



Leicester
City Council

Minutes of the Meeting of the
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: TUESDAY, 12 JULY 2016 at 5:30 pm

P R E S E N T :

Councillor Cleaver (Chair)
Councillor Chaplin (Vice Chair)

Councillor Dempster
Councillor Hunter

Councillor Thalukdar

Councillor Khote
Councillor Riyait

In Attendance

Councillor Rory Palmer – Assistant City Mayor (Adult Social Care, Health,
Integration and Wellbeing)

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1. APOLOGIES FOR ABSENCE

An apology for absence was received from Ms Pat Hobbs, Healthwatch. David Henson was present in her place.

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. MINUTES OF THE PREVIOUS MEETING

AGREED:

that the minutes of the previous meeting of the Adult Social Care Scrutiny Commission held 3 May 2016 be confirmed as a correct record.

4. TERMS OF REFERENCE

AGREED:

that the Scrutiny Commission's Terms of Reference be noted.

5. MEMBERSHIP OF THE ADULT SOCIAL CARE SCRUTINY COMMISSION

AGREED:

that the membership of the Adult Social Care Scrutiny Commission for 2016/17 be noted.

6. DATES OF MEETINGS OF THE ADULT SOCIAL CARE SCRUTINY COMMISSION

AGREED:

that the dates of the meetings of the Adult Social Care Scrutiny Commission for 2016/17 be noted.

7. PETITIONS

The Monitoring Officer reported that no petitions had been received.

8. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

The Monitoring Officer reported that no questions, representations or statements of case had been received.

9. COMMITTEE PROCESSES PRESENTATION

The Democratic Support Officer delivered a presentation which outlined some of the procedural aspects of how the Commission worked. A copy of the presentation is attached at the back of these minutes.

10. ADULT SOCIAL CARE COMMISSIONING INTENTIONS 2016/17

The Strategic Director for Adult Social Care submitted a report that provided an overview of commissioning intentions for Adult Social Care for 2016/17.

The Head of Commissioning presented the report and advised that the intentions supported the delivery of the Department's six strategic priorities as set out in Paragraph 4 of the report.

Members considered the report and raised a number of comments and queries, including the following:

A Member expressed a concern that whilst there was much to agree with in the report, it was generally lacking in details. The Commission needed more details and early enough for Members to provide their input and make a difference. Reference was made to the intention to improve support for young people, with care and support needs, in transition into adulthood. More details on the plans for achieving this were requested.

The Head of Commission explained that this was a high level overview. Detail sat beneath this, noting that some plans would be more advanced than others, depending on timelines. The Chair asked that commissioning activities be brought to the Scrutiny Commission in time for Members to provide their input. A further request was made by a Member for an upcoming list of Delivery Plans to be made available to Scrutiny, so that Members could decide what they would like to discuss at the Commission. The Chair explained that discussions were regularly held with the Strategic Director to advise on forthcoming plans and issues which affected Adult Social Care.

- A Member asked about the age in which a young person was classed as moving into adulthood; she stated that the Child and Adolescent Mental Health Service (CAMHS) stopped working with young people at the age of 16 years.

Members were advised that there was not a consistent approach within the current system, as to the age when a young person would start a transition into adult services. This was something that needed to be looked at. The Chair commented that this might be a piece of work that Scrutiny could look at.

David Henson, the Healthwatch representative commented that the organisation also had some concerns relating to transition, which had been raised with the Director of Adult Social Care. He said that it was important to gather the evidence which could inform the commissioning intentions going forward.

- In relation to transition to adulthood, a Member queried how many young people became independent. The Director of Adult Social Care and Safeguarding responded that there were different levels of independence; there would be a report forthcoming which would consider how best to develop the council's approach to transition.
- In response to a query relating to the budget and the commissioning intentions, the Deputy City Mayor responded that the intentions were guided by the six strategic priorities. The budget situation presented significant challenges but it should not prevent the council from delivering those objectives. The objectives were ambitious and sometimes difficult decisions had to be made. He added that it was right to help people sustain their independence and to live longer and healthier lives. The sixth priority was to continue to learn from experiences in order to improve and innovate. People's aspirations were changing and it was important to recognise this as well.

In relation to the focus on independence, the Deputy City Mayor offered to share some anonymised case studies. Members indicated that they would find these useful.

- A comment was made that independent living often came with the support of carers and their needs should not be forgotten. The Deputy City Mayor

responded that the commissioning intentions included support for carers. There was a need for early intervention, offering carers as much support as possible and ensuring that they were aware of what support was available. A Carers' Action Plan had been drawn up.

- In response to a question, Members heard that an equality impact assessment would be carried out on each of the different commissioning intentions.

The Chair drew the discussion to a close and asked Members to consider whether they wished to look at any of the commissioning intentions in detail.

AGREED:

that the report be noted.

Action	By
For future plans for delivering the commissioning intentions to be brought to the Commission in time for Members to provide input and make a difference.	Strategic Director for Adult Social Care
For some anonymised case studies, regarding independence to be sent to Commission Members.	Director for Adult Social Care and Safeguarding.

11. **CONTRACTS AND ASSURANCE SERVICE: ANNUAL QUALITY ASSURANCE REPORT**

The Strategic Director, Adult Social Care submitted a report that provided the Commission with an update on the quality of care services provided by the independent sector organisations on behalf of the council for a range of vulnerable adults for 2015.

The Deputy City Mayor introduced the report explaining that this was a supplement to the quality assurance carried out by the Care Quality Commission (CQC) and was part of the council's manifesto pledge to more closely monitor what was happening in care services.

During the ensuing discussion on the report, a number of comments and queries were raised including the following:

- It was noted that the providers were mostly compliant or good; was any support given to help providers achieve an excellent rating?

Officers explained that the Assurance Framework was about continuous improvement and examples of good practice were shared amongst contracted providers. The innovative way that services were being delivered

in care homes were taken into account when an excellent rating was granted. Whilst the council encouraged providers to achieve higher ratings in their assessments, it does not stipulate what they should be.

- It was noted that some of the care homes had inspections outstanding. The Head of Contracts and Assurance confirmed that since the time of writing the report, all those outstanding inspections had commenced.
- In respect of the 12% of providers who were judged to be non-compliant, Members heard that the providers were given an action plan for completion within a set timeframe. If those actions were not completed, the council would take appropriate action. In response to a query, the Deputy City Mayor stated that the council were not adverse to taking final action and removing the contract from the provider where appropriate.
- Officers were asked whether the council drew up the contracts for the providers; they confirmed that they did and that they worked with providers on the quality assurance framework.
- A Member questioned whether providers were expected to submit a compliance report in between visits. Members heard that an annual report was produced in conjunction with the Provider (QAF report); performance was monitored on an ongoing basis and the council acted on intelligence received. The Member expressed a view that the provider should submit a report every six months.
- Members questioned whether all care homes were currently compliant. The Head of Contracts and Assurance responded that ratings on some homes were still outstanding, but every provider would have a quality assurance rating by the end of the year. The Deputy City Mayor stated that one non-compliant provider was one too many; however things sometimes went wrong and there was a need to understand this and take very prompt action. The report set out robust procedures to do so when appropriate.
- In response to a question, the Deputy City Mayor stated that they had not looked at whether there was any correlation between homes that were non-compliant and wages paid to staff. This was an area that Scrutiny might wish to look at.
- David Henson, Healthwatch, reported that the organisation had been involved in Quality Assurance visits and he believed that the council's procedures were very thorough. He did however have some concerns with the CQC and had arranged to meet with them in September. It was agreed that Mr Henson would share the outcome of that meeting with the Commission and also meet up with the Chair separately.
- Members asked how the information in the report was being communicated to members of the public. The Deputy City Mayor responded that the report was in the public domain which was a positive step forward. He had given some thought to the possibility of using something similar to 'Trip Advisor' for

people to leave or read reviews.

- It was noted that some local authorities had an incentive scheme for providers and further information on this, in the form of a briefing note was requested.
- A Member referred to a paragraph in the report which stated that it wasn't always possible to speak to service users when visiting their home because officers had not fully prepared themselves to accommodate language and communication needs. The Head of Quality and Assurance explained that there had been occasions when people did not have the appropriate skills to engage with those service users who had complex communication needs, but work was ongoing to address this.

AGREED:

that the report be noted and the Commission's comments be forwarded to the Executive.

Action	By
For further information on other local authorities' incentive schemes for providers be sent to Members	Director for Adult Social Care and Safeguarding
For the Chair to meet up with David Henson, Healthwatch to discuss the outcome of his meeting with the CQC	The Scrutiny Policy Officer

12. RE-PROCUREMENT OF DOMICILIARY CARE SUPPORT SERVICES

The Strategic Director for Adult Social Care submitted a report that provided the Scrutiny Commission with an overview of the work in progress to re-procure domiciliary care support services in readiness for the expiry of existing contracts in October 2017. The review also provided an opportunity to jointly procure services in conjunction with the Leicester Clinical Commissioning Group (CCG) who also currently purchased a significant amount of domiciliary care support each year. The CCG were paying for the stakeholder and provider engagement currently underway.

The Deputy City Mayor introduced the report and asked for the Commission to agree the procurement specifications before the formal process commenced. The process was in its early days and there would be time for the report to come back to the Commission before the formal process of procurement started. The Director of Adult Social Care and Safeguarding City confirmed that it would be possible to facilitate further discussions on this with the Commission, noting the timeframe for procurement commencing in the Autumn.

In response to a query, the Head of Contracts and Assurance responded that

there were 17 providers for domiciliary care; those that were assessed to be non-compliant had an action plan in place and improvements were being monitored.

The Vice Chair requested a future paper to demonstrate the impact of the real living wage (as opposed to the statutory living wage). She stated that it would be useful to know how other local authorities had adapted to this.

The Head of Commissioning explained that they were currently in the process of engaging with service users and families; there were no findings yet as the process was ongoing. In response to a query, the Officer confirmed that the Commissioning Services, when looking at procurement, took into account how quickly the would-be provider could respond and implement a care package.

A Member raised a query regarding the commissioning budget and was informed that the budget was not capped but was driven by the need of service users.

A Member commented that it would have been preferable if the Commission had been given an opportunity to consider and input on the engagement process prior to it going live.

AGREED:

- 1) that the report be noted;
- 2) that the Commission to be given further opportunity to comment on the re-procurement of domiciliary care support services; and
- 3) that a report on the living wage be brought to a future meeting of the Commission.

Action	By
That the Commission be given further opportunities to comment on the re-procurement of domiciliary care support services.	Strategic Director for Adult Social Care
That a report on the living wage to be added to the Commission's work programme	The Scrutiny Policy Officer.

13. END OF LIFE SOCIAL CARE: ADULT SOCIAL CARE SCRUTINY COMMISSION REVIEW

The Commission was asked to consider a draft Scoping Document into a Task Group review of End of Life Social Care.

The Chair presented the scoping document stating that end of life care was

important in ensuring that people were allowed to end their lives comfortably and in accordance with their wishes. The review would consider how the Council's Adult Social Care services delivered this service, and make recommendations where appropriate.

A Member commented that she was pleased that the methodology would look at how staff in care and residential homes were equipped and trained to deal with end of life issues and difficult conversations.

Suggestions were made that it would be useful to contact LOROS, MacMillan and the Marie Curie Organisation to gain their insights into the issue. A comment was also made that there was a need to look at the pathway to the end of life, to make the overall experience as smooth as possible.

The Director of Adult Social Care and Safeguarding commented that the task group review and further insights into this area were very much welcomed.

The following Members indicated their intention to join the Chair on the Task Group: Councillors Chaplin, Dempster, Hunter, Khote and Thalukdar.

AGREED:

that the scoping document into End of Life Social Care be agreed.

14. DRAFT ADULT SOCIAL CARE SCRUTINY COMMISSION WORK PROGRAMME

Members were asked to consider and comment on the Draft Adult Social Care Scrutiny Commission Work Programme.

In response to a question, the Scrutiny Policy Officer explained that the Better Care Fund update was included in the work programme; this would be a joint piece of work with the Health Scrutiny Commission.

The Vice Chair drew Members' attention to the Big Knit for Age UK, whereby people were asked to knit miniature hats for smoothie bottles; 25p would be donated to Age UK for each miniature hat knitted. Members also heard that the Leicester Royal Infirmary had launched an appeal for people to knit 'Twiddle Muffs' for dementia patients. Members were asked to promote the two appeals.

AGREED:

that the work programme and the appeals for Age UK and the Leicester Royal Infirmary be noted.

15. CLOSE OF MEETING

The meeting closed at 7.40pm

Committee Processes

Scrutiny



Leicester
City Council

Minute Item 9

In the Constitution

- article 8, Scrutiny Committees – Part 2
- Terms of reference at Part 3
- Access to Information Procedure Rules - 4B
- City Mayor & Executive Procedure Rules - 4D
- Scrutiny Procedure Rules 4E
- Political Conventions Part 5
- Code of Conduct Part 5

Constitution is on the website at

<https://www.leicester.gov.uk/your-council/how-we-work/our-constitution/>



Leicester
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Openness 1

- Agenda published 5 clear days in advance
- Specific procedure for reports to be taken as urgent and reasons must be recorded.
- Task groups and their conclusions do not have a formal status without acceptance by the Commission.
- Public are allowed to attend meetings and film without prior permission
- Standard items

Openness 2

- Declaration of Interest – if on register don't need to declare.
- Code of Conduct
- Making sure what is proposed and agreed is clearly understood
- Exempt items

Further information and advice