

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in County Hall, Ruthin on Thursday, 14 March 2013 at 9.30 am.

PRESENT

Councillors Brian Blakeley (Chair), Joan Butterfield, Ann Davies, Alice Jones (Vice-Chair), Pat Jones, Margaret McCarroll, Merfyn Parry, Bill Tasker and Huw Williams. Councillor Raymond Bartley, Councillor Bill Cowie, Councillor Bobby Feeley, Councillor David Simmons and Councillor David Smith attended as Observers.

ALSO PRESENT

Corporate Director: Modernising and Wellbeing (SE), Corporate Director: Economic and Community Ambition (RM), Head of Adult and Business Services (PG), POVA Coordinator (NT), Regional Transport Group (TAITH) Representative (IPJ), Scrutiny Coordinator (RE) and Administrative Officer (CIW).

1 APOLOGIES

Apologies for absence were received from Councillors Meirick Davies and Dewi Owens

2 DECLARATION OF INTERESTS

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act, 1972.

4 MINUTES OF THE LAST MEETING

The Minutes of a meeting of the Partnerships Scrutiny Committee held on Thursday, 31st January, 2013 were submitted.

Matters arising:-

5. BIG PLAN Performance Update – Councillor J. Butterfield explained that she was yet to meet with representatives from the Rhyl Outreach Project. The Scrutiny Coordinator agreed to resend the contact details for the Project representative to Councillor Butterfield.

7. Independent Care Provision – Commissioning and Monitoring – Councillor J A Davies, who was unable to attend the previous meeting, enquired whether the Council monitored domiciliary care provision. Councillor Davies was advised that

information on this work was contained in the report presented to Committee at its last meeting, a copy of which was still available on the Council's intranet and website.

RESOLVED – *that, subject to the above, the Minutes be received and approved as a correct record.*

5 CAPACITY OF ADULT SAFEGUARDING SERVICES

A copy of a report by the Head of Adult and Business Services, which provided an update on the capacity of the Adult Safeguarding Service to deal with a potential increase in referrals, had been circulated with the papers for the meeting.

The Head of Adult and Business Services introduced the report and highlighted the changes to the POVA workload in general with significant increases in the number of referrals. A POVA assistant post had been established in 2010, which had a positive effect, but in general the current model of working had been unsustainable.

A task and finish group had been established in May, 2012 to consider models of working from across Wales and parts of England, recommendations from CSSIW Inspection of Adult Protection in Denbighshire March 2010, and the recommendations from the POVA audit in May, 2012.

Appendices accompanying the report detailed some of the key data for the protection of vulnerable adult work within Denbighshire from January, 2012 to January, 2013. Details pertaining to the provision of training, performance indicator statistics, POVA procedure, and developments at national and local levels had also been included. Appendix 7 detailed the Equality Impact Assessment undertaken on the model for the future management of adult safeguarding in the County.

Officers responded to the following concerns raised by Members:-

- Where possible leaflets distributed on behalf of the North Wales POVA Forum which contained an incorrect telephone number for Denbighshire residents to report alleged incidents had been recalled and the correct number imposed and also listed on their website. The POVA Coordinator (PC) agreed to check if the leaflet had been included in the Carers pack circulated by the North East Wales Carers Information Service (NEWCIS) and provide a response for Councillor J.A. Davies.
- Members were informed that training provision for care workers was monitored through the contract monitoring process, and that care agencies had a responsibility, through quality assurance, to ensure care workers were fit and suitable to undertake their duties. It was explained that the process of monitoring care staff could not be exercised in the homes of service users without the service users' permission.
- in response to a suggestion on whether a 'secret shopper' approach could be used as a tool for monitoring care provision the HABS said the Social Care Hub was currently exploring a similar method as a potential evaluation tool

- The care requirements assessment process included the production of care plans which would be submitted to the respective agency who would provide an appropriately trained care worker to undertake the duties identified.
- Concerns were expressed that it had been alleged that 31% of paid carers had been the perpetrators of abuse during 2012/13. Members were assured that reviews were undertaken regularly and on an annual risk assessment basis.
- Reference was made to need to make available, for information purposes, a record of assessments undertaken, the HABS explained that this information could be provided.
- Details of training provision and the monitoring process were outlined by the HABS. He also highlighted the national training targets for care staff which included a safeguarding component.
- In reply to concerns expressed by Councillor E.A. Jones regarding the high number of abuse allegations withdrawn and the possibility that the threshold criteria had been set too high, the PC confirmed that risk assessments would be undertaken in these circumstances. The HABS referred to the investigative process, the respective national guidelines and thresholds, and the rights of the individual service user to decline assistance.
- The HABS responded to concerns expressed by Members and provided details of the Council's Whistleblowing Policy and the protection provided for whistleblowers. The CDMW explained the Policy was being reviewed and that any staff with safeguarding concerns would be required to report them. The final version of the Whistleblowing policy would be submitted to Council for approval and adoption.
- In reply to a question regarding the percentage of alleged abuse related incidents in the learning disability sector, the PC advised that the number of incidents tended to be low, but she agreed to provide the relevant information to Councillor J.R. Bartley.

During the ensuing discussion the CD:MW confirmed that a meeting would be held with Councillors J.A. Davies, E A Jones and the HABS to discuss the concerns they had regarding domiciliary care monitoring arrangements. It was agreed that a report on the implications of the Social Services and Wellbeing (Wales) Bill with respect to the safeguarding and protection of vulnerable adults be presented to the Committee at its next meeting, and that the report should also include the latest position regarding rota visits and details of the progress made in addressing the concerns raised with respect to domiciliary care monitoring. The Committee:

RESOLVED –

- (a) to receive and note the contents of the report, subject to the issues raised by Members for discussion at the agreed meeting between Members and officers,*
- (b) to acknowledge the importance of a corporate approach to the Protection of Vulnerable Adults and the Council's responsibility to view this as a key priority area; and*
- (c) that a report on the implications of the Social Services and Wellbeing (Wales) Bill with respect to safeguarding and the protection of vulnerable adults be presented to the Committee at its meeting on 25 April 2013, and that the report also include the latest position regarding rota visits and details of the progress made in addressing the concerns raised with respect to domiciliary care monitoring.*

6 RESIDENTIAL CARE FEES 2013/14

A copy of a report by the Business Service Manager, which provided an update of the Regional Care Home Fee Setting Methodology and the impact on costs to the Authority, had been circulated with the papers for the meeting.

The Head of Adult and Business Services (HABS) referred to the report previously presented to Scrutiny which had explained the new methodology, the process followed and the cost implications. The methodology had been revisited and inflationary increases applied to the components within the fees. The increases varied between 1.8% for salaries and 9% for energy costs, and on average the increase in fees would be approximately 2.4%.

Finance Officers from Wrexham, Flintshire and Denbighshire County Councils had considered inflation and referred to the annual application from the Care Forum. The officers had worked individually with the Heads of Service in their respective Authorities to calculate the cost of the fee increases and the budgetary impact, and effect on standard fees had been detailed in the report. The standard fees quoted for Nursing Homes excluded the NHS contribution which currently stood at £120.56 per week. Confirmation was provided that the number of people in care homes had reduced as the Council continued to be successful in providing community-based alternatives.

The Corporate Director: Modernising and Wellbeing (CD:MWB) emphasised the good systematic approach which had been adopted which incorporated a common methodology exercised by all Authorities. She explained that difficulties had previously been encountered in demonstrating the fairness of costs, and it was felt that service providers would need to examine the method of service delivery and provision to meet future requirements and demands. In reply to concerns raised by Councillor Butterfield regarding the pay structure for staff employed in private Homes, the CD:MWB explained that the construction of the fees creates an assumption regarding the levels of pay provided. She explained that if there was evidence of failure to meet the level of skills to provide the service this would result in contract and regulatory monitoring issues which would be pursued.

In response to Members' questions the HABS explained that the need for Residential Care Homes would continue, and he confirmed that the provision of three additional extra care homes had been identified in the Corporate Plan. He also advised that, whilst it could be useful, using a 'star rating/scoring' system for residential and nursing homes could prove costly for local authorities as in his experience the higher rated homes also charged higher fees. In reply to a question from Councillor J.A. Davies, the HABS provided details pertaining to the classification of the requirements for health care provision and the associated costs. He also outlined the clinical view expressed nationally in respect of learning disabilities and referred to health care provision guidance, particular reference being made to the significance of complex behavioural characteristics. Following further discussion, it was:-

RESOLVED – *that the Committee:-*

- (a) receive and note the contents of the report, and
(b) continues to support the regional approach to fee setting as agreed by Cabinet in February, 2012.

With the Committee's agreement, as the Lead Member was already present, the Chair varied the order of business at this juncture.

7 PROPOSED EMERGENCY REGIONAL PLANNING SERVICE

A copy of a report by the Corporate Director: Economic and Community Ambition (CD:ECA), which presented the full business case for a Regional Emergency Planning Service (REPS) and sought observations on the recommendations relating to it, prior to their submission to Cabinet, had been circulated with the papers for the meeting.

Councillor D.I. Smith, the Lead Member with responsibility for the Service, declared a personal and prejudicial interest in this business item and left the meeting prior to the item being discussed.

The CD:ECA explained that work had been undertaken by the 6 North Wales Councils to evaluate the benefits of establishing the REPS. The report outlined the work undertaken and set out the recommendations of the final business case to establish a Regional Service which would be presented to Cabinet for approval in March, 2013. A summary of the current arrangements had been set out in Appendix 1.

The Chief Executives of the six Councils had commissioned the development and testing of a business case for a single service, with sub-regional teams, and officer presence within each Authority to ensure local expertise, knowledge and local service continuity. The Welsh Government - Local Government Compact had included emergency planning as a recommended regional collaborative service and the final business case, Appendix 2 to the report, had been based on a full analysis of the costs and benefits of establishing a REPS. Adoption of a Regional Service was being recommended with: -

- a sub-regional structure – two hubs covering 3 Councils each
- one hub led by a Regional Manager and the other by a Deputy
- an Emergency Planning Officer in each Local Authority
- common policies, processes and plans and shared resources in a single management structure.

The responsibilities of the locally placed officer and the sub-regional hub officers had been detailed in the report, and the REPS would be commissioned and overseen by an operational board of commissioning officers. The business case identified that the new model would provide greater resilience, improved specialisation and consistency, better sharing of best practice, capacity and capability. It would enhance liaison with other key responders through the Local Resilience Forum and provide more capacity for working with service managers across each Local Authority to strengthen response arrangements. The proposals

suggested overall savings of up to £75,000, at 10% of cost, with possible further savings from reduced duplication.

The Welsh Local Government Association had offered £35k from the Improvement Fund to assist North Wales in the management of transition to a Regional Service, with Flintshire County Council acting as the Lead Authority for the project.

The following responses were provided to questions and issues raised by Members:-

- The CD:ECA explained that the flexibility and levels of communication would be enhanced by the establishment of REPS. This should improve arrangements from Denbighshire's perspective, as under the proposed new Service it would have one officer based in the County. Under current arrangements all officers covering Denbighshire were based in Flintshire.
- Members were informed that any major incident would be managed on a North Wales basis. It was confirmed that response and recovery plans were in situ and that Denbighshire services would feature in the process.
- Confirmation was provided by the CD:ECA that the establishment of the REPS would not supersede the recovery plans already in place, but would strengthen the existing arrangements and improve the resilience to apply them.
- The officers explained that the establishment of the REPS would not generate substantial savings, and confirmed that there would not be a significant reduction in staffing resources.

The basis of the recommendations being presented to Cabinet to establish and join REPS had been outlined in the report, together with, the timeline for the project. Cabinet would be requested to delegate authority to approve the detailed transition arrangements to the new service and undertake all necessary tasks to establish the new service to the Chief Executive in consultation with the Lead Member.

A summary of the consultation process undertaken and details of any financial implications or possible risks had been included in the report. In response to a question from Councillor D. Simmons, the CD:ECA agreed to seek clarification regarding the inclusion of the RNLI in the consultation process for the proposed REPS. Having considered the report and the final business case for the proposed Regional Emergency Planning Service, subject to confirmation that the RNLI had been or would be consulted on the proposals, and with the aim of providing a more resilient service to the residents of Denbighshire the Committee:

RESOLVED – to recommend to Cabinet that:-

- (a) *it adopts the final business plan to establish a Regional Emergency Planning Service on the basis set out in paragraph 4.13 of the report to Partnerships Scrutiny Committee on 14 March 2013, and*
- (b) *authority to approve the detailed transition arrangements to the new service and undertake all necessary tasks to establish the new service is delegated to the Chief Executive in consultation with the Lead Member.*

PART II

EXCLUSION OF PRESS AND PUBLIC

***RESOLVED** - under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 14 and 15 of Schedule 12A of the Local Government Act 1972.*

8 TRANSFORMING TRANSPORT - REGIONAL PASSENGER TRANSPORT COLLABORATION PROJECT

A confidential report by the Corporate Director: Economic and Community Ambition (CD:ECA) which summarised the work undertaken to date with respect to creating a single integrated unit for the delivery of passenger transport services in North Wales and which presented the outline business case for its creation, had been circulated with the papers for the meeting.

The Chair welcomed Mr Iwan Prys Jones, Regional Transport Group Representative (TAITH) to the meeting.

The CD:ECA explained that the Regional Passenger Transport Project had now reached Outline Business Case stage and Cabinet would consider whether or not to approve moving ahead with the development of a Full Business Case for the Preferred Option. A Working Group of transport managers from all North Wales Authorities supported by TAITH, and externally facilitated, had developed an Outline Business Case which had produced a Preferred Option for further consideration, and approval was being sought to develop the Preferred Option into a Full Business Case for implementation if the case was proven and approved by the constituent Authorities. A review of the future delivery of bus subsidies across Wales by Welsh Government (WG) had produced a number of recommendations, the key one being that a new bus funding grant "Regional Transport Services Grant" would be in place from the 1st April, 2013, delivered through the Regional Transport Consortia.

The scope of the project which comprised public, education and social services transport had been identified at an early stage. The report detailed the areas excluded from the scope of the project, key facts relevant to the delivery of the current service by the six Local Authorities and the basis of the case for change. The four main Options considered during the development of the Outline Business Case had been summarised and a copy of the Outline Business Case had been included as Appendix 1, together with, details of the criteria against which the Options had been assessed.

The Outline Business Case assessment had identified two options as the best when assessed against the identified criteria, but given the recent proposed changes to the bus funding system only one of these options now merited further development into a Full Business Case for further consideration. This option was outlined in the report. It was recognised that this option would be the most radical and complex of those which had been considered, however it also offered the most potential for improved outcomes and savings in the longer term.

The potential for savings and efficiency would be evaluated against the complexity and potential up-front costs as the Full Business Case was developed. The option could be developed incrementally, with a first phase considering integration of the passenger transport services, followed at a later date by education transport and social services transport. This approach would combine with the changes necessary to manage the implementation of the new bus funding approach, beyond the transitional phase.

The timescales considered achievable for the project, subject to approval, had been outlined in the report. Confirmation was provided that the full financial implications for all Councils would be explored in the next stage of work and would be identified to allow decisions on whether or not to implement changes to be made once the Full Business Case had been completed and considered.

In response to concerns expressed by Members TAITH's Chief Executive explained that the single integrated regional model would ensure that each individual Authority would retain a certain level of accountability in delivery of their respective services, while working within an overall framework across North Wales. He explained that the Welsh Government Minister for Local Government and Communities had provided each region with the opportunity to submit proposed arrangements for their respective areas.

A number of Members referred to the high standards set and the good work undertaken by the Section Manager: Passenger Transport and his team with regard to the provision and management of school transport within Denbighshire. TAITH's Chief Executive confirmed that certain aspects relating to school and social services transport provision would remain within local authority control. However, support could be offered and provided if there was a lack of capacity or expertise within a specific area.

In reply to a question from Councillor E.A. Jones, the CD:ECA explained that the importance of addressing issues pertaining to the Welsh Language and culture had been incorporated into the Business Case. TAITH's Chief Executive responded to concerns raised by Councillor M. McCarroll and confirmed that there was scope for efficiency improvements in respect of cross border passenger transport, particular reference being made to school transport provision, and this issue could be examined within the remit of the project. However, decision pertaining to the school transport eligibility criteria would remain within the control of the local education authority.

TAITH's Chief Executive responded to concerns expressed by Councillor J. Butterfield regarding the magnitude of the project. He confirmed that regular progress reports could be presented to the Partnerships Scrutiny Committee at each of the development stages. The CD:ECA confirmed that she would liaise with the Scrutiny Coordinator when details of the timescales were available. It was:

RESOLVED – *that the Committee:-*

- (a) *subject to the above observations, recommend to Cabinet that the Outline Business Case and preferred option are accepted and that the project now moves to develop a Full Business Case for the implementation of a single integrated unit for the delivery of passenger transport services in North Wales.*

- (b) notes that any decision to implement an integrated unit would only be taken after Councils had considered and approved the Full Business Case, and that future governance arrangements would be addressed during development of the Full Business Case, and
- (c) receives regular progress reports for scrutiny at each of the development stages of the project.

PART I

9 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Coordinator seeking the Committee to review its draft Forward Work Programme (FWP) and providing an update on relevant issues had been circulated with the papers for the meeting. The Cabinet's FWP had been included as Appendix 3 and a table summarising recent Committee resolutions and advising Members on progress with their implementation had been included as Appendix 4 to the report.

A Proposal Form, Appendix 2, which related to Deeside College/Coleg Llysfasi's role in delivering education within Denbighshire and in partnership with the Council had been submitted for consideration by the Committee. Members agreed that this item be included in the Committee's forward work programme for the July, 2013. However, Members requested that the College Principal be informed of the Scrutiny process and be requested to provide the following information:-

- Student numbers, achievements, progress levels and scholarships.
- Finance and resource details.
- Promotion and development of the Welsh language.
- Transport related issues.
- Details of future proposals and partnership working.

The Scrutiny Coordinator explained that a response was awaited regarding a request made to the Health Board for a report on Prosthetics, the provision and maintenance of artificial limbs to adults and children (including information on access to the service, any delays encountered or limitations applied and complaints procedures) to be considered at the next scheduled meeting with Health representatives on 10 June 2013.

The Committee considered its draft Forward Work Programme for future meetings, as detailed in Appendix 1, and the following amendments and additions were agreed:-

- The report on Local Primary Mental Health Support Services, originally scheduled for the current meeting, be rescheduled for the Committee's meeting with representatives of the Betsi Cadwaladr University Health Board (BCUHB) in June, 2013. In response to concerns expressed by Members regarding the future of the Health Board Chief Executive, and any possible implications on the County Council and the future of Glan Clwyd Hospital, it was confirmed that any issues or concerns could be raised at the Scrutiny Committee meeting with the BCUHB in June.

- Members agreed that the item on Regional Collaboration on Economic Development be deferred until September, 2013, when it was anticipated more detailed information would be available.

- Following a decision by the Scrutiny Chairs and Vice-Chairs Group (SCVCG), on the 7th March, 2013, it was agreed that the business item in respect of Heritage and Arts Assets would be transferred from the Communities Scrutiny Committee to the Partnerships Scrutiny Committee Forward Work Programme for consideration in December, 2013.

- The Committee agreed that, if Cabinet agreed to move to the development of a Final Business Case (FBC) for the Regional Passenger Transport Collaboration Project, the FBC be included in the Forward Work Programme for November, 2013.

A list of all scrutiny representatives on the Service Challenge Groups had been included as Appendix 5 to the report. When the appointments had been made 'Customers' had been included in the Education Services' Service Challenge Group and Councillor B. Blakeley appointed as its representative. However, 'Customers' now formed part of one of the Council's seven Corporate Priorities for the period 2012/17, therefore for the purpose of the Service Challenge process 'Customers' had been separated from the Education Services. The Committee agreed that Councillor B. Blakeley be nominated to serve as its representative on the 'Customers' Service Challenge Group. It was also agreed that Councillor P. Penlington be invited to serve on the Service Challenge Group for the Strategic Human Resources (HR) Service when he takes up his position on the Committee in the near future.

RESOLVED – that,

- (a) *subject to the above, the Partnerships Scrutiny Committee approves the Future Work Programme as set out in Appendix 1 to the report, and*
- (b) *nominates Councillor B. Blakeley to serve on the Service Challenge Group for the Customers Service, and invites Councillor P. Penlington to serve as the Committee's representative on the Service Challenge Group for Strategic Human Resources in due course.*

10 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Members of the Committee provided the following details in respect of various Council boards and groups:-

Councillor J.A. Davies advised that she would be attending the All Wales Carers meeting in Cardiff and the Triple A Project Board Meeting.

Councillor E.A. Jones had attended a meeting of the Food Review Task and Finish Group where two priorities had been identified and would be progressed at future meetings. Denbighshire's high standards with regard to the procurement process were noted. Councillor Jones had also attended a meeting on the Provision of Housing for Specialist Accommodation.

Councillor M. McCarroll had attended a meeting of the Denbighshire Enterprise Agency which she felt had been impressive.

RESOLVED – *that the reports be received.*

Meeting ended at 12.55 p.m.