

ADULT SOCIAL CARE AND SERVICES SCRUTINY PANEL

A meeting of the Adult Social Care and Services Scrutiny Panel was held on 25 June 2018.

PRESENT: Councillors McGee (Chair), Dryden, P Purvis, Uddin and J Walker and Walters.

OFFICERS: D Johnson, C Lunn and E Scollay.

APOLOGIES FOR ABSENCE Councillors Coupe and Davison.

DECLARATIONS OF INTERESTS

There were no Declarations of Interest.

18/1 APPOINTMENT OF VICE CHAIR FOR 2018/2019

Nominations were sought for the appointment of Vice Chair of the Adult Social Care and Services Scrutiny Panel for the 2018/2019 Municipal Year. It was proposed, seconded and agreed that Councillor J Walker be appointed.

AGREED that Councillor J Walker be appointed as Vice Chair of the Adult Social Care and Services Scrutiny Panel for the 2018/2019 Municipal Year.

18/2 MINUTES - SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL - 16 APRIL 2018

The minutes of the Adult Social Care and Services Scrutiny Panel meeting held on 16 April 2018 were submitted and approved as a correct record.

18/3 MATTERS ARISING

The Chair highlighted the small amendment to the Panel's title, which was now the 'Adult Social Care and Services Scrutiny Panel' (previously the 'Social Care and Adult Services Scrutiny Panel').

A Member made reference to page four of the minutes and queried when the Independent Chair of the Teeswide Safeguarding Adults Board (TSAB) would next be invited to attend a meeting of the Overview and Scrutiny Board. The Democratic Services Officer would look into this.

A Member made reference to page five of the minutes and commented upon the importance of ensuring that the provision of Care Quality Commission (CQC) reports remained timely. In response, the Director of Adult Social Care and Health Integration highlighted that officers continued to meet regularly with the CQC, and that representatives of the CQC were invited to attend TSAB meetings. The issue of timeliness, which was a national issue, would continue to be raised.

Regarding the agreed action points on page seven of the minutes, the following updates were provided to the Panel:

Action Point 1: In relation to the Transforming Care programme and the placement of individuals within the Middlesbrough area, the Chair and Vice Chair would consider the points raised and look at the mechanisms of which a potential recommendation could be moved forward. The matter would also be discussed with the Chair of the Overview and Scrutiny Board.

The Chair advised that now the Adult Social Care and Services Scrutiny Panel had re-convened for the 2018/2019 Municipal Year and membership had been confirmed, this action point would be pursued.

Action Point 2: The Democratic Services Officer would follow-up the suggestion for Mental Health First Aid and Suicide Prevention Skills training to be made available to

Elected Members.

This matter was currently on-going. The suggestions had been placed on the Members' Development Programme for the 2018/2019 Municipal Year and contact had been made with potential providers. All Elected Members had been contacted in order for interest to be ascertained.

Action Point 3: The Director of Adult Social Care and Health Integration would obtain clarification as to whether, during the contract review process, commissioned service providers had been requested to pay carers for travel time.

The Panel heard that there were five key domiciliary care agencies that delivered the vast majority of the Council's domiciliary care, although one of the agencies had recently returned the contract back to the Council. A replacement agency was currently being sourced. It was indicated that this did not present the Council with any problems in the short term, but a broader range of partners was desired.

Part of the contractual arrangement when the department re-provisioned was that providers would pay for travel time. Therefore, each of those key agencies were now paying for the travel time, which was a significant step forward from the position prior to the contract review. The department did continue to have minor involvement with some agencies on a 'spot purchase' basis and it was unclear as to whether those agencies paid travel time. However, the vast majority of the circa. 6000 hours of care each week was being delivered with the carer being paid for travel time. Members welcomed this positive news.

A short discussion followed in respect of other Local Authorities and whether they were taking travel time into account. Members were informed that some Authorities did, some did not, and others left it to the management of the agencies. Reference was made to Middlesbrough's compact geography and the relatively small requirement of travel time or long distance travel by carers, in comparison to other larger Local Authorities.

Action Point 4: Regarding the level of turnover in respect of care staff, the Director of Adult Social Care and Health Integration would liaise with the Head of Strategic Commissioning and Procurement to determine contract monitoring points, and how this issue could be addressed within those once reached.

Members were advised that discussion had taken place with the Council's Contracts and Commissioning staff regarding domiciliary care and the providers that they worked with. It was indicated that there was not a large problem being experienced in respect of turnover of care staff. Issues had been experienced with recruitment, followed by a 'crunch point' whereby people were being trained, and then finding that when they commenced work it was not suited to them. This was irrespective of the quality of the training being provided. Beyond that stage, staff groups were quite stable. As such, the team did not have contract monitoring points based on the level of turnover, but they did have quarterly meetings with care providers and the level of turnover was one of the conversation points within those meetings. It was noted that quality monitoring was undertaken in respect of staff training.

Consideration was given to the training offered to staff, which was a combination of classroom and workplace-based. Some of the training was spread out over a longer period of time, with refresher courses/training sessions undertaken periodically. Staff were employed directly by the independent care agencies and not by the Local Authority.

A Member commented that the issue of staff turnover was a national issue and perhaps more prevalent in other areas. Consideration was given to the potential reasoning for this, such as wider work opportunities. Reference was made to the recent increase in staff salaries that had been introduced. Members were informed that there was a duty under the Care Act to support management of the market and to have market position statements available on the website so that businesses could see the way that the Council wanted the market to develop. It was indicated that if pressures around staff turnover did start to present, the Council had a clear duty to take action.

AGREED that:

1. **The Democratic Services Officer would look to ascertain when the Independent TSAB Chair would next be invited to attend a meeting of the Overview and Scrutiny Board.**
2. **The information, as presented, be noted.**

18/4

SETTING THE SCRUTINY PANEL'S WORK PROGRAMME 2018/2019

Members considered a report that invited the Panel to determine its work programme for the 2018/2019 Municipal Year.

A list of potential topics, which were anticipated to be of particular interest to the Scrutiny Panel, and the suggestions received in respect of the Panel's remit were contained in the submitted report.

The report indicated that the topical issues and suggestions outlined were merely proposals, and that the content of the work programme was entirely a decision for the Panel to make.

The Panel was encouraged to select two topics for full review, where Scrutiny could make an impact, add value or contribute to policy development.

To assist with the task, the Director of Adult Social Care and Health Integration was in attendance to provide an overview of the main services within the Panel's remit, and outline the priorities, key issues and challenges for the year ahead.

A discussion ensued regarding the information provided at the meeting, together with the topics suggested in the report.

The Chair highlighted that there were two topics currently outstanding that the Panel had agreed to investigate during the last municipal year: 'The LGBT Community and Elderly Care' and 'Review of Learning Disability Respite Services - Working Party Activity'. The Chair clarified the abbreviation of LGBT, i.e. Lesbian, Gay, Bisexual and Transgender.

Regarding the Review of Learning Disability Respite Services, the Chair explained that this had been a piece of work undertaken by the South Tees Health Scrutiny Joint Committee, and then ultimately by Middlesbrough Council's Health Scrutiny Panel. There had been a proposal to change the respite services that were currently available for those carers who had sons and daughters who were severely or profoundly disabled. Middlesbrough Council had taken the decision to make a challenge to the Secretary of State for Health and Social Care. That process was currently taking place, with the submission due to go forward on Friday, 29 June 2018.

One of the things that was significant was that the assessment process was changing. The investigating Panel had been informed that the previous assessment process, which would usually have determined that some of those carers would receive 33 nights of respite care, would change, and this had caused significant alarm, concern and fear for some of those carers in that it may have led to a reduction in respite care. It had been agreed that the Adult Social Care and Services Scrutiny Panel would provide support by looking at the assessment process. However, this review would be put on hold until the outcome of the submission to the Secretary of State for Health and Social Care was known. Councillor Dryden, Chair of the Health Scrutiny Panel, indicated that it had been very difficult to look at the assessment criteria/process because it had not yet been created, which had been one of the Panel's criticisms. Fellow Panel Member Councillor J. Walker highlighted that there was significant concern and fear being felt by those carers that accessed the service. It was hoped that this fear was being addressed through this referral to the Secretary of State for Health and Social Care.

With regards to topical issues, a Member felt it important to receive updates in respect of Adult Social Care finance, particularly in terms of the current financial position in comparison to

where the Council would be in 2020 and beyond. Reference was made to interest rates, the government settlement and the pressures being experienced by Local Authority services. The Panel felt that it would be useful to receive a strategic overview from the service area by way of updates on actuals, perhaps with a comment/critique on what those meant for the Council and its Adult Social Care services. The Director of Adult Social Care and Health Integration indicated that a Government Green Paper on long-term funding for Social Care was expected in autumn 2018. In addition, a review of the Better Care Fund, which was one of the mechanisms associated with integrated working, was also to be undertaken. It was suggested that a financial update be provided to the Panel once this Green Paper had been released; Members agreed to this.

A Member expressed interest in the topic of 'Social Care Support for Older Carers'. It was commented that the person providing care could potentially be caring for individuals older than themselves. Consideration was also given to older carers with grown-up children who had permanent profound disabilities. A Member made reference to the Panel's previous review of 'Reducing Loneliness and/or Social Isolation in Later Life', and felt that this topic would follow on well, as loneliness could be experienced by older people undertaking a caring role.

As noted in the report, the topic of 'Social Care Support for Older Carers' could potentially be linked, through a series of aims and objectives, with the topic 'Supporting Informal/hidden Carers'. Members agreed that this would be a viable approach for looking at these two areas.

With regards to the suggestions identified on pages 12 and 13 of the report, the Panel discussed 'Care Home Development in Middlesbrough'. The Director of Adult Social Care and Health Integration advised Members that, ultimately, the Council did not have any control over the unexpected development of care homes. An individual could purchase a plot of land and, unless there were any planning levers available, a care facility could be constructed without the need for the Council's approval. It was felt that the Council's market position statements, with Care Act duty, should be stating whether or not the Council had an interest in additional care homes in the area and, if an interest was apparent, what this related to, e.g. facilities in respect of dementia care, learning disabilities care, etc. This could be seen as part of the market shape, but, ultimately, individuals could still purchase/develop care homes.

A Member commented that it would be useful to receive an overview of what was happening in Middlesbrough in terms of care homes, with reference being made to varying care needs and the importance of ensuring that appropriate support was being made available to residents. The example of dementia support and progression to nursing care was provided.

A discussion ensued in relation to Planning and the role of legislation in respect of care home development. A Member commented on the speculative purchasing of several properties within a given area, and the impact that this had on the local community. To provide clarity, the Director of Adult Social Care and Health Integration would liaise with the Head of Planning and ascertain what Planning levers were available around care home development, and report back to the Panel accordingly. This work programme suggestion would therefore be progressed as a short-term information issue in order to provide clarity to Members as to what powers the Council had. The Panel briefly discussed the role of the CQC in registering and regulating care providers. It was highlighted to the Panel that care homes were independent businesses and could exist as business entities without any connection to the Local Authority.

Regarding the topic of 'Intergenerational Housing', the Chair explained that this would be looking at the potential for younger people to be supportive to older people in the environment of shared housing, with the opportunity for mutual benefit to be gained. A Member made reference to the development of housing in Middlesbrough and the consideration of such related issues as:

- Loneliness and social isolation;
- Student villages; and
- The establishment of a mix of older and younger people.

Members discussed this concept in further detail, considering such issues as:

- The benefits that it could offer both older and younger generations;
- Work that had been undertaken in other countries in respect of this topic, such as student accommodation development in the Netherlands being amongst older peoples' housing;
- The comparison of this model of housing against pre-existing community models;
- The style and number of properties being built, particularly bungalows; and
- The cost of housing and the consequential segregation/filtering of individuals. The Panel agreed that this topic would be pursued as a Task and Finish Group activity, with all interested Panel Members welcome to participate.

Regarding the suggestion in respect of 'Carers' Assessments', the Panel was advised that the Local Authority had held a duty around the assessment of carers for some considerable time, with it pre-dating the Care Act. It was acknowledged that this was a very large topical area and an appropriate way forward could be to amalgamate it with the suggestion around 'hidden carers', as this linked well to that, i.e. as soon as a hidden carer became known to the Authority, there was a duty to provide an assessment/support. It was agreed that this would be pursued.

Following discussion, Panel Members agreed the following topics:

Full Review:

1. 'The Lesbian, Gay, Bisexual, Transgender (LGBT) Community and Elderly Care'.
2. 'Social Care Support for Older Carers (incorporating elements of 'Informal/hidden Carers' and 'Carers' Assessments')'.

Short Topics/Updates/Task and Finish Group Activity:

3. Intergenerational Housing (Task and Finish Group).
4. Care Home Development in Middlesbrough (Update).
5. Adult Social Care: Financial Issues/Future (Updates).
6. Previous Scrutiny Review: 'Reducing Loneliness and/or Social Isolation in Later Life' (Update).

It was highlighted to Members that the findings/recommendations of the previous Scrutiny review, in respect of 'Reducing Loneliness and/or Social Isolation in Later Life', would be submitted to the Executive on 4 September 2018 for consideration.

A discussion ensued in respect of 'The LGBT Community and Elderly Care' topic which, subject to approval of the Scrutiny Work Programme by the Overview and Scrutiny Board on 3 July 2018, would be commenced at the next scheduled meeting on 25 July 2018.

The Director of Adult Social Care and Health Integration explained to the Panel that statistics had shown that approximately 7% of the population would identify themselves as being LGBT. The service had never been made aware of any issues associated with LGBT within the Council's care home provision. This was felt to be either because people were content; they preferred not to talk about it; or they felt that they could not talk about it, which the Council would never want to happen. The Mayor recently contacted all of the care home managers to ascertain if there were any issues relating to LGBT within the care homes. Although there had been very little response, it was felt that this was not necessarily enough to conclude that this was fully understood and that the matter could be closed. It was possible that there were many people residing in care homes, certainly men within elderly care homes who were young men at the time when homosexuality was still illegal, and therefore it was possible that there were issues and a stigma around that. Statistically, it was felt that some sort of issue should be being experienced, and the service would plan to improve the quality of the service for those individuals, but the exact scale of this was unknown.

The Panel considered potential starting points for the review. Reference was made to the Equalities Act 2010; the letter that Mayor Budd forwarded to the care homes; and care home policies that had been observed elsewhere. Mention was made of some Local Authorities within the UK that currently had LGBT care homes within their areas. Consideration was

given to quality standards and the role of the CQC in raising matters pertaining to the Equalities Act 2010, if/when they were observed.

Members wished to record a note of thanks to the Democratic Services Officer for the work undertaken in preparation for this meeting.

AGREED that:

1. **The items listed at 1 to 6 above would be submitted to the Overview and Scrutiny Board for consideration/approval.**
2. **Subject to the above approval, item 1 would be considered at the next meeting of the Adult Social Care and Services Scrutiny Panel on 25 July 2018.**
3. **The Director of Adult Social Care and Health Integration would liaise with the Head of Planning in respect of care home development, and report back to the Panel accordingly.**

18/5 **PROPOSED MEETING SCHEDULE - 2018/2019 MUNICIPAL YEAR**

A provisional schedule of meeting dates for the 2018/2019 Municipal Year was submitted for the Panel's consideration.

AGREED that the proposed meeting schedule for the 2018/2019 Municipal Year be approved.

18/6 **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided a verbal update on the matters that were considered at the Overview and Scrutiny Board meetings on 11 May 2018 and 5 June 2018.

NOTED