

## KENT COUNTY COUNCIL

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

MINUTES of a meeting of the Adult Social Care and Public Health Policy Overview and Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 10 November 2011.

PRESENT: Mr C J Capon (Chairman), Mr R E Brookbank, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr C Hibberd, Mr M J Jarvis, Mr S J G Koowaree, Mr J E Scholes and Mr C P Smith

ALSO PRESENT: Mrs T Dean, Mr G K Gibbens, Mr P W A Lake and Mr R J Lees

IN ATTENDANCE: Mr A Ireland (Corporate Director, Families and Social Care), Mr M Lobban (Director of Strategic Commissioning), Mr A Scott-Clark (Deputy Director of Public Health, NHS E & C Kent), Ms P Southern (Interim Director of Learning Disability and Mental Health), Mrs A Tidmarsh (Director of Older People and Physical Disability) and Miss T A Grayell (Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

##### **51. Minutes of the meeting held on 20 September 2011**

*(Item A4)*

RESOLVED that the Minutes of the meeting held on 20 September 2011 are correctly recorded and they be signed by the Chairman. There were no matters arising.

##### **52. Chairman's Announcements**

*(Item A5)*

1. The Chairman welcomed Andrew Ireland and Mark Lobban to the meeting in their new roles as Corporate Director of Families and Social Care and Director of Strategic Commissioning, respectively.

##### **Mrs Valerie Dagger**

2. Members asked that their best wishes be sent to Mrs Dagger for a speedy recovery following a recent fall. Miss Grayell undertook to write on behalf of the Committee.

##### **53. Oral Updates by Cabinet Member, Corporate Director of Families and Social Care and Director of Public Health**

*(Item A6)*

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

- *Welcome to Andrew Ireland, New Corporate Director of Families and Social Care*

- *District Public Health Visits are underway*
- *Launch of Live it Well Website took place on Mental Health Day 10 October*
- *Attended meeting with Paul Burstow MP at the National Children's and Adult Services Conference on 20 October*
- *Welfare Reform Informal Members Working Group and Department of Work and Pensions Visit to Ashford Gateway on 31 October*
- *House of Commons Select Committee Call for Evidence Joint Response – a response had been made on behalf of, and in the name of, SECASC (South East Councils for Adult Social Care). Mr Gibbens undertook to circulate a copy of this response to POSC Members upon request.*
- *Visit to Dartford and Gravesham with Dartford and Gravesham Members to be arranged for 1 December*
- *Attending Public Health Practitioner Portfolio Assessment of National Pilot Schemes Event on 7 December in London*

2. Mr Ireland gave an oral update on the following:-

- *During his first month in post he will make a series of visits to District offices to meet staff and see the up to date picture*
- *Initial aims – to improve and increase joint working, take forward existing strategies and build links*
- *The Interim Director, Malcolm Newsam, will stay until the end of November to allow a handover period and will take a lead in operational issues for both Adults' and Children's Services*

3. On behalf of the Director of Public Health, Mr Scott-Clark gave an oral update on the five key Public Health papers expected in the near future:-

- *Operating Model for Public Health England (due in November, but was still awaited in early December when these minutes were finalised)*
- *Public Health Outcomes Framework (due in November, but was still awaited in early December when these minutes were finalised)*
- *Public Health Human Resources Concordat published by the NHS and Local Government Association (workforce issues relating to the transfer of Public Health to Local Authorities) (published 18 November)*
- *NHS Operating Framework (published 24 November) and Shadow Budget allocation for Health Improvement (due before Christmas)*
- *Public Health Workforce Consultation Paper (due in December, but now expected in January)*

Mr Gibbens undertook to share this list with POSC Members and collate views from them on the respective consultation papers.

**54. Kent and Medway Safeguarding Vulnerable Adults Annual Report, April 2009 - March 2010 and April 2010 - March 2011**  
(Item C1)

*Mr N Sherlock, Head of Adult Safeguarding, was in attendance for this item.*

1. Mr Sherlock introduced the report and emphasised that the Kent and Medway Safeguarding Vulnerable Adults Board is a multi-agency body. Mr Sherlock, Mr

Gibbens, Mr Ireland and Mrs Tidmarsh responded to comments and questions from Members, and the following points were highlighted:-

- a) the Board is not yet operating on a fully-statutory basis, and hence there is no clear detailed national guidance on the constitution or membership of it. The structure and membership of the Board are both due for review shortly, to ensure that it is best able to fulfil its role in the future. For example, KMPT is part of the network but not of the Board's executive;
- b) Members expressed concern that safeguarding issues arising at a hospital in the Dartford and Gravesham area had not been mentioned in the report. The timescale of preparing the report for POSC and the method of gathering information had meant that the Care Quality Commission's recent findings had not been included in it, but they will be set out in full in next year's annual report. The issue had come to light from an inspection and had not arisen as a safeguarding incident;
- c) Mr Gibbens reassured Members that, as the lead Member for adult safeguarding in Kent, he took his responsibilities very seriously. He reminded Members that the KCC's legal role in respect of adult safeguarding was different to its role in respect of children's safeguarding. He explained that he holds a quarterly meeting with Mr Sherlock at which safeguarding issues are examined in detail. He emphasised that the reporting lines for incidents are robust and independent;
- d) figures in the report show a decrease in the financial contribution made to the Board by the KCC, but this is because the provision of training would in future be provided by the KCC. No specific targets for training in adult safeguarding are currently set, but the KCC sets its own staff training targets as part of Bold Steps for Kent; and
- e) some partners on the Board had reduced their financial contribution due to their constrained budget situation, and as the Board moves to a more statutory footing and financial input is more formalised, it is possible that more bodies will review their financial commitment.

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

## **55. Presentation on 'What is Public Health?'**

*(Item D1)*

1. Mr Scott-Clark presented a series of slides which set out the history of and background to public health as a profession, and the new responsibilities for public health which will transfer to the KCC. He responded to comments and questions from Members, and the following points were highlighted:-

- a) public health had previously been a responsibility of the County Council in the 1970s, had moved away and is now returning; and

- b) public health regulation is a mixture of statutory and voluntary; Public Health consultants must be on the General Medical Council Specialist register or on the UK Public Health register. There is currently no professional register for health promotion specialists. A review of the arrangements for professional regulation was undertaken in 2010.
2. RESOLVED that the information set out in the presentation and given in response to comments and questions be noted, with thanks.

**56. Update of Public Health Expenditure**  
(Item D2)

1. Mr Scott-Clark introduced the report and responded to comments and questions from Members. The following points were highlighted:-
- a) strategic and local funding priorities need to be considered together to get a picture of need, and Locality Boards have a role to play in achieving this; and
  - b) the report contains figures for investment in weight management services across West Kent districts. In East Kent, service commissioning is accounted for differently, although the same outcome is achieved.
2. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

**57. 'Live it Well' - the Kent and Medway Mental Health Strategy for 2010 to 2015 - Update**  
(Item E1)

*Mr P Absolon, Social Care Commissioner for Mental Health, was in attendance for this item.*

1. Mr Absolon introduced the report and explained that this is the first year of the five-year Live It Well Strategy. Some good outcomes had so far been achieved, and the Strategy is a good example of successful joint working.
2. RESOLVED that the information set out in the report be noted, with thanks.

**58. Update on the Kent Health and Wellbeing Board**  
(Item E2)

1. Mr Scott-Clark introduced the report and responded to comments and questions from Members.
2. The shadow Health and Wellbeing Board includes three representatives from District or Borough Councils, selected by the Kent Forum. These representatives are from Tunbridge Wells, Tonbridge and Malling and Swale. Concern was expressed that East Kent is not represented, but it was explained that this is not an issue over which the KCC has any influence.

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

### **59. Select Committee: Dementia - a New Stage in Life**

*(Item E3)*

*Mrs T Dean was present for this item as the Chairman of the Dementia Select Committee.*

1. Mrs Dean introduced the final draft of the Executive Summary of the Select Committee report and explained that it was being presented to the POSC for its support prior to being considered by the Cabinet and full Council in December.

2. Members welcomed the range, scope and clarity of the Select Committee's report. They commended the way in which it highlighted long-standing issues around the diagnosis and understanding of Dementia. In particular, they commented on the importance of early diagnosis, the role played by memory cafes and reminiscence sessions, and what Members can do to support these.

3. Mrs Dean placed on record her thanks to the Research Officer for her work and commitment, which had resulted in an immensely good quality piece of work. Mrs Tidmarsh and Mr Gibbens added that the report's recommendations gave the Directorate an ideal opportunity to review and refresh its action plans and both expressed their eagerness to begin work on taking forward the recommendations.

4. RESOLVED that:-

- a) the final draft of the Executive Summary of the Select Committee's report 'Dementia – A New Stage in Life' be welcomed and supported onwards to the Cabinet and County Council; and
- b) the Select Committee, Researcher and officer team and participants be thanked for their excellent work.

### **60. Adult Social Care Budget Forecast and Savings Report 2011/12 and Debt Position September 2011**

*(Item E4)*

*Miss M Goldsmith, Families and Social Care Finance Business Partner, was in attendance for this and the following item.*

1. Miss Goldsmith introduced the report and she and Mrs Tidmarsh responded to comments and questions from Members. The following points were highlighted:-

- a) vacancies always exist to a greater or lesser extent across the Directorate, and are managed in a way which minimises the impact upon front-line service provision. Adult Social Care are managing but not currently holding vacancies, and are currently recruiting; and
- b) Miss Goldsmith and Mrs Tidmarsh undertook to supply more detail about the management of Adult Social Care vacancies outside the meeting.

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

## **61. Revenue Budget 2012/13 and Medium Term Financial Plan 2012/13 to 2014/15**

*(Item E5)*

1. Miss Goldsmith introduced the report and responded to comments and questions from Members. The following points were highlighted:-

- a) a one-year government grant for 2012/13 is to be given to Councils which continue to freeze Council Tax, and Members expressed concern that when this finishes there will be a substantial shortfall in funding which will need to be addressed;
- b) Mr Ireland added that he would be working closely with finance colleagues to examine the detail of the Adult Social Care budget, and Miss Goldsmith undertook to respond to questions of detail outside the meeting;
- c) figures which had previously been produced to illustrate a £10 million saving in the Adult Social Care budget had been prepared in response to an exercise which sought to identify the likely impact of making hypothetical savings of varying severity. The Directorate was not being asked to make this saving; and
- d) an Informal Member Group had met through the summer and autumn and had reported back to the POSC that it did not feel prepared or able to identify potential savings without having further information.

3. RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks. No potential savings were identified.

## **62. Families and Social Care In-House Services - Adults**

*(Item E6)*

1. Mr Lobban introduced the report and responded to comments and questions from Members. The following points were highlighted:-

- a) Adult Social Care (ASC) in-house services had all been rated as 'good' or 'excellent', and good quality staff training is a vital part of achieving these ratings; and
- b) the Directorate's move towards being a commissioner rather than a direct provider must not be allowed to detract from the primary importance of delivering services to vulnerable people, and this should be guarded against.

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

**63. Outcome of Formal Consultation on a New Service Model for Learning Disability Day Services in the Thanet District**  
*(Item E7)*

*Ms P Watson, Commissioning Manager for Learning Disability, was in attendance for this item, with Ms Southern.*

1. Ms Southern introduced the report and responded to comments and questions from Members. The following points were highlighted:-

- a) the same consultation process had been followed and the same service model used as for recent similar reviews in Maidstone and Ashford. A range of engagement methods had been used, and feedback had shown that the approach taken had been appreciated by consultees;
- b) a bid from East Kent Mencap, outlined in the report, had been received on the very last day of consultation. Ms Southern confirmed that, although it had been proposed that this bid should not be pursued at this time, further work and negotiation around the bid has not been ruled out. As the bid had arrived very late in the process, she had not had the opportunity to explore it as thoroughly as she would need to under the KCC's procurement rules;
- c) as a Thanet Member, Mr M J Jarvis said he had attended consultation meetings but had not been aware of the Mencap bid. He supported further exploration of the bid as no other alternative proposal had come forward. The importance of early local Member involvement was highlighted and Mr Gibbens undertook to ensure that all local Members were fully involved before he takes the decision;
- d) some service users who are currently eligible for free transport will continue to receive transport, although some may incur a charge, depending on the overall package of services they receive and which of these other services are charged;
- e) direct payments offer service users a choice of how they wish to access services, and it is not possible to guarantee that any given proportion of users will continue to choose KCC services. Where take-up of these services declines, and they become less cost-effective to deliver to a smaller audience, the KCC will still need to continue to offer services to those who have chosen them and depend on them; and
- f) as in Ashford and Maidstone, the new service delivery model in Thanet will be subject to a ongoing evaluation process, and progress reports will be made after six months and twelve months.

2. Members expressed concern that the decision which the Cabinet Member was being asked to take precluded any further work on and negotiation of the East Kent Mencap bid. Mr S J G Koowaree suggested an additional recommendation to specify continued negotiation with East Kent Mencap. After discussion, this was not seconded or pursued as Mr Gibbens and Mr Ireland confirmed that they were confident that the report's current recommendations, and the decision which the

Cabinet Member will shortly be asked to take, did not preclude any further discussion or investigation of the bid put forward by East Kent Mencap. Members welcomed this reassurance.

3. RESOLVED that the information set out in the report, and the decision which the Cabinet Member will shortly be asked to take, be noted.

**64. Update on Select Committee Work**  
*(Item G1)*

RESOLVED that the content of the report be noted, with thanks.