

HEALTH, SOCIAL CARE & INCLUSION SCRUTINY AND PERFORMANCE PANEL

Thursday 26 March 2009 at 6.00 p.m.

Panel Members present Councillor T. Oliver (Chair)
Councillor C. Ault
Councillor M. Bird
Councillor J. Barton
Councillor R. Carpenter
Councillor M. Mushtaq
Councillor A. Paul
Councillor I. Robertson

Officers present

Sue Byard	Assistant Director Strategic Housing
Paul Cooper	Customer Care Manager
Tim Ferguson	Head of Partnership and Performance
Julie Gethin	Head of Neighbourhood Partnerships and Programmes
John Greensill	Head of Disability Services
Mick Hicklin	Service Manager – Learning Disabilities
John Pryce-Jones	Corporate Performance Manager (Customer Focus & Intelligence)
Brandon Scott-Omenka	Performance & Outcomes Manager (SC & I)
Margaret Willcox	Assistant Director – Adult Services
Matthew Underhill	Scrutiny Officer
Angela Walker	Scrutiny Officer

Other Invitees

Bryan Golding	Links to Work
Graham Jones	Links to Work
Nigel Marsh	Links to Work
Steve Mellor	Links to Work
Monzur Miah	Chair, Physical and Sensory Impairment (PSI) Board

84/08 APOLOGIES

Apologies for non-attendance were submitted on behalf of Councillor Woodruff and David Martin

85/08 SUBSTITUTIONS

There were no substitutions for the duration of this meeting.

86/08 DECLARATIONS OF INTEREST AND PARTY WHIP

<u>COUNCILLOR</u>	<u>INTEREST</u>	<u>ITEM</u>
R. Carpenter	Personal	6 'Links to Work'

87/08 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 12 February 2009, copies having previously been circulated, be approved as a true and accurate record.

88/08 FORWARD PLAN

RESOLVED:

That the forward plan as at 9 March 2009 be noted

89/08 LINKS TO WORK

John Greensill talked to the report updating Members on the progress to date with the options for the future of the Links to Work service. He explained that the service was currently operating with a £300,000 budget deficit and that there was a requirement to review the long term financial position for the service alongside its strategic fit within the borough. Members were informed that a further 6 posts had been identified as being at risk, resulting in a total of 15 posts at risk. The approach taken in the development of the future options had been to ensure impact on service users was minimal. The job descriptions and job specifications which had been submitted to the job evaluation team to ensure compliance with single status had now been returned and would be discussed with the Links to Work JNC (Joint Negotiating Committee) on Monday 30 March 2009. This would allow further progress to be made with the process. The Panel were informed that 2 posts had already been removed through natural wastage and that 2 proposed new posts would not be implemented due to the current financial position. The names of the staff affected by this process could not be released due to the HR (Human Resources) processes that must be adhered to.

The Chair explained that Members of the Panel had recently visited each of Links to Work's 3 sites. He invited comments from the Links to Work representatives present.

Steve Mellor stated that in losing a further 6 posts on top of the original 9, there would be an impact on service users. There were a total of 32 staff employed by Links to Work and the reduction of 15 would have a major impact on the service provision. He added that there were currently approximately 150 service users and that if the staff were not there to provide the service, there would be a knock-on effect on service users. The Panel heard that in awarding the kerbside recycling contract to Greenstar, the Council had caused a loss of 60-70% of Links to Work income at one site. Steve Mellor acknowledged that Links to Work could not have coped with all of the kerbside recycling, but could have taken a percentage of the total.

In response to a Member's question, John Greensill confirmed that 147 people use Links to Work but they don't all attend every day and day to day attendance can vary.

A Member stated that they were not in favour of the selected option – option 4 - for the future of Links to Work. The Member added that joined up thinking should have been applied, with Council departments working closely to avoid the current position. He asked whether it was possible to consider other options before making redundancies, for example, could Links to Work market the services available and secure further contracts?

It was the Member's opinion that a marketing exercise should be carried out and that Community Interest Companies should be researched and external funding identified. The Member asked whether any work had been done on pursuing Community Interest Company status for Links to Work.

John Greensill responded that social enterprises were investigated approximately 2 years ago but that Links to Work had been unable to pull together a business plan which would demonstrate success. He added that it was certainly possible to conduct further investigation into Community Interest Companies and report back to Scrutiny. However, his concern was that the financial position was worsening and a further £100,000 had been added to the deficit in the last 3 months. Income streams were slowing down and income forecasts gave cause for concern. Any investigative work into these options would need to run alongside the progression of option 4.

A Member enquired as to the timescales for implementing Community Interest Companies and whether other Councils had pursued this option. Graham Jones responded that Links to Work were members of Social Firms UK and as such received advice and support on negotiations and legal requirements for setting up a Community Interest Companies. A Community Interest Company could be formed within a month but business would need to be generated.

In response to a Member's question, Graham Jones stated that Links to Work's costs were currently £850,000 per annum with £250,000 income. The Chair asked for clarification as to whether the projected total deficit of £380,000 was for the entire year. John Greensill confirmed that this was the case and that a total deficit of £390,000 was expected for the 2008/09 financial year.

A Member enquired which Companies Links to Work currently worked with. Graham Jones responded that they held contracts with Rothley (a supplier of DIY hardware and handrails), lock companies including ERA and Yale, Albion Trade (a supplier of roller and vertical blinds) and STF who pack washers and screws.

A Member stated that it may be that Links to Work could revisit old customers and negotiate for new work. The key to improving the financial position was to either reduce overheads or generate more income. Graham Jones responded that both old and new customers had been approached to commence negotiations on new contracts. Negotiations were taking place with all TMO (Tennant Management Organisations) in Walsall, 3 motorway service stations and Kappa recycling. A meeting was scheduled to take place with Street Pride on Friday 27 March to discuss the potential of a contract for Links to Work to collect cardboard for recycling from schools across the borough.

A Member suggested Links to Work offer Street Pride the service of repairing wheelie bins. Graham Jones thanked the Member and felt that this idea was something they could pursue.

Bryan Golding stated that he was a team leader and union representative at Links to Work. This was the third time that the staff group had been put in this position. He added that the suggestion to provide a wheelie bin repair service was brilliant and that this option should be explored in depth to protect the jobs of disabled workers.

John Greensill stated that it was necessary to balance the costs and to identify how many people with disabilities could fulfil the types of roles suggested. Currently, some of the

employees rely heavily on other members of staff support to enable them to fulfil their roles and this would need to be considered within any plan for future activity. He agreed to add exploration of this option into the project plan.

A Member suggested that Links to Work could provide a car wash service as another option for generating income. John Greensill responded that this too could be added to the project plan to allow time for exploration of the option. He added that the Council had many vehicles that could use this service so this may be a further income stream.

Graham Jones stated that the idea of cleaning Council vehicles had been suggested by Links to Work to the Council last year but no negotiations had taken place.

Steve Mellor expressed concerns that opportunities had been missed because Council services were not joined up. It was his opinion that Street Pride had potentially put people with a disability at risk by the decision taken on transferring recycling facilities to Greenstar. He asked that Councillor Rachel Walker, as portfolio holder for this area of work, be approached to take this forward.

The Chair agreed that the award of the Greenstar contract demonstrated an unacceptable lack of joined up thinking. However, it also appeared that there hadn't been any real progress with Links to Work achieving its objectives and that maybe they needed to be approached with more vigour, or perhaps the service was just not viable. He asked how many people with a disability had moved into open employment this year, through Links to Work. John Greensill responded that 5 people had done so during 2008/09.

The Chair asked how it was possible for the approximately 150 people who currently use the service to not be affected by the staff changes. John Greensill responded that the restructure would look at how many service users (trainees) were supervised by members of staff as this was the key ratio behind the service provision.

A Member asked whether trainees could be considered for work within leisure services such as in parks, this would transfer the requirement for supervision from Links to Work to the service the trainee was working within. The service receiving the trainee would also be charged for the trainee's time, therefore boosting Links to Work's income. In response John Greensill stated that an exercise in job carving was currently being scoped with HR. This would mean that a job can be split to allow the most appropriate person to carry out the tasks which they are able to. Interviews and application forms were also hurdles for people with disabilities and statutory agencies such as the PCT and Council had not been as successful as was hoped in attracting job applications from this group.

A member asked why an interview was even necessary in some circumstances and that positive discrimination should be applied to ensure people with disabilities were given the opportunity to undertake real employment. In response to Members' suggestion that a champion to lead on this was required, Mick Hicklin stated that a champion would be welcomed.

The Chair stated that this issue needed to be taken forward corporately by the Chief Executive. He added that the idea of losing up to 21 individual posts, the majority of whom would have been filled by people with disabilities, did not support the Council's target for employing people with disabilities.

Members discussed the requirement for senior officers to fully understand the needs of people with disabilities and to attend the training sessions run by the Council on disability awareness.

The Chair enquired as to the next stage in the process. John Greensill responded that there was the need to proceed with the first phase relating to the 9 posts at risk. There would be some breathing space before the further 6 posts would be considered in June 2009. He added that he would welcome dialogue on greater prospects for disabled people, especially at the Council and PCT as the largest employers in the borough.

A Member proposed the following resolution:

That the Health Social Care and Inclusion Scrutiny and Performance Panel request that the Chief Executive of Walsall Council discuss with Corporate Management Team, Senior Officers and Members of Cabinet to identify posts suitable for Links to Work employees with a disability who have been identified as at risk. The requirement for an interview for employees with a disability for these posts should be removed. The Panel requests that the Chief Executive reports back to Scrutiny Members on this issue promptly, via email in the first instance.

Members voted unanimously in favour of the resolution and it was therefore passed.

RESOLVED:

That:

- a) Further research into Community Interest Company status for Links to Work be carried out and time for this built into the project plan;**
- b) Links to Work should investigate the possibility of further work for the Council including the repair of wheelie bins and cleaning of Council vehicles to increase income;**

and

- c) the Health Social Care and Inclusion Scrutiny and Performance Panel request that the Chief Executive of Walsall Council discuss with Corporate Management Team, Senior Officers and Members of Cabinet to identify posts suitable for Links to Work employees with a disability who have been identified as at risk. The requirement for an interview for employees with a disability for these posts should be removed. The Panel requests that the Chief Executive reports to Scrutiny Members on this issue promptly, via email in the first instance**

90/08 MERGER OF YOUNG ADULTS AND DISABILITY SERVICE

The Chair explained that the report, which had been circulated with the agenda papers set out progress to date with the merger of the Younger Adults and Disability Services and the Integrated Learning Disability Service. Members agreed that as they had had the opportunity to read the report, they did not require John Greensill to talk them through it and instead they would simply ask any questions pertaining to the report.

In response to a Member's question, John Greensill stated that the overspend on the Integrated Community Equipment Service had been contained to £35,000 as at Month 11 and that key priorities for the service included rehabilitation and re-ablement of service users.

Members were informed that a new national delivery plan for Learning Disabilities was to be introduced imminently and that Walsall was reasonably well placed for delivery of this.

91/08 LOCAL INVOLVEMENT NETWORK (LINKs): CONTRACT UPDATE

Julie Gethin presented the report, updating the Panel on progress made in implementing Walsall's Local Involvement Network (LINK) through the appointed host organisation, The Carers Federation. She informed Members that it was proposed to take a report to Cabinet recommending termination of the contract with the current host and seeking approval on the way forward for the Walsall LINK.

The Chair enquired what the current legal position with the contract was. Julie Gethin responded that a meeting between the host and Walsall Council officers was scheduled for week commencing 30 March 2009. The purpose of this meeting would be to explain the proposal which would be taken to Cabinet regarding the contract. She added that the Council was required to give 90 days notice of its intention to terminate the contract and that, should Cabinet decide that the contract should be terminated then the 90 days notice could commence immediately after. The Local Government Public Involvement in Health Act was prescriptive in that it clearly states that the Host organisation must be an independent body, which ruled out the possibility of the Local Strategic Partnership taking on the role. Work was ongoing to identify what arrangements other authorities had in place and what local provision options were available to Walsall.

In response to a Member's question, Julie Gethin stated that Carers Federation were a registered charity. The Member further enquired what the contingency plan was, should Carers Federation fail to continue to fulfil their role as Host once notice to terminate the contract was served. Julie Gethin responded that the Act allowed the Council to take on the role of Host as part of a transitional arrangement. In terms of the Carers Federation, they had a further eleven contracts as Hosts for other authorities and the organisation's turnover had tripled in the last three years.

The Panel noted the report and the intention to take a report to April Cabinet.

92/08 DISABILITY FACILITIES GRANT ASSISTANCE UPDATE

Sue Byard presented an update on the latest budget position relating to Disability Facilities Grant assistance. A copy of the presentation was tabled for Members reference (Annexed).

Members were informed that the total committed spend of £2.43 million included some work that had started but that had not yet been invoiced. Once invoices were received they would be allocated against the 2008/09 budget, as agreed with finance and audit.

The remaining uncommitted funding had reduced from £300,000 to £290,000 and this would continue to reduce as and when invoices were received. A final balance figure would not be received until the final outturn date. Sue Byard assured Members that any

under spend had not been offered up as a saving. A Member stated that it was essential to ensure any under spend was carried into next years budget.

The Chair stated that he still had concerns over the Disability Facilities Grant expenditure and that it was vital that targets were met.

RESOLVED:

The Health Social Care and Inclusion Scrutiny and Performance Panel request Cabinet that any under spend on Disability Facilities Grants be carried forward into the 2009/10 budget

93/08 SOCIAL CARE COMPLAINTS – LEARNING AND KEY CHANGES UNDER THE REGULATIONS

Paul Cooper tabled a presentation (annexed) on examples of lessons learnt from some of the social care complaints received. He explained that the lifecycle of a complaint does not end with the response, instead it ends when the learning has been identified and fed into service improvement.

In response to a Member's question, Paul Cooper acknowledged the importance of joining up approaches with health and stated that he had already met with David Martin and Margaret Willcox to start moving this forward. Margaret Willcox added that she had recently attended a mental health event and had raised the pursuit of a joined up approach, which had been well received by health colleagues.

A Member enquired what the target time was for acknowledging and responding to complaints and who would make contact with the complainant. Paul Cooper responded that the target for acknowledging complaints was three working days, but statutorily there was a target of up to six months to actually deal with and resolve the complaint. However, Walsall choose to retain the good practice target of 20-25 days to resolve a complaint. He added that direct contact with the complainant would be made by a member of the complaints team within 48 hours of receiving a complaint.

Paul Cooper explained that from April 2009 new joint regulations for adult health and social care complaints was being introduced. This would replace the 2006 regulations. One of the key changes was the removal of the "stages" that had previously made up the complaints process. Any complaints which were not resolved satisfactorily would be referred to the Ombudsman.

In response to a Member's concerns that there would be an increase in referrals to the Ombudsman, Paul Cooper stated that although in the majority of cases, a complaint would be dealt with at what, under the 2006 legislation, was referred to as stage 1, anything that was not resolved satisfactorily at this stage would then be referred for mediation. The new legislation also introduced the requirement for a "complaint plan" which would be a key document should any complaints be taken to the Ombudsman.

94/08 PERFORMANCE MONITORING QUARTER 3 (OCTOBER – DECEMBER 2008); AND UPDATE FOR QUARTER 4

Brandon Scott-Omenka updated the Panel on the latest position of the Health Social Care and Inclusion scorecard. He highlighted any red and amber performance indicators (PI's) within the scorecard, in particular:

- **NI 132 – Timeliness of social care assessment. PAFD55 (18+ new clients)** – although this PI had an amber status at quarter 3, it was showing improvement and Members were informed that it was predicted this PI would meet its target of 90.1% by year end
- **NI 133 – Timeliness of social care package PAFD56 (65+ new clients)** – this PI had a red status at quarter 3, however actions were being taken to address the possibility that poor recording of data relating to this PI could be corrected and in turn improve the final out-turn figure
- **HR2 – Recruitment and Retention (staff vacancies): Percentage of SSD directly employed posts vacant** – the Panel were informed that the current restructuring and redeployment process were affecting the performance of this PI and it would be difficult to improve beyond its current amber status

In response to a Member's question on LPI 12 (RSL Void turnaround time), Sue Byard stated that there was a long turnaround time for some properties. Those properties due for demolition were not included in the figure, only properties available for let were counted.

Brandon Scott-Omenka informed the Panel that the final 2008/09 out-turn figures would be available in June 2009 and could be brought to the first meeting of the Panel in the new municipal year.

RESOLVED:

The 2008/09 out-turn for the Health Social Care and Inclusion scorecard will be presented to the first meeting of the Panel in the 2009/10 municipal year

95/08 WALSALL PARTNERSHIP – LAA TARGET REFRESH UPDATE AND PROPOSED FUTURE REPORT

Tim Ferguson gave some background on the Local Area Agreement (LAA) and informed Members that targets had been agreed by Cabinet and were now in place. There were now two years remaining of the current LAA in which to achieve these targets. He referred Members to appendix 1 of the report which set out each LAA target and added that there would be the opportunity at the next refresh to update any targets, based on data collected during the course of the year.

In response to a Member's question, Tim Ferguson stated that the target for NI154 – Number of additional houses – had been negotiated down by half in light of the current housing market. He added that the requirement was for the target to be met during the final year of the LAA (2010/11) and that any measures affected by the recession would not be subject to lockdown.

Tim Ferguson asked the Panel for their suggestions on what type of updates they would like to receive during the next municipal year on the LAA. He suggested that Clive Wright should attend the first meeting of the Panel during 2009/10 to outline the work planned by

the partnership for the coming year. This would then help inform the Panel's decision on what they would like to receive during the year.

In response to the Chair's question, Tim Ferguson stated that the frequency of updates to the Panel would depend upon the area(s) of work the Panel decides they would like to focus on. The Chair stated that he would rather meet with Clive Wright before the first meeting to prepare some options that could be presented to the Panel.

RESOLVED:

That:

- a) **The Chair will meet with Clive Wright to discuss options for inclusion in the Panel's 2009/10 work programme;**

and;

- b) **Clive Wright will provide a report and attend the first meeting of the 2009/10 municipal year to present the options available to the Panel**

96/08 COMMUNITY ALARMS, ASSISTIVE TECHNOLOGY AND TELECARE

RESOLVED:

The Community Alarms, Assistive Technology and Telecare item be deferred to a meeting of the Health Social Care and Inclusion Scrutiny and Performance Panel during the 2009/10 municipal year

97/08 ACCORD HOUSING ASSOCIATION: LIFT MAINTENANCE AT OLD VICARAGE CLOSE

The Panel noted the report as previously circulated.

The meeting terminated at 8.15 pm

Chair:

Date: