

Minutes

of the Meeting of the

Adult Services & Housing Policy & Scrutiny Panel

Thursday, 28th June 2018

held at the Town Hall, Weston-super-Mare, Somerset.

Meeting Commenced: 10.30 a.m.

Meeting Concluded: 12.40 p.m.

Councillors:

P Reyna Knight (Chairman)

P Mary Blatchford (Vice-Chairman)

P Robert Cleland

A Ruth Jacobs

P David Shopland

P Liz Wells

P Deborah Yamanaka

P Peter Crew

A David Jolley

P Richard Tucker

P Roz Willis

P: Present

A: Apologies for absence submitted

Also in attendance: Councillors Dawn Payne, Jill Iles, Tom Leimdorfer, Ann Harley

Officers in attendance: Emma Channon, Martin Hawketts, Mark Hughes, Gerald Hunt, Sheila Smith (People and Communities); Joanne Butcher, Katherine Sokol, Leo Taylor (Corporate Services)

ASH Declarations of Interest by Members

1

None

ASH Minutes of the Meeting held on 12th April 2018

2

Resolved: that the minutes of the meeting be approved as a correct record.

ASH Community Meals (Agenda Item 8)

3

This item was taken early due to time constraints around officer availability.

The Community Meals and Early Intervention Officer presented the report which provided the Panel with an update from April 2018 on the community meals service and the priority actions for 2017/18/19.

She responded to Members' comments and queries as follows: -

- (1) *what models of operating the service were being considered?* – Various models were under consideration including the “social enterprise” and a traded business model;
- (2) *what would a possible merger with Bristol City Council’s service look like?* – All options were being considered including merging the whole service within the next two years but beginning with an agreement over management so that there was cross cover;
- (3) *had potential opportunities with the Police and Fire services been considered (eg sharing catering facilities)?* - Not so far but this would be considered going forward;
- (4) *were there defined criteria as to who could register for meals?* - Anyone could apply for community meals;
- (5) *further information about the recent increase in service take-up* – There was a significant increase in referrals. However the majority of service users were now more vulnerable and required additional tasks. Rounds were now getting smaller in volume as more time was needed to undertake tasks and this affects overall income;
- (6) *was driver recruitment an issue?* – There were issues around recruitment, particularly around covering week-end rounds. She confirmed that taxis were occasionally used on week-ends, however, it was always the same company with two drivers. They provided the same continuity as paid employees;
- (7) *implications for business support* – If the Community Meals service were to stand alone (as might be the case were the service to merge with Bristol’s provision) then business support should sit with the service and consideration was being given to the possibility of Bristol City Council providing this.

Concluded: that the update be received and that Members’ comments be provided to officers in the form of the minutes.

ASH 4 Local Government Ombudsman Decision: Enablement (Agenda Item 6)

The Head of Commissioning presented the report outlining: -

- the Local Government Ombudsman (LGO) findings in respect of the Council’s enablement and charging policies following consideration of a case referred by a local resident involving a complaint about charges for an enablement placement; and
- the Council’s response to these findings, including the actions taken by the Council to address the LGO recommendations.

He responded to Members’ comments and queries as follows: -

- (1) *was there any discussion senior officer level or at scrutiny about the establishment of the charging policy in respect of enablement?* - He was unable to confirm whether the change had been considered by Scrutiny Panel(s) but gave assurance that it had been considered at senior level and formally approved. He added that the enablement policy had been peer reviewed and praised by NHS England;
- (2) *the Ombudsman criticised communications and lack of clarity about the available services and entitlements. How was this being addressed by the Council?* – It was acknowledged that there had been some confusion around the policy and this was being fully reviewed. It was recognised, for instance,

that the Council's explanatory leaflet was not adequate and had left the Council vulnerable;

- (3) *what was the cost of meeting the LGO recommendations and would assurance be given that no further cases or costs would come to light?* - The Council had reviewed all enablement placements since April 2015 and set aside approximately £75000 to meet the requirement to reimburse costs associated with similar cases. Going forward, it had been estimated that the wider financial implications of the LGO decision for the Council were likely to be broadly cost-neutral, but it was agreed that the issue would be brought to the Panel for scrutiny at a future date when there was more certainty; and
- (4) *the care plan was identified by the LGO as a key issue but other partner agencies, such as the Hospital, NSCP and the CCG, had contextual bearing on the outcome of the assessment. Why was the Council alone taking the blame for seeking to find the best outcome in the circumstances?* - The LGO decision related specifically to a point of law around the application of the Council's charging policy arising from a lack of appropriate screening in the assessment (due largely to resource pressures at the time).

There was recognition from Members about the insufficiency of residential or nursing home resource available to the Council for intermediate care, noting that this scarcity had supported the LGO's conclusion that this was not an adequate alternative offer to distinguish it from the enablement pathway. It was suggested that the Health Overview and Scrutiny Panel (HOSP) review intermediate care services and associated resource across the Bristol, North Somerset and South Gloucestershire footprint. However, Members heard that the HOSP Panel would be undertaking some work in the Autumn (in order to take account of the outcomes of the Healthy Weston STP project) on hospital discharge and could include this issue as part of that review.

There was also discussion about a perceived lack of clarity around the definitions and criteria underpinning "enablement", "reablement" and "intermediary care" placements and it was agreed that this should be reviewed when the Panel considered the wider financial implications of the interim amendments to the Council's charging policy in relation to the social care pathway and interim intermediate care offer.

Concluded:

- (1) that the report be received and that Members comments be forwarded to officers in the form of the minutes; and
- (2) that, when there was more certainty around estimates of cost associated with changes to the Council's charging policy and care pathways, officers be requested to provide the Panel with further details.

ASH 5 Outcome of consultation on the Vision for Adult Social Care in North Somerset (Agenda Item 7)

The Director of People and Communities presented the report which summarised the outcome of the public consultation on the Council's draft Vision for Adult Social Care and which explained what changes were proposed in the light of the consultation.

In discussing the document, there was recognition of the challenging position that the Council found itself in in respect of funding adult social services and acknowledgement that this draft of the Vision an improvement on earlier versions. One Member, however, indicated that in his opinion a further minor change to the wording would be necessary to make it fully legally compliant: the word “normally” would need to be added to the second sentence in the first paragraph on page four of the document as follows:

“Any services that the council provides will be for assessed eligible needs and will *normally* be alongside, not instead of, family and community support.”

He said that to leave it as it was could be taken as “fettering the discretion” of social workers.

In commenting on the last bullet point of paragraph 5.7 of the covering report relating the changing of the name of the Vision document, a view was expressed that though the change to the title to “maximising independence and wellbeing” was welcome, the wording for the vision (at the top of page 2) “To promote wellbeing by helping people in North Somerset be as independent as possible for as long as possible” could be taken as overlooking the needs of those people that had little or no capability for independence.

It was also commented that, to balance the reference throughout the report on the limitations of Council resources and the aim of maximising and empowering the roles of families and other agencies, there could be more recognition that those resources (upon which the vision depended) were also under considerable strain.

The Director of People and Communities agreed to consider Members’ comments.

Concluded:

- (1) that the outcome of the consultation and the amendments made to the vision document to the consultation be noted: and
- (2) that, subject to consideration being given to the Panel’s comments and suggested amendments as set out above, the draft vision document be endorsed to go forward for approval by the Executive.

ASH 6 Transitions between children’s social care and adult social care (Agenda Item 9)

The Assistant Director and Service Manager presented the report which outlined the Council’s plans to develop “ringfenced” adult social care resources to focus on the increasing cohort of transitions cases; and the improved communication and process to manage these cases.

They responded to Members comments and queries as follows: -

- (1) *unsuitable placements* – Transition could be a cliff edge and the cost and degree of input was at its greatest when young people leave the family

home. It was therefore important that there were strong links with commissioning to ensure early sight and planning with appropriate services (such as locally based housing options with support);

(2) *some children meet criteria for significant help but do not reach that criteria when they reach adulthood, how to we address this?* – This was a point of law and the emphasis therefore needed to be on minimising the impact by engaging earlier with families. It was a reason, for instance, for extending early intervention to children of 14 years old, thereby allowing social workers to work with families over the four years prior to transition; and

(3) *engagement with the Panel on the staff consultation on the workforce model* – Members noted that decisions about staffing arrangements rested the leadership and workforce. Members could be given a briefing but this would not be for comment.

Concluded: that the report be received and that Members' comments be forwarded to officers in the form of the minutes.

ASH 7 Month 12 2017/18 Adult Care Budget Monitor and medium term position (Agenda Item 10)

The Finance Business Partner presented the report which summarised the final outturn spend against budget for adult services in 2017/18, highlighting key variances, movements and contextual information. It also referred to the principles and processes associated with the setting of the 2018/19 budget.

Officers responded to Members comments and queries as follows: -

(1) *The lack of figures for Housing Services in the table on Appendix 1 (Analysis of Budget, Spend and Variance)* – This data was not included on this occasion but would be added in future.

(2) *Reference in the Risks and Opportunities Table (Para 3.18) to the new combined CCG and the potential impact on Council income* – These were known risks including concerns that the unique aspects of the North Somerset care market may be affected by implications of a wider CCG footprint and around Better Care fund governance arrangements. It was, however, too early to more fully assess the extent of these risks.

Members were encouraged to channel any further comments or queries about the Adult Care Budget via the Panel's Budget Steering Group.

Concluded: that the report be noted and Members' comments forwarded to Officers in the form of the minutes.

ASH 8 Performance reporting as at 31st March 2018 (Q4) (Agenda Item 11)

The Head of Housing and Strategy presented the report which provided an overview of performance against Key Corporate Performance Indicators (KCPIs) and Key Service Measures (KSMs) as at 31st March 2018 (Q4).

Members sought and received clarification on the following measures: -

- the number of households living in temporary accommodation; and
- the number of cases where homelessness was prevented through the use of private sector housing.

There was discussion around a view expressed by a Member that the Council's homelessness policies seemed to be out-of-step with the reality of significantly increasing homelessness in the district, noting, for example, a perceived reluctance to support the night shelter being provided by the Weston-super-Mare Town Council and local Churches.

The Head of Housing and Strategy emphasised that the Housing Reduction Act placed a new requirement on all local authorities to support anyone presenting as homeless for a period of 56 days before they become homeless to try and prevent their homelessness (Prevention Duty) and for a further 56 days if they become homeless (Relief Duty) prior to making a judgement as to whether there was a legal duty to support that individual longer term. He said the Council was working with local partners on the night shelter as a "pilot scheme", on the basis that it functioned as an assessment centre which would aim to support individuals to find sustainable accommodation going forward.

Concluded: that the report be noted and Members' comments provided to officers in the form of the minutes.

ASH The Panel's Work Plan (Agenda Item 12)

9

In considering the Panel's work plan, there was discussion around the issue of the Council's plans for the delivery of affordable housing.

By way of providing additional context, the Head of Housing and Strategy updated Members on the implications for affordable housing of current and emerging planning policy including the Joint Spatial Strategy. The topic was added to the work plan for ongoing consideration by the Panel's Housing Steering group.

Concluded: that the work plan be updated to include actions and proposals arising from the current meeting.

Chairman
