

AT A MEETING

- of the -

**HEALTH, SOCIAL CARE AND  
INCLUSION SCRUTINY PANEL** held  
at the Council House, Walsall on **25  
January 2007** at 6.00 p.m.

**PRESENT**

Councillor Oliver	(Chair)
Councillor D.Pitt	(Vice-Chair)
Councillor Barton	
Councillor Griffiths	
Councillor McCracken	
Councillor Micklewright	
Councillor Chambers	
Councillor Woodruff	
 Councillor Paul	 (Portfolio Holder)

**OFFICERS PRESENT**

Kathy McAteer	Interim Executive Director Social Care & Supported Housing
Sue Byard	Assistant Director - Strategic Housing
Lawrence Brazier	Head of Procurement
Andrew Flood	Procurement Specialist - Social Care & Inclusion
Lloyd Brodrick	Service Manager Older People
John Greensill	Head of Learning Disabilities
Steph Simcox	Interim Head of Finance
 Nikki Ehlen	 Scrutiny Officer

**ALSO PRESENT**

Ray Walters	T & GWU
Dave Harrison	T & GWU
Jerry Walsh	Age Concern

**38/07 APOLOGIES**

Apologies were received from Councillors Ault and Robertson.

**39/07 SUBSTITUTIONS**

The Chair advised the panel of the following changes to the membership of the committee for the duration of the meeting: -

- Delete: Councillor Robertson
- Substitute: Councillor Chambers

#### 40/07 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip.

#### 41/07 DRAFT BUDGET 2007/08

Councillor Oliver reminded the panel that their comments and concerns from the panel on 22 November 2006 relating to the budget proposals had been reported to Cabinet. Councillor Oliver informed the panel that item 4 on the agenda was the formal draft budget proposal by Cabinet.

In his opening introduction to the report, Councillor Oliver welcomed that the Walsall Society for the Blind contract was not included in the draft proposals along with the change in Fair Access to Care Services (FACS) criteria and reduction in budget for home care.

Councillor Oliver asked officers to explain the impact of the reduction of the hospital social work team. Kathy McAteer explained that it was no longer suggested that the whole of the hospital social work team was deleted, but it proposed the partial reduction of the social work team. Kathy McAteer explained that the service would need to ensure that hospital staff focused on a fast turnaround of service users.

Councillor McCracken asked if staff working in this service would be redeployed. Kathy McAteer explained that social workers would be redeployed into the community social work team, and that there was a shortage of social workers within the borough. Councillor Pitt expressed the opinion that this could be positive as it reduced the dependency on agency staff within community social work teams. Kathy McAteer added that the proposals were in line with modernising the hospital service to focus on fast assessments and speedy discharge, with community based teams picking up, longer term support, for example, long term counselling services were better provided elsewhere.

Councillor Woodruff stated that she would be interested to know what the opinion of Patient Advice and Liaison Services (PALS) on the reduction of the hospital social work team, and whether the number of patient complaints would increase as a result of this reduction. Kathy McAteer advised that the Council had consulted widely on the budget proposals. A briefing note could be provided on whether this had included PALS specifically, and if so their comments.

Councillor Woodruff raised concern about comments made by the Walsall Hospital Trust chief executive at a recent Health Panel that suggested there had been delays in assessments for hospital discharge that had required senior management intervention to resolve. Kathy McAteer advised the panel that following concerns raised by the Walsall Hospital Trust that budget restrictions had caused delays, a meeting was held in late December with Walsall Hospitals Trust and the PCT to

investigate and go through each case. There was clear evidence that the Council was not responsible for any of the delays and that the Council's performance on delayed transfers of care remains excellent compared to other authorities, Kathy also clarified that there was an escalation process in place so that when the hospital is under pressure, senior managers were alerted and check that all appropriate actions were being taken to facilitate discharge. However, it was inaccurate to suggest that assessments were being delayed until senior management intervention. Members expressed concern that contradictory information was being communicated. It was agreed that a briefing note would be taken to the panel providing further details on the meeting with the PCT.

Councillor Oliver stated that he had continued concerns about 3.3 of the report, which related to transport charging, meals on wheels and fairer charging income amendments. Councillor Oliver also expressed concerns with the restructure within Younger Adults Disability Services and Learning Disabilities.

### RESOLVED

The Health, Social Care and Inclusion Scrutiny and Performance Panel resolve that

- The panel notes the report
- The panel receives a briefing note providing further details on the meeting with the PCT.

### 42/07 OLDER PEOPLE'S REPROVISION – UPDATE ON CONTRACT WITH HOUSING 21

Kathy McAteer introduced the item and explained that this was part of the ongoing Gateway Review and further work had been completed on key issues. The panel were advised that the panel would have the opportunity to look at 4 elements; -

1. Outcome of formal consultation with residents
2. Site selection
3. TUPE proposals
4. Project timescales

Lloyd Brodrick spoke to the presentation (annexed).

Lloyd Brodrick explained that one of the outcomes of the consultation was that residents were concerned about the number of moves they would have to make, and the Council had developed proposals on how this could be minimised to one move for the majority of residents.

The panel were advised that there had been an element of misconception as it was believed that the new model of care homes would be warden controlled. The panel were advised that this was not the case and that this was a unique model, which increased care and support to a level commensurate with residential care.

Councillor Micklewright asked if Age Concern had been involved. Lloyd Brodrick explained that Age Concern had been involved as the independently commissioned advocates to the consultation exercise.

Dave Harrison asked if there were any proposed demolitions. Andy Flood explained that when speaking to ward members, a concern had been raised around vacant sites. The panel were advised that decisions about these sites would be subject to corporate processes and ultimately made by Cabinet.

Members asked if sites surplus to requirements would be part of the package with housing 21. Officers informed the panel that it depended on whether it would have to be a land swap, and also confirmed that there would be a number of sites that were not included in the package. Kathy McAteer stated that these sites would be subject to normal Council procedures.

Councillor McCracken asked if the buildings and land were returned to the Council if the contract fell through. Andy Flood advised members that he believed this to be the case if Housing 21 were in fundamental breach of the contract, however there would be complexities due to tenancies and other interests in the buildings, and that this would be the subject of careful drafting by the Council's legal advisers.

Councillor Oliver asked officers to explain the advantages of a long lease. Andy Flood explained that the duration of the contract would be 30 years, but that where extra care housing developments were taking place on Council land the proposals were to enter into a 125 lease with restrictive covenants on the use of land. This enabled the scheme to be more affordable by generating a residual value which can be deducted from the total cost of the scheme and therefore reduced the charge to the Council. Additionally under the Housing 21 financial model if the Council made a lease charge to Housing 21 for the land, then the charge together with the additional costs of overheads and financing costs would be included and then charged back to the Council, accordingly the lease approach identified was considered to represent the best value for money solution.

The length of the lease also enabled the scheme to be considered for the Housing Corporation grant. Officers advised the panel that there is a good chance that the project would get Housing Corporation funding, and a requirement of this was that the contract contained a long lease.

In response to a question from the panel, officers clarified that though this model was unique to Walsall, it was nationally not uncommon. Kathy McAteer stated that the risk assessment had been to the programme board and was available for the panel. It was agreed that this would be circulated to all members of the panel.

Lawrence Brazier explained that the tenancy agreement would provide security of tenure to users after the end of any contract period.

Councillor Oliver asked officers to clarify the issues around the PCT lease. Andy Flood explained that the benefit to this would be that the whole building belonged to the Council.

Ray Walters asked what would happen to staff. Lloyd Brodrick explained that a job matching exercise had taken place with Housing 21. Officers reassured the panel that they were confident that they would be able to place each member of staff, particularly as it was likely that the service would experience some staff retirements before 2010.

The panel were advised that the contract was due to commence June 2007.

Members discussed the options for transfer of staff. Officers explained that there were legal and other risks for the Council if staff were seconded rather than transferred via TUPE. Kathy McAteer stated that a proposal would be taken to Cabinet at the end of February but that work on the detail was still in progress. The panel discussed the options for transferring staff further, and officers explained the risks to the Council, giving the example of a recent legal precedent.

Councillor Oliver stated that the timescales seemed challenging; Andy Flood informed the panel that one reason for a tight timescale was the current position regarding interest rates and rising construction costs over time, consequently undue delay could increase the cost of the contract.

Councillor Oliver questioned whether pensions were built into the contract. Andy Flood stated that Housing 21 were to apply to the West Midlands fund for admitted body status. Dave Harrison expressed concern that this may not be completed before staff were transferred. Andy Flood agreed that this was a risk, but assured members that he was optimistic that there should not be a significant delay in that the response from the West Midlands fund actuaries was due by mid February as the process was commenced some months ago. Councillor Oliver stated that this was a critical issue.

Officers advised members that the next step would be to continue negotiations.

### RESOLVED

That the Health, Social Care and Inclusion Scrutiny and Performance Panel resolve that; -

- The panel note the report and express their concern in terms of TUPE, and secondment.
- That the risk assessment of the older people's reprovion would be circulated to all members of the panel

### 43/07 Modernisation of Learning Disability Day Services

John Greensill spoke to the presentation (annexed). The panel were informed that service users had been consulted, and detailed how these views had been incorporated into the plan to modernise day services for people with learning disabilities. John Greensill informed the panel that it was likely that the future transport needs of the service were being considered. The panel were advised that service users have said that they want to try the proposed service and decide if they like it.

Councillor McCracken congratulated John Greensill on the sensitivity that had been exercised in this consultation, and modernisation plan. John Greensill explained that the service would have to work hard to achieve the maximum benefit and that there was evidence that their funding was reasonable in comparison to other towns, with a ratio of 1 staff member to 3 service users.

Councillor Griffiths enquired about the number of units that would be created. The panel were informed that it was proposed that there would be 1 small unit per LNP area, catering for 12 – 18 people, who would ideally be local to the unit.

John Greensill described the activities that were proposed at the units, including ordinary life based activities, such as shopping and cooking, he explained that this would help service users to develop life skills.

The panel stated that they hoped that community integration could become a reality. Dave Harrison asked if officers could foresee any staffing issues. John Greensill explained that the service had been employing agency staff, to give the Council the flexibility to change job roles as required. John Greensill explained that Cabinet agreement would be required to advertise and recruit new workers.

### RESOLVED

That the Health, Social Care and Inclusion Scrutiny and Performance Panel; -

- Recommend that the proposed plan is forwarded to Cabinet for formal agreement.
- Be provided with twice yearly updates on progress of the modernisation of learning disability services together with being informed of any significant concerns expressed by service users or carers

### TERMINATION OF MEETING

There being no further business the meeting terminated at 7.45 p.m.

Chairman .....

Date .....