

**SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 2 - WEDNESDAY, 13 FEBRUARY 2019**

**MINUTES OF A MEETING OF THE SUBJECT OVERVIEW AND SCRUTINY COMMITTEE 2 HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON WEDNESDAY, 13 FEBRUARY 2019 AT 10:00**

Present

Councillor CA Green – Chairperson

MC Clarke  
JE Lewis

PA Davies  
AA Pucella

M Jones  
KL Rowlands

MJ Kearn  
G Thomas

Apologies for Absence

SK Dendy, J Gebbie, SG Smith, T Thomas, SR Vidal, DBF White and A Williams

Officers:

Sarah Daniel  
Julie Ellams

Democratic Services Officer - Scrutiny  
Democratic Services Officer - Committees

Invitees:

Susan Cooper  
Arron Norman  
Pete Tyson  
Councillor Philip  
White

Corporate Director - Social Services & Wellbeing  
Finance Manager - Social Services Wellbeing, Resources & LARS  
Planning and Contract Management Officer  
Cabinet Member for Social Services and Early Help

65. DECLARATIONS OF INTEREST

None

66. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meeting of the Subject Overview and Scrutiny Committee 2 of 29 November 2018 be approved as a true and accurate record.

67. DIRECT PAYMENTS

The Group Manager Commissioning Contracts presented a report providing the Overview and Scrutiny Committee with an update on recent developments made and the proposed future developments in respect of Bridgend County Borough Council's Direct Payment Scheme. He added that this report also assisted BCBC in meeting its duties under the Well-being of Future Generations (Wales) Act 2015.

The Group Manager Commissioning Contracts explained the background to direct payments and the requirements placed on local authorities that related to direct payments. He explained that within BCBC the total number of people receiving a direct payment had more than doubled since 2012 to 322 in 2019. It was recognised that the service continued to be primarily focused on Learning Disabilities, Disabled Children and Physical Disabilities.

The Group Manager Commissioning Contracts reported that in order to increase and widen the scope for direct payments BCBC commissioned the Institute of Public Care to undertake a review of the direct payments scheme and to develop a strategy and action plan moving forward. Engagement and consultation was carried out including a written

survey posted to all service users. Feedback was used to inform the development of a strategy and action plan for direct payments which centred on ten key areas to be taken forward and implemented over the next 3 years. He outlined the aims and objectives and explained that alongside the review, the directorate had also considered and reviewed the rates paid for direct payments. It was proposed to consolidate and simplify this into one amount and uplift the rate payable to direct payment recipients who choose to employ personal assistants to provide their support to £12/hr. He added that the direct payment support service contract ended on 4<sup>th</sup> July 2019 and officers were in the process of reviewing and recommissioning the service which would be carried out in accordance with relevant contractual and procedural requirements.

The Group Manager Commissioning Contracts outlined the cost implications of implementing the revised direct payment PA rate estimated to be in the region of £106k per annum. Provision had been made within the budget for 2019/20.

A member asked for an example of an innovative claim and information on the appeals process if a claim was refused. The Corporate Director Social Services and Wellbeing explained that the way an assessment was made had changed and the process was now more outcome focused. The process was based on what was important to the individual and a financial amount was provided for that individual to purchase their own support rather than an allocation of care hours. The Corporate Director of Social Services and Wellbeing gave an innovative example of where a service user was able to purchase a season ticket and pay for a Personal Assistant to accompany him to watch football once a fortnight and this was of greater personal benefit than 5 days a week at a day service. An individual could also purchase services from the local authority such as use of a hydrotherapy pool or support to go elsewhere. This was a more flexible way of providing support which could still be monitored to ensure it was being spent correctly. Practitioners had been trained to understand the process and to be confident in what they could offer so that individuals could understand exactly what was available.

The Group Manager Commissioning Contracts explained that the appeals process had been taken from the Code however he was not aware of any cases that had been refused. They made every effort to make sure that they could support an individual and those that did not have the capacity would have a suitable person working with them. If there were any disputes then a complaints procedure was in place.

A member asked how many personal assistants were employed by BCBC. The Group Manager Commissioning Contracts explained that the authority did not directly employ personal assistants. Either the individual themselves, or their suitable person would be the employer.

A member asked for the definition of a suitable person. The Group Manager Commissioning Contracts explained that when an individual lacks capacity and is unable to manage the direct payment themselves, payments can be made to a 'suitable person'. The suitable person will receive and manage such payments on their behalf. When an application was received the team would work with the individual to identify a suitable person which could be a family member or friend, already involved in the individual's care. The direct payments support service would then support the individual or the suitable person to act as an employer, including help with tax returns, etc. They were constantly considering all aspects of safeguarding and DBS checks were also in place.

A member asked what data had been collected in relation to direct payments, what recommendations had been made following the independent audit and how difficult they would be to implement. The Finance Manager Social Services and Wellbeing explained that only a few of the recommendations were finance related. One related to the

reconciliation between what the authority paid out and what was spent and ensuring it had been spent on the care and support required. A member asked if any recommendations were directed at the WCCIS system. He was advised that there were none relating to the system and that most related to the process. The Corporate Director Social Services and Wellbeing explained that audit had been invited to review the system to provide confidence in the new system and to comment on financial aspects. Members asked to receive the recommendations that were made during the independent audit in respect of the financial systems and monitoring processes which were currently in the process of being implemented. The Corporate Director Social Services and Wellbeing offered an information report to members on how WCCIS has developed over the last few years. Members agreed to receive this at a future meeting

A member asked how often cases were reviewed to check the number of hours an individual should receive. The Corporate Director Social Services and Wellbeing explained that cases were reviewed 12 monthly however the more complex cases were reviewed more frequently. There were examples of cases where they had clawed back overpayments hence the need to review the protocol.

A member asked what reconciliation could be undertaken for the purchase of football tickets and how did they know it was beneficial to the individual. The Corporate Director Social Services and Wellbeing explained that there were links into the care planning process and the outcomes they wanted to achieve. Care plans were subject to regular reviews.

A member asked what was in place to ensure a family member or friend was capable of doing the job required and not exploiting an arrangement. The Corporate Director Social Services and Wellbeing explained that it was a sensitive area and success depended on the robustness of the assessment and regular reviews. The social worker clearly explained the process and the family would be aware that there would be a follow up. Staff were responsible for asking questions and making the right observations. Risk assessments were completed and if they were aware of any safeguarding issues then a policy was in place. She stressed the importance of making sure practitioners were trained properly and that the right protocols and procedures were in place.

A member thanked the officers for the presentation and requested a process map of the Framework within which Direct Payments were offered and possibly some case studies so that they could appreciate the checks and balances undertaken to ensure the public purse was protected.

The Cabinet Member for Social Services and Early Help thanked the members and officers for their valuable contributions. He believed they were heading in the right direction and that it was important to respect freedom and choice moving forward to optimise the wellbeing of individuals.

A member asked if there had been any teething problems with the new helpdesk. The Corporate Director Social Services and Wellbeing explained that she was not aware of any issues. The member suggested that officers request a reduction in the annual maintenance contract and licence fee with WCCIS because Bridgend were the first authority to use the new system and therefore this should be acknowledged and rewarded with a reduction in fees.

## **Conclusions**

Members recommended that officers request a reduction in the annual maintenance contract and licence fee with WCCIS.

Members recommended that this item be placed on the Forward Work Programme for Scrutiny to monitor Direct Payments on a quarterly basis.

### **Further Information**

The Corporate Director Social Services and Wellbeing offered an information report to members on how WCCIS had developed over the last few years. Members agreed to receive this at a future meeting

Members asked to receive a process map of the Framework within which Direct Payments were offered and possibly some case studies.

Members asked to receive the recommendations that were made during an independent audit in respect of the financial systems and monitoring processes which were currently in the process of being implemented

## 68. FORWARD WORK PROGRAMME UPDATE

The Scrutiny Officer informed members that the next item to be considered by the committee at the 27 March 2019 meeting would be CAMHS. A report request had already been sent but she asked members to let her know if they wanted to request any other information.

The Scrutiny Officer reported that there would be a forward work programme workshop in April which would provide an opportunity for members to share their views.

Members requested that quarterly updates on Direct Payments be added to the work programme.

### RESOLVED:

The Committee:

- (i) Approved the feedback from the previous meetings of the Subject Overview and Scrutiny Committee 2 and noted the list of responses including any still outstanding at Appendix A to the report.
- (ii) Identified any additional information the Committee wished to receive on the next item delegated to them by the Corporate Overview and Scrutiny Committee and any other item in the overall FWP shown in Appendix B
- (iii) Identified any additional items using the criteria form, for consideration on the Scrutiny Forward Work Programme.

## 69. URGENT ITEMS

There were no urgent items.

The meeting closed at 11:15 am.