

SOCIAL CARE & INCLUSION SCRUTINY AND PERFORMANCE PANEL

Tuesday 6 October 2009 at 6.00 p.m.

Panel Members present

Councillor Oliver (Chair)
Councillor Ault
Councillor Douglas-Maul
Councillor Martin
Councillor Paul
Councillor Woodruff
Councillor Barton

Officers present

Dave Martin	Executive Director – Social Care and Inclusion
Margaret Willcox	Assistant Director – Adult Services
Julie Gethin	Head of Neighbourhood Partnerships and Programmes
Mel Davies	LINK Contract Manager
Mark Freathy	Strategy Services Manager Human Resources and Development (HRD)
Paul Cooper	Customer Care Manager
Bally Kaur	Adult Services Investigations Officer
Steph Simcox	Finance Manager
Matthew Underhill	Scrutiny Officer

28/09 APOLOGIES

Apologies were received for the meeting from Councillor McCracken, Councillor Clarke and Councillor Robertson

29/09 SUBSTITUTIONS

There were no substitutions for the duration of this meeting.

30/09 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip identified at this meeting.

31/09 MINUTES OF PREVIOUS MEETING

In relation to the resolutions associated with item 23/09 Financial Monitoring, the Finance Manager explained that in terms of income received from Transport Charging approximately fifty percent was received from Young Adults and Disabilities Services (YADs) and adults with learning disabilities and fifty percent was received from Older People Services. In addition, approximately one quarter of homecare provision is undertaken by the Council as specialist services, with the remaining three quarters undertaken by external providers.

Resolved:

That the minutes of the meeting held on 3 September, copies having previously been circulated, be approved as a true and accurate record.

32/09 **LOCAL INVOLVEMENT NETWORK (LINK)**

The Head of Neighbourhood Partnerships and Programmes introduced the briefing (annexed) explaining that it provided an update on the process for re-tendering which began in May 2009 and related activity:

- Ninety-day notice was served on the Carers Federation in August 2009 who will continue to support the LINK until the notice expires on 1 November 2009;
- Following advertisement of the tender five Pre Qualification Questionnaires (PQQ) were received and all applicants were invited to submit a tender. Three organisations provided a tender submission, with the remaining organisations, Walsall Voluntary Association (WVA) and Wolverhampton Voluntary Sector Council (WVSC), electing to not continue with the process;
- Local stakeholders and partners, including NHS Walsall, Social Care and a Member of the Scrutiny Panel, participated in site visits. Representatives from these groups also formed the interview panel;
- Following interview and technical assessments the scores for the three candidate organisations were as follows:
 - Black Country Housing Group: 62.4%
 - Shaw Trust: 49.8%
 - Walsall Endeavours: 43.4%
- Black Country Housing Group (BCHG) were awarded the contract under the Alcatel ruling (ten day standstill period between award and contractual agreement which allows for queries from unsuccessful candidates). There was no challenge and BCHG were officially awarded the contract on 21 September 2009;
- BCHG will begin operating the LINK from 2 November. Transfer of Undertakings (TUPE) of staff from the Carer's Federation to BCHG is also underway;
- A meeting has taken place between BCHG and the Carers Federation to support the transition. A further meeting is planned between the LINK board and BCHG to discuss the new working relationship.

The Panel Member who participated in the selection process observed that it had been a very close contest. She also expressed the view that Walsall was lagging other areas and that it was important that progress was made to deliver an effective LINK. The Head of Neighbourhood Partnerships and Programmes agreed and assured the Panel that the examples of LINK work undertaken by BCHG elsewhere indicated that Walsall was now well placed to make progress.

33/09 **LINKS TO WORK**

The Executive Director provided an update to the Panel explaining that subsequent to the last Panel meeting there had not been any significant developments:

- The period of statutory consultation concludes on 19 October 2009;
- This will trigger a seventeen week at-risk period during which work already begun to skills-match those in at-risk posts with vacancies will continue;
- Interviews have been carried out with those in at risk-posts to explain the process and to highlight the respective opportunities. In addition, information packs have also been provided;

- Discussions are also underway with those in at-risk posts who have expressed an interest in either voluntary redundancy, early retirement or re-deployment;

The key points of the Panel's discussion are as follows:

- Officer's guided the Panel that it was not certain whether similar proposals made nationally by both main political parties to overhaul the welfare system and reduce certain incapacity benefits currently received by some would potentially affect any of those with disabilities in the at-risk posts;
- Officer's emphasised that those in at-risk posts had a number of options including voluntary redundancy, early retirement or seeking redeployment;
- Officer's had previously agreed to a twenty-eight day extension to the statutory consultation period with the Sub Joint Negotiating Committee (JNC);
- The use of the skills match process will ensure consideration of the full range of jobs and opportunities available for this particular community;
- Steve Mellor from Links to Work raised a number of issues. He expressed the view that contrary to a commitment which had been received not everything had been done to assist those in at-risk posts, specifically consideration of the suitability of these staff for some administration and driver posts; He also voiced concern regarding the impact of the recruitment freeze on the request made by the Chief Executive that each Directorate identifies all potential opportunities for those in at-risk posts; He explained that of the twenty-nine members of staff in at-risk posts there were twenty with disabilities and the best outcome could only be achieved with the strong support and sensitivity of Human Resources and Development (HRD). For example, ensuring that interviews were undertaken in a different format;
- In responding to the issues raised the Executive Director emphasised that all possible action was being taken and those in at-risk posts were being given the range of options outlined above. For example, he was aware of one individual who was currently at an advanced stage regarding a potential redeployment opportunity, with others expressing an active interest in redeployment. He also clarified that the current recruitment freeze would not impact on the redeployment process in relation to those in at-risk posts. He also explained that officers from across the organisation had been liaising on this issue and significant further activity had been undertaken on behalf of the Panel.
- The Executive Director was joined by the Strategy Services Manager (HRD) in concluding that sensitivity was being applied to the process which did include moderating the interview format where possible. The Strategy Services Manager (HRD) added that those HRD officers involved in the redeployment process were very committed and every effort was being made on behalf of those in at-risk posts although a successful outcome could not be guaranteed in each case.
- The Chair observed that the importance of this issue had been highlighted by the Panel over the course of a number of meetings. There was also general agreement that the outcome of the process would demonstrate whether it had been successful. The Panel agreed to express strong support for HRD to continue the process of seeking redeployment opportunities for those in at-risk posts.

Resolved:

That:

The Panel expresses its strong support for Human Resources and Development (HRD) as it continues the process of seeking redeployment opportunities for those in at-risk posts.

34/09 FUTURE (NEW) JOBS FUND

The Strategy Services Manager, Human Resources and Development (HRD) introduced the briefing note (annexed) explaining that the Future Jobs Fund (FJF) was primarily aimed at the long-term unemployed within the 18-24 year old age group. As a consequence it would not be possible to make use of the Fund to assist with the redeployment of those in at-risk posts at Links to Work. However, he explained that the skills-set offered within that group of colleagues is likely to prove important in supporting the introduction of the programme associated with the FJF for which HRD are responsible. It was therefore possible that via the Working Neighbourhood Fund (WNF) resource, being used to assist in the introduction of the programme, opportunities for redeployment would be available for those in at-risk posts.

35/09 STATUTORY COMPLAINTS

The Investigations Officer introduced the report (annexed) explaining that during the last financial year the majority of targets were met. However a small number of targets had not been achieved:

- The number of complaints received was one hundred and twenty four against a target of one hundred and sixty to two hundred. This outcome is likely to be in part a result of learning leading to improved service delivery resulting in fewer complaints. In relation to learning from customer complaints the team has been offered guidance to assist in improving service delivery;
- Where targets are not being currently met training has been provided for the team on new legislation and complaint handling. This is part of the process of working with the customer care team to improve customer satisfaction;
- Joint working practices are also used to ensure a uniform response;
- Mediation is proving to be a good alternative to the conventional “paper exercise” approach to complaints and can often achieve an improved resolution;
- The Customer Care Manager added that every complaint received is treated as an opportunity to look at service improvement;
- In relation to a Panel query regarding complaints and the issue of perceived conduct of Social Care and Inclusion staff. Officers explained that this can be a result of a member of staff being verbally abused and possibly not responding as politely as they would in other circumstances. Officers also explained that complaints received by telephone are not conventionally covered by the Complaints Team. However, if a cluster of complaints is received in a particular area then investigations are undertaken. Officers will provide further information to the Panel regarding the number of complaints received in relation to the behaviour and conduct of staff;
- Following a further Panel query in relation to the number of learning from complaints forms that were returned to CCT which was thirty-four (28%), the Executive Director explained that he had already emphasised to managers within Social Care and Inclusion that all learning from complaints forms should be returned. This would include nil returns, i.e. where no learning had been possible but with an explanation required as to why that was the case.

- Following a previous Panel query, the Customer Care Manager explained that it had proven difficult to identify benchmarking statistics as there has been a national fall in the number of complaints received.

Resolved:

That:

Officers will provide the Panel with further details of the proportion of complaints received in relation to the behaviour and conduct of staff.

36/09 MEDIUM TERM FINANCIAL STRATEGY AND BUDGET PLANNING

The Finance Manager introduced the presentation and began by setting out the Medium Term Financial Plan (MTFP). She explained that the Council's budget planning addresses the next year. However the MTFP enables a forecast over a longer period as part of the process of ensuring a balanced budget. This process is subject to a number of associated risks which have been factored in, principally that the current funding forecast was based on the revenue support grant which was set until 2011. However, changes in the macro-economic climate meant that the level of funding could fall and therefore it might prove necessary to achieve further savings. The overall reduction in income means that £25m - £50m of savings are required over the next 5 years.

The Finance Manager provided guidance in relation to the budget planning process for 2010/11:

- A provisional timetable has been agreed to include the Panel's feedback at its November and January budget setting meetings, with Council approving the budget in February 2010;
- A draft version of the budget will be shared with the Panel at its budget setting meetings for possible comment and proposals;
- Targets for efficiencies/ savings have been identified of £12.3m across the Council. This equates to £7.5m of savings across the directorates based on an assessment which determines, for example, the impact on delivery of a service by a reduction in funding. The remaining £4.8m is based on a Council-wide requirement to achieve 2% efficiencies;
- A number of key service areas have been identified as protected and as such will not be subject to any savings requirements but will still be required to achieve 2% efficiencies. Within Social Care and Inclusion Adult protection has been identified as a protected service;
- A key challenge exists in benchmarking services given the variations in the cost of providing services for YADs and those with Learning Disabilities.

The Chair noted that it appeared that the Learning Disabilities service was proportionally required to achieve the highest savings and efficiency savings. Further, that Social Care was required to deliver savings and efficiencies of approximately seven percent against the average across the rest of Council services of five percent. The Assistant Director – Adult Services explained that it would be necessary review existing contractual arrangements with care providers. For example, frequently a disabled adult may also have learning disabilities which may mean that they receive both residential care and also day care at different facilities. To deliver savings it might prove necessary for residential

care providers to also be responsible for providing day care. The Finance Manager emphasised that savings and efficiencies identified were based on a provisional budget allocation and guidance would be provided to Cabinet regarding the level of risk attached to achieving each of the identified targets. She also clarified that the forecast was likely to include some additional resources for predicted increase in clients based on demographic data provided at a national level.

37/09 SHAPING THE FUTURE OF CARE TOGETHER (GREEN PAPER)

The Assistant Director – Adult Services introduced the briefing note and Green paper summary (annexed) explaining that both a general Member seminar as well as group seminars were scheduled for later in October. The purpose of these events was to summarise the Green paper proposals and invite Members to contribute to the associated consultation in relation to the three options it sets out.

38/09 WORK PROGRAMME 2009/10

The Chair sought guidance in relation to item 65/09 Extra care housing in the Forward Plan. The Executive Director – Social Care and Inclusion explained that the charging policy for new service users was as closely aligned to the Fairer charging policy as possible. It was also based on best practice and guidance received from the Housing Learning Improvement Network (LIN). Officers also provided further guidance:

- A well being charge will be made to service users. This is a fixed amount of 80% of their attendance allowance which funds the cost of on-site care staff;
- A banded care charge will also be made which is based on the level of care required. Means testing of this charge will also be undertaken based on the Fairer charging policy;
- The Council are also required to ensure that a service user is not left with less than one hundred and twenty five percent of their state pension – the Basic Income Support Plus 25% Buffer;
- A consultation will also be undertaken with users, carers and disability rights groups on the charging policies prior to Cabinet receiving the proposals in February 2009.

39/09 DATE OF NEXT MEETING

The Chair confirmed the date of the next meeting was 19 November 2009.

The meeting terminated at 7:30 pm