

## **SOCIAL CARE AND INCLUSION SCRUTINY AND PERFORMANCE PANEL**

MONDAY 4 March 2013 AT 6.00 P.M.

**Panel Members Present:** Councillor B. Douglas-Maul (Vice-Chair)  
Councillor D. Barker  
Councillor R. Burley  
Councillor L. Rattigan  
Councillor J. Rochelle  
Councillor D. Coughlan  
Councillor D. James

**Officers Present:** John Bolton, Interim Executive Director  
Andy Rust, Head of Joint Commissioning  
Heather Maybury – Principal Customer Liaison Officer  
Peter Davis - Head of Community Care  
Lloyd Haynes, Finance Manager - SC&I and Finance Projects Team  
John Batchelor - Local Heathwatch coordinator  
Matthew Underhill, Committee Governance & Business Manager

### **237/13 APOLOGIES**

The Chair and Panel wished Councillor Tim Oliver a speedy recovery. The Chair also welcomed John Bolton who had recently joined the council as Interim Executive Director for Social Care and Inclusion

### **238/13 SUBSTITUTIONS**

Councillor Doug James substituted for Councillor Oliver. Councillor James advised the Panel that he would remain as a substitute on the Panel for the duration of Councillor Oliver's recuperation.

### **239/13 DECLARATIONS OF INTEREST AND PARTY WHIP**

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

### **240/13 MINUTES**

Following a Panel query officers agreed to make enquiries regarding the total amount of additional benefits that the Welfare Rights had identified for claimants within Walsall.

### **Resolved:**

**That the minutes of the meeting held on 15 January 2013, copies having previously been circulated, be approved as a true and accurate record.**

## 241/13 ANNUAL COMPLAINTS REPORT 2011/12

The Principal Customer Liaison Officer introduced the report (annexed). The following is a summary of the report and subsequent discussion:

- It was explained that the number of statutory complaints received (146) was very similar to last year (144). From that total, 90 complaints were in relation to Benefits Based Charging. In addition, there were 110 compliments, in addition to 29 comments, 5 corporate social care complaints and 3 corporate social care compliments. Mediation was successfully used to resolve 6 complaints during 2011/12 avoiding these progressing to the Local Government Ombudsman (LGO). However, 9 statutory complaints were considered by the LGO, with only one upheld. It was also explained that a significant proportion of complaints had been received regarding several issues associated with Benefits Based Charging. (BBC), of 29 complaints received 26% were not upheld;
- In relation to learning from complaints it was explained that this was used to improve service delivery. For example, a complaint received in relation to aids equipment not delivered prompted amendments to the delivery process. In relation to Disabled Facility Grants (DSG) it was explained that guidance given verbally would be replaced by feedback in written form to ensure that service users are clear regarding the decisions made;
- It was explained that for the current year as at end of quarter 3, 75 statutory complaints had been received which represented a significant reduction from the previous year;
- The Chair expressed concern regarding the low take up amongst staff of training and briefings which guided staff on how to handle and respond to complaints and the impact of services ability to improve. A Panel Member suggested that attending such sessions should be mandatory. The Interim Executive Director explained that a significant proportion of overall training was mandatory, although he identified potential benefit in ensuring that front line managers attend the learning from complaints training as they handled most complaints. However, he also noted these were very busy front line services and to take staff away from the front line to undertake training would create further pressure. Officers agreed to review the sessions to ensure they were of an appropriate length and understand why there had been poor take up of training. In response to a further Panel query it was explained that the complaints team compromised three officers who were responsible for complaints in relation to social care and children's services. It was also explained that some complaints required the participation of an independent person, although the majority of cases were dealt with by managers. The Interim Executive Director explained that if staff receive complaints they have to be officially registered unless they are resolved within a short space of time. The Head of Joint Commissioning observed that one difficulty created by falling numbers of complaints was that it reduced learning opportunities. It was agreed that it would be important to understand how many complaints were being resolved at an informal level. Following a further Panel query it was explained that the length of time taken to resolve corporate social care complaints was no more than twenty-five working days. However, the timescale for investigating and responding to complaints is always agreed with

the complainant at the beginning of the process. This includes a member of the complaints team speaking to the complainant or writing to them. In each case where a complainant is unhappy with the response they can go to the Ombudsman. Officers agreed with a Panel Member who highlighted the importance of ensuring that BME communities were given appropriate support to be able to make use of the process, particularly where language barriers might be an issue. The Head of Community Care explained that work had been undertaken to ensure that effective communication existed with BME communities in relation to mental health services.

**Resolved:**

**That**

Officers will review complaints training sessions to ensure they were of an appropriate length and determining why there had been poor take up of training; &

the report be noted.

**242/13 RESTATING PERSONAL BUDGETS IN WALSALL**

The Interim Executive Director introduced the report (annexed). The following is a summary of the report and subsequent discussion:

- It was explained the item was intended as an opportunity for the Panel to contribute to the review being undertaken into the introduction of personal budgets into Walsall. However, it was emphasised that key components of the arrangements, for example, individuals will still either receive a direct payment or be supported through a managed account, would remain and that personal budgets continued to be part of government policy. The use of managed accounts will ensure that individuals get the support and services they want;
- A Panel Member sought clarity regarding the purpose of the review given the unhappiness that the introduction of personal budgets had originally created for some in the community. The Interim Executive Director explained that the review had highlighted that staff were not clear in terms of the options available to service users. The review process had provided the opportunity to reassure service users with absolute certainty that support is in place and is secured by the proposed changes. The key proposed amendment to the previous arrangements is that the support for those wishing to receive managed accounts would be provided in house rather than by external providers. It was explained that it had been identified that the commercial market and voluntary sector at this point may not have had the capacity to support the delivery of managed accounts. It was therefore anticipated that the managed account support would be provided in house from one to three years while the commercial market and voluntary sector develop the necessary capacity. In response to a Panel query it was explained that typically older people wanted managed accounts and younger service users requested the direct payment method. It was also explained that the total number who were entitled to receive a personal budget was between 2,100 and 2,200, with of those a total of 489 currently receiving budgets. Following a further Panel query the Interim Executive Director explained that in his view individuals were faced with too many assessments. He intended to reduce this process to a single assessment per individual;

- It was explained that it was anticipated that the timescale of the introduction of the revised arrangements was three months. It was also explained that a range of possible solutions to ensure that the in house capacity was in place to support managed accounts were being considered, this included possible IT solutions. This would be particularly important as a number of staff redundancies had previously been made based on the original expectation that external support would be used for managed accounts. The Interim Executive Director acknowledged and agreed with Panel concerns regarding the importance of ensuring that anxiety for service users, particularly the more vulnerable, was always minimised. Officers also agreed with a Member that it would take time to grow the local market, including assisting new providers in establishing themselves locally. However, the Member also emphasised the importance of political oversight and suggested that the lessons learnt from the review of personal budgets was provided to a future Panel meeting. In response to a Panel query regarding the limited information available relating to outcomes for those who were now self-financing it was explained that a key objective of the national approach to adult social care was to seek to ensure individuals are able to live independently within their communities.

**Resolved:**

**That the report be noted.**

**243/13 TASTE FOR LIFE UPDATE**

The Head of Joint Commissioning introduced the report. A summary of the subsequent discussion was as follows:

- It was explained that the report sought to address a number of queries raised at the Panel's previous meeting. It was also explained that the objective of Taste for Life was to assist individuals in becoming independent by moving them away from a council provided service to instead making use of a range of alternative schemes. However, Taste for Life do provide regular updates on the service and In relation to this it was explained that from Autumn 2012 to January 2013 Taste for Life sought to re-contact the 290 residents who had originally been offered direct support in 2011, including those who did not take up the services. The purpose of these contacts was to establish if the needs or circumstances of those residents have changed and if further support might be required. During Autumn 2012, one hundred citizens had been contacted, resulting in twenty-one receiving support. From the total number of residents who were contactable, sixty reported either contentment with their chosen service or that their requirement for a service had ceased, with contact details for a further eighty no longer valid. It was also explained that between December 2012, there have been twenty-seven new referrals for Taste for Life, with ongoing promotion of services;
- Following a Panel query it was explained that the decision had been taken to decommission the traditional meals service in January 2011 and replace it with the Taste for Life Scheme. The new approach resulted in a number of residents electing to purchase a meals delivery service directly from two commercial providers. It was also explained that a number of self-funders had chosen not to make use of the Taste for Life scheme and therefore it was not practical for the

council to be able to monitor outcomes. A Panel Member acknowledged this but pointed out that a key concern existed around the effective sign posting of services and the absence of information. The Interim Executive Director agreed that effective sign posting was important but noted the direction of government policy towards community support. The meeting agreed that voluntary and community organisations had an important function in establishing and providing that support.

**Resolved:**

**That the report be noted.**

**244/13 LOCAL HEALTH WATCH**

The Local Heathwatch coordinator introduced the report. A summary of the subsequent discussion was as follows:

- It was explained that the council is required to commission a Local Healthwatch organisation by April 2013. It was also explained that following a tender process the preferred bidder was a local consortium of whg, Walsall Citizens Advice Bureau, Age UK Walsall, Walsall LINK and MyNHS Walsall. It was further explained that the new Healthwatch organisation would be a social enterprise as well as a legal body in its own right so would exist separately from the consortium and could not be taken over. The funding allocation from the Department of Health for the Healthwatch Walsall is expected to be around £250k per annum, with the accepted consortium bid of £225k per annum;
- Following Panel queries it was explained that elections would be held for the Board of Healthwatch Walsall, with membership open to local residents. It was also highlighted that the presence of the consortium in undertaking the original bid meant that Healthwatch would enjoy the support of those organisations in ensuring that it worked effectively.

**Resolved:**

**That the report be noted.**

**245/13 QUARTER 3 FINANCIAL MONITORING POSITION FOR 2012/13**

The Finance Manager introduced the report. A summary of the subsequent discussion was as follows

- It was explained that at present there was 2012/13 forecast year end financial position of a net revenue overspend of £401k, with a capital forecast for the same period of a breakeven position against resources of £2.773m. The Interim Executive Director explained that in relation to the forecast revenue outturn position variance was a consequence of a range of issues including salary costs due to a delay in the implementation of a staffing restructure within mental health and private contractor fees within commissioning. However, officers emphasised that the same level of variance would not be present during the next financial year. While it was explained that the achievement of a capital breakeven position was good news. Following the suggestion of a Panel Member officers agree to

investigate the use of low cost landline telephone number for service users to use when contacting social care services.

**Resolved:**

**That the report be noted.**

**246/13 WORK PROGRAMME 2012/13 AND FORWARD PLAN**

**Resolved:**

**That the work programme and Forward Plan be noted.**

**24713 DATE OF NEXT MEETING**

The Chair informed Members that the date of the next meeting would be 18 April 2013 at 6.00pm.

The meeting terminated at 7.30 p.m.

Chair:

Date: