

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 6 April 2017 at 9.30 am.

PRESENT

Councillors Jeanette Chamberlain-Jones (Chair), Pat Jones, Gwyneth Kensler, Arwel Roberts and Huw Williams.

Lead Member Councillor Bobby Feeley attended at the request of the Committee

Observer: Councillor Meirick Lloyd Davies and Councillor Bobby Feeley

ALSO PRESENT

Corporate Director: Communities (NS), Head of Finance (RW), Scrutiny Co-ordinator (RE), and Committee Administrator (SJ)

1 APOLOGIES

Apologies for absence were received from Councillors Pete Prendergast and Bill Tasker

2 DECLARATIONS OF INTEREST

No declarations of interest.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters.

4 MINUTES OF THE LAST MEETING

The minutes of the Partnerships Scrutiny Committee held on 02 March 2017 were submitted.

RESOLVED that the minutes of Partnerships Scrutiny Committee on 02 March 2017 be received and approved as a correct record.

5 DEVELOPMENT OF HEALTH AND SOCIAL CARE POOLED BUDGETS

Introducing the report (previously circulated) the Corporate Director: Communities (Statutory Director of Social Services) informed the Committee that the work underway to develop regional pooled budgets for North Wales, under the direction of the North Wales Regional Partnership Board (NWRPB), was still very much in its infancy. Whilst Section 33 of the National Health Service (Wales) Act 2006 had created a legislative framework to facilitate the creation of pooled health and social care budgets, these provisions had not been widely used. Consequently, the

Welsh Government (WG) had in Section 9 of the Social Services and Well-being (Wales) Act 2014 made regulations requiring the establishment of pooled budgets for specific functions, these being:

- Care home accommodation
- Family support functions; and
- Functions exercised jointly as a result of an assessment carried out under Section 14 of the 2014 Act, or any plan prepared under Section 14A of the same Act.

If appropriate pooled budgets could also be established to meet the costs of delivering other joint health and social care services.

Whilst the requirement to establish pooled budgets for family support functions and jointly exercised functions had come into effect from 6 April 2016, the pooled budget for care home accommodation functions would not become mandatory until 1 April 2018. Agreements were already in place to facilitate the delivery of joint services in areas such as Integrated Family Support Services, the North Wales (Central) service covered Conwy and Denbighshire. This practice would just need to be formalised in a legal agreement. The Corporate Director explained that work was currently underway to establish which services, outside of the mandatory pooled budget services, could potentially benefit from a pooled budget approach. Whilst the Health Board and local authorities were required by law to develop pooled budgets for the specified service areas, other organisations were not precluded from being partners in a pooled budget. However, the driver for integration and pooled budgets should be needs identified within local Population Needs Assessments. The NWRPB had established a Regional Pooled Budgets Project Group to develop a North Wales Integration Agreement for the approval of all six local authorities in the region and the Health Board. At present the Project Group, chaired by Denbighshire's Director of Social Services and supported by the Council's Section 151 officer and Deputy Monitoring Officer, was exploring a number of areas for their suitability for pooled budget arrangements, as well as the viability of including current pooled budgets within future formal arrangements i.e. equipment stores etc.

Options on how best to deliver and govern 'pooled budgets' were currently being tested and quality assured by applying them to smaller budget commitment areas. The results of this options appraisal would be presented to the NWRPB at its meeting in June 2017, for it to determine how best to proceed. For care home accommodation pooled budget purposes individuals' health and social care needs would be subject to the same assessment processes as at present. A pilot project was due to be undertaken in Gwynedd to test out the legal aspects of care home accommodation pooled budget arrangements. Legal aspects would be subject to thorough testing with a view to ensuring that one or more partners were not able to over utilise the pooled budget to alleviate their own budgetary pressures. To safeguard against such practices robust governance arrangements would need to be established and embedded if pooled budgets were to realise their full potential. Despite the need to ensure that all safeguards were robust prior to the establishment of pooled budgets the concept behind their establishment were

commendable, as their creation would secure more buying power for commissioning bodies whilst at the same time focussing on the citizen's needs.

The Lead Member for Social Care (Adults and Children's Services) highlighted to the Committee that the WG's recent White Paper 'Reforming local government: Resilient and renewed' emphasised the need to work effectively on a regional basis to deliver quality services with a greater focus on prevention rather than intervention. The UK Parliament's Health Committee was currently examining the effectiveness of NHS England's 'Sustainability and Transformation Plans (STPs)' and their success in keeping people healthier for longer and improving their care. Whilst Denbighshire was proactively embracing this change in approach there was still some way to travel on the transition journey.

Responding to members' questions officers advised that:

- All services delivered via pooled budgets would require to conform to the new Welsh language standards. From a procurement basis a regional 'pooled budget' would improve the buying power and widen the procurement base for specialist services in the service-user's language of choice;
- Quality monitoring and regulation of service delivery would continue to apply as at present;
- They would not enter into any 'pooled budget' contract that would compromise current service quality. Wherever possible the aim would be to continually improve services and deliver better outcomes for the individuals concerned; and
- One of the key areas which would require clarification as part of any pooled budget agreement would be to have clear arrangements in place for end of year surplus/deficit budgets, their utilisation/funding.

Members thanked officers for explaining the pooled budgets concept and its associated risks to the Committee. At the conclusion of the discussion the Committee:

Resolved:

- (i) to confirm that, as part of its consideration, it had read, understood and taken account of the Well-being Impact Assessment (appendix 1);***
- (ii) it had noted the scale of resource expended across the region on services for older people, some of which may form the basis of future pooled budget arrangements;***
- (iii) noted the issues and risks highlighted from a financial governance perspective which would need to be evaluated;***
- (iv) it had considered the resource requirements needed to complete the above within the timescales set out in the Act and potential costs and funding sources to deliver it;***
- (v) that a report be presented to members in September 2017 outlining local arrangements already in place for setting, governance and utilisation of pooled budgets in relation to the provision of social care equipment; and***

- (vi) ***that a further report be presented to members in November 2017 on the progress made in relation to developing pooled health and social care budgets, including proposed pooled budget models.***

6 NORTH WALES SAFEGUARDING BOARDS

The Corporate Director: Communities in response to the Committee's request following consideration of the regional Safeguarding Boards first Annual Report in mid-2016, gave a verbal progress report on a number of issues raised by the Committee at that time. She advised that the first annual report, since adult safeguarding had been placed on the same statutory footing as the safeguarding of children, had been produced jointly by the North Wales Safeguarding Children's Board (NWSCB) and the North Wales Safeguarding Adults Board (NWSAB) and published as one report. However, in future both boards would be required to publish separate reports.

During her presentation the Corporate Director informed the Committee that:

- Denbighshire was now the host authority for the business functions of both Safeguarding Boards as well as all other regional social services collaborative projects. All vacant posts had been subject to a recruitment campaign. Nevertheless, there would always be vacant posts at some point in time due to staff moving on. As Safeguarding posts were regional specialist posts, the majority of which required Welsh language skills in addition to other specialist skills, the pool of potential applicants was smaller. Recruitment into one post could potentially lead to a vacancy elsewhere. At present, following the departure of the Business Manager to a post elsewhere, a temporary Business Manager was in place pending the recruitment of a permanent post holder;
- Finance for the Boards' work for both the 2016/17 and 2017/18 had been agreed. However, there was some uncertainty in relation to future funding due to the fact that the Board had built up some reserves with a view to cover potential shortfalls. From 2018 onwards partner organisations' financial contributions towards the Boards' finances would be set as per a formula set out in Regulations;
- All regional and sub-regional groups etc. established by the Safeguarding Boards had specified terms of reference. Membership of those groups were subject to change based on the nature of the work they were tasked to undertake at any specific time;
- The independent chair of the Child Practice Review Group had been a voluntary (3rd) sector employee. As that person had recently retired the chair's role would be reviewed;
- With respect to the standardisation of policies, protocols and procedures in relation to elected home education the Regional Safeguarding Children's Board was of the view that the WG had not given adequate support to local authorities and Boards in this particular area of work. The NWSCB did not have concerns about those children who were registered with local authorities as 'elected home educated pupils' their concerns lay with the ones who were not known to the authorities. Citing a recent tragic case in Pembrokeshire members were requested, as part of their Corporate

Safeguarding responsibilities role, to report to Social Services any cases they were uneasy about;

- Denbighshire's Chief Executive had been appointed as the Chair of the Child Sexual Exploitation (CSE) Executive Group;
- The NWSAB did not have the powers to report on care home non-compliance matters to Care and Social Services Inspectorate Wales (CSSIW)
- Regular training on child and adult protection awareness was provided to all staff who had patient/client contact, be they care, health, Police or other staff. Specialist training was provided to those who required specific skills in a particular area;
- Board members were not remunerated for their roles on the Boards, they were salaried for their regular employment duties. It was only the Boards' Business Unit staff that were salaried. Some Board Members served on both the NWSCB and the NWASB, the objective of this was to ensure that all areas of concern were covered and none were missed;
- Board members' attendance at meetings and their organisations' commitment to the Boards' work was closely monitored; and
- Modern day slavery was a problem in North Wales as in other regions of the UK, albeit a hidden problem as a recent incident in Flintshire had highlighted. Local knowledge and intelligence was crucial in identifying such incidents.

Responding to members' questions the Corporate Director advised that:

- The Council's current policy with respect to Disclosure and Barring Service (DBS) checks for county councillors was that they were a requirement for councillors who served as school governors and some other specified duties. They were not mandatory for all county councillors;
- Welsh language skills were regarded as advantageous skills for social care posts both in Denbighshire and regionally, for some posts they were an essential requirement;
- All complaints relating to child or adult protection were dealt with by the Director of Social Services. HR would refer any such cases reported via the Council's Whistleblowing Policy for investigation through the appropriate child or adult protection procedure; and
- It was unlikely that parents would elect to educate their child(ren) at home solely for the purpose of being able to take them on family holidays during 'term' time, and consequently not incur a Fixed Penalty Notice (FPN). There were usually valid reasons why parents elected to educate children at home.

Members thanked the Corporate Director for her update and for answering their questions. It was:

Resolved: - to receive the report on the progress made to date with the development of the regional Safeguarding Boards and their work to safeguard vulnerable children and adults in Denbighshire.

At this juncture (10.50 a.m.) there was a 15 minute break.

The meeting reconvened at 11.05 a.m.

7 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Co-ordinator, which requested the Committee to review and agree its Forward Work Programme and provided an update on the relevant issues, had been circulated with the papers for the meeting.

A copy of the "Member's proposal form" template had been included at Appendix 2, Cabinet's Forward Work Programme had been included as Appendix 3, and a table summarising recent Committee resolutions and advising on progress with their implementation had been attached at Appendix 4.

The Committee confirmed its draft Forward Work Programme for future meetings and the following additions were agreed:-

14 September 2017-
Local arrangements for existing Pooled Budgets.

02 November 2017-
Regional Pooled Budgets

RESOLVED that subject to the above, the Forward Work Programme be approved.

8 FEEDBACK FROM COMMITTEE REPRESENTATIVES

No feedback.

As the meeting was the Committee's last scheduled meeting prior to the local authority elections the Chair thanked members for their contribution to its work during the current Council's term of office. She wished all members who were seeking re-election well in the forthcoming elections and conveyed the Committee's gratitude to officers who had supported the Committee's work throughout the above period.

The meeting concluded at 11.25 a.m.