

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 28 June 2018 at 10.00 am.

PRESENT

Councillors Joan Butterfield, Gareth Davies, Pat Jones, Christine Marston, Melvyn Mile, Andrew Thomas, Rhys Thomas and Emrys Wynne

ALSO PRESENT

Corporate Director: Communities; Section 151 Officer/Chief Finance Officer (RW); Head of Regional Collaboration - North Wales Social Services Improvement Collaborative (NWSSIC) (BJE); Democratic Services Manager (SP); Scrutiny Co-Ordinator (RhE) and Committee Administrator (RhTJ)

1 APOLOGIES

Apologies were received by Councillors, Jeanette Chamberlain Jones (Chair), Hugh Irving and David Williams.

2 DECLARATION OF INTERESTS

No declarations of personal or prejudicial interest were raised.

3 APPOINTMENT OF VICE-CHAIR

The Scrutiny Co-ordinator (SC) in the absence of the chair Councillor Jeanette Chamberlain-Jones asked for nominations for Vice Chair. Councillor Emrys Wynne had expressed an interest in serving as the committee's Vice- Chair for another term. A CV prepared by him had been circulated to all committee members ahead of the meeting.

Councillor Melvyn Mile proposed that Councillor Wynne be appointed as the Committee's vice-chair for the forthcoming year, Councillor Rhys Thomas seconded the proposal. No other nominations were received and the committee unanimously

Resolved – that Councillor Emrys Wynne be appointed as the Committee's vice chair for the 2018-19 municipal year.

Following his appointment Councillor Emrys Wynne thanked the committee, and wished the current chair Councillor Jeanette Chamberlain-Jones well, saying that he hoped she would be chairing meetings again soon. Cllr Wynne chaired the rest of the meeting.

4 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters were raised

5 MINUTES OF THE LAST MEETING

The minutes of the Partnerships Scrutiny Committee meetings held on 13 April and the 3rd May 2018 were submitted. No matters of accuracy were raised and it was:

RESOLVED: *the minutes of the meetings held on 13 April and the 3rd May 2018 be received and approved as a correct record.*

Matters Arising:

Responding to Councillor Rhys Thomas' concerns on the loss of beds at Denbigh Infirmary, the Corporate Director advised that the latest information from Betsi Cadwaladr University Health Board (BCUHB) regarding the hospital had been circulated to committee members. Representatives from the Board had been invited to attend a future meeting of the Committee once the Board's future vision for the hospital had been agreed. Confirmation was currently awaited on when the Board expected the vision to be available.

6 POOLED BUDGETS (HEALTH AND SOCIAL CARE)

The Lead Member for Independence and Well-being introduced the Head of Finance's report (previously circulated) which updated the Committee on the work undertaken to date to develop and establish pooled budgets between the Health Service and local authorities for the provision of certain functions, in accordance with the requirements of Part 9 of the Social Services and Well-being (Wales) Act 2014, across North Wales. This work included the establishment of a pooled budget for the 'exercise of care home accommodation functions'.

The Lead Member and officers advised that whilst the concept of pooled budgets for health and social care functions was commendable as its aim was to strengthen service delivery through the integration of services, the work required to establish them in line with the Act's requirements was both complex and entailed a significant level of risk due to the financial amounts involved. In accordance with the Act's requirements a Part 9 Board or Regional Partnership Board had been established to progress this area of work. Board members from both the Health Service and local authorities continued to have reservations on whether being compelled to establish pooled budgets for certain functions would deliver better seamless services for service-users, as at present there was only limited evidence to support this theory. Whilst the Act was not specific about the scale of the 'pool', the Welsh Government (WG) Minister for Children, Older People and Social Care had, in early 2018, given a direction that all budget 'pools' should be on regional rather than a sub-regional basis i.e. to match the entire local Health Board area rather than the areas covered by the Health Board's sub-divisions, or a 'pool' between each individual local authority and the Health Board. Consequently, across all regions in Wales, local authorities and health boards had agreed to develop a 'non-risk sharing' pool. This approach entailed an exercise to consolidate relevant information on expenditure on services to facilitate an in-depth analysis of each partner's expenditure and the production of reports to test the feasibility of establishing formal 'pooled budgets' in future. This exercise should help identify

each partner's potential over/under spend on proposed 'pooled budget' areas which would allow any risks relating to these to be addressed prior to the establishment of formal 'pooled budgets'. For North Wales the detail and format of the data required from each partner had been agreed, and was at present being collected and analysed by Denbighshire as the appointed Lead Authority.

Responding to members' questions the Lead Member, Corporate Director: Communities, Head of Finance and the Head of Regional Collaboration, North Wales Social Services Improvement Collaborative (NWSSIC) advised that:

- whilst there was an expectation from WG that 'pooled budgets' be in place before April 2019 all partners in North Wales, and in other regions across Wales, were of the view that it was worthwhile to undertake an exercise to add value to current services across the region by piloting certain projects in order to assess the benefits, mitigate any risks and be better informed when establishing pooled budgets for those services in future. Whilst this fell short of establishing formal pooled budgets the WG seemed to accept this approach;
- the latest estimated figure, as at the end of 2017/18, for a 'pooled budget' for care home accommodation functions was circa £115m. This figure highlighted the potential scale of any regional 'pooled budget' and reinforced all partners' views why it was better to take sufficient time to effectively plan for their establishment, and to test all data, due to the financial risks associated with not getting it right;
- all partners agreed with the spirit and the aims of the Social Services and Well-being (Wales) 2014 Act, including Part 9 of the Act which related to partnership arrangements and the establishment of 'pooled budget' arrangements. Whilst each partner aspired to deliver better seamless services for the residents of North Wales, the size, geography and population density of the area were an added challenge when attempting to deliver very local services and realising economies of scale;
- the financial structures of the Health Board were very different to those of the local authorities;
- there was also a need to clearly define which services were deemed to be social care services and which were health care services, as well as a need to determine the classification of those services which were currently regarded as a mixture of health and social care services;
- no formal 'pooled budget' arrangements could be established without the support of the Executive of each of the six local authorities and the Betsi Cadwaladr University Health Board (BCUHB). Currently all each organisation had agreed to was to enter into an 'integration agreement' which committed them to work collaboratively to integrate services where appropriate, hence the data consolidation exercise;
- no formal Section 33 of the National Health Service (Wales) Act 2006 agreement had been signed by any of the partners to date. The work currently underway related to a non-risk sharing pool which included the identification of potential 'pooled budget' services and each partner's expenditure on those services. This would help shape future 'pooled budget' proposals and mitigate any risks associated with them. Once all parties entered into a formal Section 33 agreement they would be bound by law to

- honour all the financial and other commitments included in the agreement. Consequently, there would be legal recourse for any obligations not met;
- Denbighshire staff were currently taking the lead role in developing work around 'pooled budget' arrangements as per the 'integration agreement'. However, if in future Denbighshire was to become the host authority responsible for administering and managing the requirements of Part 9 of the Act sufficient organisational infrastructure to support that work would need to be put in place;
 - each partner's contribution towards any future 'pooled budget' would be based on their current expenditure on the services covered by the 'pooled budget', not on a population size basis; and
 - by April 2019 the Part 9 Partnership Board was aiming to have the information consolidation exercise completed and to have a 'non-risk sharing pool' in place, not a formal Section 33 pooled budget. The work on developing a formal Section 33 agreement would commence once the data had been robustly analysed and been sufficiently risk-assessed to enable potential pooled budget arrangements to be drawn up.

At the conclusion of the discussion the Committee:

Resolved: - subject to the above observations to –

- (i) confirm that it had read, understood and taken account of the Well-being Impact Assessment (Appendix 1) as part of its consideration;***
- (ii) receive the latest update and note the work being developed to produce regional financial information (a non-risk sharing pool); and***
- (iii) request that a further progress report be presented to the Committee in twelve months' time unless significant developments or changes necessitated a report to be presented to the Committee at an earlier date.***

7 A JOINT SCRUTINY COMMITTEE FOR THE PUBLIC SERVICES BOARD

The Democratic Services Manager introduced his report and appendices (previously circulated) which outlined the progress made in relation to a proposal to establish a formal joint scrutiny committee between Conwy County Borough Council and Denbighshire County Council for the future scrutiny of the Conwy and Denbighshire Public Services Board (PSB).

During his introduction the Democratic Services Manager outlined the background to the proposal and the statutory responsibilities placed on local authorities to scrutinise the PSB for their area, all of which were detailed in the report. He also outlined the democratic journey taken to date within both Conwy and Denbighshire councils and the PSB itself, along with the conclusions of the discussions on the proposed arrangements at each individual forum. If both Denbighshire's Partnerships Scrutiny Committee at the current meeting, and Conwy's Finance and Resources Overview and Scrutiny Committee at their meeting on 2 July, were supportive of the proposed new arrangements, they would then be presented to each authority's Democratic Services Committee for consideration prior to being

submitted to full Council in both authorities in October for approval to proceed to establish a Joint Scrutiny Committee for the purpose of scrutinising the PSB.

Responding to members' questions the Head of Democratic Services:

- confirmed that the size of the proposed Joint Scrutiny Committee was yet to be determined. The draft terms of reference proposed a committee comprising of 12 members, six from each of the constituent councils. A joint committee of 12 members was being proposed as it was felt that a forum of this size would aid constructive, effective challenge and debate. A far larger committee could potentially prove to be unwieldy and therefore unable to fulfil its intended purpose. However, the size of the Committee could be changed at any point, including following its establishment, if both Councils agreed to the change;
- advised that the Regulations governing the establishment of a joint committee stipulated that any joint scrutiny committee had to comprise of an equal number of representatives from each local authority that were members of the joint committee. In appointing to the joint committee each Council would be required to do so based on the political balance of its authority;
- explained that the proposal was being submitted to a number of different committees within both authorities, prior to seeking County Council's permission to establish a joint scrutiny committee, as it was important to seek wider Council membership support for the proposal before presenting it to County Council for approval;
- advised that as it was anticipated that the joint committee, if established, would possibly in the first few years only meet approximately twice a year a suggestion had been made that the chair should therefore be appointed for a two year term. This was only a proposal and was therefore open for discussion; and
- no decision had yet been made on who would be the host authority for administration purposes for the proposed joint Scrutiny Committee, or whether this would alternate between both councils. Such discussions would commence once the views of both Councils' scrutiny functions had been sought.

At the conclusion of the discussion Committee members were firmly of the view that a Joint Scrutiny Committee of 12 members, 6 from each Council, was the preferred choice for the purpose of effectively scrutinising the PSB and that the Joint Scrutiny Committee when established might wish to determine the term of office of the Chair and Vice-Chair. Consequently the Committee:

Resolved: - subject to the above observations to –

- (i) support the establishment of a formal joint Scrutiny Committee to scrutinise the Conwy and Denbighshire Public Services Board; and***
- (ii) endorse the draft terms of reference and rules of procedure for the joint Scrutiny Committee***

The Scrutiny Co-ordinator (SC) introduced the report (previously circulated) which presented the Committee with its proposed forward work programme.

The Committee was advised that, due to the fact that the new partnership established to deliver CCTV services had only recently become operational the presentation of the report on the partnership's effectiveness had been rescheduled for the meeting in January 2019. Members were informed that a special meeting would be convened in October to discuss with BCUHB representatives the Tawel Fan report and future provision of services, as representatives from BCUHB were not available to attend September's meeting.

The forward work programme was outlined, November was highlighted as having only one item at present but more could be added prior to the meeting. Members' attention was drawn to the 'Member Proposal Form' (Appendix 2 to the report) and reminded of the need to complete one of these forms if they wished anything to be added to the work programme. The form would be sent to Scrutiny Chairs and Vice-Chairs Group for deliberation on whether the topic met the criteria for scrutiny.

In response to a query on how the Council monitored the quality of care provided for residents in their own homes as well as in residential and nursing homes the Scrutiny Co-ordinator advised that a quarterly monitoring report was provided to the Scrutiny Chairs and Vice-Chairs Group for information. Committee members asked that this report be circulated to the Committee for information as well.

At the conclusion of the discussion the Committee:

Resolved: subject to the above observations –

- (i) to approve the work programme as detailed in Appendix 1 to the report; and***
- (ii) requested that a copy of the quarterly report on quality monitoring of external care providers provided to the Scrutiny Chairs and Vice-Chairs Group also be circulated to Committee members for information***

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

No feedback by committee representatives were raised.

The meeting concluded at 11:35.