

Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 20th May 2014, Conference Room 1b, County Hall, Ruthin

Meeting commenced at 8:30am

Present: Councillors Raymond Bartley, Richard Davies, Meirick Lloyd-Davies and Win Mullen-James

Apologies: Councillors David Simmons and Huw Williams

Also present: Nicola Stubbins (Director of Social Services); Phil Gilroy (Head of Adults and Business Services); Rhian Evans (Scrutiny Coordinator) and Karen A Evans (Democratic Services Officer).

1. Introduction

Head of Adults and Business Services welcomed everyone to the meeting and explained that the Task and Finish Group was established as a result of Performance Scrutiny Committee's consideration of a recent report on member visits to in-house social care providers. Whilst the report was a positive one, questions were raised with respect to whether the Authority could continue to provide this type of service in future in the light of financial pressures and a national shift in emphasis from dependency services to services which promoted and assisted independent living.

2. Appointment of Chair

Councillor Meirick Lloyd-Davies was appointed as the Group's Chair.

3. Terms of Reference

The draft Terms of Reference for the Group had been circulated to members ahead of the meeting. These detailed the purpose and scope of the review to and the proposed timescales. Officers answered members' questions on the draft document and members agreed the terms of reference and scope of the review.

4. Objective of the review

Background information outlining the context of the review (new legislation and reducing cost whilst improving quality and outcomes) had been circulated to the Group prior to the meeting. The document included information on the population profile for Denbighshire, unit costs and activity information relating to the Council's residential care, day care, extra care, community living schemes and work opportunities services as of 1st April 2014. Capital and maintenance costs of the Council's social care establishments were not covered in the document. Members were advised that the objective of the review was to explore the sustainability of the Council's delivery of adult social care services in future. Officers explained that the Council's statutory duties in the area of adult social care was to assess the individuals' care needs; delivery of services to

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meet identified needs did not have to be undertaken by the Authority, they could be commissioned from the private sector or other from organisations. The unit costs for delivering care services in-house were higher than the private sector because local authority employers were bound by national pay and terms and conditions agreements. Transportation costs for people with learning disabilities to access work opportunities was also becoming unsustainable. Consequently a review of the services at this moment in time was appropriate, as the Council faced unprecedented revenue budget cuts for the foreseeable future and current and pending legislative changes focussed on reablement services to promote independence rather than institutional care or services that encouraged dependency.

It was emphasised that the ultimate aim of the review was to deliver services which met users' needs in a different way but without detriment to the users. Services need to become more outcome focussed and be able to prove that they were improving people's lives. By disinvesting in some services and investing in others the Council should be able to meet its statutory obligations whilst also delivering the corporate priorities of 'making sure that vulnerable people are protected and able to live as independently as possible' and modernising the Council'. Whatever adult social care would look like in future dignity and care had to be the basis on which it was built and wherever possible continuity of care should also form a central part of any future service.

Members were advised that there were now private providers in the market delivering the majority of social care services which the local authority currently provided.

5. Proposed Work Programme

The proposed timescale and draft work programme for each meeting as listed in the terms of reference document was agreed.

6. Dates of future meetings

The following dates and times were agreed for future meetings of the Group:

10 June 2014 at 2pm
24 June 2014 at 2pm
2 July 2014 at 2pm
7 July 2014 at 9.30am
16 July 2014 at 9.30am

With a possibility of giving a verbal report to Performance Scrutiny Committee at its meeting on 17 July, prior to the Adults and Business Services' Budget Workshop on 30 July 2014.

7. Confirmation of information required for the next meeting

- Information on unit costs for each of the listed social care services at full occupancy
- Information on actual occupancy of the services over that last 3 years
- Information on the actual costs of comparable independent and 3rd sector services
- Information on Adult and Business Services' usage of agency staff and corresponding unit costs over that last 3 years
- Councillor Julian Thompson-Hill as Lead Member for Finance and Assets to be invited to attend as a witness for meeting 2
- Councillor Bobby Feeley as the Lead Member for Social Care (Adults and Children's Services) to be invited to attend as a witness for meeting 3
- Information on how the 'Dial-a-Ride' service is funded
- Information on residents use of comparable services delivered by other providers
- Information on the criteria and clauses for buying flats in Extra Care accommodation

Meeting concluded at 10:05am

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Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 10th June 2014, Conference Room 2, Caledfryn, Denbigh

Meeting commenced at 2pm

Present: Councillors Richard Davies, Meirick Lloyd-Davies (Chair), Win Mullen-James and Huw Williams.

Also present: Phil Gilroy (Head of Adult and Business Services); Rhian Evans (Scrutiny Coordinator) and Councillor Julian Thompson-Hill (Lead Member for Finance and Assets)

1. Apologies: Councillors Raymond Bartley, David Simmons and Nicola Stubbins (Director of Social Services).

2. Notes of meeting held on 20th May 2014

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Discussion on unit costs and occupancy rate for Adult Social Care Services in Denbighshire over the last three years in comparison to independent/third sector unit costs for delivering similar services

Prior to the meeting details of the unit costs for the Council's residential care, extra care, community living schemes and day care services had been circulated, along with the occupancy rates at each establishment for the past three years. Comparative information had also been provided on costs for residential care in the private sector and on domiciliary charges levied by the local authority and those charged by the private sector for similar services. In addition information on the charges for private nursing care, both nursing and Elderly Mentally Infirm (EMI) services were provided – the local authority did not provide any nursing care nor EMI care in-house. It was explained that charges relating to the provision of nursing care could not include full nursing costs (FNC) which was an element of the cost which was met by the Health Board. Figures were also provided for Learning Disabilities residential care, which could cost up to £1,000 per week for individuals with complex needs. With respect to domiciliary care the Welsh Government (WG) had capped these charges at a maximum of £55 per week for 2014/15, a rise of £5. Therefore the local authority was charged with providing or commissioning these services on an individual's need basis, however it was not permitted to levy more than £55 on the service user.

In response to members' questions with regards to the quality of care provided by external providers and private residential/nursing homes, officers advised that contracts between the Council and the independent providers stipulated the type and quality of care expected, be it domiciliary care or residential/nursing care. Contracts specified the contract monitoring arrangements and officers from the Authority could call in unannounced to undertake visits to satisfy themselves that

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the contract requirements were being met. Similar to local authority provision, private residential and nursing homes and domiciliary agencies were also subject to CSSIW inspections.

Figures provided on resident numbers at each of the three residential homes run by the Council indicated that the homes were not full to capacity at present. They had not been full to capacity during the last three years, although both Dolwen and Awelon had seen an increase in the number of residents during 2013/14. On the contrary the Extra Care schemes seemed extremely popular with all three full to capacity for the last three years. The Community Living Schemes for people with learning disabilities were also proving popular and had been full to capacity for the last three years. The information provided indicated that the cost for the local authority for providing extra care was more than double the cost in the independent sector. Staffing costs (including on-costs) was the main reason for this disparity.

The Day Care Centres at Hafan Deg and Llys Nant had both been operating well under capacity for the last two years, and with the service now being provided solely at Hafan Deg the numbers attending were still only 14, although the centre had room for 30 people.

The WG was quite clear about its expectations for social care in the future. It expected fewer people to be residing in residential care with more people supported to live as independently as possible either in their own homes or in schemes similar to Extra Care, where support was available if required. In future the WG's expectation was that care packages should be flexible and tailored to achieve individuals' desired social care outcomes based on regular assessments. Individuals who could not be supported in this way would more likely to be in need of nursing care than residential care in the future.

Members were advised by the Head of Adult and Business Services that a separate working group was looking in detail at future provision of Work Opportunities services for people with learning disabilities. This working group, which was chaired by a representative from the voluntary sector, was looking at a number of options including social enterprises, and included 2 Councillors in its membership.

The Lead Member for Finance and Assets provided figures for residential care in comparison to extra care costs. At present providing residential care cost the Council around five times more than extra care provision. Members were reminded that in the Authority's corporate plan councillors had given a commitment to increase the number of extra care facilities in the County by 2017.

Group members also raised concerns with respect to the potential capital maintenance costs that may face the Authority in future due to the ageing buildings within which the residential services were currently being provided.

In response to members' concerns that future non-availability of local authority provided social and residential care had the potential to drive up the charges in

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the private sector, the Head of Adult and Business Services advised that evidence from England suggested that market forces actually drove down the cost of private provision.

Members concluded that whatever option was chosen for future provision of adult social care services quality should not be compromised. The ultimate outcome of the Group's work should be the provision of cost effective high quality social care for Denbighshire residents which met their individual needs.

4. Confirmation of information required for the next meeting

Following consideration of the information provided to it the Group requested that the following information be provided for its next meeting.

- information on the quality of the Council's provision in all of the areas under consideration;
- information the quality of comparable services in the private/third sector;
- information on the number of present in-house residential care residents who would be suitable for transfer to extra care accommodation;
- details of the contract specifications which could be included in future contracts for the delivery of domiciliary, extra care, residential, day care and work opportunities services from independent providers (including contract management, quality assurance and monitoring arrangements, stipulations to mitigate extortionate increases in charges and contingency arrangements if the provider ceased to trade);
- details of the number of local authority staff in each service that could potentially be affected if services were to transfer over to independent providers (including the numbers that could potentially be subject to transfer to independent providers under TUPE arrangements) and the numbers who could potentially leave their current services through natural wastage;
- information on the projected capital maintenance costs on each of the social care establishments which form part of this review for the next ten years; and
- that the Lead Member for Social Care (Adult and Children's Services) be invited to attend the next meeting for the discussion on the quality of social care services

5. Dates of future meetings

The next meeting will be held in Conference Room 2. County Hall, Ruthin at 2pm on Tuesday, 24th June 2014 with subsequent meetings scheduled for the following dates and times:

25 June 11am (rescheduled from 24 June 2014 at 2pm)
2 July 2014 at 2pm
7 July 2014 at 9.30am
16 July 2014 at 9.30am

Meeting concluded at 3:15pm

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Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 2nd July 2014, Conference Room 1b, County Hall, Ruthin

Meeting commenced at 2pm

Present: Councillors Meirick Lloyd-Davies (Chair), Richard Davies, Raymond Bartley, Win Mullen-James.

Also present: Nicola Stubbins (Director of Social Services) and Rhian Evans (Scrutiny Coordinator).

1. Apologies: Councillor David Simmons, Councillor Bobby Feeley (Lead Member for Social Care – Adults and Children's Services) and Phil Gilroy (Head of Adult and Business Services).

2. Notes of meeting held on 10th June 2014

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Discussion on quality monitoring for Adult Social Care Services in both the public and independent sector in Denbighshire

Prior to the meeting documentation relating to quality monitoring of in-house and external adult social care services had been circulated to members along with a document illustrating the 'Profile of Staff and Residents in DCC Residential Care Homes' and details of the estimated capital maintenance costs at the Authority's three residential homes. The Director of Social Services gave an overview of the quality assurance process. It was explained that it was a statutory duty of the local authority to quality assure and monitor care establishments within which the Authority placed residents who required care. Quality assurance checks were undertaken by qualified Council officers and officers from the North Wales Commissioning Hub (NWCH). One of the Hub's objectives was to develop a consistent approach to quality assurance work across North Wales. The Council was presently developing a quality assurance mechanism for domiciliary care services. The Care and Social Services Inspectorate Wales (CSSIW) had commented that Denbighshire's staffing numbers for undertaking quality assurance work was low compared to other local authorities in North Wales and across Wales. The current review, dependent on its conclusions regarding potential future service delivery models, may free up staffing and financial resources to undertake more quality assurance and monitoring work.

Both residential and nursing care establishments were regulated by the CSSIW. Registration criteria included having a suitably qualified manager in charge. During the registration process CSSIW would determine how many residents the home could accommodate and provide guidance on room sizes, minimum staffing numbers and resident numbers etc. Council or Hub officers who currently visited care homes on other business would undertake contract monitoring work as a matter of course. Joint working with other services e.g.

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Fire and Rescue Service and Health and Safety Executive (HSE) could also facilitate a higher number of monitoring visits being completed.

In response to members' questions on whether the same quality assurance processes were applied to learning disabilities accommodation, members were advised that they were as learning disabilities work was the original objective for establishing the NWCH. Members were also advised that Protection of Vulnerable Adults (POVA) procedures were in place to safeguard adults using services. Members asked to see a copy of the latest POVA Annual Report. Residential or nursing homes would only be closed down following inspection after all possible avenues for improvement had been exhausted – residents would be re-homed if homes closed.

Members also requested information on the arrangements in place to assess or monitor the needs of residents who resided in what used to be classed as 'sheltered accommodation' if they were not already in receipt of a social care package. The Scrutiny Coordinator undertook to enquire on the Group's behalf with respect to this matter.

Members were assured that officers from the Social Services' Department always followed-up a resident's placement in a residential home with a visit to ensure they had settled-in and were happy with the care received. Subsequent visits would be made if necessary. Following each visit the Care Home Review Checklist form (form C1) would be completed as a matter of course. With respect to the frequency of care plan reviews for individuals it was confirmed that for new people to the service care plans should be reviewed every 4 to 6 weeks. Each case would be judged on its own merits with respect to the required frequency of reviews, but each individual's care and support plan should be reviewed on at least an annual basis. This aspect of the Service's work was reported in the Director of Social Services' Annual Report.

Members questioned whether the Assessment process for individuals who wanted to enter the Council's own residential care homes was appropriate, reference being made to recent applications known to members and which had been turned down. The Director of Social Services outlined the process followed and the role of the Assessment Panel. It was explained that the process did not assess an individual's suitability for a specific residential home, but for the most appropriate type of care e.g. residential or nursing care. Members requested that they be provided with more detailed information on the assessment process and the Assessment Panel.

It was clarified that the reason why such a high number of local authority residential care residents were below 50 years of age was because they usually had early onset of dementia, physical disabilities or mild learning disabilities. It was also confirmed that even if all local authority operated residential care homes in the County closed, there was sufficient capacity within the private sector in the area to accommodate current residents.

Extra care facilities were purposely designed and built to adapt to residents' changing care needs, thus avoiding them having to move from one type of

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establishment to another as their care needs increased. However, due to financial constraints future extra care accommodation may not be as 'grand' as the ones already built.

Members were advised that whilst Council social care staff were aware of the local authority's funding constraints going forward, officers had not discussed any proposed changes to service delivery with them to date as the Task and Finish Group was not yet in a position to formulate recommendations with respect to future provision. Members emphasised that any recommendations would need to ensure that day care provision was also managed within future provision.

4. Confirmation of information required for the next meeting

Following consideration of the information provided to it the Group requested that the following information be provided for its next meeting:

- information on the assessment process for adult social care and the assessment panel and its membership
- an update on the position with respect to future development of Extra Care provision in the County
- the latest copy of the POVA Annual Report
- a visit to a social care establishment had been scheduled for the next meeting and members indicated that they would appreciate a visit to Nant y Môr Extra Care Complex in Prestatyn.

5. Dates of future meetings

The next meeting was scheduled for 7 July at 9.30am at an Extra Care facility, followed by 16 July at 9.30am in Caledfryn, Denbigh, with the final meeting taking place at County Hall, Ruthin at 9.30am on 25 July 2014 at 9.30am

The Chair apologised that he would be away for the next meeting on 7 July. Councillor Win Mullen-James was appointed to chair the Group's next meeting.

Meeting concluded at 3:30pm

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Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 16th July 2014, Conference Room 2, Caledfryn, Denbigh

Meeting commenced at 9:30am

Present: Councillors Meirick Lloyd-Davies (Chair), Richard Davies, Raymond Bartley, Win Mullen-James.

Also present: Phil Gilroy (Head of Adults and Business Services) and Rhian Evans (Scrutiny Coordinator).

1. Apologies: Councillor David Simmons, and Nicola Stubbins (Director of Social Services).

2. Notes of meeting held on 2nd July 2014

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Vacant position on the Group

It was decided that, as the Group's review of Adult Social Care provision in the county was nearing completion, it would not be practical at this late stage to appoint a replacement representative instead of Councillor Huw O Williams on the Group.

4. Development of an options appraisal for the future provision of services

Prior to the meeting documentation relating to the protection of vulnerable adults had been circulated to Group members.

In compiling an options appraisal for future adult social care provision in the County, for presentation to county councillors at the Adult and Business Service's budget meeting on 30th July 2014, based on the information considered during the course of the Group's work members agreed that the following options should be presented.

Residential Care Homes for Older People

Three options with detailed costings to be put forward.

- i. continue as present with no changes to service provision (not cost effective and would require considerable financial investment to deal with capital maintenance backlog)
- ii. close all current provision and transfer residents to the private sector (potential to realise approximately £300K revenue savings and additional capital receipts from sale of land and property)
- iii. in partnership with developers and other care providers develop Extra Care facilities, either on current residential care sites or within close proximity, with a view to delivering individually tailored care packages which meet individual needs and support independent living.

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The benefits of the third option being that the Extra Care approach helps to maintain independence for longer, more often than not until such time as nursing care is required, reducing the need for residential care. Although, it was emphasised that future Extra Care Schemes would not be as 'grand' as the ones already built. Nevertheless it was anticipated that by cutting down extras such as redundant floor space and procuring less expensive fixtures and fittings (but not the cheapest) Extra Care housing schemes could still be delivered in line with the aspiration in the Corporate Plan.

It was emphasised that if either the second or third option was chosen as the preferred option, prior to any closure or transfer of services provision required to be made for day care services, currently operating at these premises, to be commissioned/delivered elsewhere.

Extra Care Housing Domiciliary Care Services (not housing support)

Two options were agreed to be put forward for this service:

- i. keep and resource the present provision (at a premium of circa £350K in comparison to similar private provision)
- ii. tender for the provision of care from the private sector (initial savings would be minimal, but in future this approach had the potential to realise further savings of in excess of £350K upon the expiry of Transfer of Undertakings Protection of Employment (TUPE) protection for staff who transferred over to the private sector, as the care contracts could then be re-tendered in time).

Day and Work Opportunities for adults with disabilities

As a separate working group of members and officers was currently reviewing this service area it was decided not to draw up any options for future service delivery until such time as that Group's work had concluded.

Day Services for older people

It was decided to put forward two options for this service:

- i. continue to run the service as at present at a cost of approximately £150K per annum (compared to circa £76K in the private sector);
- ii. discuss with Extra Care providers the options for delivering day care services (including aspects of reablement) in Extra Care Housing Schemes

Again any alternative provision needed to be fully operational before any present day centre closed.

With respect to Hafan Deg in Rhyl, possible options for future use of the building needed to be discussed with Rhyl Town Council. Options could include transferring the ownership of the building to the Council for use as a community resource – as this particular building was in a good state of repair.

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Community Living Schemes

Councillor Raymond Bartley advised that the Day and Work Opportunities Working Group was looking at certain aspects of these schemes – in particular the bungalow used for craft activities etc. at Llanrhaeadr during weekdays.

With regards to the current 24 hour Community Living Schemes, of which there were only 3 still run by the Council, based on the costs paid by the Council for similar provision in the private sector the Council-run services cost an additional £27K. It was therefore decided that the following options should be presented to members for consideration as potential service delivery models:

- i. continue to provide the services in-house at an estimated £27K premium cost; or
- ii. outsource the provision of the service from the private sector following a tendering process

It was emphasised that the Council and the Care and Social Services Inspectorate Wales (CSSIW) would quality monitor and inspect the services provided by the private sector to ensure that they delivered the expected level of service and care required. The Council and the Commissioning Hub would quality assure and visit any residents they placed in the private sector as part of their contract management and monitoring practices, whilst the CSSIW had overall responsibility for inspecting all residential and nursing care homes.

All tender and contract documents for future provision would need to clearly specify contract management, quality assurance and contract monitoring arrangements. Quality of services and supervision of contracts would be a key requirement of any decision taken to change service delivery methods.

Members also requested that all staff affected by any potential service changes were kept fully briefed on the proposed changes on a regular basis.

Detailed costings of all options should include financial costs of reconfiguring services including redundancy costs etc.

5. Confirmation of information required for the next meeting

The draft report outlining future options for Adult Social Care provision in Denbighshire, as per the above discussion.

6. Date of next meeting

The next meeting was scheduled for 9.30am on 25th July 2014 in Conference Room 1b, County Hall, Ruthin.

Councillor Raymond Bartley tendered his apologies for the next meeting.

Meeting concluded at 10:25am

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Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 25th July 2014, Conference Room 1b, County Hall, Ruthin

Meeting commenced at 9:30am

Present: Councillors Meirick Lloyd-Davies (Chair) and Richard Davies.

Also present: Phil Gilroy (Head of Adults and Business Services) and Rhian Evans (Scrutiny Coordinator).

1. **Apologies:** Councillor Raymond Bartley and Nicola Stubbins (Director of Social Services).
2. **Notes of meeting held on 16th July 2014**

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. **Finalisation of the report for presentation to the Adult and Business Services Budget Workshop on 30th July**

A copy of the Options Appraisal for the Future Provision of Services, developed at the last meeting, had been circulated to members ahead of the meeting. At the meeting the Head of Adult and Business Services distributed a copy of a draft report he had prepared for presentation to a future Performance Scrutiny Committee meeting, on the outcomes of the Group's work. The report outlined the Group's remit and, based on the information it had examined, its preferred options for the future delivery of adult social care in Denbighshire. The Group discussed the draft report in detail and agreed that it did accurately reflect the conclusions of their deliberations.

The Head of Adults and Business Services confirmed that, with respect to the preferred option for **Residential Care**, none of the Council operated homes would close until all residents had been moved to suitable placements in the independent sector locally. It was confirmed that recent entrants into Dolwen, and their families, had been advised on entry that the home was not likely to be open long-term and that they would most likely have to move to another home in the not too distant future. Only a minority of current residents were likely to be suitable to be re-homed in Extra Care, the majority would most likely need nursing or elderly mental health (EMH) care. There was at present ample supply of independent residential care places available in the area, as this sector due to the impact of recent central government policies aimed at promoting independence seemed to be struggling to fill all empty places.

With respect to **Day Care** services the preferred option was to close the remaining day care centre, Hafan Deg in Rhyl, and look to transfer the structural asset to a third party to be operated as a community asset. The recommendation in respect of the day care services themselves would be to procure the services from the independent sector. Procurement of day care

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services from the independent sector was also the preferred option for the delivery of domiciliary services in Extra Care housing schemes, following a tender exercise. Whilst the housing at the current schemes was the responsibility of housing associations, the domiciliary care was presently provided by the Council. In response to a question on the timeframe for going out to tender for domiciliary services the Head of Adults and Business Services advised that ideally there needed to be a six month lead in time from tender to service delivery. Therefore if the preferred option was approved the Council would be looking at inviting providers to tender around October 2014 with a view to providing the services from April 2015. If this was achieved it was anticipated that the Council could realise savings in the region of £300K for 2015/16, increasing to a conservative estimate of £800K from 2016/17 onwards.

Whilst jobs would be lost in the domiciliary services it was anticipated that a substantial number of staff would be transferred over to the independent providers successful under the tendering process in accordance with Transfer of Undertakings Protection of Employment (TUPE) arrangements. A consequence of the change in delivery method would be the need to grow the contract monitoring and inspection services within the Council to ensure that the standards of care were maintained and improved in the independent sector.

With respect to **Community Living Schemes** the Group concluded that the most appropriate approach would be to continue with the transfer of the remaining three schemes operated by the Council over to the independent sector on a scheme by scheme basis when the opportunity arose and the conditions were right. This would be in line with the approach taken during recent years.

Future provision of **Work Opportunities** schemes for people with learning disabilities was the subject of a review undertaken by a separate working group made up of members, officers and third sector representatives. Due to the complexities involved with the delivery of these services, which included transport arrangements, the conclusions of this review would not be available until the autumn.

Members enquired on alternative proposals for achieving the necessary savings if the above proposals were not acceptable to the Council's wider membership. The Head of Adults and Business Services advised that the only alternative which had the potential to realise the level of savings required, would be to increase the social care eligibility threshold. This would reduce the number of services and service-users. However, it was felt that this approach would not be acceptable to county councillors or to the general public; neither would it be conducive with the Council's duty to protect vulnerable people or with its Corporate Plan commitment to support vulnerable people to live as independently as possible for as long as possible.

Group members agreed that the conclusions detailed above be reported to Performance Scrutiny Committee at its meeting on 2nd October 2014. The Committee's recommendations following consideration of the report would then

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be reported to Cabinet and County Council as part of the budget setting process for 2015/16.

Group members requested that the final report clearly outline the inspection and contract monitoring arrangements that would be in place for the new services. This would help reassure county councillors that the new service provision will be as a minimum as good as at present services, and would be aspiring for even higher standards to improve service-users life outcomes and experiences. There would also be a need to fully brief staff on the proposals' implications for them before the report was made public, and to devise a communication strategy to deal with the publication of the proposals.

Actions to be taken prior to the report being submitted to Performance Scrutiny on 2nd October:

- Head of Adult and Business Services to schedule a meeting(s) with all affected staff (and stakeholders) in September to explain the proposals to them, their implications for the residents and for employees, and to detail to all parties the support that will be available to them to prepare for the transition
- Consideration to be given to inviting the Chair of the Task and Finish Group or a member of the Group to attend the staff meetings with officers
- A communication strategy for dealing with the press and media interest in the proposals to be put in place ahead of the Scrutiny Committee meeting.

Meeting concluded at 10:35am

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Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 23rd June 2015, Conference Room 1b, County Hall, Ruthin

Meeting commenced at 9:30am

Present: Councillors Raymond Bartley, Meirick Lloyd-Davies, Richard Davies and Win Mullen-James

Also present: Nicola Stubbins (Corporate Director: Communities), Phil Gilroy (Head of Community Support Services), Councillor Bobby Feeley (Lead Member for Social Care: Adults and Children's Services), Holly Evans (Project Manager) and Rhian Evans (Scrutiny Coordinator).

1. Apologies: None received

2. Election of Chair

Councillor Meirick Lloyd-Davies indicated that he did not wish to continue as the Task and Finish Group's chair. He was thanked for his services. Nominations were sought for the position of Chair. Councillor Win Mullen-James was nominated and seconded. No other nominations were received and consequently it was:

Resolved: that Councillor Win Mullen-James be appointed as the Task and Finish Group's Chair

3. Notes of meeting held on 25th July 2014

The notes of the previous meeting were agreed as a true and accurate record of the discussion

4. Consideration of the responses to the consultation exercise

A copy of a report titled 'Results from Information Gathering' had been circulated to members in advance of the meeting. The Head of Community Support Services introduced the report to Group members and also introduced Holly Evans, the Project Manager who had been working closely with the Consultation Institute on how to progress the Task and Finish Group's proposals following their approval by Cabinet in December 2014.

Cabinet had agreed that the proposals should be progressed in two stages:

- (i) Undertake a consultation with each individual service user and their family in respect of the proposal, including an assessment of their needs and the availability of suitable alternative provision to meet those needs; and
- (ii) A general public consultation on proposals for modernising social care services in the County to deliver the expectations of the Social Services and Well-being (Wales) Act 2014

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Before proceeding with the above advice had been sought from the Consultation Institute (CI) and the proposals presented to the T&F Group at the meeting had been drawn up based on the CI's advice to mitigate the risk of a Judicial Review. Members were advised that consultation in the field of social care differed from that in other areas e.g. education. Consultation needed to take place with each individual service-user in order to ensure that their needs were being safeguarded. This individual consultation should protect the Council if a legal challenge or Judicial Review was instigated.

For the purpose of undertaking the consultation and needs assessment exercise with each individual service user, and to ensure objectivity, qualified social workers had been engaged via an agency. These social workers had spoken to all service users, apart from the ones who were in hospital at the time, and assessed their needs. They had also assessed the impact of the proposed changes on each service user on an individual basis.

The proposals now being put forward regarding the future provision of adult social care services, detailed in the report, had been drawn up based on the above needs and impact assessments, and comments received from families and carers and staff comments – all this information was included in the appendices to the report. The Head of Community Support Services detailed the proposals for each social care establishment and answered members' questions as follows:

Hafan Deg Day Centre, Rhyl:

- For current service users there was a choice of suitable alternative service provision available in the Rhyl area;
- The Council would ideally prefer to commission a service for all current service users which would see them staying together ;
- A Service Level Agreement (SLA) would be drawn up specifying in detail the type, level and quality of service expected of any provider and in cases where personal care was required the Council would monitor any contracts and they would also be subject to regulatory inspection by the Care and Social Services Inspectorate Wales (CSSIW) if they provided personal care;
- An organisation had already indicated an interest in this facility (no firm decisions could be taken with respect of this until a decision had been taken with regards to the future of the services currently provided there. In addition procurement and legal matters had to be adhered to);
- One option for the building's future would be to transfer it to another organisation as a community asset transfer, the Council could then charge a peppercorn rent for it and be released from expensive building maintenance obligations. This would be similar to the Canolfan Awelon facility in Ruthin, which provided social day care services during the day and was used as a community facility in the evening and weekends for the benefit of the wider community.

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Dolwen, Denbigh:

- At present there were no vacant Elderly Mental Health (EMH) beds in the Denbigh area. Consequently the study had identified a gap in the market in this specialist area;
- Based on the above conclusion the proposal with respect to Dolwen was for the Council to seek a partner to take over the facility and develop it into an establishment that could cater for EMH care – this had the potential to ensure that current residents could stay there for a longer period of time as their needs increased;
- Any potential future service provider on the site would be expected to take on the current staff, a high proportion of whom were Welsh speaking - an aspect which had featured highly amongst the satisfaction factors for current residents with Dolwen, as had its accessibility to family and friends;
- Initial research had indicated that there was potential interest in the facility given recent experiences with similar establishments in other parts of Wales as well as in England

Awelon, Ruthin:

- Awelon already had the Llys Awelon Extra Care facility on the same site which was proving to be extremely popular;
- The proposals for Awelon would see new admissions to the residential care home cease, which would in time see the building become vacant;
- During the preceding period to the building becoming vacant the Council would enter into discussions with the owner of Llys Awelon Extra Care facility with a view to the site being sold to them when it became vacant for the purpose of developing additional extra care apartments on the site – potentially an extra 29 units;
- Members were keen to ensure that as the proposal relating to Awelon was different to that for the other establishments that none of the current residents should be forced to move against their will to any other establishment. If their needs increased so greatly that they would require nursing care that would be a different matter;
- It was emphasised that it would be highly unlikely that an agreement could be reached with the Betsi Cadwaladr University Health Board (BCUHB) for beds to be set-aside at Ruthin Hospital for respite care, in place of Awelon, as the Health Board would only admit individuals with medical needs, respite would not be a consideration for them;
- Members were also keen that any future agreement with the partner organisation, most probably the current owner of Llys Awelon, for the development of the site should include an expectation that a community centre (similar to Canolfan Awelon) be built as part of the site and that should deliver as a minimum all the services available at present and any appropriate new services that become available. That facility should also be widely available for public use.

Cysgod y Gaer, Corwen:

- the needs and impact assessments for residents at this home had highlighted a lack of residential care facilities in Corwen and its surrounding areas. The nearest facilities were either in Bala or Llangollen;

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- it had also highlighted that the demand for residential care in the area was low;
- there were problems in the Corwen area, due to its rurality, with the availability of domiciliary services, particularly services which required the attendance of more than one domiciliary carer at the same time;
- based on the above factors the proposals now being put forward was, to enter into a partnerships with stakeholders (including BCUHB and third sector) to develop Cysgod y Gaer into a 'support hub' offering residential and extra care services as well as an outreach domiciliary care and support services to the tenants of Llygadog Sheltered Housing Scheme and the wider population of Corwen and its surrounding areas

Extra Care Schemes:

Extra care was seen as the way forward for delivering social care needs in the future, as it fitted in with the Welsh Government's vision of enabling people and assisting them to live as independently as possible for as long as possible. Negotiations were currently underway with a view to developing an extra care facility in Denbigh, where land had recently been secured, and in St. Asaph within the next three years.

At present the Council provided domiciliary care services at the three Extra Care facilities already operating in the County – Llys Awelon, Ruthin; Nant y Môr, Prestatyn and Gorwel Newydd in Rhyl. The housing services at all three complexes were provided by other organisations (housing associations). Therefore the proposal was that the domiciliary care should be put out to tender and that the staff be consulted on the transfer of their employment to the successful tenderer for the contracts.

- Ideally the Council would like to see the owners of the extra care housing facilities successfully bid for the domiciliary contracts as this would provide for synergy between housing and domiciliary needs and services;
- Nevertheless, if the domiciliary contract was let to another provider it should not be a cause of concern as domiciliary care was a regulated service and therefore inspected by CSSIW;
- Members agreed with the proposals having received reassurances that every effort would be made to ensure a seamless transfer of domiciliary care services between the Council and the new provider(s) in order to avoid disruption, distress or cause concern to service-users.

Despite the fact that the new proposals were quite different to the original vision for future social care services in Denbighshire, as put forward by the Task and Finish Group in 2014, it was anticipated that the financial savings as a result of their implementation would be in the region of £680K over a two year period. Revenue savings from staffing costs would be a recurring saving year on year thereafter.

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In addition to the above members were given a brief overview of the next stages with respect to developing an Extra Care facility in Denbigh and how that affected the work opportunities task and finish group's work. Members were also advised that the Council's former sheltered housing complexes would form part of the Council's Housing Strategy which was expected to be finalised by the autumn of 2015.

At the conclusion of the discussion on all the proposals contained within the report the Task and Finish Group concluded that the report to be presented to Performance Scrutiny Committee on 16 July 2015 and to Cabinet on the 28 July 2015 contain the following recommendations:

Hafan Deg

To recommend that the Council enter into a partnership with and external organisation and transfer the building to them, commissioning a day care service within the building and, in addition, enabling third sector agencies to provide early intervention activities for older people that reduce social isolation, support independence and promote resilience.

Dolwen

To recommend that the Council work with an external organisation to take over the employment of the staff and the running of the Dolwen building as an ongoing service, but registering for EMH care.

Awelon

To recommend

- (i) that new admissions to Awelon cease;**
- (ii) that the Council works with the individuals and their families to meet their needs and at an appropriate point in their lives to move to suitable alternatives; and**
- (iii) that the Council enters into a partnership with the owner of Llys Awelon for it, when the site is available, to develop Extra Care apartments on the site, with a caveat that the developed site has a community centre that will deliver a range of community services and benefits including those currently available at Canolfan Awelon.**

Cysgod y Gaer

To recommend that the Council enters into a partnership with relevant stakeholders (including BCU and the 3rd Sector) to develop the Cysgod y Gaer site into a 'support hub' offering both residential and extra care type facilities as well as an outreach domiciliary care and support service to the tenants of Llygadog Sheltered Housing Scheme and the wider population of Corwen and surrounding area.

Extra Care Schemes

To recommend that:

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- (i) all three schemes are put out to tender for a care provider for each of them and enter into formal consultation with the staff involved regarding transfer of employment; and**
- (ii) each contract agreement clearly specify the Council's expectations for the services and each contract will be subject to strict quality and performance monitoring arrangements.**

Members were reminded of the confidential nature of the information discussed by them at the meeting and the need to keep it confidential until such time as the reports for Performance Scrutiny Committee were published no earlier than 9th July. The Head of Community Support Services would be meeting all affected staff on 8th July to brief them on the proposals and Task and Finish Group members were invited to come along to those meetings. It was emphasised that only Task and Finish Group members and the Lead Member for Social Care should attend those meetings with the staff.

Actions to be taken prior to the report being submitted to Performance Scrutiny on 16th July 2015:

- Head of Community Support Services and Project Manager to share the list of proposed briefing meetings with social services' staff on the 8th July to discuss with them the proposals and the contents of the report to Performance Scrutiny Committee on 16th July and Cabinet on 28th July to enable T&F Group members to inform the officers which meetings they would like to attend;
- Contact to be made with the Communications Team ahead of the report's publication for Performance Scrutiny Committee to draw the proposals to their attention in anticipation of press/media and public interest.

Meeting concluded at 11:20am

Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 1st October 2015, Cabinet Room, County Hall, Ruthin

Meeting commenced at 1pm.

Present: Councillors Raymond Bartley, Meirick Lloyd-Davies and Richard Davies

Also present: Phil Gilroy (Head of Community Support Services), Tony Ward (Principal Manager: Business Support) and Rhian Evans (Scrutiny Coordinator).

1. Apologies: Councillor W Mullen-James.

In the Chair's absence Councillor Meirick Lloyd-Davies was appointed by members to chair the meeting.

Members extended their good wishes for a speedy recovery to Councillor Mullen-James.

2. Notes of meeting held on 23rd June 2015

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Consideration of the consultation document

The Head of Community Support Services introduced the consultation document (previously circulated) and explained that the prologue to the consultation document itself detailed the background to the review and set out the case for change. This would give members of the public an overview of the legislative and socio-economic changes that necessitated the Council to review the delivery of its adult social care provision.

Members were advised that the consultation document was being presented to the Task and Finish Group and Cabinet Briefing for observations prior to its publication. Consultation on the proposals would take place between mid-October and mid-January with consultation responses being reported to the Task and Finish Group for it to formulate a set of recommendations on the future provision of adult social care services for submission to Performance Scrutiny Committee in March 2016. Scrutiny's recommendations would then be presented to Cabinet during April 2016. Cabinet had requested that the presentation of the final recommendations to Cabinet should only be made when all consultation responses had been considered and after any alternative proposals put forward had been fully evaluated.

Responding to members' questions the Head of Community Support Services confirmed that:

- the options put forward in the consultation document were based on thorough research and on feedback from current tenants in Extra Care facilities in the county;

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- legislation capped the cost of domiciliary care in Extra Care accommodation at the same rate as in a service-user's own home, at a maximum of £60 per week;
- the needs of residents who had until recently been met by Allied Healthcare were now being met by other providers;
- changes were afoot with respect to domiciliary care nationally and members would in the near future be asked to recommend and approve the concept of individual care budgets;
- to date four expressions of interest had been received for operating the proposed Extra Care facility in Denbigh. Work was currently underway to evaluate these expressions of interest prior to inviting them to tender for the project which would include approximately 12 houses on site for social care use. It was anticipated that the facility should be ready in approximately 18 months' time;
- the council would look into the possibility of whether the cafeteria on the Denbigh Extra Care site could potentially be operated by Poppy;
- outline drawings were now available for the proposed Extra Care provision in Corwen. It was anticipated that this development would have 14 units;
- all Extra Care developments could have units available for the purpose of providing respite care;
- the demand for Extra Care housing in the area was growing year on year;
- the Welsh Government (WG) required that demand in residential care be recorded in two ways – the number of individuals supported to live in residential or nursing homes on 31st March each year and the number of adults supported to live in residential or nursing homes at any time during each financial year. Both these figures recorded a reduction in demand for residential care in both the public and private sector in the last three years, whilst the demand for nursing and dementia care in both sectors was on the increase;
- discussions had taken place with Age Connect with respect to the proposals being put forward for the future provision of services and they were generally supportive of the approach.

With respect to the consultation itself officers advised that they were willing and open to talk to anyone interested in the consultation. They advised that a series of consultation events had been arranged. These would be held at:

- Canolfan Awelon, Ruthin on 18 November;
- Rhyl Football Club on 25 November;
- Canolfan Ni, Corwen on 30 November; and
- Eirianfa, Denbigh on 14 January 2016

Two sessions would be held at each venue, 2.30pm to 4pm, and 6pm to 7.30pm. Sessions would be chaired by Mr Meirion Hughes, former Director of Social Services for Denbighshire County Council. Simultaneous translation services would be available at all meetings.

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The Head of Community Support Services took members through the consultation document and explained that whilst it was a single document it did consist of four individual consultations, one on each of the four sites – Hafan Deg Day Centre in Rhyl and the residential care homes at Cysgod y Gaer in Corwen, Dolwen in Denbigh and Awelon in Ruthin.

The consultation on each establishment would give the general public three options – the Council's preferred option, another suggested option and the third option would give the public an opportunity to put forward an alternative proposal for the future provision of services – any alternative option put forward needed to meet the demands of current residents/users within the available resources.

With respect to the Equality Impact Assessment (EqIA) document officers advised that this was a live document and would be revisited and revised as consultation responses were received. At the conclusion of the consultation stage a new EqIA document would be produced to reflect the impact on equalities of the final recommendations. At the conclusion of the discussion the Group:

Resolved: to recommend that,

- (i) subject to undertaking the actions listed at the end of these notes, that the document be approved for publication and that the options contained in the document be consulted on for a period of 3 months; and***
- (ii) the consultation be for a minimum period of 3 months, if however additional time was required to accommodate everyone who wanted to contribute to the consultation the consultation exercise should be extended for a reasonable period of time to permit this to take place.***

4. Communication Strategy

The Head of Community Support Services took members through the Communication Plan for the consultation (previously circulated) explaining who would be involved (both stakeholders and wider stakeholders) with the consultation, their involvement with the project, the extent of their involvement to date, where the Council would like them to be at the end of the consultation stage, and how the Authority would facilitate and support them through the process.

It was confirmed that a trade union representative now served on the Project Team for the consultation and this had proved extremely useful in moving the project forward.

A press release would be issued in mid-October to draw the public's attention to the consultation, its timescale and how residents could take part in it. It would also include information on the public meetings arranged as part of the consultation. Social media would also be used to draw attention to the consultation and how people could contribute to it.

The Group:

Resolved: to approve the Communication Plan for the consultation

5. Date(s) for future task and finish group meeting(s)

The Scrutiny Chairs and Vice-Chairs Group (SCVCG) had suggested that it may be worthwhile for the task and finish group to meet mid-way through the consultation to consider the responses received to date and identify any emerging themes and consider alternative proposals submitted. Another meeting would then be held at the conclusion of the consultation period for the purpose of considering the findings of the consultation in its entirety and to formulate final recommendations for presentation to Performance Scrutiny Committee and Cabinet during the spring of 2016. The Group concurred with the above approach and:

Resolved: that meetings be arranged for early December 2015 and late January/early February 2016

Actions to be taken prior to the report being published for public consultation:

- **The location of the four centres to be clearly identified within the consultation document**
- **Numbers attending day care provision at all four sites to be provided in the consultation report;**
- **The typographical errors and erroneous dates in the Equality Impact Assessment to be amend prior to publication;**
- **The cost of meals at Extra Care facilities' cafeterias to be circulated to members.**

Dates for future Task and Finish Group meetings

- **Tuesday, 8 December 2015, 2pm – 4pm, Council Chamber, Ruthin**
- **Wednesday, 3 February 2016, 10am – 12pm, Conference Room 1b, County Hall, Ruthin**

Meeting concluded at 2pm

Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 8th December 2015, Council Chamber, County Hall, Ruthin

Meeting commenced at 2pm.

Present: Councillors Raymond Bartley, Meirick Lloyd-Davies Richard Davies and Win Mullen-James.

Also present: Phil Gilroy (Head of Community Support Services), Tony Ward (Principal Manager: Business Support), Holly Evans (Project Officer: In-house Provider Services Consultation) and Rhian Evans (Scrutiny Coordinator).

1. Apologies:

None.

2. Notes of meeting held on 1st October 2015

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Summary of responses received to date

The Head of Community Support Services introduced the report (previously circulated) that summarised the observations received to date in response to the consultation exercise. He explained that the majority of responses related to the three residential care homes, Awelon (39), Cysgod y Gaer (19) and Dolwen (50). 19 responses relating to Hafan Deg day care centre had been received to date. An analysis of whom the respondents were and where they resided was included in the report. Despite the encouraging level of engagement with the consultation no real alternatives to the proposals set out in the consultation document had been presented so far. Nevertheless, during the public meetings held to date, some individuals had suggested that a social enterprise model for the delivery of adult social care services should be explored. UNISON had also suggested that the social enterprise model should be considered prior to any decision being taken. The union was actually considering supporting staff to prepare and submit a staff co-operative bid to run Dolwen and Hafan Deg.

Responding to members' questions officers advised that:

- Social Enterprises were private entities run on a not-for-profit basis, with any surplus income generated being re-invested in the 'enterprise';
- Members of the public enquired on the possibility of private companies buying the current establishments, operating them for a period of time and then selling the land to build, or turning the buildings into luxury apartments. To avoid the risk of speculators buying the assets the Council would need to attach clauses or covenants to any lease agreements or conditions of sale it may enter into;
- For Hafan Deg the majority of respondents to date preferred Option 1, with a proviso in some cases that it was operated by the voluntary sector.

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However, in future other organisations who used the Hafan Dag facility for their meetings would likely need to be levied a charge for its hire;

- The majority of people who had attended the public meetings held to date had clearly indicated that they wished to have quality social care provision available in their respective areas, they were not unduly worried who provided the service so long as the quality was not compromised;
- The consultation responses received and the public meetings held to date had highlighted that there was a lot of confusion amongst the general public about the different types of care homes available, what the proposals would actually mean and about the term 'public sector', with some residents thinking that the public sector was large national/multi-national companies rather than local/national government organisations or the voluntary sector;
- The demand for standard residential care was actually reducing in both the public and private sector, evidence to substantiate this had been included in the Group's agenda pack in the form of a Welsh Government (WG) response to an enquiry it had received 'about people in care homes in Wales'. This reduction in demand had been highlighted in the consultation document and during the consultation meetings, as had the increase in demand for respite and extra care services;
- Some residents were of the view that decisions had already been taken with respect to the four facilities and that GPs had been told not to apply for residential places for patients at any of the three residential care homes. This was not the case, no decisions had yet been taken, rather preferred proposals were being consulted upon. GPs could not refer people to individual residential homes, and never had been able to do so. Applications could only be submitted to Social Services, it was Social Services that assessed people's needs and suggested the type of care that would be appropriate for them. Since the commencement of the review work not one individual who was suitable for entry to any of the establishments had been refused entry;
- For both Awelon and Dolwen the majority of respondents to date wanted to maintain the status quo, with no alternative option being put forward. Denbigh Town Council had by a large majority favoured Option 1 for Dolwen, i.e. for it to enter into a partnership with an external organisation, transfer the whole service to them, whilst registering for elderly mental health (EMH) care status;
- To date all respondents with respect to Cysgod y Gaer were supportive of the Council's preferred option of entering into a partnership with relevant stakeholders, including the Health Board and voluntary sector, to develop it into a 'support hub' offering both residential and extra care type facilities, as well as outreach domiciliary care and support services to tenants of local sheltered housing schemes and the wider population of Corwen and surrounding areas;
- Language and family ties featured high on the list of priorities for respondents to the proposals for all three residential care establishments;
- Staff were generally in favour of the keeping the status quo at all four establishments. Nevertheless, they were far more positive about the preferred options once they realised they would continue to be employed;

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- Six public consultation meetings had taken place to date, the ones in Denbigh would take place in January 2016. The reason why the Denbigh meetings were not taking place until then was the lack of availability of the preferred venue. All public meetings to date had been well attended, with around 70 people at the best attended event, with an average attendance of between 30 and 40 people at each event. It had been established that the majority of attendees had a connection with current residents/ service-user;
- Age Connect had been extremely engaged with the consultation process and had permitted Council officers access to all their forums.

4. Question and Answer Draft Document

The Head of Community Support Services introduced the Frequently Asked Questions (FAQs) document (previously circulated) to the Group explaining that this was a 'live' document and as such was updated on a regular basis, as and when new questions/themes came to light via the consultation exercise.

Responding to a query on when the contracts for new extra care facilities in the county were likely to be signed, the Head of Community Support Services advised that they anticipated they would all be signed early in the next financial year. Likewise, realisation of the savings anticipated from changes in the way in-house adult social care was delivered were also anticipated to commence during the next financial year, 2016/17.

5. Proforma Response for Dolwen Residential Home

Included with the papers circulated ahead of the meeting was a copy of a proforma response form, which contained suggested answers and responses, for use by those responding to the consultation in respect of Dolwen Residential Home. This proforma had been drawn up by a resident. Advice had been sought from the Consultation Institute (CI) with respect to the Council's position when evaluating consultation responses and the use of 'proforma' answers. The CI had advised that if it was evident that respondents had utilised standard answers or responses the Authority was not under an obligation to accept them or count them as 'full' responses.

6. Consultation Diary

A copy of the diary of events held as part of the consultation exercise had been included with the papers for the meeting. This listed all events, both private and public, internal and external, which had or were scheduled to take place during the consultation period.

Corwen and Denbigh Town Councils were the only two town councils who had accepted the Council's invitation to meet with them to discuss the proposals.

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The Head of Community Support Services advised that an additional meeting had been offered to Dr Alistair Moulden as lead for the group Denbighshire Voice. The Consultation Institute had advised that it would be good practice to meet with this group as they are clearly an interested party.

7. Date of next meeting

Thursday, 10th March 2016, 2pm – 4pm, Conference 1a, County Hall, Ruthin

Meeting concluded at 3.05pm

Local Authority Provided Adult Social Services Scrutiny Task and Finish Group

Meeting held on 17th March 2016, Conference Room 1a, County Hall, Ruthin

Meeting commenced at 11.50am.

Present: Councillors Raymond Bartley, Meirick Lloyd-Davies, Barry Mellor and Win Mullen-James.

Also present: Nicola Stubbins (Corporate Director: Communities), Phil Gilroy (Head of Community Support Services), Tony Ward (Principal Manager: Business Support), Holly Evans (Project Officer: In-house Provider Services Consultation) and Rhian Evans (Scrutiny Coordinator).

1. Apologies:

Councillor Richard Davies

2. Notes of meeting held on 8th December 2015

The notes of the previous meeting were agreed as a true and accurate record of the discussion

3. Consideration of the responses to the consultation exercise

The Principal Manager: Business Support, via a PowerPoint presentation, gave task and finish group members an overview of the evidence gathered during the public consultation on the future of in-house care services. He explained that he was proposing to provide the presentation to both Performance Scrutiny Committee and Cabinet when they would be considering the task and finish group's report and recommendations. He therefore requested group members to suggest additions, amendments, or points for clarification in the draft presentation.

The Group were advised that the consultation had been undertaken in accordance with the 1985 Gunning Legal Principles for consultation:

- i. **Formative stage:** during this stage information collected by independent social workers on residents and other service users' preferred choices of services were analysed to determine whether current service provision would meet demand for future service preferences.
- ii. **Sufficient reasons for intelligent consideration:** the information collated via the above exercise was deemed sufficient and robust to enable the task and finish group to formulate a set of preferred recommendations for each of the four in-house social care establishments. These were only the task and finish group's preferred proposals based on the intelligence gathered. They were to be published for public consultation on that basis and stipulating that alternative options put forward by respondents would be welcomed and given due consideration.

- iii. **Adequate time for consideration and response:** in response to a request received the consultation period was extended. This gave attendees at the final consultation events more time to submit their views. It also gave the Council more time to analyse and give due consideration to all responses prior to the task and finish group finalising its conclusions and formulating its recommendations for presentation to Performance Scrutiny Committee. In addition, to enable Performance Scrutiny Committee's observations and/or amendments to be incorporated into the final report, and to ensure that Cabinet had sufficient time to consider Scrutiny's final recommendations, the proposals' presentation to Cabinet had been deferred until Cabinet's meeting on 24 May 2016.
- iv. **Conscientiously taken into account:** all responses received, whether written, electronically or verbal were required to be given careful consideration as were any alternative options put forward as part of the consultation exercise. The Council was required to consider all responses received. It could not disregard any of them, but having given them due consideration it could disagree or decide otherwise with any of them.

In effect the entire consultation exercise represented four separate consultation exercises on the proposals, one on each of the in-house social care establishments in Denbighshire. During the consultation period two alternative proposals had been put forward. One by UNISON which provided alternative solutions for each of the four establishments, although in the case of Cysgod y Gaer, they were not opposing Option 1 just emphasising that more work was required with the Health Board and the third sector to support effective partnership working. The Council acknowledged this point.

The other was a suggestion made by an elected member in relation to Awelon, Ruthin. This involved the Council exploring the viability of building the additional Extra Care Housing in Ruthin on one of the potentially vacant school sites in the town. The rationale behind this suggestion was that it would enable Awelon to operate as it currently does. The disadvantage of this proposal was that, whilst it did address the shortage of Extra Care facilities in the town to meet current and projected demand, albeit that having two separate schemes would be more expensive than operating a single scheme, it did not address the issue of a reduction in demand for the 'traditional' model of residential care and the consequential additional costs of having empty beds.

Whilst nine signed petitions (7,240 signatories in total) had been received both before and during the public consultation phase, none of these had suggested any alternative service provision models or had stipulated a rationale for their objection to the proposals or for keeping the status quo.

168 individuals had responded by completing the consultation questionnaire, both on-line and in hard copy format. In addition individual letters, e-mails, telephone messages and feedback forms had been received from interested parties, and 137 people had attended 8 public meetings in 4 towns. Only a minority of consultation respondents had answered all the questions on the consultation questionnaire.

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Whilst there was general opposition in the responses to any changes in the in-house social care services, people did recognise the benefits of Extra Care housing, although very few regarded it to be an acceptable alternative for standard residential care. Very few also acknowledged that the demand for standard residential care was reducing – they were of the view that the Council was refusing admission in a bid to close the residential care facilities.

Of those who had indicated a preference for any of the options put forward in the consultation proposals the majority had indicated that if they had to choose one of the options it would be the 'preferred' option listed in the report, Awelon being the exception – the majority wanted to see part of it transferred to Extra Care housing and other services in partnership with other providers, whilst keeping a small residential unit on site. Nevertheless during staff engagement events, most people had indicated 'Option 1', the Council's 'preferred' option as the top choice. For Dolwen, whilst most respondents who had indicated an option had stated they wanted an alternative option, no feasible 'alternative' had been put forward and the second placed option was the Council's 'preferred' option. In the case of Hafan Deg, all of those who had indicated a service delivery choice for the future had selected 'Option 1', the Council's 'preferred' choice, as the way forward. The proposal for Cysgod y Gaer had attracted no opposition, with the majority of respondents viewing the 'preferred' option as a progressive and positive way forward for securing much needed health and social care services in a rural area.

Consultation events had been held for staff, Member Area Groups (MAGs), town councils and interest groups. In addition a meeting had been held with representatives from Denbighshire Voice. Despite that group alluding to their intention to do so during one of the public consultation meetings in Denbigh, no formal request to view the Service's accounts had been received and no alternative proposal was submitted by Denbighshire Voice for consideration.

Of the four individual consultations the one relating to Dolwen in Denbigh had attracted the greatest number of responses, a total of 118. The general theme of the responses received to all consultation correspondence and at events was that the respondents did not want to see services closing. There was also a perception amongst respondents that the reason why residential care homes were no longer financially viable was because the Council did not fill all available beds in them. Respondents were unwilling to accept that fewer individuals now wanted to enter 'traditional' residential care establishments.

Officers acknowledged that whilst the alternative proposal put forward by UNISON would in the short term address the financial pressures on the service, it would not address the root of the problem, which was the reduction in demand for 'traditional' residential services and the growing demand for 'Extra Care' services and specialist nursing care services.

Responding to members questions officers advised that:

- based on the information collated as part of the review of in-house social care services it was expected that any additional Extra Care housing on the

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Awelon site would be filled to capacity, and if Dolwen was registered for Elderly Mental Health (EMH) care it would also likely be running at full capacity;

- whilst enquiries from external organisations about certain establishments had been received prior to the consultation exercise, expressions of interest in taking them over had not yet been sought as the Group was yet to formulate its recommendations on future provision;
- whilst the majority of respondents viewed the proposals as an attempt to save money by the Council, the rationale behind them was not primarily to save money but to deliver sustainable social care services in line with the Welsh Government's (WG) vision for the future provision of social care services, and service-users' preferred choice of services;
- if the proposals were approved and implemented in due course staff currently employed by the Council at Hafan Deg, Dolwen and Cysgod y Gaer would be transferred over to the new provider(s) under Transfer of Undertakings of Employment (TUPE) arrangements, which meant that their current employment terms and conditions would be protected by legislative regulations for a specific period of time. However, staff currently employed at Awelon were likely to be made redundant when the establishment closed, but the Council's up to date skills training programme should stand them in good stead to find alternative employment quickly.

Members stressed the need for dementia care provision in the area, to support both dementia sufferers and their carers. The need to deliver care services in the preferred language of the service-user, be that English or Welsh, was also stressed, including ensuring that service-users had access to recreational activities in their mother tongue. Officers assured members that every effort was made to deliver social care services in line with WG's strategic framework for Welsh language services in the health and social care services. 'Mwy na geiriau' (More than words), although it was acknowledged that it could be difficult to recruit sufficient numbers of Welsh speaking staff at times.

4. Determination of the Group's recommendations and final report to Performance Scrutiny Committee on 12th April 2016

Following consideration of the PowerPoint presentation and the contents of the draft report presented to it, the Group asked that the following amendments be made to the presentation prior to it being presented to Performance Scrutiny Committee at a Special Meeting on 12 April 2016:

- under the 'Case for Change', the first bullet point on how the demand for residential care continued to fall should be reinforced and made clearer as the statement as currently worded was likely to raise questions;
- under the proposals for Awelon the line about Awelon residents moving on "*at their own pace....as appropriate*" needed to be clarified to assure the public that the Council would keep to its promise of not asking anyone to leave if they did not want to and if their needs could still be met there;
- on the slide on overall responses, after "*There is general opposition...*" add "*from the small number of people who responded*" before "*to the preferred options.*"

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- On the penultimate line of the slides on 'Alternative Proposals Submitted' change "*deemed to be far less...*" to "*... does not address...*"
- the final line on the rationale slide could be improved and made clearer by avoiding the use of the noun 'offer' which could be seen to be jargonistic and replace it with 'care and support services';
- it would be useful to emphasise at an appropriate point in the presentation that Extra Care provision can and does provide respite care accommodation and services; and
- if possible illustrate (possibly in graph format) information on the number of people in residential care and the demand for residential care (possibly in comparison to the number of people who require 'care packages' generally)

With respect to the draft report the Group requested that it be presented to Performance Scrutiny Committee in the Task and Finish Group's name and that the Chair would introduce the report to the Committee prior to handing over to officers for the presentation.

Having given full and detailed consideration to the report and its associated appendices the Task and Finish Group:

Resolved: that it would recommend to Performance Scrutiny Committee at its meeting on 12 April 2016 to recommend to Cabinet to approve the following options:

- (i) for Hafan Deg (Rhyl) – the council enter into a partnership with an external organisation and transfer the building to them, commissioning a day care service within the building and, in addition, enabling 3rd sector agencies to provide early intervention activities for older people that reduce social isolation, support independence and promote resilience.***
- (ii) for Dolwen (Denbigh) – the council enter into a partnership with an external organisation and transfer the whole service to them, whilst ensuring that Dolwen is registered to provide EMH care.***
- (iii) for Awelon (Ruthin) – the council stop new admissions and work with the individuals and their families, at their own pace, to move them to suitable alternatives as appropriate and to enter into a partnership with the owner of Llys Awelon to develop additional Extra Care apartments on the site; and***
- (iv) for Cysgod y Gaer (Corwen) – the council enter into a partnership with relevant stakeholders (including BCU and the 3rd sector) to develop the site into a 'support hub' offering both residential and extra care type facilities as well as an outreach domiciliary care and support service to the tenants of local Sheltered Housing Schemes and the wider population of Corwen and the surrounding area.***

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Members and officers requested that their best wishes for a full and speedy recovery be conveyed to Councillor Richard Davies who had not been well for some time and who was currently in hospital.

Meeting concluded at 1:05pm

Actions to be taken prior to the publication of the papers for Performance Scrutiny Committee on 12 April 2016:

- the revised presentation, following incorporation of the amendments/additions listed above to be circulated to all Task and Finish Group members;
- the report to be amended for presentation to highlight that it reports the findings, conclusions and recommendations of the Task and Finish Group, and include some background information on the Group e.g. membership, number of meetings, length of inquiry etc.