representatives from both Children's and Adult's Services.
 - Actions are being undertaken to record all comments, compliments and complaints.
 - Internal resolution process established to ensure service providers resolve their complaints more quickly.

Issues Raised by the Committee and Responses Received:

Issues Raised by the Committee:	Responses Received:
<p>Could you go into the reasons why compliments and complaints might have been missed? Is the issue to do with how complaints are reported?</p> <p>Do social workers have any quick methods of reporting complaints? Is there an app system or document that ensures all complaints/compliments are documented?</p>	<p>We usually miss complaints if they do not come through the official complaints channel, which is online or via telephone or email. Sometimes complaints are made through a social worker by email which is accidentally missed amongst their caseload. The team would then action the complaint once received as soon as possible.</p> <p>There is no particular system to report the complaint by a social worker, although the complaint can be forwarded to the dedicated email for review by the Feedback Team.</p>

<p>If for example a social worker has done something in a different way which has worked particularly well for a family, how does the Feedback Team consider whether the compliment/feedback is considered as a lesson learnt to improve practice.</p>	<p>We are keeping a log and have changed the format of the annual report this year, by starting with compliments received. We discuss these compliments with the managers in the Operational Management Team and in Team Meetings.</p>
<p>What percentage of complaints revolve around communication between clients and Officers.</p>	<p>It depends, it is less of a problem in Adult Services but more of a problem in Children's Services. This may be due to clients' lack of understanding of how the services work, rather than issues caused by officers.</p>
<p>For future reports, please could we have a breakdown of the elements of a complaint for the next report? If we could also see any identified trends relating to differing services?</p>	<p>The new complaint recording system becoming live in August should allow that functionality.</p>
<p>Are you aware of complaints due to situations where there are unmarried couples who have a dispute relating to custody of their children?</p>	<p>Yes, we do occasionally receive complaints regarding that subject.</p>
<p>Regarding the recommendations made to Cabinet previously, are you happy that you have met these recommendations and provided feedback?</p>	<p>Yes, I believe we have actioned the main points.</p>
<p>Could the report include information on key performance indicators?</p>	<p>Yes, of course.</p>
<p>How will the new complaints reporting system differ to the current system?</p>	<p>The current system is old and can be slow at times. We have now developed an in-house solution with IT colleagues which should provide better insight into complaints in terms of statistical analysis.</p>
<p>Please can we have an explanation of the four week process for the complainant to receive a complaint report?</p>	<p>The Stage 2 complaints are dealt with by an independent investigating officer, we receive and scrutinise the report with senior managers, to see if the report has dealt with the complaint fully. Then we produce an accompanying letter for the Director to go back with the report, which can take time before the letter is correct, which is why it can take 20 working</p>

	<p>days.</p> <p>It is a statutory requirement that the Director must issue a letter.</p>
<p>When we are sending out a receipt of the complaint, with the four-week window, are complainants given information on this process?</p> <p>Is it clear that an independent reviewer will deal with the Stage 2 complaint?</p>	<p>Yes, we have a statutory obligation to inform complainants of the timescales regarding the complaint process. Usually, the complainant is updated every two weeks.</p> <p>For all adult cases, the Policy and Customer Care Manager will personally oversee the complaints and will update complainants on the progress of their complaint. For complaints relating to Children's Services, a panel of senior managers is responsible for overseeing and updating complainants.</p>

Actions:

None

Observations and Recommendations:

- Recommendation that the Annual Social Services Compliments, Comments and Complaints Report include actions for service improvement with linked KPIs.
- Recommendation to reduce the timeframe in processing and sending the final report in respect to Stage 2 complaints.

6.	ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES
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Documents Considered:

- Annual Report of the Director of Social Services

Background:

- Social Services and Well-being (Wales) Act 2014 requires the Director of Social Services to produce the annual report.
 - The Director of Social Services is required to present the annual report to the Council.
 - The report will also be available to the Welsh Ministers and on the public PCC website.
 - The report is produced so that it can be easily read and understood by a range of audiences, guidance suggests the report should be no more than 25 pages.
 - The annual report is not a performance report, the guidance states that recital of data is unhelpful.

- This report is not a standalone exercise, it is an overview, monthly data analysis and performance reporting is undertaken behind the scenes.
- Welsh Government are consulting on the Rebalancing Care Programme, in addition to the template of the annual report. The template will likely be formatted differently next year.
- The draft report is presented to Committee for information and will be formally presented to the next meeting of Full Council.
- Challenges in Social Care:
 - There are recruitment and retention issues challenging the workforce across the Service including reliance on agency staff.
 - A key achievement is working with corporate colleagues in improving recruitment by utilising recruitment events and a quick application process for social care roles.
 - Issues in meeting statutory duties in Adult Services, in terms of reviews and establishing POC, in addition to court cases.
 - Issues with equipment availability and ongoing unpredictability in the provider market in terms of commissioning.
- Adult and Children's Services:
 - Children's Services have a new participation officer, which is outlined in the report.
 - Regular staff surveys and roadshows with officers within the service.
 - Ongoing work with the third sector.
 - Powys Older People's Forum has been expanded, with an age-friendly action plan in development.
 - Work underway for a Citizen's Charter regarding disabilities.
 - Compliments and complaints are used to understand lessons learnt to improve services.
 - Integrated Family Centre in Welshpool has been open since October 2022.
 - Work underway on the Closer to Home strategy.
- Commissioning and Partnerships:
 - Unpredictability in the provider market, impact on capacity.
 - Assurance that Commissioning are working with PTHB to put solutions in place.
- Children's Services challenges:
 - Budget deficit has been lowered, although work is still ongoing to further reduce the deficit.
 - Costs associated with the two managed social worker teams have produced a saving as they are no longer needed.
 - Grow our Own project – 10 newly qualified social workers who will be qualifying over the summer months.
 - National shortage of placements.
 - Development of residential provision.
 - Strengthening the 16+ provision.

Issues Raised by the Committee and Responses Received:

None

Actions:

None

Observations and Recommendations:

- Further items to be considered by the Committee:
 - Children’s Services budget situation.
 - Joint meeting with Health in December:
 - The transition between CAMHS and Adult Mental Health Services/therapeutic CAMHS threshold. To seek assurance on how situations can be resolved before pre-crisis point.
 - Pre-birth support as compared to services available in other regions.
 - Unaccompanied Asylum Seeking Children – concern that many of the children are being placed outside of the County.
 - How are we planning to support these children in a sustainable way, so they get the support they need?
 - What are the impacts on the assigned social workers?
 - Support for reducing sickness levels.
 - The Chair noted that this item could be considered when the Committee scrutinise the next quarterly budget.
- The Cabinet Member for Future Generations noted the issues raised by the Chair and will consider them at upcoming meetings to seek improvement.

7. CLOSER TO HOME, RESIDENTIAL HOMES AND 16+ ACCOMODATION
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County Councillor Benjamin Breeze proposed the resolution for the Committee to move into a confidential session to consider the remaining agenda items, and was subsequently seconded by County Councillor Josie Ewing.

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.

The Monitoring Officer has determined that category 3 of the Access to Information Procedure Rules applies to the following item. His view on the public interest test (having taken account of the provisions of Rule 14.8 of the Council's Access to Information Rules) was that to make this information public would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information).

These factors in his view outweigh the public interest in disclosing this information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

The Health and Care Scrutiny Committee received and considered a confidential presentation regarding Closer to Home, Residential Homes and 16+ Accommodation, by the Head of Children’s Services.

8.	EXTRA CARE STRATEGY
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The Health and Care Scrutiny Committee received and considered a confidential presentation regarding the Extra Care Strategy, by the Head of Commissioning and Partnerships.

9.	WORK PROGRAMME
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Documents Considered:

- Health and Care Scrutiny Committee Work Programme.

Actions:

- To add the following items to the Committee's work programme:
- 22 September 2023 meeting:
 - If the Direct Payments paper is not available, Adult Services will instead be asked for a paper on services available for adults with disabilities.
 - Q1 Performance review to include staff sickness trends.
- 3 November 2023 meeting:
 - Update on Unaccompanied Asylum Seeking Children – to cover:
 - Location of placements,
 - Types of support needed by the children according to their experiences,
 - Budgets,
 - Costs to the Council,
 - Intelligence from other Local Authorities.
 - Extra Care Strategy update for the 18 July 2024 meeting.
 - Budget updates if Q2 not available, item on efficiency savings instead – confidential session.
- 1 December 2023 meeting:
 - Therapeutic Attachment Team work relating to Children's Services.

County Councillor A Jenner (Chair)