

**SCRUTINY BOARD (HEALTH AND WELL-BEING AND ADULT SOCIAL CARE)**

**FRIDAY, 28TH FEBRUARY, 2014**

**PRESENT:** Councillor J Illingworth in the Chair

Councillors G Hussain, J Walker, C Fox,  
K Bruce, S Varley, E Taylor, N Buckley,  
M Ingham and C Macniven

**89 Chair's Opening Remarks**

The Chair opened the meeting and welcomed everyone in attendance.

**90 Late Items**

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair agreed to accept the following late and supplementary information for consideration at the meeting:

- Leeds and York Partnership Foundation Trust (LYPFT) – Care Quality Commission Inspection Reports – LYPFT agreed action plan (minute 95 refers)
- Review of Home Care Services in Leeds – supplementary agenda papers (minute 98 refers)

The above documents were not available at the time of the agenda despatch, but had been made available to the public at the meeting. Copies of the papers would also be available on the Council's website.

**91 Declaration of Disclosable Pecuniary Interests**

There were no disclosable pecuniary interests declared to the meeting.

**92 Apologies for Absence and Notification of Substitutes**

Apologies for absence were submitted by Councillor S Lay, J Lewis and C Towler. Notification had been received that Councillor C MacNiven was substituting for Councillor C Towler and Councillor M Ingham for Councillor J Lewis.

**93 Minutes - 29 January 2014**

**RESOLVED** – That the minutes of the meeting held on 29 January 2014 be approved as a correct record.

## 94 Shakespeare Medical Centre - Update on the provision of General Practice and Walk-in Services

Following the Board meeting on 29 January 2014, the Head of Scrutiny and Member Development submitted a further report detailing the outcome of the discussion relating to the provision of GP and Walk-in services at Shakespeare Medical Practice and the decision of Care UK not to enter into an extended agreement for the continuing provision of services.

The following representative was in attendance to provide a verbal update to the Scrutiny Board and help members consider the information presented:

- Nigel Gray (Chief Officer – Leeds North Clinical Commissioning Group)

In addressing the Scrutiny Board, the following points were made:

- A brief reminder of the previous discussion in January 2014.
- Confirmation that following a procurement process, Malling Health had been identified as the preferred provider.
- The new service would become effective from 3 March 2014 and would offer the same services previously available, over the same opening hours.
- Assurance that patients would access the service in the same way as the previous arrangements, using the same telephone number.
- Around 75% of the previous staffing establishment would transfer to the new provider.
- Assurance regarding staffing arrangements with staff rotas already in place until mid-April 2014.
- Confirmation that the previous Key Performance Indicators (KPIs) would be applied to the new provider.

The Scrutiny Board discussed the report and information highlighted at the meeting. A number of matters were raised, including:

- The notice of termination provided by the previous service provider.
- Confirmation of a 14-month contract period for the new provider.
- Performance monitoring arrangements and the relationship with the Urgent Care Review being undertaken across the City.
- Staff involvement / reaction to the new arrangements. It was reported there had been a positive staff reaction to the new provider.
- Confirmation that local ward members had been updated on developments.

The Chair thanked the Chief Officer for the update and assurances provided at the meeting and reiterated the Scrutiny Board's desire to consider issues around 'lessons learned' as part of its future work around primary care.

**RESOLVED** – To note the information presented and discussed at the meeting.

## 95 Leeds and York Partnership Foundation Trust - Care Quality Commission inspection reports

The Head of Scrutiny and Member Development submitted a report that detailed the findings of a series of inspections undertaken by the Care Quality Commission in respect of services provided by Leeds and York Partnership Foundation Trust (LYPFT).

As agreed earlier in the meeting (minute 90 refers), the Scrutiny Board also considered LYPFT's action plan, very recently agreed by the Trust's Board of Directors.

The following representatives were in attendance to help the Scrutiny Board consider the information presented:

- Chris Butler (Chief Executive – Leeds and York Partnership NHS Foundation Trust)
- Beverley Murphy (Chief Nurse & Director of Quality Assurance – Leeds and York Partnership NHS Foundation Trust)
- Rod Hamilton (Compliance Manager – Care Quality Commission)
- Fiona Forbes (Lead inspector – Care Quality Commission)
- Ellie Monkhouse (Director of Nursing – Leeds North Clinical Commissioning Group)

In addressing the Scrutiny Board, the following points were made:

- A brief summary of the Trust's Board of Directors position in relation to the inspection outcomes.
- An outline of the locations inspected and the services provided.
- The inspections had highlighted a number of important lessons, particularly in relation to the Trust's reorganisation following the transfer of services from York and North Yorkshire.
- Details of the oversight arrangements in terms of monitoring the agreed action plan, including an outline of the Trust's management/governance arrangements.
- An outline of the respective roles of the Trust, the Care Quality Commission (CQC) and local Clinical Commissioning Groups (CCGs) around the provision of safe, effective and quality services.
- An outline of the complex nature of commissioning arrangements.

The Scrutiny Board discussed the report and the details highlighted at the meeting. A number of matters were raised, including:

- Concern that one of the main issues raised by the CQC related to the standard of professional leadership within the service locations inspected and the implications across the Trust.
- Assurance in relation to service locations and service provision in Leeds that were not the focus of the inspection reports presented.

- Assurance regarding support for staff and that staffing levels were appropriate.
- Further assurance sought regarding the governance and risk management arrangements within the Trust.
- Assurance regarding the other standards that the CQC regulate and might have inspected/ considered.
- Assurance regarding the standard of accommodation (which was confirmed to be the responsibility of NHS Property Services).

The Chair thanked those in attendance for their contributions and assurances provided to the Scrutiny Board.

#### **RESOLVED –**

- (a) To note the information presented and discussed at the meeting.
- (b) To receive the Trust's initial action plan produced at the conclusion of the inspection visits.

#### **96 Fundamental review of NHS Allocations Policy - update on NHS England's decisions and associated implications**

The Head of Scrutiny and Member Development submitted a report that introduced an update from NHS England on the allocation decisions made at its Board meeting in December 2013 and an outline of the local impact.

The following representatives were in attendance to help the Scrutiny Board consider the information presented:

- Jonathan Webb (Acting Director of Finance – NHS England (West Yorkshire Area Team))
- Nigel Gray (Chief Officer – Leeds North Clinical Commissioning Group)

In addressing the Scrutiny Board, a brief outline of the papers was provided, which detailed the recent funding decisions and how these were now being taken forward.

The Scrutiny Board discussed the report and the details highlighted at the meeting. A number of matters were raised, including:

- The 'fairness' of the allocations process.
- Arrangements for ensuring the 'equalities funding' would be targeted at addressing local health inequalities.
- Difficulties considering like-for-like comparisons between the original funding proposals and the final allocations, primarily due to the shift in resources from Clinical Commissioning Groups to NHS England (in relation to Specialised Services).

The Chair thanked those in attendance for their contributions to the meeting.

**RESOLVED** – To note the information presented and discussed at the meeting.

## **97 Better Care Fund Proposals**

The Head of Scrutiny and Member Development submitted a report that introduced details of the Better Care Fund proposals considered and signed-off by the Health and Wellbeing Board at its meeting on xx February 2014.

The following representatives were in attendance to help the Scrutiny Board consider the information presented:

- Councillor Lisa Mulherin (Executive Board member for Health and Wellbeing – Leeds City Council)
- Councillor Adam Ogilvie (Executive Board Member (Adult Social Care) – Leeds City Council)
- Dennis Holmes (Deputy Director (Adult Social Services) – Leeds City Council)
- Nigel Gray (Chief Officer – Leeds North Clinical Commissioning Group)

In addressing the Scrutiny Board, the following points were made:

- Better Care Fund (BCF) resources had been announced in both NHS and local authority budget announcements.
- An outline of how learning disabilities funding arrangements could provide an example of how the BCF might operate.
- Confirmation that the BCF does not cover services to children.
- As part of Leeds' Health and Social Care pioneer status, potential flexibilities associated with the BCF were under consideration.

The Scrutiny Board discussed the report and the details highlighted at the meeting. A number of matters were raised, including:

- The impact of 'high cost' patients across health and social care.
- The significance of the challenge and risks both nationally and locally.
- Recognition that this represented the first occasion where the local authority had been involved in the NHS planning cycle.
- Impact of the reduction in 'acute care' budgets and the sequence of decommissioning services.
- The role of 'specialised services' and the future financial stability of acute trusts.
- The important role of the Scrutiny Board as proposals are sought to be developed further.

The Chair thanked those in attendance for their contributions to the meeting.

**RESOLVED** –

- (a) To note the information presented and discussed at the meeting.

- (b) To maintain an overview of developments and to consider a further update on the proposals at a future meeting of the Scrutiny Board.

## **98 Review of Homecare Services in Leeds**

As agreed earlier in the meeting (minute 90 refers), the Head of Scrutiny and Member Development submitted a report that introduced details provided by the Deputy Director of Adult Social Services that outlined arrangements to review homecare services in Leeds, in order to help consider the future role of the Scrutiny Board in this regard.

The report also invited the Scrutiny Board to consider seeking nominations from HealthWatch Leeds for up to two, non-voting co-opted members for this specific aspect of the Scrutiny Board's work.

The following representatives were in attendance to help the Scrutiny Board consider the information presented:

- Councillor Adam Ogilvie (Executive Board Member (Adult Social Care) – Leeds City Council)
- Dennis Holmes (Deputy Director (Adult Social Services) – Leeds City Council)
- Mick Ward (Head of Commissioning (Adult Social Care) – Leeds City Council)

In addressing the Scrutiny Board, the following points were made:

- The aim of the review was to consider the future shape of services moving forward.
- Currently, around 80% of provision was through independent providers.
- The existing financial envelop was around £50M across the City.
- The impact of continuing health care needs and associated NHS funding.
- An outline of the main drivers for change, as detailed in the report.
- Homecare provision was a current 'live topic' for many local authorities across the Country.

The Scrutiny Board discussed the report and the details highlighted at the meeting. A number of matters were raised, including:

- Arrangements for monitoring and regulating home care providers and the quality of services.
- Moves towards commissioning services based on outcomes rather than a 'time and task' basis.
- Challenges around minimum standards for staff across all providers.
- Mechanisms and arrangements for contracting with providers.
- Current and future projections for the demand for services.
- Impact of 'personal budgets', including their collective use within communities.

- The opportunity to consider ‘best practice’ in a range of different areas.

The Chair thanked those in attendance for their contributions to the meeting.

**RESOLVED –**

- (a) To note the information presented and discussed at the meeting.
- (b) That, in consultation with the Deputy Director, the Principal Scrutiny Adviser produce some draft Terms of Reference for consideration at a future meeting.
- (c) That HealthWatch Leeds be approached to identify and nominate two, non-voting co-opted members for this specific aspect of the Scrutiny Board’s work and duration of the review.

(Councillors C Fox and N Buckley left the meeting at 12:30pm and 12:40pm, respectively, during the Scrutiny Board’s consideration of this item.)

**99 Work Schedule**

The Principal Scrutiny Adviser provided a verbal update on matters concerning the Scrutiny Board’s work programme. This included the following proposals:

- An additional meeting on 21 March 2014 to consider Leeds Teaching Hospitals NHS Trust’s draft 5-year strategy and progress towards achieving Foundation Trust status.
- To consider NHS England’s current consultation on Specialised Services on 28 March 2014.
- To consider the current consultation on future proposals for the Learning Disability Community Support Service on 28 March 2014.
- Members were also reminded of the invitation to attend the Bradford Council/ Centre for Public Scrutiny event on 7 March 2014.

**RESOLVED –** To note the information presented and agree the proposed revisions to the work schedule (outlined above).

(Councillor C MacNiven and Councillor M Ingham left the meeting at 12:50pm during the Scrutiny Board’s consideration of this item.)

**100 Date and Time of the Next Meeting**

That the date for the next meeting of the Scrutiny Board was Friday, 21 March 2014, commencing at 11:30am (with a pre-meeting for Board Members at 11:00am).

(The meeting concluded at 1:05pm)