

SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 11TH NOVEMBER, 2009

PRESENT: Councillor J Chapman in the Chair
Councillors P Ewens, C Fox, A Gabriel,
J McKenna, V Morgan and E Taylor

Apologies Councillor Mrs R Feldman, T Hanley,
F Robinson and A Taylor

54 Declarations of Interest

The following declarations of personal interests were made:-

- Councillor J Chapman in view of the fact that she has a relative who works in the private home care industry (Agenda Items 7, 8 and 9)(Minutes 59, 60 and 61 refer).
- Joy Fisher in her capacity as a service user and voluntary sector representative whose organisations are consulted on service delivery issues (Agenda Items 7, 8 and 9)(Minutes 59, 60 and 61 refer).
- Sally Morgan in her capacity as a service user (Agenda Items 7, 8 and 9)(Minutes 59, 60 and 61 refer).

55 Baroness Nicola Chapman

The Board acknowledged the recent death of disability rights activist and national social care champion, Baroness Nicky Chapman of Leeds.

56 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Feldman, Hanley, Robinson and A Taylor.

57 Minutes - 7th October 2009

Councillor Gabriel requested an amendment to Minute No. 48 – Day Care Services Update – to reflect the particular concerns she had expressed at the last meeting regarding the unsatisfactory nature and outcome of the consultation arrangements at the meeting of the South Inner Area Committee meeting held on 23rd September 2009.

Councillor E Taylor requested that her name be added to the list of Members present at the last meeting.

RESOLVED – That, subject to the above amendments, the minutes of the meeting held on 7th October 2009 be confirmed as a correct record.

(NB: Councillor Fox joined the meeting at 10.08 am, during consideration of this item.)

58 Matters Arising from the Minutes

a) Review of Adult Day Care Services in Leeds (Minute No. 48 refers)

Further to Minute No. 48, 7th October 2009, the Director of Adult Social Services confirmed that, at its meeting on 4th November 2009, the Executive Board had approved the proposals contained in her report without change.

Members requested that, when finalised, a copy of the implementation plan be circulated to all Board Members.

Ongoing concern was expressed regarding a number of issues:-

- The unsatisfactory nature of the consultation exercise. The Department had already acknowledged that it could have been organised better in respect of Area Committee meetings, and re-stated the comprehensive nature of the meetings, visits and process which had been followed. Members requested that they be supplied with details of any corporate guidelines and procedural advice on large consultation exercises;
- The fact that the Holbeck Day Centre was still to close under the approved proposals and the need to quickly address the issue of possible future uses for the building. It was reported that a specific working group had been established for this purpose, comprising the Executive Member (Adult Health and Social Care), Councillor Gabriel and relevant Council officers. Councillor Gabriel would also discuss the matter at her imminent, scheduled meeting with John England, Deputy Director (Partnership and Operational Effectiveness);
- The above initiative only addressed the future of the Holbeck Day Centre, but and other areas of the City affected by the proposals, such as Bramley, Armley and Woodhouse, were worthy of similar consideration. Although the Doreen Hamilton and Naburn Court Centres were now to remain open, this was only for 3 sessions per week at each centre and concerns remained about if, and how, the gaps could be met by local churches or local organisations and Neighbourhood Networks, many of which were already overstretched

The Department confirmed that it would be willing to meet with other Local Members if required, and that a meeting with Bramley Members had already been arranged;

- Staff and trade unions had also expressed concerns regarding the staffing changes and redeployments which would be necessary to implement the changes;

The Director of Adult Social Services responded that a day centre staffing review was due prior to these latest proposals. A meeting was already scheduled with the trade unions, on 17th November 2009. Staff had been kept fully informed of developments. Any proposed changes would be dealt with via the Council's managing workforce change process.

The Chair concluded the discussion by stating that although there remained some issues still to resolve, the exercise had proved that the Council was willing to consult and listen to people's views and concerns, and to adapt its original proposals accordingly.

RESOLVED –

- a) That the latest situation be noted and the Board be kept apprised as the approved proposals are implemented.
- b) That, in this regard, Members be provided with a copy of the implementation plan when it is finalised.
- c) That Members also be circulated with details of the corporate consultation guidelines and procedural advice.

59 Income Review - Implementation Update

Further to Minute No. 99, 8th April 2009, the Director of Adult Social Services submitted a detailed and comprehensive report updating the Board on the impact on service users of the introduction, in April 2009, of the revised contributions policy for non-residential services supplied to adults across the City.

In attendance at the meeting and responding to Members' queries and comments were:-

- Dennis Holmes, Deputy Director (Strategic Commissioning).
- Ann Hill, Financial Manager, Adult Social Care.

In brief summary, the main points of discussion were:-

- Under the Government's new guidelines, Attendance Allowance, which was a non-taxable benefit, was taken into account as income when calculating a service user's contribution towards the costs of the service they were provided with, thereby effectively taxing it.

It was explained that the authority had no discretion in this matter – it was clear in the national guidelines that this was, indeed, the case. However, some of the effects of this were offset by the fact that certain income and outgoings were ignored in making the calculation, such as water rates, excess fuel allowance, stair lift maintenance and laundry allowance.

The Chair indicated that she would pursue this issue outside of the Board.

- The large variation between the initial projections of the effect of the changes and the actual numbers of users affected.

It was explained that, at the outset of the process, the Department held very little actual information on service users' capital assets on which it could base its calculation. Obviously, now that this situation had changed, future projections should be more accurate. Although there was, in some cases, large variations between projected and actual numbers, the impact on service users was marginal, involving, in most cases, customers moving one charging column up or down. The Department's original estimate of £2m in additional income had been remarkably accurate, the projected figure being £1.9m;

- Currently, the Department re-calculated payments on an annual basis, or when service users notified the Department of a change in circumstances. The Department carried out accuracy spot checks on accounts and also had 'shadowing' arrangements in place in respect of home visiting staff to spot check that the work was being carried out properly. Currently, the Department did not spot check random cases for review, the emphasis and onus being on service users to notify any significant change in their circumstances;
- In terms of consistency of the application of the rules by home visitors, in addition to their training and the previously referred to 'shadowing' arrangements, home visiting staff were also encouraged to refer queries, or anything they were unsure of, to their team leader so that this degree of consistency could, as far as possible, be applied. Home visiting staff also looked out for any obvious signs or concerns surrounding abuse or financial exploitation of service users;
- The issue of service users being unwilling, for whatever reason, to discuss their financial affairs with the Department's staff was also discussed. Unfortunately, once service users had been advised of the nature of the system, if they, or their carer or relatives, were still unwilling to co-operate, then the Department had no choice but to apply the maximum charge. The Department was not implementing the charging policy to raise income for the sake of it, but to plough back into increased and improved services.

RESOLVED – That, subject to the above comments, the report be received and noted.

(NB: At the conclusion of this item, at 11.00 am, the Board observed a two minute silence in commemoration of Armistice Day.)

60 Performance of Homecare Service Providers (Independent and Indirectly Provided)

Further to the Board's previous consideration of this matter, the Director of Adult Social Care submitted a report updating the Board on the overall performance of independent sector homecare providers across the City.

In attendance at the meeting and responding to Members' queries and comments were:-

- Dennis Holmes, Deputy Director (Strategic Commissioning).
- Tim O'Shea, Head of Commissioning (Adults)
- Mark Phillott, Commissioning Manager, Adult Social Care

In brief summary, the main points of discussion were:-

- The fact that all independent sector homecare providers providing service to Leeds' residents were now 2* accredited, which was officially rated as providing a 'good' level of service. This situation was welcomed and it was also noted that a previous service provider, about which concerns had been expressed, was no longer working for the Council. The highest category, 3*, was officially rated as 'excellent'. Whilst the Council would do all it could to assist and encourage service providers to attain this standard, these were private, independent companies and the quality control was provided by the Care Quality Commission (CQC), so the Council only had limited scope in this regard. However, it obviously did monitor performance against contract specifications, deal with complaints and did hold quarterly contract monitoring meetings with service providers;
- All service providers had been provided with a copy of the Leeds Safeguarding Adults Partnership Policy and Procedures and had been represented at a recent Safeguarding Briefing. Nationally, the Government was changing the qualifications structure and NVQs were in the process of being replaced by a Qualifications and Credit Framework. Meanwhile, locally, the Department was working in partnership with NHS Leeds to implement a medication training programme;
- Demand for services always outstripped supply and resources, but this year there had been a 25% increase in demand which was reflected in

an increase in referrals at hospital A&E departments, and possible reasons for this were being looked into.

- In respect of service users who suffered a stay in hospital of 2 weeks or more duration having to re-apply for homecare services, and sometimes getting a different provider, the Department appreciated how unsettling or upsetting it might be for some people. Where the stay was less than 2 weeks, or where a definite discharge date was known, best efforts were made to keep existing arrangements by arranging for homecare staff to fill in on other duties for staff who were on leave or off sick. However, demand for the service was such that the department had to be realistic and make the best use of its limited resources, and this meant that, in respect of longer or unspecified hospital stays, service users would have to re-apply and, unfortunately, could not be guaranteed the same service provider or home helper. It was a question of having to be practical and make the best use of resources, and sometimes this involved a compromise with the wishes of the service user;
- In terms of service providers, the Department accepted that large national or multi-national service providers did not, necessarily, provide the best service. There was a lot to be said for smaller, local community enterprise organisations which might be able to offer a more personalised service, sometimes based on local knowledge. Demand was such that there was room in the market for a variety of service providers;
- The personalisation agenda and individual budget holders presented a challenge in terms of service monitoring and regulation. Currently, there were 68 registered independent sector homecare organisations operating in Leeds and these were regulated by the CQC. There were also over 200 individuals providing personal assistance services and they were currently subject to no such regulatory control. All the Council could do was to recommend that they were all enhanced CRB checked;
- The Department was still reviewing its monitoring and quality control procedures and processes, and considering how organisations such as the Leeds Alliance of Service Users and Carers could be involved in formulating the proposals.

RESOLVED –

- a) That, subject to the above comments, the report be received and noted.
- b) That the Board be supplied with some comparative information from other similar sized local authorities.

61 Update on Work in Leeds on Dignity in Care

Minutes approved as a correct record at the meeting held on Wednesday, 16th December, 2009

Further to Minute No. 66, 7th January 2009, the Director of Adult Social Services submitted a report updating the Board on progress in embedding Dignity in Care principles in everyday social work practices.

In attendance at the meeting and responding to Members' queries and comments were:-

- Dennis Holmes, Deputy Director (Strategic Commissioning).
- Mick Ward, Head of Strategic Partnerships and Development.
- Angela Mkandla, Strategic Partnerships and Development Manager.

In brief summary, the main points of discussion were:-

- The challenges which the personalisation agenda presented in terms of rolling out the programme to individual budget controlling service users, and also across care homes in the district;
- The results of a survey undertaken by the Leeds Partnership Foundation Trust on dignity in care;
- Why it was taking so long to move from mixed hospital wards to single-sex wards, due mainly to the need to fund and implement changes to the physical environment, e.g. toilet and shower facilities. Members requested further local details regarding the numbers of mixed-sex wards compared to single-sex wards and also details of future plans and a timescale for completing the switchover. The Chair indicated that she would also raise this matter at the Scrutiny Board (Health), together with concerns raised surrounding continence issues and dignity in care;
- Disseminating good practice from the hospice movement in terms of how terminally ill people were dealt with in hospitals or care homes. The point was acknowledged and reference was made to a pilot project being carried out under the auspices of Marie Curie Cancer Care;
- The re-invigoration of the Dignity Champions Group. Members requested an update at a future meeting.

RESOLVED – That, subject to the above comments, the report be received and noted.

62 Scrutiny Board (Adult Social Care) - Work Programme

The Head of Scrutiny and Member Development submitted a copy of the Board's work programme, updated to reflect decisions taken at previous meetings, together with a copy of a relevant extract from the Council's Forward Plan of Key Decisions for the period 1st November 2009 to 28th

Minutes approved as a correct record at the meeting held on Wednesday, 16th December, 2009

February 2010 and a copy of the minutes of the meeting of the Executive Board held on 14th October 2009.

RESOLVED – That, subject to any amendments necessary as a result of today's meeting, the Board's work programme be received and approved.

63 Date and Time of Next Meeting

Wednesday, 16th December 2009 at 10.00 am (Pre-Meeting 9.30 am).