

**ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE - TUESDAY, 7 FEBRUARY 2017**

**MINUTES OF A MEETING OF THE ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON TUESDAY, 7 FEBRUARY 2017 AT 2.00 PM**

Present

Councillor N Clarke – Chairperson

PA Davies  
JE Lewis  
R Williams

N Farr  
LC Morgan

EM Hughes  
M Thomas

RC Jones  
E Venables

Apologies for Absence

M Butcher and D Sage

Officers:

Sarah Daniel  
Julie Ellams

Scrutiny Officer  
Democratic Services Officer - Committees

73. DECLARATIONS OF INTEREST

Councillor N Farr declared a personal interest in agenda item 6 – Secure Estate, as she is a Best Interest Assessor for Neath Port Talbot County Borough Council.

74. APPROVAL OF MINUTES

RESOLVED: That the minutes of the Adult Social Care Overview and Scrutiny Committee of 14 December 2016 be approved as a true and accurate record.

75. FORWARD WORK PROGRAMME UPDATE

The Scrutiny Officer presented a report which detailed the items to be considered and the invitees to attend the next meeting of the Committee on 14<sup>th</sup> March 2017. A list of further potential items was also presented for prioritisation by the Committee.

The Bryn Y Cae report would be presented to a later meeting when officers were in a position to provide more information.

RESOLVED: The Committee noted the items to be considered at its meeting on 14 March 2017 and the invitees to attend on that date.

76. IMPLEMENTATION OF THE SOCIAL SERVICES AND WELLBEING (WALES) ACT 2014

The Corporate Director Social Services and Wellbeing presented a report on the progress made implementing the Social Services and Well-being (Wales) Act 2014 which came into force on the 6<sup>th</sup> April 2016.

The Social Services and Well-being (Wales) Act 2014 provided the legal framework for improving the wellbeing of people who needed care and support, and carers who needed support, and for transforming social services in Wales.

The Corporate Director Social Services and Wellbeing explained that even though Members had specifically requested a separate report on the Deprivation of Liberty Safeguards, each meeting was restricted to two reports and this was an opportunity to bring DOLS as part of this report.

The Committee was advised that the Act strengthened Local Authorities' duties so that when assessing an individual, the Local Authority had to consider not only the individual's needs and the outcomes the person wished to achieve but also the strengths and capacity of the individual, their family and others who supported them. Irrespective of whether the individual had an eligible need, they would have access to information, advice and (where necessary) assistance as well as a range of preventative options and other opportunities in the community. There was better access to good information, advice and assistance to engage the citizen, with links to the resources available in the community to enable people to exercise their voice, choice and control and make informed decisions. There was a wide spectrum of proportionate community-based support which citizens who had needs could access without having to rely on a complex assessment and care package. There was more targeted help to assess individuals and families with significant and enduring needs, and to organise and secure the care and support they required. There had been an extensive training programme to upskill staff and to promote a new way of working.

The Act consisted of 11 parts and the report summarised the changes that had taken place in each part.

The Committee asked for the latest position regarding the Population Assessment and how the information would be used. The Corporate Director Social Services and Wellbeing explained that the assessment was complete and would be presented to Council in March. It was a huge, significant and detailed piece of work that was being pulled together by Neath Port Talbot to produce an overarching report that could be used to inform commissioning intentions and the future direction. Members referred to the higher rates of people being diagnosed with Dementia in Bridgend and asked for information to be included in the report for the Collaborative Scrutiny Committee planned for March to discuss Dementia. Members also requested that a representative from the Health Service be invited to the Collaborative Scrutiny to assist members with their discussions.

The Committee asked for more information on the engagement plan and the engagement activity undertaken by Miller Research. The Corporate Director Social Services and Wellbeing explained that Miller Research were specialists in this field and had been commissioned by Neath Port Talbot on behalf of Western Bay to provide information to inform the Population Assessment.

The Committee asked if the developed community hubs were open on weekends not just weekdays and evenings. The Group Manager Disabilities explained that this area was work in progress and there were issues relating to opening the buildings for evenings and weekends. It was hoped that the hubs would be open 7 days a week before the end of March 2017. In the meantime a helpline was available and also an emergency out of hours team.

The Committee asked how the authority was planning to engage with the third sector, social enterprise and co-operatives and what outcomes were expected. Members were

advised that this work had already been done and the information would be sent to the Committee following the meeting.

The Committee asked for clarification regarding Dewis. The Corporate Director, Social Services and Wellbeing, explained that this was an information portal developed to work alongside the BCBC website. It had been piloted in North Wales and was currently being used by colleagues in the Vale. It allowed access to social care and advice and sign posted information about clubs. A phone app was also being developed.

Members asked how the Information Brokerage Service promoting early intervention and prevention would happen and if it was on track. They were advised that the project was on track and procurement was currently underway. There would be automatic access when contact was made with social services. This was a key element of the Council's ongoing strategy of helping people become more self-reliant so they could live as independently as they were able. The service would initially be for one year however as soon as it was clear it was achieving what it set out to do, the contract was structured so that it could be extended.

The Committee asked if assessments were timely. Members were advised that the authority was responsible for providing timely assessments. Trained experienced staff and a multidisciplinary panel considered possible short term interventions, eligible needs and the risk to independence for the vulnerable.

Concerns were raised about the use of the word "appears" in "it appears the individual may have needs for care and support". The Group Manager- Older People explained that there would be a detailed conversation and assessment as to whether an individual was in need of a little more help or something more comprehensive. The team were proud of their response time and could be there within 4 hours if required or signposting others to information on line. The Corporate Director, Social Services and Wellbeing explained that assessments were carried out by very skilled, experienced staff. An email had recently been received relating to a BCBC social worker who had completed a very skilled assessment of an individual who had not realised she was being interviewed.

Members asked if the carer was considered in the process following the change giving carers an equal right to an assessment. The Corporate Director Social Services and Wellbeing explained that often the two assessments would be completed one after the other and this created a more accurate, wholesome picture for both.

The Integrated Community Services Manager explained that it was not necessarily timely to assess an individual straightaway. It was better to take someone out of a crisis, provide new skills of living and then to carry out the assessment.

The Group Manager Older People referred to the number of patients with memory loss and that between 50 and 60% were in this category.

The Committee asked what governance arrangements were in place and how were they monitored. The Corporate Director, Social Services and Wellbeing explained that there were a number of different strands including Internal Audit, Western Bay and Welsh Government, an Inspector, regular reports to Council, scrutiny and a Regional Partnership Board.

Members asked if the Act was working for both citizens and carers. They were advised that they were dealing with a very vocal group but it was important to demonstrate that the views of the users and carers were being considered. On the whole there appeared to be a positive impact.

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The Committee referred to work on Direct Payments and asked why it hadn't commenced until January 2017. They were advised that this was a substantial change for all areas of the Directorate. A new service level agreement had been set up in relation to direct payments. The system had started a year ago but did not deliver as expected and progress had been monitored. Neath Port Talbot had withdrawn and Swansea had taken the service "in house" which left Bridgend to recommission for a year then undertake a review. Members asked for a report to be added to the Forward Work Programme on Direct Payments to include clarification and further details on the exact costs of commissioning the IPC

The Committee asked what progress had been made with the consultation on "Paying for Care" due to end on 23 February 2017. Members were advised that Finance were leading on the consultation and a report would be submitted to Cabinet shortly.

The Committee raised concerns about DoLS and were disappointed that there was not a separate report as it did not fall under Part 7. There were only a few paragraphs that did not fully explain the current system described as deeply flawed. More information was required on the number of referrals, the number of slots, the backlog, the number of Best Interest Assessors and the reason why they need to undertake a minimum of 5 assessments per year. The Adult Safeguarding & Quality Manager apologised for not providing the information and responded to the questions raised. The Law Commission recognised that Councils across the country were not coping with the increase in the numbers of referrals and concluded that the current system was deeply flawed. It was overly complex, excessively bureaucratic with six assessments to be completed by two doctors. Only when all six were submitted to the supervisory body, could a decision be made on if it met the criteria. A Protective Care Scheme was proposed to cut bureaucracy and introduce more human rights protection into care management but to date, nothing had been received. There was currently a backlog of 150 referrals, the oldest was dated January 2016. Each referral was prioritised and dealt with in that order and the actual backlog had improved. The Committee asked for the number of referrals over 21 days where an individual was kept without liberty but with mental capacity. Members were advised that the backlog had been checked and the homes contacted to check capacity and any that could have capacity had been dealt with. The contract monitoring teams within the residential and nursing homes had also been asked to verify the details.

The Corporate Director Social Services and Wellbeing explained that additional resources had helped to manage the workload. Independent BIA had been brought in to bring the backlog down. All authorities were experiencing the same problem. New referrals were coming in at the rate of six per week and it was difficult to keep pace with these. A team of BIA assessors was required just to undertake these assessments plus an additional team to undertake other tasks. The Committee requested that a completed case study be emailed to members of the committee for information.

The Committee asked for a progress report on the bid for additional resources to process applications and renewals. Members were advised that the bid was on track and currently being considered.

The Committee asked what progress had been made with the action plan of the Programme's key priorities currently being developed. They were advised that the action plan had been submitted to the Partnership Board Meeting and the Regional Partnership Board and was on track.

Members referred to the Older People's Commissioner Report and an indication that older people were generally not happy. The Cabinet Member for Social Services and Early Help explained that he had attended a meeting with the Older People's

Commissioner for Wales where she explained that in her opinion this did not relate to excessive complaints about care homes but to too much focus on finance. Members requested another copy of the report "A place to call home" and for confirmation that this was the Older People's Commissioners personal opinion.

The Committee asked how complaints were being managed. The Corporate Director, Social Services and Wellbeing explained that most complaints were resolved before being logged as stage 1. The team dealing with complaints were very proactive and regular reports were submitted to Cabinet which indicated that numbers were falling. Very few complaints were logged as stage 2 which was a credit to the team.

Members asked for information on the third sector contract and working arrangements to provide advocacy services for adults with a learning disability. The Group Manager, Learning and Disability agreed to circulate the information to Members following the meeting. He confirmed that they had not had to employ any interpreters for an assessment to date but could do if necessary.

The Committee asked if there was a risk that the Act would not be fully implemented because of a lack of resources and finance. The Corporate Director, Social Services and Wellbeing reported that it was a challenge but she was in awe of her team and how they had embraced the changes. Funding had helped enormously in terms of the workforce and the remodelling programme and MTFs contributions continued to present challenges. The Cabinet Member for Social Services and Early Help explained that Cabinet appreciated the need for change and the remodelling that followed. Staff were buying into it and adapting to constant change. It was expected that remote and flexible working would provide more efficiencies in the future.

### **Conclusion**

Members asked for further investigation on the reasons behind the higher rates of people being diagnosed with Dementia in Bridgend. Members asked for this to be included in the report for the Collaborative Scrutiny Committee planned for March to discuss Dementia. Members also requested that a representative from the Health Service be invited to the Collaborative Scrutiny to assist members with their discussions. Members asked for a report to be added to the Forward Work Programme on Direct Payments to include clarification and further details on the exact costs of commissioning the IPC

### **Further Information**

Members requested to receive a completed assessment and a case study on DOLS  
Members asked for the Cabinet report on "A place to call home" be circulated to the Members of the Committee.

Members requested more information to be included on the third sector contract in the report on advocacy that was scheduled at the next Adult Social Care meeting.

Members requested further information relating to the Best Interest Assessors that the Authority employ to undertake assessments in relation to DOLS. Members requested to receive information on the following:

- additional support purchased to undertake the assessments
- the costs associated with them undertaking the assessments
- Is it cost effective to purchase the support externally?

The Corporate Director Social Services and Wellbeing presented a report updating the Committee on the Local Authority's responsibilities in respect of the Secure Estate, following the implementation of the Social Services and Well-being (Wales) Act in April 2016.

The Committee asked how long the temporary appointments to the senior social work practitioners position and the senior Occupational therapist position would last. The Group Manager- Older People explained that a pilot approach to implementation was originally agreed however there were delays recruiting some members of the team. It was important to evaluate the core business and now the full team was in place, a review would be undertaken, the skill mix required would be considered and posts made permanent once the review was completed. Staff at HMP Parc dealt with a number of people with learning difficulties and there were considerable start up costs for kit and equipment in the first six months.

The Group Manager- Older People confirmed that there was a youth wing within HMP Parc where young people could be kept separate from older prisoners.

The Committee asked how assessments were prioritised and how long the assessments took. The Group Manager- Older People explained that it had been a challenge to recruit an Occupational Therapist . A triage and prioritisation system was in place and progress was being made.

Members asked what was meant by "the needs of individuals being masked by the prison environment and support offered". The Group Manager- Older People explained that there was an established buddy system in place which meant that inmates undertook roles and jobs for rewards. As a result inmates helped others with their impairments and therefore it was not clear if this was essential or an inmate could manage without.

The Committee asked for more information re the funding of nurses. They were advised that the contract stated that G4S would provide health care for the inmates and the authority would be responsible for social service functions. They were in the process of trying to build new relations with G4S to create a new environment. Safeguarding remained a priority and there was an operational group which incorporated a safeguarding element.

Members noted that a few errors had been made in the list of equipment for HMP Parc.

### **Conclusion**

Members requested to add the Secure Estate to their Forward Work Programme to come back to Committee once the pilot had been completed after June 2017. Members would like to receive further information on the outcomes of the pilot and further information on the staffing structure within the Secure Estate

### 78. URGENT ITEMS

None