

# SOCIAL CARE & HEALTH SCRUTINY COMMITTEE

Monday, 6 March 2017

**PRESENT:** Councillor S.M. Allen (Chair)

**Councillors:**

S.M. Caiach, I.W. Davies, T.T. Defis, W.T. Evans, K. Madge, J. Owen, B.A.L. Roberts, E.G. Thomas, J.S. Williams, T. Davies (In place of E. Morgan) and P. Hughes-Griffiths (In place of G. Thomas)

**The following Officers were in attendance:**

A. Bracey - Head of Mental Health and Learning Disabilities  
C. Richards - Senior Safeguarding Manager  
D. Llewellyn - Modernisation Programme Manager  
S. Sauro - Performance Review Officer  
A. Thomas - Senior Accountant  
J. Thomas - Locality Manager  
C. Gadd - Democratic Services Officer

**Chamber, 3 Spilman Street, Carmarthen - 10.00 - 11.00 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D.J.R. Llewellyn, E. Morgan, G. Thomas and J. Williams. Apologies were also received from Councillor J. Tremlett (Executive Board Member for Social Care & Health).

**2. DECLARATIONS OF PERSONAL INTERESTS**

Councillor	Minute No(s)	Nature of Interest
Councillor K. Madge	Minutes Nos. 6, 7 & 8.	Daughter works in Social Services. Wife works in Amman Valley Hospital.

**3. DECLARATION OF PROHIBITED PARTY WHIPS**

There were no declarations of prohibited party whips.

**4. PUBLIC QUESTIONS (NONE RECEIVED)**

The Chair advised that no public questions had been received.

**5. FORTHCOMING ITEMS**

**RESOLVED** that the list of forthcoming items to be considered at the next scheduled meeting to be held on Thursday, 20<sup>th</sup> April, 2017 be noted.

## 6. DEPRIVATION OF LIBERTY SAFEGUARDS

[NOTE: Councillors K. Madge had earlier declared interests in this item.]

The Committee received an update on the implementation of the Deprivation of Liberty Safeguards (DoLS) legislation, the effect of developing case law and the action being taken to mitigate the associated risks. The Senior Safeguarding Manager outlined to the Committee the background to DoLS and that the safeguards existed to provide a proper legal process and suitable protection in those circumstances where deprivation of liberty appeared to be unavoidable, in a person's own best interests. It was highlighted that in 2014, a Supreme Court judgement effectively lowered the threshold for DoLS referrals, which had an immediate impact on the referral rate. The sudden increase had resulted in most local authorities accruing a significant backlog of applications. It was noted that the Law Commission had recognised that the current system was unsustainable and not fit for purpose. The Commission intended on making representations to the UK Government, however, the current legislation was likely to be in place until at least 2018.

It was noted that Carmarthenshire Council continued to receive between 30 and 40 referrals a month and the current number of applications waiting to be assessed was 630. Officers pointed out that the Council had one of the highest referral rates due to the high number of residential/nursing establishments in the area. It was confirmed that there were 88 residential and nursing homes in Carmarthenshire. The Service had developed a plan to manage the backlog and ongoing flow of referrals and the Committee was provided with a summary of the work undertaken. This included two full time temporary Best Interest Assessors being seconded to work solely on the DoLS assessments and to prioritise and manage the backlog. The plan recommended that all social workers in Adults Services be trained as Best Interest Assessors and realistic targets to be set for the number of assessments completed by each team. A robust quality monitoring systems to ensure consistent and lawful practice would also be introduced.

Concern was raised regarding all social workers being trained in assessments and their capacity to fulfil this role. The Senior Safeguarding Manager highlighted that undertaking assessments and making judgements was part of the core skills of social workers and the aim was to make the management of referrals easier. Members further queried if it would be beneficial to have more dedicated officers to undertake the role full time. Officers explained that the aim was to develop a sustainable approach to managing the demand and a similar approach was being taken by local authorities across Wales. It was noted that the backlog of cases would be cleared by the dedicated Best Interest Assessors and social workers would manage the flow of current and new requests.

Members queried how the advocate for the person who was subject to deprivation was appointed. It was clarified that if a person was in hospital then the Health Board was responsible for the process and if a person was in a care home then the Council was the responsible body. The Senior Safeguarding Manager explained that it would usually be a family member unless there was not one available.

The Committee raised concerns about the number of referrals being received and people falling through the net due to the increased demand. It was felt that more funding should be allocated to address the lack of resources. It was agreed that the Committee would write to the Welsh Local Government Association (WLGA) to encourage them to make representations to the Welsh Government regarding this issue.

Members asked what happened to people once they have been assessed and whether there were appropriate systems in place to provide services following the assessment. The Senior Safeguarding Manager noted that the process was very bureaucratic and once someone had been assessed they would be reassessed at least once a year. The assessor would judge the time period required between assessments. The Head of Mental Health and Learning Disability explained that in the majority of cases the person was known to Social Services and a care plan would be in place to address their needs.

#### **UNANIMOUSLY RESOLVED that**

- 6.1 the report be received;**
- 6.2 the Committee writes to the Welsh Local Government Association (WLGA) to encourage them to make representations to the Welsh Government regarding additional resources being allocated to address the increase of referrals for DoLS.**

#### **7. IMPROVEMENT PLAN PERFORMANCE MONITORING REPORT 2016/17 - QUARTER 3**

[NOTE: Councillors K. Madge had earlier declared interests in this item.]

The Committee considered the 2016/17 Improvement Plan Performance Monitoring Report, which detailed progress made against the actions and measures relevant to the Committee's remit, as at 31<sup>st</sup> December, 2016 in respect of Quarter 3. The Performance, Analysis and Systems Manager informed the Committee that the majority of actions were on target. It was highlighted that work was ongoing to address the actions that were off target, to ensure they were met.

Members asked if the action to develop a Commissioning Plan for Learning Disability and Mental Health Services would be achieved and if there would be sufficient resources available. The Head of Mental Health and Learning Disability Services explained that the Service was currently involved in a regional market statement and a lot of intelligence had been collated through such exercises as the Population Needs Assessments, which would inform the development of the Plan. It was noted that where gaps were identified, for example limited accommodation options, these would be addressed by the Plan. It was confirmed that the timescale for completion was December 2017. It was noted that a report on the transformation of Mental Health Services would be brought to a future meeting of the Committee.

The Committee expressed concerns about substance misuse in the area and asked if this issue was being addressed effectively. The Head of Mental Health and Learning Disability Services explained that a task and finish group had been established to ensure that the right services were being provided. In response to queries it was confirmed that the Police were part of the group and a full review of

deaths related to substance misuse had been undertaken to establish if there were any emerging themes.

Members queried the location of the 20 commissioned step down beds to facilitate timely discharge from hospital from December to end of March 2017. Officers confirmed that they were in Gwernllwyn Care Home, in Cross Hands and Plas Y Bryn Care Home, in Cwmgwili.

**UNANIMOUSLY RESOLVED that the report be received.**

## **8. REVENUE & CAPITAL BUDGET MONITORING REPORT 2016/17**

[NOTE: Councillors K. Madge had earlier declared interests in this item.]

The Committee considered the Revenue and Capital Budget Monitoring Report in relation to the Social Care and Health Service which provided an update on the latest budgetary position as at 31<sup>st</sup> December, 2016, in respect of the 2016/17 financial year.

The Social Care and Health Service was projecting an overspend of £392k on the Revenue Budget and a net variance of -£1,990k against the 2016/17 approved Capital Budget.

Concern was expressed about staff vacancies and the pressure it was putting on services. It was queried if posts were being held to make efficiency savings. The Head of Mental Health and Learning Disability Services explained that they were not choosing to hold posts and there were difficulties in recruiting into some social worker posts. It was noted that the Service was working with universities to address this issue. The Committee was supportive of this approach and queried whether further connections could be made with schools to encourage people to consider social work as a profession from an earlier age. Officers highlighted that there was some work already undertaken in schools, for example working with Social Care A' Level students and work experience placements, and the Service would continue to build these links. Members noted that they received requests from young people completing the Duke of Edinburgh qualifications to undertake volunteer work and it was suggested that schemes such as sheltered housing could benefit from this volunteer work. It was agreed that this suggestion would be raised with Housing Services.

It was noted that the recruitment of social workers was a national issue and the department was considering incentives to encourage social workers to work in the area. Members requested information on the number of social worker vacancies and the Head of Mental Health and Learning Disability Services agreed to circulate a Care Council for Wales report concerning the Profile of Social Workers in Wales. Members asked where students trained to be social workers and whether the qualifications were offered locally. Officers explained that social workers had to complete a degree and there were numerous programmes in Wales. There were also options for people to complete the course through the Open University with support from the workplace and consideration was being given to the Council 'growing their own' through this process. It was agreed that the Head of Mental Health and Learning Disability Services would establish if there was information available on which local authorities social workers were returning to when qualified and to provide more information on local authorities that were growing their own.

It was highlighted that some councils had changed their notice period to three months, which caused delays in the recruitment process. Carmarthenshire Council was considering a similar approach. Members noted that there was also a delay between notice period being served and the advertising of posts and it was felt that a shadowing period would be beneficial.

It was clarified that the abbreviation SSMSS stood for Social Services Management and Support Services. The Group Accountant explained that it was a Welsh Government term and referred to departmental management and business support. Members queried what the holding account for transport was for and it was noted that it was for the distribution of transport costs for departments that make use of the services.

Members asked for an update on the progress of the Extra Care Scheme and ARCH Project in Llanelli. The Modernisation Programme Manager informed them that the Project Team was meeting regularly and an update report would be requested. It was noted that an update on the ARCH Project had been provided to Council as part of the City Deal presentation.

**UNANIMOUSLY RESOLVED that the report be received.**

**9. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT**

**RESOLVED that the explanation for the non-submission be noted.**

**10. MINUTES OF THE JOINT EDUCATION & CHILDREN AND SOCIAL CARE & HEALTH SCRUTINY COMMITTEE - 25TH JANUARY 2017**

**RESOLVED that the minutes of the Joint Education & Children and Social Care & Health Scrutiny Committee held on 25<sup>th</sup> January, 2017 be received.**

**11. MINUTES - 25TH JANUARY 2017**

**RESOLVED that the minutes of the meeting of the Committee held on 25<sup>th</sup> January, 2017 be signed as a correct record.**

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**CHAIR**

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**DATE**