

AT A MEETING

- of the -

**HEALTH AND SOCIAL CARE
SCRUTINY AND PERFORMANCE**

PANEL held at the Council House,
Walsall on **Tuesday 6 December 2005**
at 6.00 p.m.

PRESENT

Councillor Walker (Vice-Chairman)
Councillor Ault
Councillor Barton
Councillor Creaney
Councillor Griffiths
Councillor D. Pitt
Councillor Robertson
Councillor Woodruff

OFFICERS PRESENT

Dave Martin (Executive Director, Social Care
& Supported Housing)
Kathy McAteer (Assistant Director, Adult
Services)
Ben Ferncott (Social Care)
Ian Tuft (Finance)
Iain Horan (Finance)
Peter Browne (Walsall Disabled Forum)
Andrew Mault ((Walsall Disabled Forum)
Pat Warner (Scrutiny Officer)

CHAIRMANSHIP

In the absence of Councillor Oliver, Councillor Walker took the chair for this meeting.

CHANGES IN MEMBERSHIP

The chair advised the panel of the following changes to the membership of the panel for the duration of this meeting: -

- **Delete:** Councillor Oliver
- **Substitute:** Councillor Creaney

- **Delete:** Councillor McCracken
- **Substitute:** Councillor Griffiths

RECEIPT OF DECLARATIONS OF INTEREST AND PARTY WHIP

Councillor D. Pitt declared a personal interest as an employee of the Regional Ambulance Service.

MINUTES OF PREVIOUS MEETINGS

RESOLVED

That the minutes of the previous meetings held on 21 and 29 September 2005, copies having been previously circulated to each member of the panel be approved and signed by the chair as a correct record.

FAIRER CHARGING POLICY

The panel received a report prepared by the Executive Director for Social Care and Supported Housing. The panel also received tabled at the meeting a report prepared by the Walsall Service User Council setting out the results of a customer survey of Walsall MBC Fairer Charging Policy conducted by the Walsall Disability Forum. Walsall Service User Council and other local voluntary organisations. A copy of the presentation summarising the details behind the fairer charging review was also submitted: -

(see annexed)

Kathy McAteer commenced the meeting by presenting a summary of the fairer charging review giving members the background to the fairer charging policy.

She confirmed that the fairer charging policy was a government one introduced in October 2002 which gives council's guidance on how to calculate what adults pay towards the cost of the non residential care services they receive. This she said forms the basis for Walsall's charging policy for non residential care.

She continued that Walsall's current policy was approved by Cabinet in February 2004 which limited to charging for home care and day care. The review has moved towards charging for all costed packages of non residential care. She confirmed that the review undertaken involved a user survey and workshop events which involved a number of partners and service user representatives. The new policy she said had been developed at these events and included 5 principles as follows: -

1. To develop a transparent charging policy which is easy to understand and challenge;
2. To ensure equality in the charging policy;
3. To charge for non residential care services based on the assessed package of care and service users ability to pay;
4. To ensure service users have an opportunity to maximise benefit entitlement;
5. To ensure service users are exempt from charging where they satisfy exemption criteria.

The panel were advised that the policy had looked at charging for packages of care including the chargeable services, the non chargeable services and the exemptions. These were explained in detail to members.

Members thanked Kathy for her presentation and welcomed Andrew Mault and Peter Browne to comment on the report on the user survey, which had been prepared by the Disability Forum.

Andrew Mault said that the partnership between the disability groups and social care and other partners had been a very friendly and fruitful working together process. Service users had indicated that things were settling down for them and the services which they require are being considered.

Peter Browne said that service users had indicated during the review process that any bills received from social care should include all the information which any normal bill would include. In the light of this view the new policy will include does emphasise more fully need for comprehensive bills.

The new policy will also ensures that users will not be charged any more than 48% of the total cost of the service to the council.

Councillor Robertson said he was very pleased that the relationship between the users and social care was such a good one but enquired whether there was flexibility built into the policy to ensure that individual circumstances are taken into account and those people who may be on the border line to be charge could be looked at in view of their individual circumstances. Councillor Robertson was reassured that the financial assessment will continue to take into account Disability Related Expenditure.

Members thanked all the speakers for their comments.

RESOLVED

That cabinet be advised of this panel's support for the proposed new charging policy with effect from 5 June 2006.

DEVELOPMENT OF A NEW BUILD SHORT BREAKS UNIT FOR ADULTS WITH LEARNING DISABILITIES

The report prepared by the Executive Director of Health and Social Care was submitted: -

(see annexed)

Kathy McAteer advised the panel of the background to the report being considered at this meeting.

She said the report had been submitted as a result of concerns raised by Ward Members and Willenhall Neighbourhood Partnership in respect of the Coltham Road site in Short Heath, Willenhall which had been agreed by cabinet as the most suitable site for the development of the short breaks unit. These concerns he said led to further exploration of a number of alternative sites including the Allen's Centre and as a result both the Coltham Road and Allen's Centre sites have being subject to a full evaluation.

An external consultancy with planning expertise had been asked to evaluate the two options. Members were advised that the evaluation indicated that both the Coltham Road and Allen's Centre sites met the needs in terms of location and facilities but the Allen's Centre had distinct disadvantages from a planning perspective that would delay delivery of the project within the timescale. Its former status as a school playing field means that any development on that site could be subject to major delays as its development could be counter to a range of policy issues.

Members were further advised of the consequences of a substantial delay in the development of short breaks units; one being the risk that the council's partner (Norman Laud) could withdraw. Since there is no other identified partner willing to work with Walsall MBC in the same way; the implications are that Walsall would lose the opportunity to develop a short breaks service for its residents. Members were further advised of other issues which would affect the services being provided for its residents if the short breaks units were not provided within the timescale previously agreed.

As a result of these risks Coltham Road remains the preferred site as it meets the needs in terms of practicability, location, speed and greater certainty of outcome.

Councillor Robertson said it was essential that this council resolves this issue as soon as possible to enable the services to be provided for its residents and in his view the Coltham Road site should be upheld.

Councillor Creaney said he was concerned as to whether all local residents had been involved in the consultation process since he was involved in a voluntary club providing social activities for people with learning disabilities and they had not been involved in the consultation process leading up to the sites being chosen. He was concerned that because his club did not have funding from council they did not appear to be included in any discussions regarding the changes to service provision in the borough.

Councillor Creaney was advised that there has been extensive consultation with service users, family carers and other key partners through the Learning Disability Partnership Board which holds an annual public consultation conference which is advertised in the press. The event publicises the planned service developments within the Walsall Strategy and seeks the views of service users and carers, who vote on the priorities. There have also been 4 consultation events held specifically regarding the development of a short breaks unit. There has been service users and carer representation on the group that has developed the proposals and identified the preferred location in the north west of the borough.

Officers undertook to discuss the concerns raised by Councillor Creaney in respect of clubs such as his which do not appear to be aware of the consultation processes.

Councillor Creaney said he was also concerned about the site chosen due to the narrowness of the road and the traffic which he felt might be detrimental to the people who will be using the centre on the site. He expressed his concern also about the accessibility to the site for emergency vehicles.

Kathy McAteer confirmed that the planning consultants who had been commissioned to investigate both sites had given their assurance that the Coltham Road site was suitable and accessible.

Councillor Woodruff said her ward colleagues and local residents were very concerned about the traffic problems associated with the site.

She said the main concern of the ward members was the safety of the users due to the narrow road. It was councillors' views that the Allen's Centre was a far better site for the provision of respite care.

Dave Martin advised the panel that members needed to consider the evidence presented that the Allen's Road site would present a number of issues which might result in delay in the provision of services for local residents due to the planning constraints on this site.

He said in his view the road safety problems would not be an issue since the service users would mainly have multiple needs and many will have mobility problems or be wheelchair users so are unlikely to be unescorted when coming and going. He concluded that the Allen's Road site could take up to two years to get through the planning process which could result in the loss of this service to Walsall.

Councillor Woodruff continued that the New Invention Local Committee had no problems with the service being provided in that area as there were already similar provisions very close by; however, great concerns were being expressed in respect of the road safety issues.

John Greensill advised the panel that the Norman Laud Association had evaluated the site at Coltham Road and had indicated that there would be no problems with either this site or the Allen's Centre, however it is the planning issues which as previously explained would result in a delay in the provision of this service which would have a negative impact on the local residents for whom this service is being provided.

Councillor Woodruff enquired whether information could be ascertained as to the length of time it would take to resolve the planning issues.

Councillor Ault enquired whether any objections had been received for either sites, he went on to say that on occasions residents will object to such a service being provided within their area without having the full details and understanding of the clients who would be using the centre.

Councillor Barton was of the view that if local residents are fully advised and consulted of the provision then there would be less opposition to it.

David Martin confirmed that it is always essential to engage with local residents and that this would be done as soon as social care are aware of the site to be used.

Members considered the issue further and

RESOLVED

- That cabinet be advised that this panel acknowledged the concerns expressed regarding the perceived road safety risk to users but feels that these can be managed in partnership with the provider, the council and the community. This panel therefore feels that the Coltham Road site presents the most realistic opportunity to develop the short breaks unit.
- That Ward Councillors and the Local Neighbourhood Partnership be involved as part of the planning consultation process.
- That this panel wishes to ensure that there is engagement of local residents beyond the planning obligations.

FEEDBACK FROM SUB-COMMITTEE AND WORKING GROUPS

Health Scrutiny Panel

The minutes of the Health Scrutiny Panel meetings held on 5 September 2005 and 3 November 2005 were received and noted.

Modernising Services

The minutes of the Modernising Services Working Group held on 18 October 2005 were received and noted.

CPA Housing Action Plan

The minutes of the CPA Housing Working Group held on 16 November 2005 were received and noted.

EXTRACTS FROM FORWARD PLAN DATED 19 NOVEMBER 2005

Members noted the issues being considered by cabinet in the near future in respect of Social Care and hoped to receive information on these issues prior to submission to cabinet.

DATE OF NEXT MEETING

Members confirmed that the next meeting of the Health and Social Care Scrutiny and Performance Panel will be held on 26 January 2006.

There being no further business the meeting terminated at 7.25 p.m.