



Meeting: **Adults and Communities Overview and Scrutiny Committee**

Date/Time: **Tuesday, 13 January 2015 at 10.00 am**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr. S. Marra (Tel. 0116 3053407)**

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Membership

Mrs. R. Camamile CC (Chairman)

Mr. M. H. Charlesworth CC Mr. P. G. Lewis CC
Mr. S. J. Hampson CC Ms. Betty Newton CC
Mr. D. Jennings CC Mr. A. E. Pearson CC
Mr. J. Kaufman CC Mr. R. Sharp CC

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– Notices will be on display at the meeting explaining the arrangements.**

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 17 November 2014.	(Pages 5 - 12)
2. Question Time.	
3. Questions asked by members under Standing Order 7(3) and 7(5).	
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
5. Declarations of interest in respect of items on the agenda.	



6. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.
7. Presentation of Petitions under Standing Order 36.
8. Snibston.

Director of Adults
and Communities
and Director of
Corporate
Resources.

A copy of the report to be submitted to the Cabinet at its meeting on 14 January 2015 will be available and circulated to members of this Committee on 6 January 2015. The Committee will be invited to comment on the proposals. The views of the Committee will be reported to the Cabinet.

9. Date of next meeting.

The next meeting of the Committee is scheduled to take place at 2.00pm on Tuesday 20 January 2015.

10. Any other items which the Chairman has decided to take as urgent.

QUESTIONING BY MEMBERS OF OVERVIEW AND SCRUTINY

Members serving on Overview and Scrutiny have a key role in providing constructive yet robust challenge to proposals put forward by the Cabinet and Officers. One of the most important skills is the ability to extract information by means of questions so that it can help inform comments and recommendations from Overview and Scrutiny bodies.

Members clearly cannot be expected to be experts in every topic under scrutiny and nor is there an expectation that they so be. Asking questions of 'experts' can be difficult and intimidating but often posing questions from a lay perspective would allow members to obtain a better perspective and understanding of the issue at hand.

Set out below are some key questions members may consider asking when considering reports on particular issues. The list of questions is not intended as a comprehensive list but as a general guide. Depending on the issue under consideration there may be specific questions members may wish to ask.

Key Questions:

- Why are we doing this?
- Why do we have to offer this service?
- How does this fit in with the Council's priorities?
- Which of our key partners are involved? Do they share the objectives and is the service to be joined up?
- Who is providing this service and why have we chosen this approach? What other options were considered and why were these discarded?
- Who has been consulted and what has the response been? How, if at all, have their views been taken into account in this proposal?

If it is a new service:

- Who are the main beneficiaries of the service? (could be a particular group or an area)
- What difference will providing this service make to them – What will be different and how will we know if we have succeeded?
- How much will it cost and how is it to be funded?
- What are the risks to the successful delivery of the service?

If it is a reduction in an existing service:

- Which groups are affected? Is the impact greater on any particular group and, if so, which group and what plans do you have to help mitigate the impact?
- When are the proposals to be implemented and do you have any transitional arrangements for those who will no longer receive the service?
- What savings do you expect to generate and what was expected in the budget? Are there any redundancies?
- What are the risks of not delivering as intended? If this happens, what contingency measures have you in place?

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Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 17 November 2014.

PRESENT

Mrs. R. Camamile CC (in the Chair)

Mr. M. H. Charlesworth CC

Mr. P. G. Lewis CC

Mr. S. J. Hampson CC

Mr. A. E. Pearson CC

Mr. D. Jennings CC

Mr. R. Sharp CC

Mr. J. Kaufman CC

Mr. S. D. Sheahan CC

39. Minutes.

The minutes of the meeting held on 9 October were taken as read, confirmed and signed.

40. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

41. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

42. Urgent Items.

There were no urgent items for consideration.

43. Declarations of Interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No such declarations were made.

44. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

45. Presentation of Petition: Oadby Library Opening Hours.

A petition signed by 70 residents was presented by Mrs Jean Holmes, as lead petitioner in the following terms:-

“With effect from April 2015 the Oadby Library will not open on Sundays. The Oadby Knitters & Stitchers Group have been meeting at the Library on Sunday afternoons for

almost five years and it will be a great loss, not only to the Group and its charities, but to everyone who uses the facilities at the Library on Sundays. We the undersigned would ask the County Council to consider reducing the opening hours at Oadby Library on other days to allow the Library to remain open on a Sunday and still meet the required 20% reduction in opening hours. We would hope that there is a way to avoid closing Oadby Library on Sundays as it is an important part of the local community'

Members received copies of a briefing note from the Director of Adults and Communities in response to the petition. That note explained that a final decision on opening hours at the County's 16 main libraries had been taken by the Cabinet on 19 September 2014. The proposed opening hours reflected the outcome of the public consultation undertaken to ensure that the proposed opening times reflected the periods of greatest usage at the libraries. The data gathered in relation to Oadby Library had showed that, hour by hour, Sunday had the least number of visits. The Director advised that where specific groups, such as the Oadby Knitters and Stitchers Group, were affected by the changes in opening hours at the 16 main libraries, the County Council would explore whether any mitigating actions could be put in place to help with the transition to the new opening hours.

RESOLVED:

That the commitment given by the Director of Adults and Communities to undertake to work with the Oadby Knitters and Stitchers Group to seek solutions, be noted and the Group be advised accordingly.

46. Future Strategy for the Delivery of Library Services.

The Committee considered a report of the Director of Adults and Communities to be considered by the Cabinet at its meeting on 19 November 2014. The report set out the findings of the Scrutiny Review Panel on the proposed infrastructure support package to community libraries, the analysis undertaken by Red Quadrant and further exploration of alternative models for the delivery of library services. The report sought approval from the Cabinet regarding the way forward and model for the delivery of community library services. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman advised the Committee of a petition received from Bottesford Parish Council containing 448 signatures which called upon the County Council to continue to support and develop Bottesford Library. Although this petition was received after the consultation process had closed it reiterated some of the points that had already been raised during the consultation and would be taken into account in the further analysis undertaken by the County Council.

The Chairman invited Mr Jennings CC, the Chairman of the Scrutiny Review Panel to introduce the report of the Panel which was appended to the main report, marked 'Appendix A'.

Mr Jennings in introducing the report of the Scrutiny Review Panel expressed his thanks to all those who had contributed to the work of the Panel. He advised the Committee that the Panel had been given a limited task, namely to consider and to review the infrastructure support package that was proposed to support any local communities to manage their local community library and make recommendations on the type, level and duration of the support to be provided by the County Council.

The support package now recommended by the Panel recognised that there needed to be flexibility to respond to a range of community situations and that a 'one size fits all model' was not the answer. The support package proposed was fairly extensive and sought to provide greater clarity regarding the transitional and ongoing support available to groups who might be considering working in partnership with the Council.

Mr Jennings commended the report to the Committee and urged communities to work with the Council's officers in order to discuss and develop their plans with a view to retaining all 36 community libraries.

The Director of Adults and Communities welcomed the report of the Scrutiny Review Panel and added that the proposed model set out in the report had regard to the work of the Panel, the views from Red Quadrant and key themes emerging from the consultation. He reported that in addition to the recommendations of the Panel it was now proposed that library liaison staff would be based in eight of the 36 community libraries.

With regard to the challenge on the rationale for the identification of the 16 main libraries, the Director stated that Red Quadrant had been provided with detailed information which had been made available during the consultation and included information on usage. Based on an analysis of that information Red Quadrant had provided a high level assurance of the County Council's rationale.

The Director also drew specific attention to the Equality and Human Rights Impact Assessments and interactive community profiles for each of the 36 libraries. These documents, which would be the subject of discussions with local communities, would help to inform future decisions taken on libraries.

The Director concluded by stating that the Cabinet at its meeting on 19 November would be asked to authorise him to begin a consultation process on the following:

- Further development of the proposed delivery model in each community including the identification of eight libraries to act as a base for Library liaison Officers.
- Invitations to local communities and groups to submit expressions of interest in operating the 36 community libraries with an infrastructure support package from the County Council as now outlined and to report progress thereon to the Cabinet meeting in April.
- The future role and deployment of the mobile library service to ensure the most effective use of this resource. This should have regard to the emerging model for delivery of library services and be informed by a three month consultation.

The Cabinet Lead Member for Heritage Leisure and Arts, Mr. R. Blunt CC, echoed the views of the Director. Mr Blunt welcomed the work done by the Scrutiny Review Panel and commended the future model to the Committee. He advised the Committee that there had been positive engagement from about 12 communities and he expressed the hope that all communities would engage with the Council to consider how they could develop a plan for their library.

In response to questions and comments the Committee was advised as follows:-

- i) The brief to Red Quadrant was to provide high level assurance to the methodology and rationale used by officers to determine the 16 main libraries. Red Quadrant did not raise serious concerns regarding the rationale;

- ii) The Department was confident in its approach and the process adopted in relation to its responsibilities under the Public Sector Equality Duty. Detailed Equality Impact and Human Rights Assessments had been produced in respect of each community library and these would be further refined in the light of discussions with local communities and groups;
- iii) The option of an Industrial Provident Society (IPS) in relation to the 36 community libraries had not been explored in detail as it emerged from the work of the Scrutiny Review Panel that the nature and requirements of each of the 36 communities would be different;
- iv) The proposed one-off reduction in the book fund would leave a sum of £611,330 In 2015/16.

It was moved by Mr Sharp and seconded by Mr Charlesworth:-

‘That the Cabinet be advised to reject the report from Red Quadrant as unsound and that a decision on the future model and provision of libraries be deferred to its December meeting thereby allowing the Scrutiny Review Panel to be reconvened to consider:-

- i) The rationale for determining the 16 main and 36 community libraries including any alternatives that could be achieved within the available financial envelope;
- ii) The implications of the Public Sector Equality Duty and how this might impact on the decision as to which libraries should be retained as main libraries having particular regard to:
 - Assessment of local needs
 - Requirements of different groups
 - Access issues such as availability of public transport;
 - Deprivation issues.’

The motion was put and not carried, four members voting for the motion and five against.

It was moved by the Chairman and seconded by Mr Jennings:-

‘That the Cabinet be advised that this Committee supports the proposed way forward on the library service as now outlined in the report.’

The motion was put and carried, five members voting for the motion and two against.

RESOLVED:

That the comments now made be submitted to the Cabinet and the Cabinet be advised that the Committee supports the suggested way forward for the future provision of the Library Service.

47. Adults and Communities Local Account 2013/14.

The Committee considered a report of the Director of Adults and Communities which provided members with a progress report on the Adults and Communities Local Account and invited the Committee to make comments on the content and format of the Local Account. A copy of the report marked ‘Agenda Item 9’ is filed with these minutes.

The Chairman welcomed the Cabinet Lead Member for Adult Social Care, Mr D W Houseman MBE CC, to the meeting for this and other items. Mr Houseman advised the Committee that there was no statutory obligation for local authorities to produce a Local Account. However, the County Council recognised that the Local Account was a useful document in enabling service users and the wider public to gain a better understanding of the Adults and Communities Department's performance and the challenges that it faced. The document provided useful information and outlined examples of schemes that were providing better outcomes for service users as well as saving money. The document also recognised areas of weakness where the County Council needed to improve.

The Chairman also welcomed Fiona Barber, Healthwatch, to the meeting for this and other items. Ms Barber advised that Healthwatch welcomed the Local Account and commended its readability and format. She suggested that an Executive Summary might make the report more accessible to a wider audience. The report was open in identifying areas of concern and Healthwatch would hope that these areas would be addressed by the County Council.

Arising from discussion the following points were raised:-

- (i) The Committee welcomed the accessibility and readability of the report. It was explained that in producing the Local Account officers had tried to ensure that the report was presentable and transparent. Consideration was being given to producing a one page summary document;
- (ii) Members expressed concern at some of the areas identified in the report where the County Council was performing below the national average and noted that a relatively high proportion of service users did not feel they had control of the services that they received or were satisfied with services. The Committee was advised that the County Council would continue to ascertain what drove people's views on services and to identify the key indicators to better ensure that service users were satisfied with the services that they received. In producing the report officers had tried to ensure that areas of poor performance were identified to allow for improvements to be made in these areas over the coming year;
- (iii) The Committee queried the decrease in service users' satisfaction levels over the previous year. Members were advised that there was a large variation in satisfaction levels year on year. Over the past five years levels had moved from the bottom quartile to the top quartile and now resided in the third quartile. Evidence suggested that this variation did not accurately represent true satisfaction levels for service users and it was only by looking at longer term trends that a more accurate level could be ascertained. The County Council would continue to engage with people locally to establish how it could make improvements and ensure a more positive experience for service users;
- (iv) The report presented a lot of information as percentages. Members stated that this could unintentionally mislead readers and that actual figures for services would allow for a better understanding of performance. Officers undertook to take this on board;
- (v) Members emphasised that where a service user contacted the Customer Service Centre (CSC) in relation to adult social care, it was vital for them to get a response quickly and not to be diverted to other areas. The Committee was advised that the majority of enquires were responded to on first contact. Where a person

unsuccessfully tried to contact the CSC this was logged and latest figures indicated that performance in this area was good. The priority for the CSC was to ensure that a clear and timely response was given to the service user. More information on social care queries received by the CSC could be provided to the Committee if required.

RESOLVED:

That the progress report on the fourth Adults and Communities Local Account be noted.

48. Audit and Monitoring Process for Direct Cash Payments for Personal Budgets.

The Committee considered a report of the Director of Adults and Communities which outlined current processes and procedures within the Adults and Communities Department for auditing and monitoring of personal budgets and to advise members of future plans. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The Cabinet Lead Member for Adult Social Care, Mr D W Houseman MBE CC, highlighted that the Care Act 2014 would introduce the opportunity to have direct payments for permanent residential care placements which would be introduced in 2016. He also drew attention to the proposed introduction by the County Council of direct payment cards as a mechanism for service users to receive cash payments. It was expected that the implementation of this would negate the need for service users to open a separate bank account for funds to be paid by the County Council and would reduce associated costs.

Fiona Barber, Healthwatch, suggested that training should be provided for service users who received cash payments for their personal budget to allow them to manage better their money to buy the services that they needed.

Arising from discussion members were advised as follows:-

- (i) Personal budgets allowed people to take control over the social care services that they received, better promoting independence as a key outcome. The County Council was committed to increasing the proportion of personal budgets taken as cash payments as it empowered service users to make their own choices on the support that they received and was tailored to their specific needs;
- (ii) The County Council was currently procuring for a service that would provide support to service users who wished to receive their personal budget as a cash payment. Engagement was also being undertaken with service users through a reference group which had been established to seek views from people who wished to receive cash payments to buy their support package;
- (iii) Cash payments for people in receipt of personal budgets were made every four weeks with the amount of funding provided varying according to the needs of the service user;
- (iv) Officers had recently carried out targeted reviews of cash payments involving a Provider Managed Account (PMA) which had resulted in a significant recovery of funds, £136,000 had been identified for claw back. 30 service users that had been identified as having poor cash management had been identified through the review. The Adults and Communities Department aimed to review all service users who

received cash payments through a PMA annually, however, this target was not currently being met;

- (v) Surpluses accruing to service users were often due to circumstances such as a person being admitted to hospital and continuing to receive payments for services during this period. Through continuing to undertake reviews, targeted at areas of highest risk, the County Council would identify significant opportunity to reduce cash payment spend;
- (vi) The option of providing direct payment cards had recently been considered and approved by the Adults and Communities Department and would provide a different mechanism for people to receive cash payment, potentially providing significant benefits to the Council and service users. This would mean that the Council could provide the option of a direct payment card to service users which would be used to fund their support plan rather than the current requirement of a separate bank account to be opened by the service user with funds being paid in by the Council. Procurement processes were due to be begin and it was hoped that direct payment cards would be available in Leicestershire by Summer 2015;
- (vii) Where a personal assistant was directly employed by a service user the employer was obligated under employment law to pay redundancy where a service user no longer required the employee's services. The County Council funded these costs where appropriate;
- (viii) Cash payments to service users were provided in advance to allow them to procure the services that they required. Providers were paid one month in arrears for home care provision. Payments made to providers for residential care placements were paid two weeks in advance and two weeks in arrears through a form of reconciliation over a four week period. Providers submitted and invoiced the County Council with details of who they were supporting which the County Council would check and pay. This was a long standing arrangement undertaken by most local authorities.

RESOLVED:

That the information provided on current processes and procedures within the Adults and Communities Department for auditing and monitoring cash payments for personal budgets be noted.

49. Quarter 2 2014/15 Performance Dashboard Report.

The Committee considered a joint report of the Chief Executive and Director of Adults and Communities which provided members with an update of the Adults and Communities Department performance at the end of quarter two of 2014/15. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The Cabinet Lead Member for Adult Social Care, Mr D W Houseman MBE CC, recognised that there were areas of performance that required significant improvement. However, it was explained that some performance indicators, specifically indicators around hospital discharge and reablement services, were partly reliant on other bodies to meet the performance targets.

Fiona Barber, Healthwatch, advised that as a partner within the Better Care Together structure, Healthwatch was aware that there were significant issues around delay of

transfers of care from hospitals. Over half the delays attributable to adult social care were due to patients awaiting care packages in their own home, primarily due to capacity issues within the independent sector. There was a need to better support people out of hospital and adult social care services should facilitate this.

Arising from discussion the following points were raised:-

- (i) There was concern that some of the indicators identified through the RAG rating system as amber should be amended to red as they were on a downward trend and there was no evidence to suggest that these indicators would improve. It was explained that there where performance was poor, action plans were put in place and often mitigating actions were planned to increase performance. Action plans were reported and reviewed monthly with performance closely monitored and indicators being amended accordingly. There were no set figures for ratings and it was a matter of judgement for officers to come to a view on how a performance indicator was graded. Officers undertook to review the thresholds for the RAG rating system to make the information more transparent and clear and explore the suggestion that an extra column be added to the performance dashboard briefly outlining the reasons for any underperformance where an indicator was amber or red;
- (ii) Members expressed concern that indicators for hospital discharge and reablement continued to underperform. It was noted that these were partnership indicators which were identified through the Better Care Fund (BCF) and were largely affected by other organisations such as University Hospitals of Leicester NHS Trust (UHL) and independent adult social care providers. Addressing delay of transfer of care issues was a high priority concern for the County Council and was one of the priorities of the BCF. The County Council was working with UHL, the Urgent Care Board and the local Clinical Commissioning Groups to put in place actions that would accurately record delays and would enable timely and speedy transfer of people from hospital;
- (iii) Library visits and issues had both shown a reduction from the previous year. Total numbers of visits to Leicestershire Libraries for 2012/13 was 3,495,795. The target for 2013/14 to maintain this number had not been met;
- (iv) Officers indicated that more rigorous scrutiny of performance indicators would be undertaken in determining ratings. Investment would be made to increase reviews in areas that were underperforming to try and improve indicators. Members welcomed the commitment by officers to take into consideration the comments made by the Committee and to amend future quarterly performance dashboards accordingly.

RESOLVED:

That the update of Adults and Communities Department performance at the end of quarter two of 2014/15, be noted.

50. Date of next meeting.

It was noted that the next meeting of the Committee would be held on Tuesday, 20 January 2015 at 2.00pm.