

ADULT SERVICES SCRUTINY COMMITTEE

MINUTES of the meeting held on Tuesday, 6 December 2011 commencing at 10.00 am and finishing at 1.30 pm

Present:

Voting Members: Councillor Don Seale – in the Chair

Councillor Mrs Anda Fitzgerald-O'Connor (Deputy Chairman)

Councillor Jenny Hannaby

Councillor Ian Hudspeth

Councillor Peter Jones

Councillor Larry Sanders

Councillor Dr Peter Skolar

Councillor Richard Stevens

Councillor Alan Thompson

Councillor David Wilmshurst

Other Members in Attendance: Councillor Arash Fatemian (for Agenda Item)

By Invitation:

Officers:

Whole of meeting John Jackson
Simon Grove-White

Part of meeting Sara Livadeas
Ann Nursey
John Dixon
Sara Walters
Dan Harbour
Fernella Trevillion
Anita Higham
Lisa Gregory
Adrian Chant

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

172/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

None

173/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda No. 2)

None

174/11 MINUTES

(Agenda No. 3)

The minutes of the meeting of October 25th were approved.

175/11 SPEAKING TO OR PETITIONING THE COMMITTEE

(Agenda No. 4)

None

176/11 DIRECTOR'S UPDATE

(Agenda No. 5)

John Jackson, Director of Social and Community Services, updated the committee on national and local developments in Adult Social Care.

On the national level, the passage of the Government White Paper on social care was discussed. The paper is due to be released in April of this year, and, assuming a smooth passage, would pass into statute by the end of the year.

At the local level, the director confirmed that all Southern Cross homes have now transferred to Four Seasons. The financial position of the care group was discussed, and it was pointed out that the group are in a stable financial position. Different tenancy arrangements to those which precipitated the collapse of Southern Cross, make a similar scenario unlikely.

Concerns were raised about the capacity of CQC to provide a sufficiently in depth level of monitoring. The director accepted that the remit of CQC is very broad and is growing. These issues are currently being debated in government committees and members were encouraged to raise concerns through these channels.

Sara Livadeas **AGREED** to bring a report to the committee on current and proposed arrangements for contract monitoring and raising safeguarding concerns.

A paper on the Oxfordshire Care Partnership will go to cabinet on December 20th. This will be scrutinised by the committee at a meeting in early January.

Recent changes in the procurement process for Tier 2 Day Services were discussed. In summary, there will be less direct member involvement in the decision making process than originally proposed, with the director making the final procurement

decision. Members will have the chance to input into the process through face to face meetings with relevant Officers in December. The reasons for the changes were the tight time constraints and the lack of training.

Members expressed some frustration at the lack of guidance and the late changes to the process.

177/11 POOLED BUDGETS

(Agenda No. 6)

John Jackson outlined the work taking place alongside NHS colleagues towards creating a genuine pooled budget for older people. A summary of this work is attached (**AS6a, b, c**).

Members were broadly supportive of the direction of travel and questioned why this had not already been achieved. The director stated that the recent strengthening of partnerships has created a better position to achieve these goals. The debate around Delayed Transfers of Care brought senior personnel together and was helpful in drawing attention to the importance of joint budgeting.

Cllr Stevens supported the general aspiration but wished to explore the implications for governance and accountability further. He **AGREED** to share his findings with members of the committee at a later date.

178/11 ADULT SERVICES BUDGET

(Agenda No. 7)

Lorna Baxter, Head of Corporate Finance, outlined the major developments for the council as a whole, as detailed in the tabled papers (See agenda for December 15th 2011).

John Jackson discussed the papers as they relate to Adult Social Care. In summary there will be more money for Adult Services than in the previous year but a number of unforeseen pressures mean that there is little room for manoeuvre.

The committee were invited to consider the papers and return with comments at the meeting on December 15th.

179/11 OUTSOURCING OF INDEPENDENT LIVING SERVICES FOR PEOPLE WITH A LEARNING DISABILITY

(Agenda No. 8)

Councillor Richard Stevens posed a number of questions to Ann Nursey, Head of LD Commissioning, on the proposed changes to the learning disability service.

1. What is the reasoning behind the phased approach to the savings?

2. The proposals appeared to suggest that providers would be non-profit making. Why hasn't this been the case?
3. What is the scope for bringing in mutuals/micro-mutuals on a cooperative basis?

In response to the first question, Ann Nursey, Assistant Head of Adult Social Care (Learning Disabilities), suggested that a number of things had impacted on the original phasing. Firstly a serious staff incident in a centre led meant that the transition was stalled. Secondly TUPE protections meant that savings could only be realised through the natural turnover of staff. It was asserted that staff savings would be passed on to the council rather than remain with the provider.

Regarding the question of profit making providers, the officer highlighted the fact that this applied to one provider but that most providers were non-profit organisations. The use of framework contracts and the open procurement process mean that the directorate unable to discriminate on the basis of the profit making intentions of any organisation.

Similarly, the question of mutual ownership was presented as one of practice rather than principle. The directorate is not opposed to the principles of mutual ownership but would need to be satisfied that the organisation was sustainable. This option was explored by a group of staff who subsequently encountered difficulties in the complexity of setting up.

Arash Fatemian, Cabinet member for Adult Services, **AGREED** to send a statement on the monitoring and provision of the service.

180/11 CONTINUING HEALTHCARE (Agenda No. 9)

John Dixon, Deputy Director for Adult Social Care, Sara Walters, Area Service Manager for the SCS City team, Fernella Trevillion, Head of Partnerships at NHS Oxfordshire, and Dan Harbour, Continuing Care Advice Team Age UK, explained the complexities in the application of government guidelines for Continuing Healthcare. Current and historic performance was discussed with particular reference to the relatively low numbers receiving continuing care in Oxfordshire. Further detail is provided in the attached report (**AS9**).

Fernella Trevillion stated that although the numbers in Oxfordshire are low relative to other counties, the process is applied fairly across the county. Other counties are at different stages and it is likely that they will see numbers fall following reviews.

Dan Harbour stated that there had been improvements in the processes and that guidelines were being followed more closely. He also emphasised the role of Age UK in helping people to understand the assessment process and to provide independent challenge to drive improvement across the health and social care spectrum.

Members pointed out that many of the problems inherent in delivering services at the interface of Health and Social Care would be solved by genuine pooled budgeting and by implementing the recommendations of the Dilnot Commission.

181/11 LINK UPDATE

(Agenda No. 10)

Sue Butterworth, LINK Chair, and Adrian Chant, LINK Host Manager, discussed the attached update on the Local Involvement Network (**AS10**).

Anita Higham, LINK Deputy Chair, gave a detailed account of the complexities of the health and social care system as they relate to the function and remit of Local Healthwatch Organisations. Anita **AGREED** to distribute a copy of the statement.

Lisa Gregory **AGREED** to send a link to the Healthwatch consultation.

182/11 FORWARD PLAN

(Agenda No. 11)

Members proposed that the former TASC workgroup reconvene in January to outline an approach for future workgroup activity.

It was proposed that the issues of waiting lists and reviews should be brought to the committee in the future.

It was **AGREED** that a report on Day Services and Community Transport would come to the committee in March.

183/11 CLOSE OF MEETING

(Agenda No. 12)

..... in the Chair

Date of signing