

## SCRUTINY COMMITTEE (COMMUNITY WELLBEING AND SAFETY)

MINUTES of a meeting held at the Memorial Hall, Barry on 23<sup>rd</sup> October, 2006.

Present: Councillor Mrs. M.E.J. Birch (Chairman); Councillor R.F. Curtis (Vice-Chairman); Councillors R.J. Bertin, Ms. R.M. Birch, Mrs. J.E. Charles, P. Church, J. Clifford, S.C. Egan, C.L. Osborne, Mrs. A.J. Preston, Mrs. M. Randall, A.J. Readman, Mrs. S.I. Sharpe, K.R. Stockdale, Mrs. M.R. Wilkinson and C.J. Williams.

Co-opted Member: Mr. C. Curtis (Vale Housing and Homelessness Forum).

Also present: Councillors Ms. M.E. Alexander, Miss J. Cole, C P. Franks, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, N. Hodges, G. John, F.T. Johnson, G.C. Kemp, Mrs. A.J. Moore, N. Moore, B. I. Shaw and J.W. Thomas.

### 446 APOLOGIES FOR ABSENCE -

An apology for absence was received from Councillor W.C. Vaughan.

### 447 MINUTES -

RECOMMENDED - T H A T the minutes of the meeting held on 2<sup>nd</sup> October, 2006 be approved as a correct record, subject to it being noted that minute no. 360, page no. 433 bullet point 8 should read "It was hoped that cross-party talks would be held with Brian Gibbons A.M. to discuss the funding problems facing many Social Services Authorities in Wales."

### 448 DECLARATIONS OF INTEREST -

No declarations were received.

### 449 SOCIAL SERVICES BUDGET ACTION PLAN -

The Action Plan had been referred to the Committee from Cabinet on 20<sup>th</sup> September, 2006 in order for the Scrutiny Committee to consider the current budget issues within Social Services and the Action Plan that had been proposed. At its last meeting the Scrutiny Committee had deferred consideration in order "T H A T representatives of voluntary organisations, Local Health Board and members of the public be invited to attend the next scheduled meeting of the Scrutiny Committee (Community Wellbeing and Safety) to be held on 23<sup>rd</sup> October, 2006 to express their views on the proposals contained in the Social Services Budget Action Plan."

The background to the report was that the Director of Community Services had been charged with developing an Action Plan to identify how spending across Social Services could be reduced in order to deliver a balanced budget for Social Services. In 2003/04 the Council had established a management fund of £5m. for Community Services. The fund had been made available for the following purposes:

- (1) Invest to Save initiatives and preventative measures
- (2) Abnormal demands for services
- (3) Continued use in line with the Children's Placement Strategy.

Since 2003/04, it was reported that the service had used the fund as follows:

- |     |         |        |
|-----|---------|--------|
| (1) | 2003/04 | £1.4m. |
| (2) | 2004/05 | £2.3m. |
| (3) | 2005/06 | £4.6m. |

Prior to consideration of the views from voluntary organisations, the Local Health Board and members of the public, the Chairman welcomed all present to the meeting, outlining the reasons for the meeting and detailing the process that would be followed. Members of the public would, the Chairman explained, be given the opportunity to make statements to the Committee in respect of the matter under consideration following the witnesses that had already indicated they wished to speak at the meeting. The Chairman advised that the list of names of people who wished to speak was in no specific order other than in the order of the first person who had stated their intention to speak at the meeting. It was made clear to all present that the meeting had been held in the Memorial Hall, Barry to enable representatives and members of the public to listen to the debate and submit comments either verbally or in writing thereafter.

The first speaker invited to come forward was Leanne Wood, Assembly Member, who thanked the Committee for the opportunity afforded and stated her strong feelings against making the proposed cuts. As an Assembly Member she had received a number of complaints on the issue and her concerns were in relation to the fact that statutory services would be cut resulting in a reduced service to Vale of Glamorgan residents. She questioned why the Council had not put in preventative measures and, as Chair of a Women's Aid Group, she felt many lives would be affected by the proposed cuts and she urged the Authority to reconsider in particular the long term implications of the proposals.

The Deputy Chief Executive from the Cardiff and Vale NHS Trust, Jonathan Davies, stated that in a letter dated 9<sup>th</sup> September to the Authority, the Trust had expressed its concerns at the increased costs that would be placed on Health and Social Care as a result of the proposals. The burden on the NHS Trust was not only caused by the Delayed Transfers of Care but also by not being able to admit patients to hospital for treatment. He advised that, to date, 47 residents from the Vale were being Delayed a Transfer of Care. Members queried what the current bed blocking figures were in other Local Authorities. Mr. Davies did not have the figures but replied that the Cardiff

and the Vale Trust had the "biggest problem". He further advised that the Welsh Assembly Government was due to meet with local Trusts as soon as possible to discuss the issue of bed blocking.

A Member queried the employment of the Specialist Nurse detailed in the Action Plan to examine and challenge decisions made by the Vale Local Health Board. Mr. Davies stated that it was a matter for the Local Authority but he was surprised at the action that was proposed in that in his opinion it should have been a partnership approach. Mr. Davies reiterated that the position was worsening and that the Local Authorities and the Health Boards should work together to improve the situation. In answer to a question on what was the longest waiting time for a delayed transfer of care Mr Davies confirmed since February 2006.

Members raised concerns in relation to whether or not the Authority would be acting illegally under some of the proposals, and Mr. Davies stated that although he was not a lawyer he understood that some of the actions in the Plan were not lawful.

Suzanne Davies from the Local Health Board confirmed Jonathan Davies' view of working together and that one of the recommendations should be that statutory partners work closer together. One of the main aims of the Local Health Board was to ensure that people were able to maintain their independence within the community and the longer people remained in hospital the more difficult this became. Ms. Davies advised that at an operational level the Health Board and the Social Services Department worked well but that there was a need to revisit existing plans.

Rachel Connor, VCVS, informed the Committee of a recent report she had prepared for the Voluntary Sector Joint Liaison Committee to be held on 24<sup>th</sup> October, 2006 which advised of the impact on the local voluntary sector of the proposed cuts. The reduction of the level of funding to voluntary organisations in receipt of funding from Social Services by 10%, she stated, would impact on 35 projects run by 23 organisations. She further stated that all the organisations had abided by the terms of the grants / Service Level Agreements and in many cases had brought in additional resources from outside the Vale to enhance the service the Vale had asked them to provide. The impact of the loss of 10% of their grant from the Council would have a knock-on effect on such funding which would, in some instances, provide for some organisations a double funding loss. There would be a loss of jobs within the Voluntary Sector which would impact on local families. The impact that the measures would have on service users was not yet known but all the organisations agreed that in many instances the circumstances of individuals accessing the preventative services could well escalate to a crisis level that would in turn require Social Services intervention at a much higher cost. She stated that the Social Services Budget Action Plan appeared to be contrary to arrangements which the Vale of Glamorgan Council had worked so hard to establish and maintain.

The Action Plan also appeared to contravene the Vale of Glamorgan Council's clear commitment to providing services and support to the most

vulnerable members of the community, the evidence for which was clearly evidenced within the Council's Community Strategy, its Corporate Plan and the Compact. At this stage, Ms. Connor advised that, although a number of organisations were present at the meeting and had declared an interest to speak, there were a considerable number who had not been in a position to meet with their respective committees in time for the meeting. The Chairman stated that this Committee would receive any submissions that the organisations wished to make and urged Ms Connor to ensure that the submissions were made as soon as possible. A Member of the Committee also commented that the 10% cuts across the board could "destroy relationships" with the voluntary sector and the commitments that had already been made which could take years to re-establish. In particular, Ms Connor reported on the discontinuation of the grant to Cyffle Cyntaf for a service that relieved the pressure on families of disabled children which would cause extra pressures for families and could in turn lead to unavoidable and costly admissions at a later date.

Discontinuation of the grant to the Vale Women's Aid organisation would mean that the Vale would be the only Local Authority in Wales that did not have a Women's Aid organisation operating in its area. It would fold and, as a consequence, the likely result of the closure would be an increased number of referrals to the Children's Services Social Services Department and the cessation of the service would undermine partnership working in relation to the Domestic Abuse Strategy and women suffering domestic abuse in the community would be exposed to a greater degree of risk.

If the Local Authority then decided at a future date to reinstate the Women's Aid service, the cost would be considerably more than the cut which had been proposed. Meriel Sykes-Newton from Women's Aid, concurred with Ms. Connor's comments and confirmed that the funding, if taken away, would result in the closure of the Refuge. Since the year 2000, over 6,553 women and children had accessed the service and the concern was where would the most vulnerable go for assistance. A representative from the Women's Aid service who had actually been involved in physical abuse addressed the Committee. In particular, she stated that if she had not received the support, help and advice from Women's Aid, she feared she would not be here today. The Director of Community Services confirmed that if the Women's Aid service did fold there would be pressure on the Children's Services Department but the implications would have to be considered. The Chairman further pointed out that the Scrutiny Committee was currently also conducting a review on Domestic Abuse and the report would be presented to Committee on 6<sup>th</sup> November, 2006.

Further organisations and members of the public were then invited to address the Committee, including Penarth Youth Project, Innovate Trust, Alzheimer's Society, Vale Plus, Opportunity Housing Trust, First Opportunity Cyffle Cyntaf, C&V Parents Federation, Crossroads in the Vale, Barnados, NCH, Vale CAB, Mind in the Vale, the Vale of Glamorgan 50's Senior Citizens Forum, Llamau. The points raised included the following:

- the 10% cut would cause severe problems for many organisations, some would have to fold;
- the support to the most vulnerable people within the community would be affected which would cause undue stress to people and their families and would have a detrimental effect not just immediately but for the future;
- a lack of consultation that had taken place on the proposals in the Action Plan had been referred to by nearly all the speakers, many organisations had received the Action Plan from colleagues, not from the Social Services Department;
- the organisations were aware of the budget overspend within the Social Services Department and the need for the Authority to consider reducing the overspend, but expressed concern at the actions detailed in the Plan and the effect that they would have on the most vulnerable members of the community together with their view that the impact that the closure of some establishments and the reduction in services to the community would, in their opinion, have an adverse impact on the Social Services Department in the long run and further, in their opinion, the Action Plan had been ill thought out;
- some organisations provided a service to children from a considerably young age and research had shown the importance of early intervention at this stage; if the cuts were imposed many children within the Vale would lose out on those services;
- some of the services were lifeline services for families, even a few hours a week provided the support needed. Many of the organisations also provided services for the Council which assisted them in the running of their own departments. The proposed cuts would not only jeopardise the organisations themselves but the Social Services Department would have to increase its spending in other areas in order to ensure the services were provided;
- in some circumstances some projects would fold and in others the 10% cuts would have a severe impact. As a result, the burden would be placed back on the Social Services Department;
- representatives from Mind advised of a recent audit that had been undertaken of Vale services which had noted that an inadequate range of day services existed and advised that the Authority should be prioritising the voluntary sector for funding;
- organisations currently operated with insufficient monies and as general running costs increased, inflation did not increase in line with these. The result was that each year they had to consider the budget and services they provide without any inflation rises, a position which would be exacerbated if a 10% reduction was implemented;
- the Authority should take on a monitoring system for Social Services in the future and ensure that accountability was an element. Each year the Social Services Department should be reviewed against its expenditure, and its strengths and weaknesses identified;
- the damage to partnership working if the cuts went ahead would be significant;
- the Council would not be meeting its statutory obligations;
- the Council was urged to lobby the Welsh Assembly Government for

- more funds and to do this in conjunction with the voluntary sector;
- current delays in responses from the Local Health Board and Social Services Department were causing increasing anxieties for families;
- professionalism in providing the services was being eroded. An eligibility criteria needed to be considered and a number of members of the public relayed their own experiences when they were in receipt of services from organisations within the Vale and did not wish to contemplate what could happen if the services could not be provided;
- there were currently 54 beds empty in the nursing and residential care sector in the Vale which was having a serious effect on operators.

During the meeting discussion ensued on a number of significant areas of expenditure within the Council, in particular expenditure on the Council's OneVale project. The Cabinet Member for Social and Care Services responded by stating that the OneVale project was not just a Call Centre and that the expenditure had been approved by the whole Council. A considerable proportion of the OneVale project was also capital expenditure.

Views were expressed that the Social Services Budget Working Group that had been set up by Cabinet should meet on a regular basis (at least once a week), the minutes be published and that all Vale of Glamorgan Members be able to receive them.

The view was expressed that the Council should lobby WAG for more funding and that the draft Joint Review Report of the SSIW and WAO should be presented to Members as soon as possible and also that the SSIW be approached as to the earliest available date that the report could be available. A number of Members expressed the view that they could not support the proposals before them as they would affect the most vulnerable of the community and were concerned at the lack of consultation on the proposals that had taken place.

As to the question of many of the proposals in the Action Plan meaning the Authority would not be carrying out some of its statutory obligations, the Cabinet Member for Social and Care Services stated that he could not support actions that were not legal.

The Director advised the Committee that the SSIW had been informed of the Action Plan and that it had been kept up to date in respect of the matter.

A number of questions were raised by the Committee as follows and the Director of Community Services agreed to provide Members with the information requested in written format as soon as possible:

1. If Women's Aid fold, what is the impact on Children's Services?
2. How has the Council spent its share of extra funding allocated to local authorities in Wales this financial year to ease pressure on social services?
3. Local authorities are legally obliged to assess social care needs and

fund care without “unreasonable delay”. What does the Council consider to be the reasonable length of time someone would wait for funding following assessment?

4.
  - (a) How many Vale residents currently in hospital have been assessed as needing care and are waiting for funding?
  - (b) What is the longest wait?
  - (c) What is the average wait?
5.
  - (a) How many people are waiting for assessments of their care needs?
  - (b) What is the longest wait for an assessment of care?
  - (c) How long is the average wait?
6. Has the Social Services Inspectorate for Wales and the Wales Audit Office met the Vale Council recently? What was the outcome of the meeting?
7. How will the Council assess the impact on existing and potential service users of cuts to resources and services, and increased charges? Which partner organisations or relevant bodies will be consulted?
8. How many complaints about care funding have been received since April 2006? Of these, how many were dealt with using the “listening and learning” complaints procedure?
9.
  - (a) Is there a preventative strategy in place to ease pressures on residential care funding?
  - (b) If there is, does this strategy include other departments?
10.
  - (a) How is Occupational Therapy being used to extend independent living?
  - (b) What is the average wait for an OT assessment in the Vale?
  - (c) How many people assessed as needing extra care since April have been on the OT waiting list?
  - (d) What is the current waiting time for a person to receive an adaptation to their home?
11. How many referrals have been made to Vale Care Home providers since April?
12. The Action Plan proposes cuts to a range of voluntary organisations

which are providing services, many of which keep people supported in their own home. How can cuts to these services be justified on financial or service grounds and how is it cost effective to cut these services?

13. According to the Social Services Action Plan to Cabinet you are not carrying out statutory services. Please comment.
14. What would happen if Bryneithen closes, how long before new build will be on line?
15. When will service risk implications be addressed?
16. Why was the 6 week free care subsumed into the RSG?

In order to apprise the large number of interested parties that were present and the Committee having agreed to recommend the referral of the Action Plan to Full Council, the Chairman then stated that although the Cabinet had resolved "That the Action Plan be referred to the Scrutiny Committee (Community Wellbeing and Safety), and the Scrutiny Committee (Corporate Resources) as the lead Committee," she would be seeking the Committee's views on recommending to Scrutiny Committee (Corporate Resources)

- that any recommendations made be referred to Full Council
- that a risk analysis of the proposals be undertaken
- that a departmental management review of budgets and the management of budgets be undertaken
- that the recommendations be referred to the Social Services Budget Working Group.

In view of the lateness of the hour and the need for the Committee to consider the evidence that had been presented, it was

#### RECOMMENDED -

(1) T H A T notwithstanding the response of Scrutiny Committee (Corporate Resources), as the lead Committee, to any recommendations which may be made by this Committee, the Action Plan be referred, in any event, to Full Council.

(2) T H A T the meeting stand adjourned until Friday, 27<sup>th</sup> October, 2006 at 4.00pm in the Civic Offices, Holton Road, Barry, in order that the evidence presented and any further written submissions could be considered.

Note: During this meeting the following non - committee members were granted permission to speak: Councillors Ms M.E. Alexander, F.T. Johnson Mrs. A. Moore and N. Moore.

Minutes of a reconvened meeting held on 27<sup>th</sup> October, 2006 at 4.00 p.m. at the Civic Offices.

Present: Councillor Mrs. M.E.J. Birch (Chairman); Councillor R.F. Curtis (Vice-Chairman); Councillors Ms. R.M. Birch, S.C. Egan, Mrs. M. Randall, A.J. Readman and Mrs. M.R. Wilkinson.

Also present: Councillors Ms. M.E. Alexander, Mrs. V.M. Hartrey, G.C. Kemp, Mrs. A. Moore, N. Moore and B.I. Shaw.

#### 450 APOLOGIES FOR ABSENCE -

These were received from Councillors R.J. Bertin, Mrs. J.E. Charles, P. Church, J. Clifford, C.L. Osborne, Mrs. A.J. Preston, Mrs. S.I. Sharpe, K.R. Stockdale, W.C. Vaughan, C.J. Williams and Co-opted Member Mr. C. Curtis (Vale Housing and Homelessness Forum).

#### 451 DECLARATIONS OF INTEREST -

No declarations were received.

#### 452 FURTHER EVIDENCE IN RESPECT OF AGENDA ITEM NO. 4 - SOCIAL SERVICES ACTION PLAN -

The Committee was presented with the following further information and evidence:

- a copy of a letter to Councillor Mrs. M.E.J. Birch (Chairman) setting out detailed advice from the Monitoring Officer reiterating verbal advice given prior to the meeting on 23<sup>rd</sup> October and alluding to a number of issues arising from the Committee seeking to refer the Action Plan to Council
- notes of the adjourned meeting held on 23<sup>rd</sup> October, 2006
- an urgent reference from the Audit Committee: 24<sup>th</sup> October, 2006
- minutes of the Voluntary Sector Joint Liaison Committee: 24<sup>th</sup> October, 2006
- information that had been received from the following stakeholders since 23<sup>rd</sup> October, 2006 - Mind in the Vale Services, Opportunity Housing Trust, Cardiff and the Vale Parents Federation, NCH and Cardiff and the Vale Coalition of Disabled People.

The Director of Community Services also presented Members with statistical information on residential and nursing placements made by the Vale of Glamorgan since April 2005.

In respect of the letter on behalf of the Monitoring Officer which referred to the recommendation that had been made on 23<sup>rd</sup> October, 2006, that the Action Plan be referred to Full Council, the Operational Manager (Democratic

Services) confirmed the advice given i.e. that given the fact that the Scrutiny Committee (Corporate Resources) had been designated as the lead Committee, any move to recommend referral of the Cabinet decision to Full Council should be processed via that Committee, albeit, such a referral would, in any event, run contrary to the advice of the Monitoring Officer in terms of the Committee's ability to refer the matter to Full Council. The Committee had also been informed of the importance of bearing in mind reference to the term "decision". At this stage the Scrutiny Committee had been asked to consider and comment upon proposals contained in an Action Plan which may lead to decisions. In effect, the advice given in writing and reiterated at the meeting was that the only decision before the Scrutiny Committee was the decision by Cabinet to refer the Action Plan for consultation.

The Operational Manager (Democratic Services) suggested that in the light of the advice received, the Committee might like to consider recommending that notwithstanding the Committee's earlier recommendation to refer the Cabinet decision to Full Council, given the advice subsequently received from the Monitoring Officer and in recognition of the Scrutiny Committee (Corporate Resources) being the lead Committee, the Committee forward any further recommendations to the Scrutiny Committee (Corporate Resources).

However, a number of Members disagreed with the advice given and to the fact that the advice appeared to be hindering their stated desire to refer the issue to Full Council. As a result, and notwithstanding the advice of the Monitoring Officer, the Committee reiterated its earlier recommendation that the matter be referred to Full Council as agreed at the adjourned meeting of 23<sup>rd</sup> October, 2006.

Members were then afforded an opportunity to consider the written evidence that had been received to date and those present were further invited to provide verbal evidence to the Committee in respect of their service areas.

Concern was expressed by stakeholders and individuals as to the problems that would be faced if the 10% cuts were approved

The Director of Community Services was requested to provide written submissions to the questions that had been presented on Monday, 23<sup>rd</sup> October, 2006 and the questions were again reiterated for members of the audience to be aware of. The Cabinet Member for Social and Care Services was asked that if the proposed budget cuts were accepted would the services to the people of the Vale of Glamorgan for 2007 be "third rate services". Councillor Kemp responded by saying that he did not accept the services would be a third rate service but the Cabinet had to consider the considerable deficit in the Social Services budget. Concern was also expressed by Members in relation to the cost of the OneVale Project at £14million and they suggested that the Cabinet reconsider the priority of the services it should provide.

Having considered all the evidence the Committee then made the following recommendations.

## RECOMMENDED –

(1) T H A T in addition to the recommendation on 23<sup>rd</sup> October 2006 that the Action Plan be referred to Full Council that the Scrutiny Committee (Corporate Resources) be requested to also support the following recommendations and the referral of such and the Action Plan to Full Council:

- That in the Committee's opinion the proposals, would contravene the Council's policy framework in areas of statutory duties to the county's vulnerable residents and the breaching of formal agreements with outside partners of the Council
- That whilst some sections may be acceptable, others are not. The least acceptable are the cuts in the front-line services and the review does not provide an adequate risk analysis. There needs to be a deeper and wider consideration of the effects of the cuts to services for very vulnerable people.
- The whole Social Services department needs review for economies and there should not be a concentration of cuts on front line services. Support services in the areas of policy, information, performance and monitoring, training and commissioning need to be included.
- The Social Services Department needs a radical root and branch restructuring to be efficient to deal with the possibility of further and future deficits. Business Process Re-engineering (being used for OneVale) could be employed in this department.
- The whole Council needs to review where it is spending money across all the departments in the light of the needs of vulnerable people which should be our priority e.g. a delay in OneVale and certain other projects would not be life threatening or affect an individual's life expectations to the degree that front-line social services cuts would.
- We should nurture our agreements and partnerships with the National Health Trust, the Local Health Board, other Local Authorities and all the voluntary bodies who provide much of the work we want done. Some organisations will fold if we cut their support. This is poor house-keeping because we will either spend a great deal more money in re-establishing them or suffer the increased cost of supporting the then even-more vulnerable people which will fall on the Social Services Department anyway.
- Since we are seven months into the financial year is it necessary to implement these cuts now? We should concentrate on a rational, even a moral outcome for the next financial year.
- That the Scrutiny Committee expresses its total dismay at the lack of consultation with stakeholders on the proposals.

Note: During this meeting the following non - Committee Members were granted permission to speak: Councillors Ms. M.E. Alexander, Mrs. A. Moore and N. Moore.