

CHESHIRE EAST COUNCIL

Minutes of a meeting of the Health and Adult Social Care Overview and Scrutiny Committee

held on Thursday, 7th August, 2014 at Committee Suite 1,2 & 3, Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor M J Simon (Chairman)
Councillor J Saunders (Vice-Chairman)

Councillors C Andrew, R Domleo, L Jeuda, G Merry and A Moran

Apologies

Councillors S Jones

ALSO PRESENT

Councillor J Clowes – Cabinet Member for Care and Health in the Community
Councillor S Gardiner – Deputy Cabinet Member
Councillors D Flude, I Faseyi, S Hogben, B Murphy, D Newton

OFFICERS PRESENT

Brenda Smith – Director of Adult Social Care and Independent Living
Ann Riley – Corporate Commissioning Manager
Iolanda Puzio – Deputy Monitoring Officer
James Morley – Scrutiny Officer

20 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 10 July 2014 be agreed as a correct record.

21 DECLARATIONS OF INTEREST

Councillor L Jeuda declared an interest as a signatory of the two Call-Ins

Councillors A Moran and C Andrew declared an interest as members of the task and finish group that conducted the Dementia and Older People Review 2010-2013

22 DECLARATION OF PARTY WHIP

There were no declarations of party whip

23 PUBLIC SPEAKING TIME/OPEN SESSION

Members of the public were provided with a total of 15 minutes to make a statement on any matter that fell within the Committee's remit.

Mrs C Peters-Rock representing Cheshire Action for Cheshire Area spoke about care for people with dementia. She suggested that loss of day care and respite centres for people with dementia would be detrimental to carers' ability to cope with their caring duties. She referred to the independent and private sector as the commercial sector and warned the Council that commissioning services from this sector may put services at risk of failure. She suggested that there were a lot of carers who did not have much in the way of support and this was a particular problem for elderly carers. She suggested that there would be hardly any support facilities in future unless something changed. She requested that the Committee needed to conduct a review of respite and day care facilities.

Mr E Clark representing service users in Congleton spoke about the respite facilities at Mountview. He suggested that there was very little provision of services for people in Congleton and closing Mountview would mean that there were no services in Congleton. He suggested that consultation which had been carried out was poor and with the wrong people. He asked where people in Congleton would go if Mountview closed and suggested that Crewe and Macclesfield were too far. He suggested that there was not currently enough capacity in Cheshire East to meet demand.

Mr M Card spoke about learning disabilities services provided at Lincoln House. His son used respite facilities there which needed upgrading. He suggested that promises to refurbish facilities had not been fulfilled sufficiently and that the budget for alterations had been underestimated. He was concerned that decisions whether or not to close or retain facilities were being made using inaccurate information.

Mr R Bradley, who was in his 80s, spoke about caring for his 57 year old son. He was new to caring and found Lincoln House had helped him with respite which he required as a full time carer because of his age. He suggested that respite facilities were the only difference between being able to care for his son at home and having to put him in residential care. He suggested that private respite facilities were not available when people really needed them so places like Mountview and Lincoln House should be kept open.

Mr J Cooper was a carer and suggested that Cheshire East Council was looking to put care out to the commercial sector. He suggested that the Council would be able to provide a better service than the private sector and should continue with its current facilities. He also suggested that there should be provision across the borough and not just in Crewe and Macclesfield.

The Chairman thanked each of the speakers and the Committee noted their comments.

24 CALL-IN OF THE DECISION OF CABINET DATED 1 JULY 2014 RELATING TO DEMENTIA COMMISSIONING PLAN

Before opening the discussion in respect of this matter the Chairman provided a brief overview of the extent to which the Committee could review the decision of Cabinet to clarify the procedure. The Chairman reminded the Committee that the decision regarding Dementia Commissioning Plan which was the subject of the

Call In did not involve any consideration of closure of facilities. The Committee was asked to consider whether or not to offer advice to Cabinet in response to the Call In, which suggested that no consultation with the public, carers or service users had taken place.

Councillor D Flude, lead Call In member, presented her reasons for the Call In. She suggested that proper consultation with the public, and service users and carers, had not taken place before this decision had been made. She expressed concern that the plan was not effective in addressing the issues people were raising and requested that the decision be properly reviewed by the Committee before going back to Cabinet for reconsideration.

Councillor J Clowes, Cabinet Member for Care and Health in the Community, presented the Cabinet's response to the Call In. She suggested that as this was simply a decision about the plan on Dementia Commissioning there was no requirement to consult the public before the decision was made. She also stated that during the development of the plan officers had consulted a variety of service users, community groups, organisations and charities on what their views were and what the plan should consist of. She believed that, whilst this wasn't formal consultation in the legal sense this was engagement of the public in the plan and was more than sufficient consultation in the circumstances. She also stated that during the implementation of the plan formal consultation with the public would be required and would take place as appropriate when decisions regarding facilities and operations were due to be taken.

At this point the meeting was adjourned for 10 minutes and reconvened at 14:50.

The Committee considered the information it had received regarding the reasons for Call In and the response from Cabinet.

It was concluded that the engagement that had taken place during the development of the plan gave the public the opportunity to influence the plan and have their say and therefore further consultation was not necessarily required.

Members also suggested that public concerns about the future of services may have developed because communication with the public about the process had not been effective and stressed the importance of communicating effectively with service users, carers, staff and the public during the decision making process to ensure all parties were clear about what was happening and why.

It was proposed that the Committee need not offer advice to the Cabinet on its decision in response to the Call In. The proposal was agreed by the Committee following a vote with five in favour and two against.

RESOLVED – That in response to the Call In the Committee offers no advice to Cabinet regarding its decision about the Dementia Commissioning Plan made on 1 July 2014.

25 CALL-IN OF CABINET DECISION DATED 1 JULY 2014 RELATING TO MOUNTVIEW SERVICES REVIEW

Before opening the discussion in response to this matter the Chairman provided a brief overview of what the Committee would be considering to clarify the procedure. The Chairman explained that the Committee was only able to

consider the decision made at the Cabinet meeting on 1 July 2014 and not the decision made on 24 June 2013 which was referred to in the 1 July 2014 decision, as the Call In period for that had expired five days after the decision notice had been published last year. Paragraph 9.7 of the cover report on page 28 confirmed the decision that was under consideration.

Councillor I Faseyi, on behalf of the Call In group, gave reasons for the Call In. She suggested that the Cabinet had not taken consultation responses which opposed the closure of Mountview into consideration when it made its decision in June 2013. She expressed concerns that the three beds for respite care which had been commissioned in the Cabinet's decision would not be sufficient to replace the 35 beds which were currently provided at Mountview. She also suggested that relevant information from the Coroner's report into a recent death at Mountview had not been taken into consideration when making the decision on 1 July 2014.

Councillor J Clowes, Cabinet Member for Care and Health in the Community, presented the Cabinet's response to the Call In. She stated that the decision in June 2013 was not under consideration as part of this Call In. She also suggested that the Coroner's report had no bearing on the decision taken on 1 July 2014. She stated that Mountview would remain open until alternative provision could provide and the three beds block purchased were not replacing all beds at Mountview.

The Committee considered the information it had received regarding the Call In and the response to the Call In. It was proposed that the Committee need not offer advice to the Cabinet on its decision as the decision was simply noting what had taken place in order to effect implementation of a previous decision.

RESOLVED – That in response to the Call In the Committee offers no advice to Cabinet regarding its decision about Mountview Services Review made on 1 July 2014.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor M J Simon (Chairman)