

**ADULTS SCRUTINY COMMITTEE
 7 SEPTEMBER 2016**

PRESENT: COUNCILLOR C E H MARFLEET (CHAIRMAN)

Councillors R C Kirk (Vice-Chairman), W J Aron, S R Dodds, B W Keimach, Mrs H N J Powell, Mrs A E Reynolds, Mrs N J Smith, M A Whittington and Mrs S M Wray.

Executive Support Councillor C R Oxby attended the meeting as an observer.

Officers in attendance:-

Glen Garrod (Executive Director, Adult Social Services), Justin Hackney (Joint Commissioning Specialist Services), Steve Houchin (Head of Finance, Adult Care), Emma Scarth (Commissioning Manager Performance, Quality and Workforce Development), Jasmine Sodhi (Performance and Equalities Manager), Katrina Cope (Senior Democratic Services Officer), Simon Evans (Health Scrutiny Officer), David Laws (Adult Care Strategic Financial Adviser), Ian Blindell (Head of Financial Services, SERCO Local and Regional Government Division), Joy Colbeck (Senior Financial Assistant, SERCO Local and Regional Government Division), Lorraine Graves (Commissioning Manager for Specialist Adult Services) and Barbara Simpson (Independent Social Worker).

20 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

An apology for absence was received from Councillor J R Marriott.

21 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest made at this point in the meeting.

**22 MINUTES OF A MEETING OF THE ADULTS SCRUTINY COMMITTEE
 HELD ON 29 JUNE 2016**

RESOLVED

That the minutes of the Adults Scrutiny Committee meeting held on 29 June 2016 be agreed and signed by the Chairman as a correct record.

23 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded members of the Committee's visit to the offices of Carers First in Grantham, which would be taking place on Tuesday 11 October 2016. The visit would give the Committee the opportunity to gain an insight into the working of

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Carers First in advance of representatives from Carers First attending the next Adults Scrutiny Committee on 19 October 2016.

The Committee was also reminded that the annual public meeting of the Lincolnshire Partnership NHS Foundation Trust (LPFT) was due to take place on 15 September 2016 at 1.00pm at the Learning and Development Centre in Sleaford. Members of the Committee were urged to confirm their attendance to the Health Scrutiny Officer who would then pass the information on to the LPFT.

24 VISITS TO DAY CENTRES

The Chairman on behalf of the Committee welcomed Barbara Simpson, Independent Social Worker and Justin Hackney, Assistant Director, Specialist Adult Services to the meeting.

The Assistant Director, Specialist Adult Services introduced the item and reminded members of the Committee that at its meeting on 22 January 2016, the Committee had considered a report concerning the proposed reconfiguration of the Council's in-house day services. At this meeting, the Committee had requested to visit some in-house day centres and that arrangements should be made for members of the Committee to view a selection of in-house-day centres; once the new arrangements had been implemented.

The Committee received a short presentation from the Independent Social Worker concerning the recent visits made by members of the Committee to in-house day centres situated in Louth, Horncastle, Boston and Grantham. The report presented provided details pertaining to the facilities currently provided at each of the selected sites, and also provided information as to what works/enhancements were proposed to improve existing provision.

It was reported that once works/enhancements were completed there would be 12 in-house day centres situated across the County.

Councillors W J Aron, S R Dodds, Mrs J Smith, H N J Powell and Mrs S M Wray (Members of the Adults Scrutiny Committee who had visited the in-house day centres) provided the Committee with an update on their respective visits.

The general consensus of opinion from all Councillors was that they were all made to feel very welcome at each centre they visited. The staff had been very positive; and were all making the very best of the facilities they had with their clients. The Committee also noted that it was apparent that attendees were developing a range of life skills, which had included the making of various articles.

One concern raised from the Councillors who had viewed the Louth centres was that the Warwick Road site was not a good location on an industrial estate; and that the building was not fit for purpose as there was no natural light or ventilation; and that it was situated in an unsuitable location; It was noted that the move to Virginia House would be a massive improvement for service users. The new premises at Virginia House would be completely modernised, the refurbishments included a new hygiene

suite, a large open space for activities, a full fitted sensory room and adapted kitchen to promote independent living skills, and outdoor space which would be adapted for wheelchair use. One member requested that officers should check that residents living within the surrounding area of Virginia House had been consulted on its change of use; and that there would be sufficient parking available at the front of the building for vehicles dropping off clients, as the road outside the building was quite narrow. It was also highlighted that there needed to be some parking provision to the rear of the premises for staff to use. Officers confirmed that reassurance and clarification would be sought regarding the change of use issue. The Committee was advised that a driveway would be provided at Virginia House for clients being dropped off; and that parking would be provided to the rear of the premises for staff.

During a short debate the following issues were raised:-

- That places at centres were linked to the level of staffing; and the needs of the clients. It was highlighted that the mechanism for paying to use facilities was being looked into;
- Whether officers were aware of any service user incidents where they had had issues with payments;
- That the Wong in Horncastle had been very impressive, as every inch of space had been put to good use. It was highlighted that the premises would be enhanced, once the kitchen had been improved; and the tree had been covered, to allow clients access to the garden;
- One member enquired whether any improvements would be done to the Mablethorpe Centre. The Committee was advised that the building had had a lot of attention historically. It was also highlighted that all centres had received funding on a per head basis to make improvements;
- Officers advised that staff at the centres had welcomed the visits by members of the Committee;
- A suggestion was also made that going forward the Council should encourage the sharing of accommodation in larger buildings, as had happened in Boston;
- That there might be an opportunity also for service users to share their handmade articles at coffee mornings etc., as this would assist with their confidence; and provide them with some community engagement;
- The potential risk of private people employing someone to look after them who had not been DBS checked. The Committee was advised that in such a case, a private individual needing help would be better off going to a registered agency, which would ensure that the person helping them was DBS checked; and
- Whether staff managed to get together from the various centres to share good practice. The Committee was advised that this did happen, three senior officers regularly got together to share ideas; and that staff received training tailored to meet their needs actually in the centres.

RESOLVED

That the update on the visits made by members of the Adults Scrutiny Committee to the following day centres be noted:-

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- Warwick Road, Louth 8 July 2016;
- Virginia House, Louth (Recently identified, refurbishment to begin in January 2017) – 8 July 2016;
- The Wong , Horncastle – 8 July 2016;
- Scott House, Boston – 11 July 2016; and
- St John's Day Centre, Grantham – 6 September 2016.

25 2016/17 QUARTER 1 PERFORMANCE

Consideration was given to a report on 2016/17 Q1 performance of the Adult Care Council Business plan measures within the four Commissioning Strategies. The report also provided the Committee with an update on the progress of the Better Care Fund performance measures.

Jasmine Sodhi, the Performance and Equalities Manager, provided a demonstration to members of the Committee on how to access the Council's performance infographics on the Lincolnshire Research Observatory website.

Members of the Committee had been provided with the Lincolnshire Research Observatory website address and password prior to the meeting. It was highlighted that from the week beginning 12 September members would no longer need to use the password provided to view the quarter one performance information. It was agreed that guidance would be sent to all members of the Committee after the meeting.

The Committee was encouraged to use the website link; and to familiarise themselves with its layout and content. If after viewing the website, any member had any observations or comments, it was suggested that these should be passed onto the Health Scrutiny Officer, who would then relay them onto the Performance and Equalities Manager.

Emma Scarth, County Manager, Performance, Quality and Development advised the Committee that if they were in agreement, it was proposed for future meetings, that the Committee would only receive live performance data from the website at the meetings, which would then alleviate the need to print off hard copies of the performance data. The Committee agreed for Quarter two to be paper free.

In guiding the Committee through the report presented, the County Manager, Performance, Quality and Development made reference to adult care performance by Commissioning Strategy, as detailed on pages 24 to 26 of the report presented.

The report also provided the Committee with information relating to the Better Care Fund Programme and how it was monitored using four national metrics; and two local metrics as agreed by the Clinical Commissioning Groups and the local authority. It was noted that in the last 12 months it was the first time data had shown a reduction in non-elective admissions.

The Committee also noted that NHS delayed transfers of care from hospital had stabilised at 67% of all delayed delays, and that Social Care attributable delays had begun to improve which were currently at 24%.

Appendix A to the report provided the Committee with the Adults Council Business Plan performance report for Quarter 1 for 2016/17; and Appendix B provided Better Care Fund performance information for Quarter 1.

During discussion, the Committee made reference to the following issues:-

- Funding for Autism – Officers agreed to respond to an individual member outside of the meeting;
- Whether any hospital delays could be as a result of the lack of the availability of Pharmacists after 5.00pm. The Committee was advised that a range of acute support systems were not provided during the night; or at weekends. Seven day working was only applicable at the moment to primary care;
- A question was asked as to how the Council captured information relating to how good the service and support was received. The Committee was advised that the Serco Call Centre would record the findings; and that this information could be incorporated into the Carers item on the agenda for the October meeting. Officers suggested that representatives from the Serco Call Centre should be invited to attend the October meeting;
- Higher number of admissions into care homes in the East CCG area. The Committee was advised that there was no definite answer for the spike during the month of May; and
- The need for finance information to be linked into performance information. It was noted that Mosaic should be up and running from the 31 October 2016. It was noted further that it was intended to run both finance and client base systems in tandem to start with. Mosaic would ultimately link into packages and costs. It was highlighted that the Mosaic system would be able to show the journey of a person through social care services, i.e. showing the effect of wellbeing and advice services.

RESOLVED

That Quarter 1 Performance for 2016/17 be noted.

26 ADULT CARE 2016/17 OUTTURN PROJECTION

Consideration was given to a report from Steven Houchin, Head of Finance, Adult Care, which asked the Committee to consider the budget outturn projection for 2016/17.

It was reported that the Adult Care net budget was £154.237 million; and that based on current information available at the end July 2016, it was estimated that Adult Care was likely to balance its budget at the end of 2016/17.

The Committee noted that there were still some ongoing problems with some of the information being extracted from the Agresso system; but that close working was

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ongoing with budget holders and Managers to provide assurance with regard to the figures produced. It was noted further that Adult Care had now been organised into the four commissioning strategies. Pages 74 to 77 of the report presented provided detailed information relating to the four strategies. The budget for each of the four commissioning strategies for 2016/17 was as follows:-

- Adult Frailty & Long Term Conditions - £99.208m;
- Specialist Services - £51.189m;
- Safeguarding - £1.795m; and
- Carers - £2.044m.

It was reported that with regard to the Better Care Fund, an amount of £16.825m was the amount the Clinical Commissioning Groups had agreed to transfer to Lincolnshire County Council for 2016/17. The money would be predominantly used in Adult Care to help fund the costs of the Care Act and to protect adult care services from further cuts. The fund would also provide a continued £4.250m investment in both Adult Frailty and Adult Speciality commissioning strategies, with £2.125m to continue to cover demographic pressures that both services are expected to incur within the current financial year.

The Committee was advised that the 2016/17 budget also included a commitment from the Adult Care Savings Programme to deliver £6.843m worth of savings during the current financial year from a number of initiatives. It was reported that at the end of July 2016 Adult Care had achieved £1.785m in savings with an expectation that the majority of expected savings would be delivered by the end of the financial year.

A table on page 76 of the report presented provided details of Adult Care's infrastructure development up to 2018/19 which had been designed to meet the changing needs in Adult Care.

During discussion, particular reference was made to the use of reserves; the Committee was advised that there was very little unallocated reserve within Adult Care. Overall, the Council held 3.5% in reserve. It was reported that a more detailed report concerning the use of capital and capital resources would be considered at Full Council later in the month.

The Committee was advised that with regard to Deprivation of Liberty Safeguards, officers were still waiting for primary legislation to be changed. The Committee noted that reports to the Safeguarding Adults Board were continuing during this period of transition, and it was highlighted that there was a risk to the Council, as the majority of Councils were unable to comply with the Cheshire West judgement.

Some reference was also made to unused Direct Payments, Officers explained that £150k had been successfully reclaimed back into the system from unspent service user Direct Payments. It was noted that in some instances not all money allocated was used within a specific year, in these instances the money was reclaimed. It was further highlighted that direct payments were paid into a separate bank account for service users to access; and that service users would know when reclaims were to be done.

RESOLVED

That the budget outturn projection for 2016/17 be noted.

27 NON-RESIDENTIAL CARE CONTRIBUTIONS POLICY IMPLEMENTATION
 UPDATE

The Committee gave consideration to a report from David Laws, Better Care Fund and Financial Special Projects Manager, which provided the Committee with an update on the implementation process as detailed on page 79 of the report presented, and the four areas of delegation made to the Director of Adult Social Services; and the Executive Councillor for Adult Care, Health and Children's Services.

The Committee was advised that a full implementation plan had been developed and implemented. A broad based implementation team had also been pulled together comprising of staff from various parts of the Council and Serco. This approach had worked effectively. It was reported that the implementation of the Non-Residential Care Contributions Policy had been successfully carried out by the live date of 16 April 2016.

As a result of the increased charges, the customer services team had received 947 calls, 320 of which had been referred to the Financial Assessment and Income Collection Team, of which only six calls had been escalated to management concerning the changes to the contribution policy. It was noted that from listening to service user comments, some changes were ongoing and these should improve the service user's experience.

It was reported that the initial in year saving for 2016/17 from the current service users' financial reviews was £698k against a full year target for the project of £883k.

Ian Blindell, Head of Financial Services, Serco Local & Regional Government Division and Joy Colbeck, Senior Finance Assistant, Serco Local & Regional Government Division were also in attendance at the meeting.

Paragraph eight of the report provided the Committee with information relating to lessons learnt which highlighted that more consultation was needed when doing future reviews.

The Head of Financial Services, Serco Local and Regional Government Division advised that the three way partnership had work very well, and everything had gone according to schedule. The Committee was advised that for 2015/16 when the new contract with Serco was in its first year; and lots of work was being undertaken in preparation for the new Contributions Policy, the team had still been able to review from a benefits maximisation perspective 640 service user cases; which had led to an increase in service user weekly income of £20.2k per week, which amounted to over £1m per annum and the weekly income to the Council had increased by £7,648 per week, some £397k per annum. It was highlighted that this work was continuing in

2016/17 and would bring additional income into the Lincolnshire Economy and additional income to Adult Care.

During discussion, particular reference was made to the decrease in direct payments and whether this could be linked to the new national living wage, or the pension contributions. It was noted that the Council, as a result of the National Living Wage, had reviewed its rate to service users; and also gave a commitment to service users that the situation would be reviewed if service users found it difficult.

Clarification was given that the Contributions Policy was a Lincolnshire County Council policy, and that the financial assessments paperwork was owned and controlled by the Council.

It was also highlighted that work with Serco colleagues on the Non-Residential Care Contributions Policy had been very positive.

RESOLVED

1. That the successful implementation of the Non-Residential Contributions Policy be noted.
2. That the 'Lesson Learnt' as detailed at paragraph 8 of the report presented be noted.

28 PEER REVIEW FOR ADULT CARE IN LINCOLNSHIRE - FINDINGS

Consideration was given to a report from Glen Garrod, Executive Director of Adult Social Services, which provided the Committee with the findings of a recent peer review, which had been conducted between 27 and 29 June 2016 by a team led by Steven Forbes, the Director of Adult Social Services at Leicester City Council. A copy of the peer review team's report was attached at Appendix A to the report for the Committee's consideration.

The report identified that the peer reviewers had been asked to consider:

- 'Commissioning arrangements that Adult Frailty and Long Term Conditions Division have in place to meet the needs of people with a physical disability'; and
- 'To stock-take progress from the last Peer review and Lincolnshire's response to the Care Act (concerning adult safeguarding)'.

The Committee was advised that an action plan would be developed to ensure that the areas raised in the review were progressed.

During discussion, the Committee raised the following issues:-

- The first paragraph on page 108, made reference to operational teams feeling under pressure and a question was asked as to how this would be addressed. The Executive Director advised that fieldwork staff were under pressure, but

one of the issues being the provision of IT, as a good IT system would free up staff to be more productive. It was highlighted that officers needed tablet technology to be able to do their job better;

- That the use of payment cards would improve the overall customer experience;
- That there also needed to be more integration with Neighbourhood Teams; and
- It was also highlighted that 40% of referrals to Safeguarding actually did not end up being safeguarding issues. This highlighted that there was a need to make referrers more aware of where concerns should be signposted to.

The Committee noted that the Directorate was continually moving forward; and it was highlighted that the Council was the second most improved within the region. This was down to the dedication of officers. It was agreed that once the Action Plan in response to the Peer Review report had been compiled, it would be shared with the Adults Scrutiny Committee.

The Committee extended thanks to staff for their hard work.

RESOLVED

1. That the report from the Peer Review Team be noted.
2. That the Action Plan in response to the Peer Review be presented to a future meeting of the Adults Scrutiny Committee for them to monitor.

29 APPROVAL FOR THE CONTINUATION OF A PARTNERSHIP AGREEMENT WITH LINCOLNSHIRE NHS PARTNERSHIP FOUNDATION TRUST (LPFT) UNDER SECTION 75 AGREEMENT FOR MENTAL HEALTH ACT 2006 - MENTAL HEALTH

Consideration was given to a report from Justin Hackney, Assistant Director, Specialist Adult Services, supported by Lorraine Graves, Commissioning Manager for Specialist Adult Services, which invited the Adults Scrutiny Committee to consider a report on the approval for the continuation of a Partnership Agreement with the Lincolnshire NHS Partnership Foundation Trust (LPFT) under Section 75 of the Health Act 2006 – Mental Health, which was due to be considered by the Executive Councillor for Adult Care, Health and Children's Services on 7 September 2016. It was highlighted that the views of the Committee would be reported to the Executive Councillor as part of her consideration of the item.

Councillors Mrs J Smith and M A Whittington wished it to be noted that they were both members of the LPFT.

Detailed at Appendix A to the report was a copy of the full report to the Executive Councillor in relation to this item.

It was highlighted that the aim of the Section 75 Agreement was to enable partners to join together to design and deliver improved cost effective and modernised services

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around the needs of users and carers, and to allow organisations to work around their individual boundaries. The Section 75 Agreement would help to eliminate unnecessary gaps and duplications between services and reduce inequalities.

The Committee noted that the existing Section 75 Agreement had been in place for a number of years, and that a review carried out in 2014 had identified a number of areas where service specifications were in need of an update. Negotiations had taken place which had resulted in revised partnership arrangements. Details of the changed key components agreed were detailed in the report presented.

It was highlighted that the current arrangement was due to finish on 31 March 2017. It was proposed to extend the Section 75 Agreement for an initial period of three years until March 2020, with an option to extend for a further two years. It was highlighted that the Agreement could be terminated within that period by either party providing one year's notice.

A discussion ensued, from which the Committee raised the following issues:-

- Flexibility within the agreement to take into account legislative changes and service developments. The Committee was advised that the Agreement contained a termination clause; which provided for the Agreement to be terminated by either party providing one year's notice;
- Monitoring of the Contract – Page 95 of the report detailed the governance arrangements available to Lincolnshire County Council to monitor and performance manage the Section 75 Agreement; and
- A request was made for more detailed information of the services provided, with particular reference being made for case studies to help the Committee develop its understanding. A request was also made for reports such as the Annual Joint Review which might also assist the Committee develop its understanding of the service.

RESOLVED

That the Adults Scrutiny Committee agreed to support the recommendations as detailed in the report; and requested that the following additional comments should be passed on to the Executive Councillor for Adult Care, Health and Children's Services:-

- The Committee has been reassured that there is sufficient flexibility within the agreement to take account of legislative changes and any required service developments;
- The Committee has also been reassured that adequate arrangements are in place to monitor the agreement;
- The Committee has requested more details on the services provided, in particular case studies, to develop its understanding. Reports such as the Annual Joint Review might assist the Committee develop its understanding of the service.

30 ADULTS SCRUTINY COMMITTEE WORK PROGRAMME

The Committee received a report which provided them with an opportunity to consider and comment on the content of its work programme for the coming year.

The Health Scrutiny Officer agreed to include the following items in the Work Programme:-

- Peer Review – Action Plan; and
- Section 75 Agreement – Details of Services Provided

RESOLVED

That the work programme presented be noted.

The meeting closed at 1.05 p.m.