

Adult Social Services Overview and Scrutiny Panel

Minutes of the Meeting held on 3 November 2009

Present:

Ms D Irving (Chairman)

Mr D Callaby	Ms J Mickleburgh
Mrs M Chapman-Allen	Mr J Mooney
Baron Chenery of Horsbrugh	Mr J Perry-Warnes
Mr T Garrod	Mr N Shaw
Mr P Hardy	Mrs A Thomas
Mr D Harrison	Mr A Wright
Mr S Little	

Also Present:

Mr D Harwood, Non-Voting Cabinet Member
Mr B Long, Non-Voting Deputy Cabinet Member

Substitute Member:

Mrs D Clarke for Mr J Joyce

Officers/Others:

Harold Bodmer, Director of Adult Social Services
James Bullion, Assistant Director, Community Care, Adult Social Services
Janice Dane, Head of Finance, Adult Social Services
Hilary Mills, Head of Commissioning and Partnerships, Adult Social Services
Mike Gleeson, Head of Democratic Support, Adult Social Services
Lesley Smith, HR and Organisational Development Manager, Compliments and Complaints, Adult Social Services
Terry Cotton, Quality Assurance Officer, Domiciliary Care, Adult Social Services
Jeremy Bone, Planning and Policy Officer, Adult Social Services
Rosalind Jones, Chair of the Hempnall Trust
Michael Windridge, Member of South Norfolk Council for the Hempnall Ward
Julie Brociek-Coulton, Member of Norwich City Council
Stephanie Howard, Hempnall Day Care Manager (speaking at the meeting on behalf of users of the Hempnall Day Care Centre)
Samir Jeraj, Member of Norwich City Council

There were between 15 and 20 members of the public in attendance for the public questions and the item on Future Commissioning Models – Community Care In-House Day Services.

1 Apologies for Absence

Apologies for absence were received from Miss C Casimir, Mr J Joyce and Mr M Kiddle-Morris.

2 Minutes

The Minutes of the previous meeting held on 8 September 2009 were confirmed by the Panel and signed by the Chairman.

3 Declarations of Interest

Ms D Irving declared a personal interest as a volunteer for the Norfolk and Waveney Mental Health NHS Foundation Trust.

Mrs D Clarke declared a personal interest as she worked as a paid adviser on certain social care matters.

Ms A Thomas declared a personal interest because she was the South Norfolk Council representative on Saffron Housing Trust.

Mr D Callaby declared a personal interest as his mother was a service user at Cranmer House, one of the Day Care Centres mentioned in the report about Future Commissioning Models – Community Care In-House Day Services.

Mr A Wright declared a personal interest as a Member of the King's Lynn and West Norfolk Mental Health Forum.

Michael Chenery of Horsbrugh declared a personal interest because he had links with the Norfolk and Waveney Mental Health NHS Foundation Trust and he was also a Mental Health Practitioner.

4 Items of Urgent Business

There were no items of urgent business.

5 Public Questions

The Panel received the following public questions concerning Community Care In-House Day Services:

5.1 Rosalind Jones, Chair of the Hempnall Trust, asked the following:

“The Hempnall Mill Centre, run by The Hempnall Trust, a village charity, has enabled Adult Social Services to access two days weekly of day care at very low unit costs (under £10 per head) because the Trust has subsidised this care. If/when Adult Social Services withdraws the essential but low level funding, thus closing those two days of

care provision, where on earth is it going to find an equivalent quality of day care locally for those individuals who wish to access it at an equivalent cost to the Council?”

5.2 The Chairman gave the following reply:

“We do recognise both the quality and value for money of the day service offered by County Council staff at The Hempnall Mill Centre. We also acknowledge that service users value the service too.

The central reasoning behind the proposed commissioning model for the provision of in-house day services provided by the County Council is:

- ... To focus the Council’s provision of dementia and re-ablement services in recognition of the forecast rising future demand for such services in Norfolk;
- ... There will be 8,000 more people with dementia in Norfolk between now and 2025;
- ... At present, there is a scarcity of dementia services in Norfolk and a need for the care market to grow to ensure provision for the future. These proposals are designed to ensure we have the recognised provision needed to cope with the increases in numbers of dementia cases forecast.

The County Council is, therefore, seeking to provide a specialist route for its day care services whilst seeking to commission externally for more general day services.

If this approach is adopted, then the central question is:

- Whether existing Council resources are able to be used to meet the service specification for such services;
- What training and support staff need to be able to adapt their roles;
- What options or choices are available to existing service users to remain with the new services or to go to alternative services according to their needs.

We would seek to consult with service users about this if the commissioning model is adopted.

Should the changes proceed we are committed to continue to provide support to those service users and for all of them to have a positive alternative provision suitable for their needs.”

5.3 The Panel received a second public question from Rosalind Jones, Chair of the Hempnall Trust:

“Confidence in the ability of Adult Social Services to get essential detail right in relation to its service provision and related policy implementation has been severely eroded in relation to the Hempnall Mill Centre for Day Care, run by The Hempnall Trust, a village charity, due to a stream of serious errors and inappropriate actions by that service in relation to the Mill Centre. (This does not refer to those Social Services staff who

provide care for the elderly at the Mill). Given these issues, how might confidence in Adult Social Services capacity to deal effectively with provision of care for the elderly be restored?”

5.4 The following answer was given by Harold Bodmer, Director of Adult Social Services:

“I am sorry that the Chair of The Hempnall Trust feels that confidence has been severely eroded on a previously positive joint service delivery relationship. She mentioned serious errors and inappropriate actions, but does not detail them and so it is difficult to comment except generally.

In this case it seems to me that confidence relies upon an accurate picture of what is proposed. It has been inaccurately reported that the changes proposed by the Council for the delivery of in-house day services resulted from cuts in the budget, that existing service users will have services withdrawn and that personal budgets are driving closures.

All three notions are untrue.

No cash savings will result from the changes proposed to the in-house day services. The Council proposes to specialise in dementia and re-ablement services and to commission day services alongside this. Service users using Council services will continue to have their needs met going forward with good alternatives which will be worked out individually with them. This change will be phased over time.

Personal budgets are not behind this change which is about the Council specialising in areas that need to be developed.

However, I believe that it is in the interests of everyone that confidence in the personal budgets and direct payment process is built on so that older people feel they have a choice.

So far in Norfolk, over 1,800 people are dealing with their own budget but it is entirely optional. People and not the professionals should decide. After people draw up their support plan they can decide to have a cash budget as an alternative to services, or they can pass the cash to an expert third party for them to arrange services for them, or they can ask the Council to keep hold of the budget and manage services for them in the traditional way.”

5.5 The Panel received the following question from Michael Windridge, Member of South Norfolk Council for the Hempnall Ward:

“Is this Committee and the Cabinet Member for Adult Social Services aware of the scale of anger and bewilderment which has been provoked in the village of Hempnall by Councillor Harwood’s inaccurate statement to the Eastern Daily Press on Tuesday 27 October 2009 referring to “closing Hempnall Mill”; whether he will issue an apology to the Hempnall residents who make regular use of the Hempnall Mill Centre; and whether he will make an immediate statement to the Eastern Daily Press clearing up the confusion he has caused?”

5.6 The following answer was given by David Harwood, Cabinet Member for Adult Social Services:

“I would certainly acknowledge the anger and confusion of people as a result of media coverage and that that coverage has not conveyed the full picture of what is proposed.

I want to confirm that we do not intend to suggest the overall closure of the Hempnall Mill Centre at all, only that the County Council, if the commissioning model is agreed, and after further consultation, would no longer deliver services from that site. This is because the premises are not considered right for dementia or re-ablement services.”

- 5.7** The Panel received a second public question from Michael Windridge, Member of South Norfolk Council for the Hempnall Ward:

“What consultations have been conducted with the Trustees of the Hempnall Mill Centre, prior to publishing the review recommendation to close the Adult Social Services use of Hempnall Mill Centre, currently contracted by Adult Social Services on a two days per week basis?”

- 5.8** The following answer was given by James Bullion, Assistant Director of Adult Social Services:

“As part of the “Making Your Day” review of all the day services across the county receiving funding from the County Council, a visit was made to each Centre. Prior to the visit to Hempnall Mill, the Commissioning Officer undertaking the review contacted the Chair of the Trustees and arranged to meet her at the Mill on the day of the visit. At this meeting the details of the review were discussed as was the formal relationship between the Hempnall Mill Trustees and the County Council.

Following the proposed policy change whereby in-house services run by the County Council would be focusing on the provision of dementia or re-ablement, a further meeting took place with the Chair of the Trustees on 15 October 2009. At that meeting, a discussion took place on the possible implications on the overall viability of the Mill itself and the other services delivered from that site.

In light of the proposed changes to service provision and use of buildings, if the decision is taken to activate the changes required in the proposals, we will carry out consultations between 16 November 2009 and 13 January 2010. These will focus primarily on the people most affected but will also include interested stakeholders. We will also seek the views of key partner agencies.”

- 5.9** The Panel received the following public questions from service users of Hempnall Mill Day Care Centre; the questions were presented at the meeting by Stephanie Howard, Manager of Hempnall Day Care Centre:

“These questions are from frail older people, some with mental health issues but not dementia. Those suffering dementia cannot fully comprehend the proposed closure of Hempnall Mill. However, their carers would probably want to know what respite they would get from caring for their relatives with dementia. It is hard, tiring work, looking after someone with mild to moderate dementia all day every day.”

Service user:

“How would you feel if there was nowhere to go when you are in our position (elderly

and immobile)?)”

Service user:

“We cannot go far due to poor mobility and have a lovely time at the day centre. How can you take this away from us?”

Service user:

“If we did not have day care, we would not see anyone. How would you feel without any social contact all week?”

Service user:

“My family is busy and live away, the day centre is my lifeline. How can I go out on my own?”

Service user:

“I have not lived in Norfolk for very long and do not know my way around. I cannot go out on my own and my family live away. So what do I do without day care?”

Service user:

“Who can I play dominos with if the day centre closes?”

Service user:

“Why should our services be cut when immigrants get everything given to them?”

Service user:

“I am really upset and cannot cope without the safety of day care. Have you considered the cost to people like me becoming ill earlier because of the lack of day care?”

Service user:

“I was suffering severe depression before coming to day care. It will be difficult to gain courage to start again. How can you justify taking away the service?”

Service user:

“Hempnall is an ideal place to meet people. Why should you remove my choice of coming to Hempnall?”

Service user:

“I enjoy meeting people at Hemnall and enjoy a game of cards. Can you make my day and stop the closure?”

5.10 The following answer to these questions was given by Harold Bodmer, Director of

Adult Social Services:

“Adult Social Services recognise that day services are very important to people who attend them and they provide a whole range of good quality services.

Each person who attends our day services will be consulted with as to their wishes and feelings about what kinds of day activities they like to do and a review undertaken with them to determine what meets their current needs.

There is no intention to remove day services from people who currently attend centres or to leave people socially isolated and without access to services.

We will be doing a full consultation with users about the proposals from 16 November 2009 to 13 January 2010.

We will also be going back to the individuals who have raised these questions with a full answer to their very helpful questions on an individual basis.”

The Chairman agreed that the Panel should consider as the next item on the agenda proposed changes to in-house day services because of public interest from those in attendance in the meeting.

6 Future Commissioning Models – Community Care In-House Day Services

The annexed report by the Director of Adult Social Services was received.

The Panel received a report concerning a comprehensive review of the future use of all in-house day services for older people and young people with physical and sensory impairments. It was noted that the proposed model for in-house day services would replace current usage by providing two main services, namely:

- Older people with dementia
- Re-ablement services based on social care needs.

The Panel received on the table a number of coloured maps to show the current location of frail/elderly and in-house services (including dementia day services). The Panel also received on the table information from a relative of a service user in Norwich, and responses from Julie Brociek-Coulton, a City Councillor and Stephannie Howard, the Hempnall Day Care Manager.

During the course of discussion, the following key points were made:

- It was noted that an “equality impact assessment” had been undertaken for the “Making Your Day” project but this was not specific to the review of in-house day services for older people and young people with physical and sensory impairments. If Cabinet agreed to proceed with the review, then a further more detailed equality impact assessment was needed that related to each of the five locality plans covering Southern, Western, Northern, Norwich and Eastern areas.
- The consultation on the locality plans had identified a lack of dementia care across the county.

- Some Members said that until personal budgets and direct payments were more widely used by older people it was too early to make changes to in-house day services. In reply Officers said that the introduction of personal budgets was not the driving force behind the proposed changes in in-house day services. The proposed changes were about refocusing in-house services on dementia care and re-ablement services and limited centre closures over a five-year interim period.
- Some Members said that the evidence-base of the review should be updated. They said that it was geographically imbalanced, made use of external CSCI evidence and was based on the views of many different groups, including those with long-term disabilities, and some of these groups were not users of in-house services. Furthermore, Members said that the evidence-base did not include any direct consultation with service users on the question of closure.
- The Director said that a consultation exercise would take place with service users in day centres where a service would no longer be offered. He assured the Panel that those individuals directly affected by the closures would be fully consulted and offered alternative self-directed care plans.
- It was pointed out that the “More Choices, Better Choices” consultation had included:
 - 1,000 responses from those over 55 years of age
 - Working with the Citizens Panel
 - Focus Group discussions with older people, including the Older People’s Forum and other organisations.
- The commissioners of NHS Norfolk services had been consulted about the proposed changes.
- The comments in the report at paragraph 7.1.3 and 7.1.4 did not apply to the Hempnall Day Centre.
- Hempnall Mill, the Silver Rooms and the Essex Rooms were considered valuable resources that needed to continue to be put to community use. The Department would carefully consider what alternative day care services with spare capacity were available in the vicinity of centres that were subject to possible closure.
- If the Hempnall Day Centre was to close then there would be implications for other services provided at the Hempnall Mill site, such as the Meals on Wheels service and the village-based local community services that were provided two days a week.
- The Edith Cavell Centre at Long Stratton and day care services at Loddon could be viewed as alternatives to Hempnall Mill. Whilst these locations might mean longer journey times for some individuals, there could be shorter journey times for others.
- Further, more detailed discussions would be held with the Trustees of the Hempnall Mill site and these could involve Adult Social Services continuing to make use of the site, in some redefined way.

- Adult Social Services was seeking strategic partners, including partners to manage the services at the Vauxhall Centre.

Mr Stephen Little proposed, duly seconded:

“The Review Panel recommends that Hempnall Mill, the Silver Rooms and the Essex Rooms continue to be commissioned as providers of day services to physically or mentally frail older people who meet the Fair Access to Care Services eligibility criteria. This provision is to be maintained unless it becomes evident that significant numbers of actual and potential service users wish to use their personal budgets to choose other services. The Review Panel recommends that the centres either continue as in-house services or that the Council investigate the possibility of continuing the services in partnership with the voluntary sector.

This is in recognition that:

- The centres are well-placed to meet the considerable continued demand for day services within the Norwich and south Norfolk areas.
- The centres provide an efficient, integrated and high quality service which complements existing provision and impacts positively on the health and well-being of service users.
- The Panel is not confident that suitable alternative provision is currently in place.”

On being put to the vote there were three votes in favour and six votes against (with abstentions by other Members), whereupon the motion was declared LOST.

It was then moved by Ms Alison Thomas, duly seconded:

“That the Cabinet at its meeting on 9 November 2009 defers making a final decision on the proposed day care centre changes until after consultation with the people affected is complete”.

On being put to the vote the motion was CARRIED, there were 12 votes in favour and no votes against (with abstentions by some Members). Mr Callaby asked for it to be recorded that he had abstained from voting on this matter.

It was then RESOLVED- Accordingly.

7 Cabinet Member Feedback

The annexed report by the Cabinet Member was received and noted.

The Panel received and noted feedback from the Cabinet Member concerning the following matters:

- Strategic model of care – progress and implementation
- Update on developments within the safeguarding adult structure
- Norfolk’s draft joint dementia commissioning strategy.

ITEMS FOR SCRUTINY

8 **Compliments and Complaints Annual Report 1 April 2008 - 31 March 2009**

The annexed report by the Director of Adult Social Services was received.

The Panel received its annual report from the Director of Adult Social Services about compliments and complaints for the year ending 31 March 2009. The report outlined the Department's commitment to learning from complaints and the Department's involvement in 2008 in a national pilot for an Integrated Approach to Dealing with Complaints across Health and Social Care, which supported the personalisation agenda.

During the course of discussion, the following key points were made:

- During the period covered by the report there had been a significant increase in the number of complaints and within the total the services complained about had changed. A large number of the complaints concerned CareForce, whose performance was now improving.
- Some complaints involved several agencies and could therefore take longer to resolve. It was pointed out that the Department had put in place an electronic recording system for outside organisations to notify Adult Social Services about complaints and to supply answers.
- Individual homes, day centres and district office staff received directly many grateful and satisfied comments from clients and their relatives.

The Panel noted the contents of the report and asked to receive a further report at its next meeting in January 2010. Members asked for this report to include examples of different types of complaints and how the Department dealt with them.

9 **Further Update Report – CareForce and the Provision of Home Care Services in Norwich**

The annexed report by the Director of Adult Social Services was received.

The Panel received a report from the Director of Adult Social Services on the performance of CareForce and its provision of home care to service users in the Norwich locality.

The Panel noted the overall performance of CareForce continued to improve and asked for a further report on this matter to be brought to the next meeting in January 2010. Members asked for the report to include some examples of new referrals to CareForce and to other home care providers.

10 **Scrutiny**

The annexed report by the Director of Adult Social Services was received.

The Panel received a report that summarised the scrutiny work programme and gave

an update on progress.

The Panel noted the current status of Scrutiny items and the programme of future Spokespersons meetings.

OVERVIEW ITEMS

11 2009-10 Revenue and Capital Budget Monitoring Report

The annexed report by the Director of Adult Social Services was received.

The Panel noted that at the end of September 2009 (period 6) the forecast revenue outturn position for the financial year 2009/10 was a balance budget. The Department was taking various actions to manage the budgetary pressures and had a financial recovery plan with additional savings identified of -£7.985m, giving a forecast position at the year end of £0m.

Members were concerned that the Department did not appear to be achieving the level of additional savings that were needed at this stage of the financial year in order to achieve a balance budget. The pressures on purchase of care and the Learning Difficulties service continued to be areas of particular concern. There were considered to be significant risks in delivering all of the -£7.985m of savings identified in the financial recovery plan. Approximately half of these savings (£4m) were considered “high risk”.

The Panel noted that a more accurate position regarding the 2009/10 revenue and capital budget was expected to be available in December 2009. At that time the Department would provide a briefing note for Panel Members that outlined the latest forecast.

12 Service and Budget Planning 2010-13

The annexed report by the Director of Adult Social Services was received.

The Panel received a report from the Director of Adult Social Services that outlined the overall funding prospects and spending pressures for the service and the draft potential savings options for the 2010/11 service budget.

It was noted that the only significant change from the previous report to the Panel was regarding the savings from the use of additional contract negotiation skills available corporately to drive down the use of high cost packages (Invest to Save). The potential savings in this area of the budget had been reduced for 2010-11 from £1m to £500,000.

The Panel noted that the economic recession and age related demands were placing significant pressures on the Adult Social Services budget.

The Cabinet Member said that the current economic downturn and a likely reduction in government grant aid could mean that the Department had to find £15m-£16m in savings in the next financial year and savings of £17m a year during the two years thereafter.

In reply to questions, the Committee Officer said that rather than set up a cross-party budget working group, budget planning issues could be considered at the next Party Spokespersons meeting on 25 November 2009 and this was agreed by the Panel.

The Panel noted the planning assumptions mentioned in the report and the proposed spending pressures and savings set out in Appendix D. The Panel also noted the proposed list of new and amended capital schemes to be evaluated within the capital prioritisation model as part of the review of the three-year capital programme. It was pointed out that the recommended capital programme would be reported to the Panel in January 2010.

13 Norfolk County Council's Response to the Green Paper "Shaping the Future of Care Together"

The annexed report by the Director of Adult Social Services was received.

The Panel received a report from the Director of Adult Social Services that asked for comments on the County Council's response to the Green Paper "Shaping the Future of Care Together" prior to it being considered by Cabinet on 9 November 2009.

In view of time constraints, Members were asked by the Chairman to submit any comments on the proposed response to the Green Paper to the Cabinet Member (or the Director) in advance of the next meeting of the Cabinet; Panel Members' comments would then be reported to the Cabinet and included in the submission to the Department of Health.

14 Adult Social Services Capacity and Winter Planning

The annexed report by the Director of Adult Social Services was received.

The Panel received a report from the Director of Adult Social Services about the Department's approach to capacity planning in winter 2009/10 in partnership with NHS Norfolk, NHS Great Yarmouth and Waveney and the Queen Elizabeth, James Paget and Norfolk and Norwich University Hospitals.

The Panel discussed the joint systems that had been put in place to meet the anticipated increase in demand during winter 2009/10 and noted that the Department was also working with Children's Services and private sector organisations in the preparation of internal and joint plans to complement the overall winter plan.

It was noted that plans had been made for private care homes to share staff in the event of a major outbreak of swine flu. More details about how the Department would ensure the continued delivery of its services in the event of an outbreak of swine flu would be included in the next edition of the Newsletter.

15 Carers' Services

The annexed report by the Director of Adult Social Services was received.

The Panel noted a report about the current and proposed work that was taking place in the Department concerning the development of Carers' Services and endorsed future service development.

It was noted that Adult Social Services had achieved a significant step forward with the development of the Carers' Council and the development of a local strategy in conjunction with the NHS and through the Joint Commissioning Group for Carers.

The meeting concluded at 1.15 pm

Chairman



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