

## HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE

Minutes of a Remote Meeting held on 4<sup>th</sup> October 2022.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor J.E. Charles (Chair), Councillor N.C. Thomas (Vice-Chair); Councillors G.M. Ball, C.M. Cowpe, R. Fisher, S. Lloyd-Selby, J. Lynch-Wilson, J.M. Norman, H.M. Payne, and C. Stallard.

Also present: Councillor G. John (Cabinet Member for Leisure, Sport, and Wellbeing).

### 288 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 289 APOLOGIES FOR ABSENCE –

These were received from Councillors C.A. Cave and A.M. Collins.

### 290 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 6<sup>th</sup> September, 2022 be approved as a correct record.

### 291 DECLARATIONS OF INTEREST –

No declarations were received.

### 292 DRAFT VALE OF GLAMORGAN COUNCIL ANNUAL SELF-ASSESSMENT 2021/22 (REF) –

The reference from Cabinet of 8<sup>th</sup> September, as contained within the agenda was presented.

With no comments or questions, the Committee subsequently

RECOMMENDED – T H A T the Cabinet reference and appended Draft Vale of Glamorgan Annual Self-Assessment report be noted.

Reason for recommendation

Having regard to the content of the report to assess the progress made by the Council in meeting its Annual Delivery Plan commitments for 2021/22 as aligned to the Corporate Plan Wellbeing Objectives as per section 114 of the Local Government and Elections (Wales) Act 2021.

293 REVENUE MONITORING FOR THE PERIOD 1<sup>ST</sup> APRIL TO 31<sup>ST</sup> AUGUST 2022 (DSS) –

The Operational Manager for Accountancy advised that the Council's overall revenue position for 2022/23 would continue to be challenging for the Council both operationally and financially due to the ongoing implications of the COVID-19 pandemic and Cost of Living Crisis. A general Covid response reserve of £1.249m had been established during 2021/22 to help meet some of these pressures in 2022/23.

Currently, there was a balanced overall position with the pressures being met from an underspend on the Policy Budget and some drawdown of service reserves. An efficiency target of £500k had been set for the year and services were currently working towards achieving their targets. There were some issues remaining relating to unachieved savings targets from previous years. Adverse variances were being projected for some services in the current financial year and the use of reserves would be required to resolve said issues in the short term.

Emerging pressures during 2022/23 related to energy standing charges, the recent pay award proposal, general inflation particularly in areas such as school transport and cost of living and staffing pressures. Inflationary and demand pressures were being experienced across services and would need to be carefully monitored during the financial year. Paragraphs 2.16- 2.21 of the report set out the key pressures specific to the Social Services Directorate and Leisure Services at paragraph 2.24.

The Final Revenue Proposals set out a budget programme for Social Services that utilised an additional £1.437m of Social Services reserves to help meet Social Services cost pressures and build capacity in the service to address increased need and help to develop the staffing resources required by the service. It was proposed that the budgets were realigned to reflect the planned draw down from the Social Services reserve as part of the plan.

It was early in the financial year; however, it was anticipated that Social Services could overspend by £1.35m. Around £600k of the estimated overspend was due to the improved pay award offer, which would be funded from an anticipated favourable variance within the policy budget. The remaining £750k would be funded by Social Services reserves.

Following the Officer's presentation, the Vice-Chair expressed his concern over the levels of staff vacancies and questioned how the Council was responding to alleviate the pressures said vacancies were putting on the current workforce in order to retain staff and progress recruitment.

In response, the Director of Social Services advised that staffing gaps and recruitment was not a consistent issue across all areas within the directorate and therefore how staff members were feeling in relation to covering unfilled posts would fluctuate based on the circumstances for the particular service. The Council had undertaken a significant amount of work to create different roles and recruit from overseas in order to meet demands in services most effected by recruitment struggles, for example, social worker positions within Children and Young People Services. Pressures continued to exist, but the Council was in a much better position than it would have been if previous efforts hadn't been made.

In relation to Adult Services, the recruitment of Care Staff continued to be extremely difficult and the expectation of covering shifts due to staff absences meant that staff in the sector would feel the effects of vacant posts quite acutely. The wider public were also feeling the effects of the lack of domiciliary care packages available. The Council's response was to ensure that it provided a supportive working environment for all staff that focused on individual wellbeing under an approachable supervision process.

Councillor Lloyd-Selby then referred to previous discussions of the Committee that had highlighted cases of care need that the Council had been unable to meet within Adult Services due to a shortage in available care staff and queried if the budget projections, as presented, incorporated the funding required to meet the previously assessed and identified care need(s). In response, the Operational Manager for Accountancy advised that the Council would have a significantly larger overspend if it were able to provide all of the identified care hours/packages. In addition, the Director advised that the current shortfall projection for the care packages that the Council was currently unable to provide was in excess of £1m on an annualised basis.

With no further comments or questions, the Committee subsequently

#### RECOMMENDED –

- (1) T H A T the position with regard to the Authority's 2022/23 Revenue Budget be noted.
- (2) T H A T the arrangements to offset the emerging overspends in 2022/23, as set out in the report, be noted.

#### Reason for recommendations

(1&2) Having regard to the content of the report and the projected revenue outturn for 2022/23 as well as emerging pay and price inflationary pressures in 2022/23.

## 294 DEPRIVATION OF LIBERTY SAFEGUARDS (DoLS) ANNUAL UPDATE (DSS) –

The Operational Manager for Safeguarding & Service Outcomes advised that Liberty Protection Safeguards (LPS) were anticipated to replace the Deprivation of Liberty Safeguards (DoLS) in England and Wales, in April 2022. However, the consultation process for the associated Codes of Practice were delayed and therefore the implementation date was not achieved and was still being determined by UK and Welsh Government.

LPS represented a significant overhaul to the law concerning the care and treatment of people over 16 who lacked capacity to consent to care or treatment that deprived them of their liberty. Workers across the adult social care system would need to prepare for the LPS: the changes would affect direct work with adults, and in some cases young people, carried out by multi-agency practitioners and would require new systems and ways of working at all levels across organisations.

In preparation of the new LPS, the Council had been successful in bids for additional funding from Welsh Government to address the backlog of applications. A small project team was put together and significant progress had been made in reducing the Council's backlog of applications. The current number of applications specifically for the Vale of Glamorgan area awaiting consideration was 75, down from 322 for 2020/21, and the longest time waiting of any application dated from June 2022.

In response to a question raised by Councillor Helen Payne in relation to the proportional funding split between the three partners, the Operational Manager advised that the Vale of Glamorgan received 17%, Cardiff Council 45% and the remaining 38% to the University Health Board. It was recognised that the funding would need to significantly increase to meet future demand.

With no further comments or questions, the Committee subsequently

### RECOMMENDED –

- (1) T H A T the continued implications of the Cheshire West judgement in respect of arrangements for Safeguarding adults who are unable to consent to their care and accommodation needs be noted.
- (2) T H A T the report be referred to the Governance and Audit Committee for its consideration.

### Reasons for recommendations

- (1) Having regard to the content of the report and the risk to the Council of legal challenge where statutory timescales are not met.
- (2) Members are aware of the future planning for the Liberty Protection Safeguards and changes this will bring to the Council's responsibilities for individuals who are deprived of their liberty through their care and support needs as well as

progress made with the backlog of applications and the expected legislative changes.

295 1<sup>ST</sup> AND 2<sup>ND</sup> QUARTER SCRUTINY RECOMMENDATION TRACKING  
2021/22 AND PROPOSED ANNUAL FORWARD WORK PROGRAMME  
SCHEDULE (CX) –

The report advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the updated Forward Work Programme Schedule for 2022/23.

The Democratic and Scrutiny Services Officer apprised the Committee of key points within the four appendices to the report and requested the Committee's permission to finalise the recommendation tracking for the Committee and publish the latest version of the Committee's Forward Work Programme.

With no comments or questions, the Committee subsequently

RECOMMENDED –

- (1) T H A T the status of the actions listed in Appendix A, B and C to the report be agreed.
- (2) T H A T that the updated Forward Work Programme Schedule for 2022/23, as attached at Appendix D to the report, be approved and uploaded to the Council's website.

Reasons for recommendations

- (1) Having regard to the content of the report to maintain effective tracking of the Committee's recommendations.
- (2) For public information.