

AT A MEETING

- of the -

**HEALTH, SOCIAL CARE AND
INCLUSION SCRUTINY PANEL** held
at the Council House, Walsall on **30
NOVEMBER 2006** at 6.00 p.m.

PRESENT

Councillor Oliver	(Chair)
Councillor D.Pitt	(Vice-Chair)
Councillor Ault	
Councillor Barton	
Councillor Robertson	
Councillor Woodruff	
Councillor Paul	(Portfolio Holder)

OFFICERS PRESENT

Lawrence Brazier	Procurement Manager
Sue Byard	Assistant Director - Strategic Housing
Andrew Cross	Head of Older People Services - Social Care & Inclusion
Sue Dalley	Acting Head of Quality and Performance Management
Mark Wade	Housing Standards & Improvement Manager
Kathy McAteer	Interim Executive Director Social Care & Supported Housing
Karen Reilly	Interim Head of Adult Services
Nikki Ehlen	Scrutiny Officer

ALSO PRESENT

David Harrison	T&G
Chris Kibble	GMB
Paul Macmanomy	UNISON

27/06 APOLOGIES

Apologies were received from Brandon Scott-Omenka and Councillor Griffiths.

28/06 SUBSTITUTIONS

There were no substitutions for the duration of this meeting.

29/06 DECLERATIONS OF INTEREST AND PARTY WHIP

Councillor Pitt declared an interest as an employee of the West Midlands Ambulance Service.

30/06 MINUTES OF THE PREVIOUS MEETING HELD ON 28 SEPTEMBER 2006

The minutes of the meeting held on 28 September 2006 were agreed as an accurate record.

31/06 QUARTER TWO PERFORMANCE MONITORING

Kathy McAteer introduced Sue Dalley to the panel as Acting Head of Quality and Performance Management.

Sue Dalley spoke to the report, and drew member's attention to the scorecard on page 4 of the report, stating that item 6b would provide further information relating to the performance of adult social care.

Councillor Oliver stated that the information indicated that in terms of direct payments the Council was underperforming and overspending.

Kathy McAteer stated that there were a number of issues related to direct payments including an overspill from last year and a high percentage of high cost direct payments. Kathy stated that budget and activity needed to be balanced.

Councillor Woodruff stated that failure of computer systems seemed to be a common factor in explaining underperformance/slippage; she questioned whether it was the same computer system referenced in each performance indicator.

Kathy McAteer informed the panel that the PARIS system was not yet fully implemented. Kathy explained that staff needed to be trained to use the new system.

David Harrison asked what was being done to reduce sickness levels in administrative services.

Kathy McAteer informed the panel that the administration staff were not managed by the Social, Care and Inclusion directorate, and the directorate was liaising with Business Support regarding this issue. Karen Reilly clarified that the issue was one of consistency of cover.

Councillor Robertson stated that social care was a stressful occupation and he would be interested to see how many people were off sick due to stress.

Kathy McAteer informed the panel that social care sickness levels had continued to drop, and that targets had been exceeded so far this year. Kathy stated that the biggest issue was long term health problems and that it should not be assumed that all sickness levels were due to stress, although the directorate was in the process of doing a full stress audit with a report due in January.

Karen Reilly stated that a corrective action plan would be put in place to address any problems that were highlighted by the stress audit.

Councillor Robertson requested that officers provided him with the report. Kathy McAteer confirmed that this could be reported to a future Scrutiny panel if members so wished.

Councillor Pitt asked how happy officers were that the corrective action plan would address poor performance.

Karen Reilly stated that she was confident that the action plan was robust and adequate enough to address any issues.

Kathy McAteer stated that it was not unusual to see indicators turn red during quarter 2, and that there was 5 months left to take corrective action.

Councillor Robertson asked whether there were any plans to introduce private vacant dwellings into occupation.

Sue Byard explained that the Council had an empty property strategy, which stated clear actions to bring empty properties back into use, Sue advised the panel that this was done within existing resources / budgets, and CPO is an expensive process.

Councillor Robertson highlighted that the performance information suggested that there was an increase in the use of temporary accommodation, and asked officers if this was usual at this time of year.

Sue Byard stated that at the present time the Council does not have anybody in bed and breakfast accommodation. Sue stated that nationally the trend was declining and Walsall Council was a low user of temporary accommodation nationally.

32/06 WORKING GROUPS

Members noted the working group feedback.

33/06 COMMUNITY MEALS CONTRACT PROGRESS UPDATE

Officers advised members that the update and developments to date of the community meals service would be presented. Members were advised that there was a level of high sensitivity attached to this due to the stage the process was at in the tender process.

Andy Cross explained that the progress to date reflected the views of the panel and the current action reflected Cabinets resolution.

The panel discussed the views of the scrutiny panel and how these had been reflected by Cabinet. The tender process was discussed and the options open to potential bidders.

Members were informed that potential bidders were able to bid for all or any of the elements, and that the method of delivery was to be proposed by the bidder.

Members expressed frustration that in their view the views of the panel submitted to Cabinet on 19 October 2005 had not been taken into account or included in the tender document. Councillor Oliver stated that it was his understanding that the panel had recommended that the tender document must be for 'a prime cooked meal', Councillor Oliver added that he considered the Cabinet decision to be significantly different to the scrutiny panel recommendation.

Kathy McAteer stated that it was her understanding that the Cabinet decision was aimed at opening up the tendering process to either method of delivery in order to be more open and flexible. This was outlined in the Cabinet report as were the views of the panel that their preferred method of delivery was for a freshly cooked meal.

Andy Cross informed the panel that providers could elect to provide services to the Council by any method and it was not prescribed in the tender document.

Dependent upon which option was tendered for, Councillor Oliver stated that the tenders could be considerably different.

Councillor Woodruff asked how the final model would be chosen.

Andy Cross explained that there was an evaluation panel who would evaluate each tender document; Andy informed the panel that this would be subject to a gateway review by scrutiny.

Paul Macmanomy (UNISON) informed the panel that he had written to Cabinet to state that the community meals contract should not be put out to tender. Paul also expressed frustration that Cabinet had not fully considered the views of the panel and stated that it would be difficult to alter the evaluation process at this stage.

Dave Harrison (T&G) stated that the Council had a duty to ensure that the older population of Walsall were looked after, and that by not complying with the panels recommendations this opportunity had been denied.

Chris Kibble reiterated that the recommendations of the panel had requested a fresh cooked meal, and that the tender does not meet the requirements of the panel.

Councillor Robertson stated that he hoped that the tender process was robust and received ongoing monitoring.

Lawrence Brazier stated that the evaluation process was designed to ensure and check that the tender was meeting the specification.

The panel discussed the evaluation process and that EU regulations meant that all bidders must be treated the same. Members requested information on how hypothetically the tender process could be changed.

Lawrence Brazier explained that to change the specification of the tender would require the process of tendering to start again. Lawrence explained that the potential providers had already incurred costs by going through the tender process and there could be the potential for claims for compensation if the Council stopped the process without cause.

Councillor Woodruff asked who the evaluation team was, in terms of their background.

Lawrence Brazier explained that they had received advice from a range of different experts. However, he could not disclose this information to one bidder.

Councillor Paul stated that the comments of the panel could be passed on to Cabinet.

Members discussed the description of the cooked meal service, and officers advised members that the terminology that the panel were advised to use was 'prime cooked meal' as the means of describing a meal as being freshly cooked on the day of delivery.

Councillor Ault stated that he did not consider that it would be a fair comparison of tenders if certain providers put bids in for frozen and others for hot meals.

Officers reiterated that the tender evaluation would be made against the service specification, regardless of method of delivery. In response to a further question, officers clarified that providers were asked to propose how they would meet the needs of Black Minority Ethnic (BME) communities, and after this where it was clear that there was a gap in provision for this population group, a specialist tender would be created.

Officers were asked how the bids were evaluated, Lawrence stated that advanced notice of the evaluation process was included in the tender documents but that detailed information on the methods to be used can not be given to any potential providers or bidders, and that a letter explaining the process would be sent to all those who had submitted a tender.

Councillor Pitt asked if there was capacity to relocate staff if the contract was awarded to an external provider.

Lawrence Brazier stated that the advice given was that TUPE applied and was part of the contract.

Chris Kibble and Dave Harrison expressed concern that TUPE may be dependent upon the type of meal tendered for.

Councillor Oliver asked if the intention was to achieve a prime cooked meal, would the Council need to re-tender and change the specification.

Lawrence Brazier stated that officers did not know what tenders would be received and at this stage no decision had been made on awarding the contract nor the approach to be taken in delivering the service. The implications for the service would be known once the decision to award the contract had been taken.

RESOLVED

That the following recommendations are presented to Cabinet; -

The Health, Social Care and Inclusion Scrutiny and Performance Panel is dismayed to learn that the current tender process for community meals does not specify the provision of a prime cooked meal choice for the people of Walsall, and therefore may not meet the quality standards that scrutiny envisaged.

We would therefore recommend that the process be re-tendered or alternative means found to guarantee the same outcome.

34/06 DECENT HOMES IN THE PRIVATE SECTOR

Mark Wade introduced himself to the panel and spoke to the presentation.

Councillor Robertson asked if housing standards were going to continue to rise. Mark Wade stated that there was a reasonable expectation that housing standards would continue to rise.

Mark Wade stated that there were government grant schemes which promoted energy efficiency, and that the Council were able to signpost people to the appropriate schemes.

Councillor Ault clarified that members were able to advise people to contact Mark Wade regarding such issues.

Councillor Oliver asked how many people were waiting to be assessed.

Mark Wade informed the panel that there was no waiting list, as everyone had been assessed.

Councillor Oliver asked officers for the geographical spread of households that qualified for home improvement grants.

Officers stated that this could be provided to Councillor Oliver.

RESOLVED

That Councillor Oliver is provided with the geographical spread of households that qualify for home improvement grants.

35/06 WALSALL INSECTION OF SOCIAL CARE SERVICES FOR OLDER PEOPLE ACTION PLAN

Andy Cross introduced the Walsall inspection of social services for older people action plan. Andy explained that the action plan was deemed an acceptable document by the CSCI inspector as appropriately addressing the recommendations.

Andy Cross recommended that updates on the action plan should be brought to the panel in 4, 8, and 12 months.

Councillor Oliver asked officers which aspects were regarded as the most challenging aspects.

Andy Cross stated that he felt that the biggest challenge would be the cultural change that the Council would need to experience to fulfil action plan requirements. Andy emphasised that he felt this cultural change could be achieved.

Councillor Robertson asked if there were any items on the action plan that were at risk from the budget cuts.

Andy Cross stated that the items that were dependant on additional investment and therefore potentially at risk of budget cuts were recommendations 2.4, 3.1, 3.2.

Councillor Woodruff asked how the action plan would be affected if funding was not provided.

Kathy McAteer informed the panel that older people's services were well funded compared to other authorities and adult services as a whole were not under-funded in the authority. However, the Council faces the same budget pressures as other authorities, particularly in relation to increasing demands for social services and in this situation considered decisions would need to be made.

RESOLVED

That the action plan is taken to the panel in 4, 8 and 12 months for monitoring.

36/06 ERRATUM TO INSPECTION OF SOCIAL CARE SERVICES FOR OLDER PEOPLE REPORT

Members noted the information on the social care services for older people's inspection.

37/06 DATE OF NEXT MEETING

The date of the next meeting was confirmed as 25 January 2006 (budget).

TERMINATION OF MEETING

There being no further business the meeting terminated at 8.10 p.m.

Chairman

Date