

Adult Social Care Scrutiny Committee

Agenda

Date: Thursday, 16th June, 2011
Time: 10.30 am
Venue: Committee Suite 2 & 3, Westfields, Middlewich Road,
Sandbach, CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**
2. **Declaration of Interests/Party Whip**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests or members to declare the existence of a party whip in relation to any item on the agenda.

3. **Public Speaking Time/Open Session**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers

Note: In order for officers to undertake any background research, it would be helpful if members of the public notified the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting with brief details of the matter to be covered.

Please contact Mark Grimshaw on 01270 685680
E-Mail: mark.grimshaw@cheshireeast.gov.uk any apologies or requests for further
information or to give notice of a question to be asked by a member of the public

4. **Terms of Reference, Membership and Meeting Dates/Times** (Pages 1 - 8)

To consider the report of the Borough Solicitor.

5. **Adult Social Care Services Landscape**

To receive a presentation from the officers with responsibility for services relating to Adult Social Care.

6. **Work Programme Update** (Pages 9 - 20)

To give consideration to the work programme.

7. **Forward Plan - extracts** (Pages 21 - 22)

To give consideration to the extracts of the forward plan which fall within the remit of the Committee.

8. **Consultations from Cabinet**

To note any consultations referred to the Committee from Cabinet and to determine whether any further action is appropriate.

CHESHIRE EAST COUNCIL

REPORT TO: ADULT SOCIAL CARE SCRUTINY COMMITTEE

Date of Meeting:	16 June 2011
Report of:	Borough Solicitor
Subject/Title:	Terms of Reference, Membership and Meeting dates/times

1.0 Report Summary

- 1.1 To consider the proposed terms of reference for the committee, note the membership and give consideration to meeting dates/times.

2.0 Recommendations

- 2.1 That:

- (1) The terms of reference of the Committee be considered and approved;
- (2) membership be noted; and
- (3) Meeting dates and times be agreed.

3.0 Reasons for Recommendations

- 3.1 To enable the work of the committee to progress efficiently.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Climate change - Health

- 6.1 Not known at this stage.

7.0 Financial Implications for Transition Costs

- 7.1 None identified at the moment.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 At the annual council meeting, approval was given to splitting the responsibilities of the existing Health and Adult Social Care Scrutiny Committee so as to allow two new scrutiny committees to concentrate on the detailed work in the two areas: Adult Social Care, and Health and Wellbeing.

10.2 The powers of the existing Health and Adult Social Care Scrutiny Committee are set out in Appendix A to this report. In Appendix B are the proposed separation of powers and their allocation to an Adult Social Care Scrutiny Committee, and a Health and Wellbeing Scrutiny Committee.

10.3 Council agreed the provisional terms of reference for the new Committees and extended an invitation to each of the Overview and Scrutiny Committees, the Scrutiny Chairman and the Constitution Committee to consider the terms of reference of all Overview and Scrutiny Committees and request the Borough Solicitor to submit a further report with recommendations to July Council when the political balance and member appointments will need to be reviewed following the Crewe South election.

10.4 The Committee is therefore asked to consider its proposed terms of reference and pass on any views to the Borough Solicitor.

10.5 At annual council, membership of the committee was agreed and is set out below for information:

ADULT SOCIAL CARE SCRUTINY COMMITTEE (12) (7:2:1:1) (-1)			
Conservative	Labour	Independent	Lib Dem
M Simon(C)	J Jackson	L Roberts	S Jones
B Silvester (VC)	L Jeuda		
C Andrew			
P Groves			
F Keegan			
P Raynes			
J Saunders			

10.6 The calendar of meetings has allocated dates for the former Health and Adult Social Care Scrutiny Committee on a bi-monthly basis and the committee is asked to consider whether it wants to also meet bi-monthly and to agree a programme of meeting dates/times.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mark Grimshaw
Designation: Scrutiny Officer
Tel No: 01270 685680
Email: mark.grimshaw@cheshireeast.gov.uk

This page is intentionally left blank

Appendix A

HEALTH AND ADULT SOCIAL CARE COMMITTEE TERMS OF REFERENCE

The Health and Adult Social Care Scrutiny Committee will:

1. fulfil the Health Scrutiny duties falling on the Authority by virtue of the Health and Social Care Act 2001 (consolidated into the NHS Act 2006) and subsequent relevant legislation and Government Guidance;
2. liaise with NHS Trusts on any matter relating to the planning, provision and operation of Health services in East Cheshire, including commenting on the annual —health check of the performance of those Trusts;
3. respond to any formal consultations undertaken by relevant NHS Trusts on any substantial development or variation in service;
4. participate with other relevant local authorities in joint scrutiny arrangements of NHS Trusts providing cross-border services to East Cheshire residents, in particular the Cheshire and Wirral Partnership Foundation Trust;
5. prepare an annual Work Programme and commission scrutiny reviews to ensure that all sections of East Cheshire's local communities have equal access to Health services and have an equal chance of a successful outcome from those services;
6. liaise with the Local Involvement Network (LiNK) for East Cheshire, commissioning work and receiving reports and recommendations as appropriate;
7. deal with any matter referred by the Department of Health, the Local Involvement Network or by the Council;
8. offer advice to the Cabinet on Key Decisions relating to the operation of the Council's Adult Social Care functions;
9. receive reports from the Council's external inspectors on its Adult Social Care responsibilities and to offer advice thereon to the Cabinet;
10. keep under review the Council's performance management arrangements in relation to its Adult Social Care responsibilities and offer advice as appropriate;
11. deal with any Health or Adult Social Care matter which is the subject of a Call-In, a Councillor Call for Action or Local Petition;
12. provide a regular programme of training and development for all Members and Co-opted Members involved in the work of the Committee.

Appendix B

PROPOSED TERMS OF REFERENCE OF THE ADULT SOCIAL CARE SCRUTINY COMMITTEE

The Adult Social Care Scrutiny Committee will:

1. offer advice to the Cabinet on Key Decisions relating to the operation of the Council's Adult Social Care functions;
2. receive reports from the Council's external inspectors on its Adult Social Care responsibilities and to offer advice thereon to the Cabinet;
3. keep under review the Council's performance management arrangements in relation to its Adult Social Care responsibilities and offer advice as appropriate;
4. deal with any Adult Social Care matter which is the subject of a Call-In, a Councillor Call for Action or Local Petition;
5. provide a regular programme of training and development for all Members and Co-opted Members involved in the work of the Committee.

PROPOSED TERMS OF REFERENCE OF THE HEALTH AND WELLBEING SCRUTINY COMMITTEE

The Health and Wellbeing Scrutiny Committee will:

1. fulfil the Health Scrutiny duties falling on the Authority by virtue of the Health and Social Care Act 2001 (consolidated into the NHS Act 2006) and subsequent relevant legislation and Government Guidance;
2. liaise with NHS Trusts on any matter relating to the planning, provision and operation of Health services in East Cheshire, including commenting on the annual —health check of the performance of those Trusts;
3. respond to any formal consultations undertaken by relevant NHS Trusts on any substantial development or variation in service;
4. participate with other relevant local authorities in joint scrutiny arrangements of NHS Trusts providing cross-border services to East Cheshire residents, in particular the Cheshire and Wirral Partnership Foundation Trust;
5. prepare an annual Work Programme and commission scrutiny reviews to ensure that all sections of East Cheshire's local communities have equal access to Health services and have an equal chance of a successful outcome from those services;
6. liaise with the Local Involvement Network (LiNK) for East Cheshire, commissioning work and receiving reports and recommendations as appropriate;

7. deal with any matter referred by the Department of Health, the Local Involvement Network or by the Council;
8. deal with any Health or Wellbeing matter which is the subject of a Call-In, a Councillor Call for Action or Local Petition;

(Note: The provisional terms of reference will need to be reviewed to ensure that there is a clear focus on Public Health, Health Improvement, Health Inequalities and the thrust of new legislative changes, together with clarity around the establishment of the health and wellbeing board and the future working arrangements between the board and scrutiny. It will also be necessary to monitor changes to NHS legislation and its impact on the Council's Overview and Scrutiny arrangements.)

This page is intentionally left blank

CHESHIRE EAST COUNCIL

REPORT TO: ADULT SOCIAL CARE SCRUTINY COMMITTEE

Date of Meeting:	16 June 2011
Report of:	Borough Solicitor
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2011 Work Programme, to consider the efficacy of existing items listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

- 2.1 That the work programme be received and noted.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Climate change - Health

- 6.1 Not known at this stage.

7.0 Financial Implications for Transition Costs

- 7.1 None identified at the moment.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 None.

9.0 Risk Management

- 9.1 There are no identifiable risks.

10.0 Background and Options

- 10.1 In reviewing the work programme, Members must pay close attention to the Corporate Plan and Sustainable Communities Strategy.
- 10.2 The schedule attached, has been updated in line with the Health and Adult Social Care Committee's recommendations on 14 April 2011. Following this meeting the document will be updated so that all the appropriate targets will be included within the schedule.
- 10.3 In reviewing the work programme, Members must have regard to the general criteria which should be applied to all potential items, including Task and Finish reviews, when considering whether any Scrutiny activity is appropriate. Matters should be assessed against the following criteria:
- Does the issue fall within a corporate priority
 - Is the issue of key interest to the public
 - Does the matter relate to a poor or declining performing service for which there is no obvious explanation
 - Is there a pattern of budgetary overspends
 - Is it a matter raised by external audit management letters and or audit reports?
 - Is there a high level of dissatisfaction with the service
- 10.4 If during the assessment process any of the following emerge, then the topic should be rejected:
- The topic is already being addressed elsewhere
 - The matter is subjudice
 - Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Mark Grimshaw
Designation: Scrutiny Officer
Tel No: 01270 685680
Email: mark.grimshaw@cheshireeast.gov.uk

As of 25/05/2011

Adult Social Care Scrutiny Committee: April 2011 – September 2011

Portfolio Holder – Roland Domleo

Historical Record

Date of Meeting	Agenda Setting Meeting	Topic	Purpose/Key issues (including origin)	Comments post meeting
16 June				
Date of meeting		Topic	Purpose/Key issues (including origin)	Comments post meeting

Date of meeting		Topic	Purpose/Key issues (including origin)	Comments post meeting
Date of meeting		Topic	Purpose/Key issues (including origin)	Comments post meeting

Date of meeting		Topic	Purpose/Key issues (including origin)	Comments post meeting

Next Agenda Setting Meeting: ?

Ongoing items/reviews/Monitoring Papers

Item	Reporting:	Committee Meeting							
		16/6							
Social Care Redesign – including: - The process of moving people onto Personal Budgets - People increasingly purchasing services off the private sector – making savings and focusing on re-ablement. - The streamlining of processes	When appropriate								
Safeguarding	When appropriate								
Budget Consultations	When appropriate								
The Cheshire and Wirral Councils' Joint Scrutiny Committee	Monitor minutes of meetings when appropriate								

Possible Future Issues / Items (Chronology)

Meeting dates:

16 June 2011

Item	Corporate Priority / Targets	Notes	Suggested Action	Due Date and Status
Disabled Facilities Grant and Home Improvement Grant	To improve life opportunities and health for everybody in Cheshire East	A review of Home Improvement Agency services was carried out in 2010 with a view to streamlining the service into 1 service across Cheshire East, to improve delivery of Disabled Facilities Grants. A procurement process has been undertaken and once tenders have been evaluated a report will be submitted to Cabinet either recommending awarding a contract, or recommending bringing the service in-house. This is very much tied up with adult social care redesign, and the HIA is	Going to Environment & Prosperity Committee prior to July Cabinet. Possibly needs to come to ASC too.	July 2011 (prior to 22 nd) On track

		the main delivery agent for the Disabled Facilities Grants.		
Rationalisation of buildings in Adult Services	<p>To improve life opportunities and health for everybody in Cheshire East;</p> <p>To give the people of Cheshire East more choice and control around services and resources</p>			<p>July 2011</p> <p>On track</p>
Safeguarding issues	To improve life opportunities and health for everybody in Cheshire East	<p>Training event arranged for all members and held on 19 March 2011</p> <p>To note that there has been an upsurge in safeguarding issues in independent providers – possibly to do with the fact that their margins are decreasing.</p> <p>Note: a recent Ombudsman report on care of the elderly in hospital.</p>	Possible Training event	tbc
Care Quality	To improve life		Debbie Westhead	tbc

Commission (CQC)	<p>opportunities and health for everybody in Cheshire East;</p> <p>To give the people of Cheshire East more choice and control around services and resources</p>		to attend to explain the role of the CQC	
Dementia Strategy	<p>To improve life opportunities and health for everybody in Cheshire East;</p> <p>To give the people of Cheshire East more choice and control around services and resources</p>		<p>a - Periodic reviews of specific aspects;</p> <p>b - consideration of the range of dementia service providers to identify gaps and scrutinise development plans (Task Group to be continued)</p>	tbc
Support for Carers	To improve life opportunities and health for everybody in Cheshire East.	To look at current provision of support and training for carers and identify whether any scrutiny work is required.	Progress report to come to Scrutiny	tbc
Local Involvement Network (LiNK) – Work Programme; Future arrangements and transition to Local	To improve life opportunities and health for everybody in Cheshire East	It is important to develop good working relationships with the LiNK.	Investigate the best way to work with the LiNK – possible co-optee's etc	tbc

Healthwatch				
Wishing Well	To improve life opportunities and health for everybody in Cheshire East	Link with Dementia Review	Review the efficacy of their services after taking over from Age Concern	tbc
Commissioning Strategy/Whole System Commissioning	To improve life opportunities and health for everybody in Cheshire East; To give the people of Cheshire East more choice and control around services and resources		Due to undergo pilot with GP Consortia – Committee to be briefed on this.	tbc
New Dementia unit at Hollins View	To improve life opportunities and health for everybody in Cheshire East; To give the people of Cheshire East more choice and control around services and resources	Service looking at business case for this unit	If business case is found – Scrutiny to review	tbc
Lifestyle Centres	To improve life opportunities and health for everybody in Cheshire East; To give the people of Cheshire East more choice and control around services and resources	Currently piloting an initiative in which public health functions are shifted into mainstream leisure centres so that day centres can be rationalised. If this works then a business case will be developed.	Scrutiny to consider business case if pilot is successful	tbc
Self Funders	To improve life	Issue raised previously	Possible briefing	

	opportunities and health for everybody in Cheshire East; To give the people of Cheshire East more choice and control around services and resources	re: the potential budgetary pressures that could arise due to self funders running out of money early during the period of time they require care. To reduce this, CE engaging with SOLLA (Society of Later Life Advisors), an umbrella group of financial advisors who work to extend the period of which people can self fund.	for Members	
Development of a protocol for informing the public about changes in social care arrangements	To give the people of Cheshire East more choice and control around services and resources	Raised by the Committee at the last meeting	Members to discuss	tbc
Think Local Act Personal	To improve life opportunities and health for everybody in Cheshire East; To give the people of Cheshire East more choice and control around services and resources		Possible future item	tbc
Charging policy		A report was submitted to	Possible report to	

		the committee on 10 March 2010 on proposed changes to the council's charging policy and members asked for a report to come back.	come to Committee	
--	--	--	-------------------	--

Disregarded / Discontinued Items

Item	Date	Reason

Task Groups – potential/current/completed

Title	Progress Notes/Actions
Dementia Services	Postponed due to election. Members to discuss whether to continue.



FORWARD PLAN 1 JUNE 2011 - 30 SEPTEMBER 2011

This Plan sets out the key decisions which the Executive expect to take over the next four months. The Plan is rolled forward every month. It will next be published in mid June and will then contain all key decisions expected to be taken between 1 July and 31 October 2011. Key decisions are defined in the Councils Constitution.

Reports relevant to key decisions, and any listed background documents may be viewed at any of the Councils Offices/Information Centres 6 days before the decision is to be made. Copies of, or extracts from these documents may be obtained on the payment of a reasonable fee from the following address:-

Democratic Services Team
Cheshire East Council ,
c/o Westfields, Middlewich Road, Sandbach Cheshire CW11 1HZ
Telephone: 01270 686463

However, it is not possible to make available for viewing or to supply copies of reports or documents, the publication of which is restricted due to confidentiality of the information contained.

A decision notice for each key decision is published within 6 days of it having been made. This is open for public inspection on the Council's Website, Council Information Centres and Council Offices.

The law and the Council's Constitution provides for urgent key decisions to be made. A decision notice will be published for these in exactly the same way.

Forward Plan 1 June 2011 to 30 September 2011

Key Decision	Decisions to be Taken	Decision Maker	Expected Date of Decision	Proposed Consultation	Relevant Scrutiny Committee	How to make representation to the decision made
CE10/11-90 Home Improvement Agency Review	To agree the future delivery of Home Improvement Agency Services across Cheshire East.	Cabinet	1 Aug 2011	Supporting People commissioning body, existing service providers and the PCT	Health and Social Care	John Nicholson, Strategic Director Places
CE11/12-5 Think Local Act Personal - A National Strategy for Local Implementation	To reaffirm support for personalisation as the delivery mode for publicly funded care, and to develop arrangements for self funders that maximise their ability to be independent of the Council for as long as possible.	Cabinet	1 Aug 2011		Health and Adult Social Care	Phil Lloyd, Director of Adult, Community Health and Wellbeing Services