

SCRUTINY BOARD (HEALTH AND ADULT SOCIAL CARE)

MONDAY, 18TH SEPTEMBER, 2006

PRESENT: Councillor B Lancaster in the Chair

Councillors S Bentley, D Coupar,
Mrs R Feldman, S Hamilton, J Illingworth,
J Jarosz, G Kirkland, J Lewis, L Russell and
A Shelbrooke

CO-OPTEES: J Fisher - Service Users and Carers
Alliance Group
E Mack - Leeds Voice Health Forum
Co-ordinating Group

25 **Declarations of interest**

Councillor S Hamilton declared a personal interest in relation to agenda items 8 and 11 due to being an employee of Leeds Teaching Hospitals NHS Trust. (Minute Nos 30 and 33 refer).

Councillor Russell declared a personal interest in relation to agenda item 8 due to the fact that he knew someone who was in receipt of renal services and a personal interest in agenda item 12, due to his mother being a care home manager. (Minute Nos 30 and 34 refer).

Mr E Mack declared a personal interest in agenda item 10, due to being on the Management Committee of Leeds Voice. (Minute No 32 refers).

Councillor Illingworth declared a personal interest in relation to agenda item 10, due to his wife being a Board Member of the Bethel Day Centre. (Minute No 32 refers).

Further declarations of interest were made later in the meeting. (Minute Nos 31 and 33 refer)

26 **Apologies for Absence**

An apology for absence was received on behalf of Mrs B Smithson.

27 **Minutes of the Previous Meeting**

RESOLVED – That the minutes of the previous meeting held on 24th July 2006 be approved as a correct record, subject to the following amendments:-

Minute No 19 – Inquiry into Older People’s Mental Health Services in Leeds – Formal Response

The inclusion of Members’ requests for care homes in Leeds to adopt the protocols and guidelines for the Treatment of Depression in Older People.

Minute No 20 – Leeds Mental Health NHS Trust – Fire Safety Standards Review

That the minute be amended to read, 'A revision was currently underway to ensure that guidance does cover fire safety across the full range of healthcare facilities'.

28 Matters Arising from the Minutes

Inquiry into Childhood Obesity Prevention and Management – Formal Response (Minute No 17 refers)

With regard to a further progress report on the implementation of the Leeds Childhood Obesity Strategy, Members were advised that such a report was now scheduled to be submitted to the Board in February 2007.

Adult Day Services Review – Formal Response (Minute No 18 refers)

The Chair informed Members that a further update report on the Adult Day Services Review was now scheduled to be submitted to the Board in February 2007.

Leeds Mental Health NHS Trust – Fire Safety Standards Review (Minute No 20 refers)

Members noted that a written response to the correspondence received from the Department of Health had been submitted and subsequently circulated to Board Members for information.

Inquiry into the NHS Dental Contract – Draft Terms of Reference (Minute No 22 refers)

The Chair advised Members that a Working Group, convened to undertake preliminary research into the new NHS Dental Contract arrangements had met once and was scheduled to meet again on 26th September 2006.

29 Executive Board Minutes

RESOLVED – That the minutes of the Executive Board meeting held on 16th August 2006 be noted.

30 Consultation on the Reconfiguration of Renal Services in Leeds - Update Report

The Board received a report from the Head of Scrutiny and Member Development which introduced an update on the further consultation undertaken by Leeds Teaching Hospitals NHS Trust regarding the proposals to reconfigure renal services in Leeds. The report also invited a response from the LGI Kidney Patient Association.

In attendance at the meeting were Dr. Chas Newstead, Consultant in Renal Medicine, Leeds Teaching Hospitals Trust, Thea Stein, Chief Executive, Leeds North East PCT and Frank Griffiths, Chair of the LGI Kidney Patients Association.

Members noted that the Trust had undertaken a series of initiatives as part of the consultation process which included the scheduling of 3 open meetings, the distribution of around 1,000 consultation documents to which there had

been approximately 300 written replies and the opportunity to comment upon the proposals via the Trust's website. The Board noted that Leeds North East PCT was responsible for analysing the responses from the consultation, with the results being submitted to the Leeds Teaching Hospitals NHS Trust Board in October and possibly being considered by the Board of the new PCT soon after. Members were also advised that the Trust was now obliged to make an urgent re-provision of renal services in Leeds due to maintenance work at the LGI Wellcome Wing, and learned of the interim arrangements proposed.

On behalf of the LGI Kidney Patients Association, Mr Griffiths then raised the following issues:-

- Concerns were raised over the way in which the whole consultation process had been conducted;
- The lack of engagement between the Trust and the LGI Kidney Patients Association regarding the consultation process, which he believed had led to clashes between patients' treatment and the timing of the consultation meetings;
- Reference was made to a similar exercise undertaken in Airedale which was pursuing 'active engagement' with all relevant parties;
- The accessibility and appropriateness of the open meetings being held in Leeds city centre;
- The levels of consultation with both Black and Minority Ethnic groups and patients residing outside of the Leeds city boundary;
- The appropriateness of Leeds North East PCT evaluating the responses from the consultation process;
- Issues relating to the provision of transportation links for patients attending the Seacroft site;
- The provision and organisation of renal services in Leeds when compared to other major UK cities;
- The extent to which demographic analysis had been undertaken by the Trust as part of the process.

In response, it was acknowledged that although errors had been made in the scheduling of the consultation meetings, 1,200 consultation documents had been delivered to those affected by the proposals, in addition to monthly meetings taking place with the LGI Kidney Patients Association. The Board was also advised that routine demographic analysis had taken place on a 6 monthly basis.

Following a discussion relating to the availability of transport links for those patients attending the Seacroft site, in addition to the possibility of utilising other sites in Leeds for renal service provision, Members urged the Trust to maximise transportation links for such patients. The Board then requested further details about the re-provision of renal services and the evaluation of the consultation process as soon as was practicable.

RESOLVED –

- (a). That the information detailed within the report be noted;
- (b). That the Airedale consultation document be circulated to Members for their information;

Minutes approved at the meeting
held on Monday, 23rd October, 2006

- (c). That an update on the information relating to the re-provision of renal services in Leeds in addition to the evaluation of the results from the consultation process be circulated to the Board as soon as is practicable;
- (d). That a letter on behalf of the Board be forwarded to the Chief Executive of Leeds Teaching Hospitals NHS Trust which outlines the Board's comments about need to maximise transportation links for patients.

31 Members Questions

As prior notice of questions had been received from Members, the Head of Scrutiny and Member Development submitted a report which afforded Scrutiny Board Members the opportunity to put questions to the relevant service Director.

John Davies, Director of Adult Services, Mike Evans, Chief Officer, Adult Services, Mike Simpkin, Public Health Strategy Manager and John England, Deputy Director, Strategy and Performance were present at the meeting to answer Members' questions.

- (a) Could the Director of Adult Services provide an update on the Home Care services situation?

Members received a brief overview of the issues currently surrounding the provision of Home Care services in Leeds with particular reference being made to the problems recently experienced with Care UK, an independent service provider.

Following a discussion relating to the issues raised by the recent experiences with Care UK, a question and answer session ensued. The main areas of debate were as follows:-

- Members wished to formally extend their thanks to the in-house staff who had stepped in to provide cover for the Home Care services and welcomed the fact that Adult Services had formally thanked all those employees involved;
- The procedures in place to re-charge Care UK for the work undertaken by the in-house staff;
- The significant number of service users who had been affected by the problems experienced with Care UK and the lasting impact felt by such service users;
- The number of carers who were leaving the service due to the current working conditions, with particular reference being made to the considerable amounts of travelling expenses incurred, and the possibility of making interim payments to such employees;
- The extensive remit of the Board, the difficulties associated with it and the reasons why the Board had such a wide remit;
- The contractual obligations of employees who had not attended work and the possible courses of action which could be taken against them;

- The methods used to monitor the service provided by Care UK in the months preceding the incidents following the initial complaints received and the procedures established to adequately assess service providers at the tendering stage;
- Issues relating to continuing health care packages in Leeds;
- The division of responsibilities for Home Care services and the levels of interaction between the health service and the local authority in this field;
- The levels of complaints about the Home Care services which were received by Ward Members.

RESOLVED – That a written report on the delivery of Home Care services in Leeds be brought back to the Scrutiny Board meeting next month.

- (b) Could the Public Health Strategy Manager and the Deputy Director, Strategy and Performance provide an outline of the issues set out within the Department of Health’s consultation document entitled, ‘Stronger Local Voice’ and also the response from the Executive Member for Health and Adult Social Care?

Members were advised that the Department of Health had proposed to establish a system of Local Involvement Networks (LINKs) to replace patient forums in order to enable a greater level of consultation and community engagement on issues relating to health and social care.

A question and answer session regarding the proposals detailed within the document then ensued. The main areas of debate were as follows:-

- In acknowledging the capacity limits of Overview and Scrutiny Committees, the Department of Health was encouraging them to focus their attention more upon the work of commissioners rather than providers of services. However, the Board felt that a more balanced approach should be maintained;
- The opportunities available for the Board to receive comments directly from service users and the extent to which the Board could receive independent advice when conducting inquiries;
- The general timing and robustness of the consultation process;
- The possible duplication of work undertaken by the LINKs and how the system would be managed during the transitional period;
- That the facility to inspect NHS premises should remain with the new LINKs.

RESOLVED – That the views of the Board be submitted to the Department of Health in line with its consultation.

During this item, several questions were raised regarding the budgetary position of the Social Services department. The Board was advised that information relating to specific enquiries could be provided

directly to the Member in question. Emphasis was also placed upon the difficulties associated with one Board scrutinising both the areas of Health and Social Services.

(Joy Fisher declared a personal interest in this item, due to being a recipient of home care services)

32 Action Learning Project - Community Development in Health and Wellbeing

The Board received a report from the Head of Scrutiny and Member Development which introduced the information to be considered as part of the second formal session of the Board's Action Learning Project on Community Development in Health and Wellbeing.

Appended to the report for Members' information was an evaluation of the Healthy Living Centres in Leeds in addition to the final draft of a document entitled, 'Effective Community Participation Strategy Community Development Section'.

Mary Green, Principal Lecturer, Faculty of Health, Leeds Metropolitan University, Julia Edmonds, Co-ordinator of Active for Life, Tatum Yip, Co-ordinator for MEMHO Healthy Living Centre, Pat McGeever, South Leeds Health for All and Lisa Parkin, Participation Manager, Leeds Voice were all in attendance to answer Members' questions.

Following an introduction which outlined the concept of community development, the Board received a presentation on the work, principles and the progress made by the 7 Healthy Living Centres in Leeds. This was followed by a presentation on the work of South Leeds Health for All. Members then received a brief summary of the 'Effective Communication Participation Strategy: Community Development Section' which was attempting to co-ordinate and develop city-wide community participation, change the way consultation is undertaken in the community, and attempting to encourage agencies to use a more community based approach.

Following Members' concerns regarding the evaluation of the Healthy Living Centres and other community based projects, such concerns were acknowledged, however it was stated that despite the work still to do, a considerable amount of progress had been achieved.

The Chair concluded by thanking the representatives from the various voluntary organisations for their attendance.

RESOLVED – That the information detailed within the presentations and the report be noted.

(Councillor Shelbrooke left the meeting at 11.50 a.m. during the consideration of this item and Councillor S Hamilton left the meeting at 12.25 p.m. at the conclusion of this item)

33 Leeds Mental Health Teaching NHS Trust - Consultation for Foundation Trust Status

A report was submitted by the Head of Scrutiny and Member Development inviting Members to respond to the consultation process undertaken by Leeds Mental Health Teaching NHS Trust regarding its application for Foundation Trust status.

In attendance at the meeting to answer Members' queries and questions were Chris Butler, Chief Executive and Michelle Moran, Director of Service Delivery, both of Leeds Mental Health Teaching NHS Trust.

Appended to the report for Members' information was a document published by Leeds Mental Health NHS Trust entitled, 'Speak to us...Consultation for Foundation Trust Status. We want to know your views'.

Following an introduction by the Chief Executive of Leeds Mental Health NHS Trust on the consultation process and on the procedures involved in becoming a Foundation Trust, a question and answer session ensued. The main areas of debate were as follows:-

- Whether the Trust would have considered pursuing Foundation Trust status if it hadn't currently been the popular choice and how much the whole process would cost;
- Issues surrounding members of the Scrutiny Board being elected onto the Membership Council of the Foundation Trust;
- The proposed size of the Trust's membership, the procedures established to elect members onto the Membership Council, how the stakeholder groups on the Membership Council had been selected and whether the voluntary, faith and community groups were adequately represented;
- The risks involved in becoming a Foundation Trust, with particular reference being made to the competition from other areas, as locality commissioning was being developed;
- The ways in which the Trust would ensure that people with a learning difficulty, people of black and ethnic minority origin and women would be adequately represented;
- Issues relating to the composition of the Trust's Board of Directors;
- The ways in which the views of children and young people would be represented and how legislative changes had affected the provision of services for young people;
- The prospective role of the Foundation Trust in relation to the partnerships which were being developed in Leeds;
- With regard to the future development of services, Members questioned how the Trust's status would affect the financial underpinning of future service provision.

RESOLVED –

- (a). That the report and information appended to the report be noted;
- (b). That a formal response summarising the comments made by the Board be forwarded to the Chief Executive of Leeds Mental Health Teaching NHS Trust in relation to the consultation process undertaken by the Trust regarding its application for Foundation Trust status.

(Councillor Coupar declared a personal interest in this item due to her position on the Leeds Learning Disabilities Partnership Board)

(Councillor Jarosz left the meeting at 1.00 p.m. during the consideration of this item)

34 Dignity in Care for Older People Inquiry - Draft Terms of Reference

The Board received a report from the Head of Scrutiny and Member Development which sought Members' approval of draft terms of reference for the inquiry into Dignity in Care for Older People.

Having heard the response to the draft terms of reference from the Executive Member for Health and Adult Social Care, the Board raised several questions about the proposed remit of the inquiry. The Board then agreed to include within the scope of the Inquiry the need to ensure that the assessment processes in place for identifying an individual's needs adopted a dignified approach. Members also sought clarification on whether the needs of older people with learning difficulties would be addressed. In response the Board was advised that clarification on this matter would be sought and incorporated into the terms of reference if appropriate.

RESOLVED –

- (a). That the report be noted;
- (b). That subject to the suggested changes made by the Board, the draft terms of reference for the Scrutiny Board inquiry into Dignity in Care for Older People be approved.

(Councillor Mrs R Feldman left the meeting at 1.20 p.m. at the conclusion of this item)

35 Work Programme

A report was submitted by the Head of Scrutiny and Member Development which detailed the Scrutiny Board (Health and Adult Social Care) Work Programme for the remainder of the Municipal Year.

Appended to the report for Members' information was the current version of the Board's Work Programme, an extract from the Forward Plan of Key Decisions for the period 1st September 2006 to 31st December 2006 which related to the Board's remit, together with the minutes from the Leeds City Council Corporate Board for Health and Wellbeing meeting held on 9th August 2006.

The Board was informed that the Leeds' Primary Care Trusts were carrying out consultation on proposals for new GP services in Leeds. Members agreed to consider such proposals at the next meeting of the Board.

A discussion relating to the remit and the timescales of the Board's inquiry into Home Care services then followed.

RESOLVED –

- (a). That the report and information appended to the report be noted;
- (b). That the Scrutiny Board Work Programme be approved, subject to the inclusion of a report on Home Care services and the inclusion of the GP services consultation being scheduled for the October meeting of the Board, in addition to the Making Leeds Better Programme item, currently scheduled for the October meeting, being potentially postponed.

36 Date and Time of Next Meeting

Monday, 23rd October 2006 at 10.00 a.m. in the Civic Hall
(Pre-meeting at 9.30 a.m.)

(The meeting concluded at 1.25 p.m.)