

## KENT COUNTY COUNCIL

---

### **ADULT SOCIAL SERVICES AND PUBLIC HEALTH POLICY OVERVIEW AND SCRUTINY COMMITTEE**

MINUTES of a meeting of the Adult Social Services and Public Health Policy Overview and Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 7 April 2011.

PRESENT: Mr C J Capon (Chairman), Mrs A D Allen, Mr R Brookbank, Mrs P T Cole, Mr N J Collor, Mr G Cowan, Mr J M Cubitt, Mrs V J Dagger, Mr M J Jarvis, Mr S J G Koowaree, Mr J E Scholes Mr C P Smith

ALSO PRESENT: Mr D L Brazier, Mr B R Cope, Mr A D Crowther, Mr G K Gibbens, Mrs E Green, Mr C Hibberd, Mr P W A Lake, Mr R J Lees, Mrs J Rook Mr M A Wickham

IN ATTENDANCE: Mrs M Howard (Director of Operations), Mrs A Tidmarsh (Director of Commissioning and Provision - East Kent), Mr M Lemon (Head of Policy) Miss T Grayell (Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

##### **3. Membership**

*(Item A2)*

Members noted that Mr C J Capon, Mr G Cowan and Mr C T Wells had joined the Committee in place of Mr P W A Lake, Mr L Christie and Mr K H Pugh.

##### **4. Election of Vice-Chairman**

*(Item A4)*

Mr C P Smith proposed and Mr N J Collor seconded that Mrs V J Dagger be elected Vice-Chairman of the Committee.

*Agreed without a vote*

Mrs Dagger was duly elected

##### **5. Meeting Dates for 2011**

*(Item A5)*

The Committee noted its meeting dates for the remainder of 2011, as follows:-

**Thursday 7 July, 10.00am**

**Tuesday 20 September, 10.00am**

**Tuesday 10 November, 10.00am**

*All meetings will be held at County Hall*

##### **6. Declaration of Members' Interest relating to items on today's agenda**

*(Item A6)*

Mrs A D Allen declared a general interest as a Member of the District Partnership, and as a Director of Age Concern Dartford.

Mr C J Capon, Mr R E Brookbank and Mr A D Crowther declared general interests as Directors of Age Concern in Hythe, Darent Valley and Sheppey respectively.

## **7. Minutes of the final Adult Social Services Policy Overview and Scrutiny Committee meeting on 12 January 2011**

*(Item A7)*

RESOLVED that the minutes of the final meeting of the Adult Social Services Policy Overview and Scrutiny Committee held on 12 January 2011 are correctly recorded and they be signed by the Chairman. There were no matters arising.

## **8. Oral updates by Cabinet Member and Deputy Director of Adult Social Services**

*(Item A9)*

1. Mr Gibbens gave an oral update on the following:-

- a) Public Health Transition – Public Health would now become part of the KCC, and some NHS staff are employed within the KCC although still paid by the NHS.
- b) Health & Wellbeing Board – the responsibility for this would be shared by Mr Gibbens and Mr Gough. Kent is an early implementer, and a shadow HWB would exist from April 2012.
- c) New Families Directorate – the new Directorate includes both Adult Social Care and Specialist Children’s Services under the Corporate Directorship of Malcolm Newsam, but is served by two POSCs, Adult Social Services and Public Health and Specialist Children’s Services.
- d) Countywide District Partnership Board – the District Partnership Board is run by and for people with learning disabilities. Mr Gibbens had visited the District Partnership and invited its Members to attend a KCC Cabinet meeting in July.

2. Mrs Howard then gave an oral update on the following:-

- a) The transition of Adults Services to Families and Social Care –the new Directorate had retained a number of long-serving staff who are very experienced and competent.
- b) The role of the Deputy DASS – in her new role, Mrs Howard would deputise the for the Corporate Director and lead on Adult Services, the Older Persons’ Future and ongoing efficiencies.
- c) Update on Older Persons’ Futures - the programme of modernisation agreed by the CC in x month was now underway, with each home having a detailed programme of change. This included helping

residents to choose and move to new accommodation; so far the numbers of permanent residents had reduced by over 50%.

- d) Work on efficiencies – this is ongoing.
- e) NHS Changes – one PCT cluster had so far been established. Anne Tidmarsh, Director of Older People and Physical Disability, is the Directorate's lead on this.
- f) Update on personalisation – the KCC has exceeded the government's target for the introduction of personal budgets.

3. RESOLVED that the information set out be noted, with thanks.

## **9. White Paper on Public Health**

*(Item B1)*

*Mr D L Brazier, Mr B R Cope, Mr A D Crowther, Mrs E Green, Mr C Hibberd, Mr R J Lees, Mrs J A Rook and Mr A Wickham were present for this item as local Members.*

1. Mr Lemon presented a series of slides which summarised the content and aims of the White Paper, the structure and arrangement of the new Public Health system and the new responsibilities which this brought to Local Authorities. He responded to comments and questions from Members. Points highlighted were as follows:-

- a) the new arrangements will be scrutinised at two levels; by the Health and Wellbeing Board (HWB) and by the KCC's scrutiny process;
- b) GPs' consortia would have the power to govern themselves and take commissioning decisions at a local level but will be ultimately answerable to the NHS Commissioning Board and the Secretary of State. Consortia must take account of the priorities of the Joint Strategic Needs Assessment, and the HWB have a duty to see that this is done. Every GP must be part of a consortium and every geographical region needs to be covered by one. Some members expressed the concern that this decision-making process might mean GPs having less time to spend helping patients;
- c) the membership of the NHS Commissioning Board is decided by the Secretary of State, and includes/will include reps from the Care Quality Commission, among others;
- d) the role of KCC Members would change, particularly in terms of scrutiny?, and further briefings will be arranged to help Members understand the new role as the detail of it becomes clear over time, as the new PH arrangements bed in. A report of the future scrutiny arrangements would be submitted to the Scrutiny Board;
- e) the HWB will be a statutory committee of the KCC, and the relationship between the two will be very important. This will require a change to the KCC constitution, and the work of the HWB will be reported to the full Council;

- f) the picture of current commissioning is as yet incomplete, as more information is available on the arrangements in East Kent than there is available for West Kent. Work is ongoing to add to the picture;
- g) It is expected that KCC will work closely with Medway ... on public health issues... ? but the statutory responsibility rests with the KCC;
- h) the complexity of the new arrangements and number of new bodies are very confusing for the public and for Members. What is key for the public is to have efficiency, speed and good access. Members will need to be able to explain the new arrangements to local residents when asked;
- i) Some of the new framework is set by government and can only be changed by them, while other is at the discretion of the KCC and could be established to suit local priorities;
- j) although much time had been spent gathering data, it is important that this data be used to generate useful information which can help to shape services; and
- k) the new arrangements could be used as a platform from which to reinforce the prevention agenda, and this would be a good role for the KCC to take on.

2. Mr Gibbens added that health inequalities were a concern for everyone in a community, and KCC Members would have a role in addressing this. This POSC will need to provide an ongoing scrutiny function as the new system is established.

3. RESOLVED that the information set out in the presentation and given in response to comments and questions be noted, with thanks.

## **10. KASS Debt Position February 2011**

*(Item C1)*

*Miss M Goldsmith, Directorate Finance and e.Commerce Manager, was in attendance for this item.*

1. Miss Goldsmith introduced the report and responded to comments and questions from Members. Points arising were as follows:-

- a) although the POSC had received regular updates on client debt at each of its recent meetings, Members asked to have more detail on how client debt is managed and how the move of the finance function to the corporate centre might impact on this. It was suggested that an Informal Member Group be established, at which Members could explore this in more detail, and this suggestion was generally supported;
- b) sundry debt, which had risen since last being reported to the POSC, was all related to PCT payments, and had arisen due to the timing of PCT payments being at odds with the timing of reporting of debt figures.

As the amounts being paid by PCTs were very large, one payment taking more than 28 days would make a sizeable difference to the overall level of debt;

- c) Members were assured that this debt carried no risk to the KCC, as all PCT payments were covered by strict formal agreements between the PCTs and the Council, but Members asked that PCTs be reminded of the need to be vigilant of the prompt payment of their invoices within 28 days; and
- d) it was acknowledged that good progress had been achieved on reducing debt since the debt recovery function had been moved into KASS in January 2010.

2. RESOLVED that:-

- a) the information set out in the report and given in response to comments and questions be noted, with thanks;
- b) an Informal Member Group be established, at which Members can explore in more detail how client debt is managed and how the relocation of the finance function to the corporate centre might impact on this; and
- c) PCTs be reminded of the need to be vigilant of the prompt payment of their invoices within 28 days.

**11. 'No Health without Mental Health' - the new Government Strategy for Mental Health**  
(Item E1)

*Ms J Martin, Mental Health Commissioner, West Kent PCT, was in attendance for this item.*

RESOLVED that the information set out in the report be noted, with thanks, and the continuation of the joint commissioning strategy between the KCC and the NHS be approved.

**12. Care Quality Commission - Annual Performance Assessment Improvement Plan**  
(Item E2)

RESOLVED that the information set out in the report be noted, with thanks, and the proposed monitoring cycle be agreed.

**13. Think Local, Act Personal**  
(Item E3)

*Mr M Thomas-Sam, Head of Service for South West Kent, and Mrs J Grant, Senior Policy Manager, were in attendance for this item.*

1. Mr Thomas-Sam introduced the report and responded to comments and questions from Members. Points arising were as follows:-

- a) Kent had exceeded the Government's 30% target for the number of people taking up a personal budget, having achieved 31 – 32 % take-up, and had a good reputation for performing well against national targets; and
- b) the clear and concise report prepared for this Committee could be used to inform other bodies of TLAP, and Locality Boards were cited as one example of a good pace to air it.

2. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

**14. A Summary of The Operating Framework for the NHS in England 2011/2012, including Funding Allocations and Local Activity in Kent**  
*(Item E4)*

*Ms S Smith, Policy Officer, was in attendance for this item.*

1. Mrs Tidmarsh and Ms Smith introduced the report and responded to comments and questions from Members. Points arising were as follows:-

- a) the current changes in the NHS were still very fluid, but the plan was for the current PCTs to form one cluster PCT on 1 June. PCTs are currently building up consortia, but the size and location of the above was not yet clear, nor any role that KCC might have to play in the set up; and
- b) the winter pressure funding figures quoted in the report had been based on population figures, but the NHS had some flexibility around how it wished to provide services.

2. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks, and a report be made to the next meeting of the POSC on how the new NHS money will be spent.

**15. Non-Residential Charging Policy Changes**  
*(Item E5)*

*Mr M Thomas-Sam, Head of Service for South West Kent, and Miss M Goldsmith, Directorate Finance and e.Commerce Manager, were in attendance for this item.*

RESOLVED that the information set out in the report and given in response to questions be noted, with thanks.

**16. Adult Social Services Budget Forecast Report 2010/2011**  
*(Item E6)*

*Miss M Goldsmith, Directorate Finance and e.Commerce Manager, was in attendance for this item.*

1. Miss Goldsmith introduced the report and responded to comments and questions from Members. Points arising were as follows:-

- a) the budget had been adjusted in recent years to reflect increasing demand for services from people with physical and learning disabilities, the latter in particular being an area of traditionally high demand in Kent; and
- b) it is not always easy to forecast pressures for various budget headings, so adjustments to the budget are made as the year progresses.

2. The Cabinet Member, Mr G Gibbens, emphasised that the ASS budget was by far the largest discretionary, demand-led budget in the KCC, and he praised the way in which the budget was very closely managed by KASS, with budget forecasts and monitoring being consistently very tight. He placed on record his thanks and complements to KASS staff and said he was confident that the budget was being managed robustly.

3. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks, and KASS staff be congratulated on the management of this huge and complex budget area.

## **17. Core Monitoring** *(Item E7)*

*Mrs S Abbott, Head of Performance and Information Management, was in attendance for this item.*

1. Mrs Abbott introduced the report and responded to comments and questions from Members. Points highlighted were as follows:-

- a) the core monitoring process measured elements not covered in the former performance monitoring mechanism, and allowed the sort of detail to be recorded which Members found helpful in gaining a full picture of performance and its outcomes for the people of Kent.

2. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

## **18. KCC's Performance Management Framework** *(Item E8)*

*Mr R Fitzgerald, Performance Monitoring Officer, was in attendance for this item.*

1. Mr Fitzgerald introduced the report and responded to comments and questions from Members. Points highlighted were as follows:-

- a) Members now had more opportunity to take part in monitoring the KCC's performance, and workshops for Members were being held in early May;

- b) the view was expressed that it is important to acknowledge and be aware of the difference between performance and the monitoring of data; perhaps if the KCC had monitored the performance of its child safeguarding function, it would not have had such a poor Ofsted report; and
  - c) KASS performance monitoring and reporting had always been good, and could be used as a model for other Directorates.
2. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

## **19. Savings Monitoring**

*(Item F9)*

*Miss S Carey, Deputy Cabinet Member for Finance and Procurement, was present, and Mr D Shipton, Finance Strategy Manager, was in attendance for this item.*

1. Mr Shipton explained that a verbal statement about the Savings Monitoring process was being made to all POSCs. For any identified savings above a threshold of £200,000, a responsible manager would be identified, who would then prepare a Project Initiation Document (PID). There were currently some 100 of these PIDs, between them accounting for £92 million of the £95 million savings required. The progress of the PID would be monitored using the familiar Red, Amber and Green indicators, and each POSC would receive a report to every meeting on the progress of the PIDs in their portfolio area.
2. Members were reassured that the responsible manager identified in each case would be a Head of Service or a Director, so would be fully aware of the responsibility they were taking on and in a sufficiently senior position to direct and ensure the delivery of the saving. Delivery could be delegated but the accountability for it could not.
3. Miss Carey added that the time and resources directed to driving forward and monitoring the progress of efficiency savings was part of the normal workload for Heads of Service and Directors. The actual mechanism for doing this was slightly different this year to fit the new structure of the Council.
4. RESOLVED that the information set out in the statement and given in response to Members' questions be noted, with thanks, and the first full written report on savings monitoring be made to the POSC's July meeting.

## **20. Update on Select Committee Work**

*(Item G1)*

RESOLVED that the information set out in the pres/report and given in response to comments and questions be noted, with thanks.