

Merton Council

Healthier Communities and Older People Overview and Scrutiny Panel



Date: Thursday 23 February 2012
Time: 7.15 p.m.
Venue: Committee Rooms C, D and E
Merton Civic Centre, London Road,
Morden SM4 5DX

AGENDA

Page Number

1.	Declarations of interest (See Note 1)	-
	Councillors and co-opted members must declare if they have a personal or prejudicial interest in any of the items on this agenda at the start of the meeting, or as soon as the interest becomes apparent to them.	
2.	Apologies for absence	-
3.	Minutes of the meeting held on 25 January 2012	3
4.	Matters arising from the minutes	-
5.	Update on Epsom and St Helier De-merger Plans	13
6.	Scrutiny of Draft Service Plans	15
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9.	Work Programme 2011/12	45

It is anticipated that reports on the following items will also be considered at this meeting:

- Update on Merton LINK
 - Update on developing Merton Commissioning Group
-

**This is a public meeting – members of the public are very welcome to attend.
The meeting room will be open to members of the public from 7.00 p.m.**

For more information about the work of this and other overview and scrutiny panels, please contact, Stella Akintan, Scrutiny Officer, on 020 8545 3390 or e-mail stella.akintan@merton.gov.uk. Alternatively, visit www.merton.gov.uk/scrutiny

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Healthier Communities and Older People Overview and Scrutiny Panel Membership

Full Members:

Councillor Suzanne Evans (Chairman)
Councillor Peter McCabe (Vice Chair)
Councillor Margaret Brierly
Councillor Brenda Fraser
Councillor Maurice Groves
Councillor Logie Lohendran
Councillor Sam Thomas
Councillor Greg Udeh

Substitute Members:

Councillor Nick Draper
Councillor Janice Howard
Councillor Oonagh Moulton
Councillor Dennis Pearce
Co-opted Representatives
Myrtle Agutter
Sheila Knight
Saleem Sheikh
Laura Johnson

Note1: Declarations of interest

Councillors and co-opted members who have a personal or prejudicial interest in relation to any item on this agenda are asked to complete a declaration form and hand it to the Democratic Services Officer. Forms, together with a summary of guidance on making declarations of interest, will be available around the meeting table. If further clarification is needed members are advised to refer to "The Code of Conduct – Guide for members May 2007" issued by Standards for England, which will be available at the meeting if needed.

What is Overview and Scrutiny?

Overview and Scrutiny describes the way Merton's scrutiny councillors hold the Council's Executive (the Cabinet) to account to make sure that they take the right decisions for the Borough. Scrutiny panels also carry out reviews of Council services or issues to identify ways the Council can improve or develop new policy to meet the needs of local people. From May 2008, the Overview & Scrutiny Commission and Panels have been restructured and the Panels renamed to reflect the Local Area Agreement strategic themes.

Scrutiny's work falls into four broad areas:

- ⇒ **Call-in:** If three (non-executive) councillors feel that a decision made by the Cabinet is inappropriate they can 'call the decision in' after it has been made to prevent the decision taking immediate effect. They can then interview the Cabinet Member or Council Officers and make recommendations to the decision-maker suggesting improvements.
- ⇒ **Policy Reviews:** The panels carry out detailed, evidence-based assessments of Council services or issues that affect the lives of local people. At the end of the review the panels issue a report setting out their findings and recommendations for improvement and present it to Cabinet and other partner agencies. During the reviews, panels will gather information, evidence and opinions from Council officers, external bodies and organisations and members of the public to help them understand the key issues relating to the review topic.
- ⇒ **One-Off Reviews:** Panels often want to have a quick, one-off review of a topic and will ask Council officers to come and speak to them about a particular service or issue before making recommendations to the Cabinet.
- ⇒ **Scrutiny of Council Documents:** Panels also examine key Council documents, such as the budget, the Business Plan and the Best Value Performance Plan.

Scrutiny panels need the help of local people, partners and community groups to make sure that Merton delivers effective services. If you think there is something that scrutiny should look at, or have views on current reviews being carried out by scrutiny, let us know.

For more information, please contact the Scrutiny Team on 020 8545 3390 or by e-mail on scrutiny@merton.gov.uk. Alternatively, visit www.merton.gov.uk/scrutiny .

HEALTHIER COMMUNITIES AND OLDER PEOPLE OVERVIEW AND SCRUTINY
COMMITTEE
25TH JANUARY 2012

7.15pm-10.10pm

PRESENT: Councillors; Suzanne Evans (Chair) , Peter McCabe (Vice – Chair, Margaret Brierly, Nick Draper (substitute) Brenda Fraser, Maurice Groves, Logie Lohendran. Dennis Pearce (substitute)

Co-optees: Sheila Knight, Myrtle Agutter, Saleem Sheikh and

ALSO PRESENT: Councillor Linda Kirby, Cabinet Member for Adult Social Care and Health. Councillor Mark Allison Cabinet Member for Finance.

Merton Council Officers: Director of Community and Housing, Director of Corporate Services, Head of Commissioning
Chief Executive Age, UK Merton

1 DECLARATIONS OF INTEREST

Councillor Dennis Pearce and Sheila Knight declared that they work for organisations that receive voluntary sector funding.

Councillor Maurice Groves declared that he sits on the Board of Merton Priory Homes.

RESOLUTION

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors; Gregory Udeh and Sam Thomas.

3 MINUTES OF THE MEETINGS HELD ON 2 NOVEMBER AND 16 NOVEMBER 2011

Councillor Suzanne Evans reported that the resolved section on page 9 should include that “the panel require an update on the impact of the transport review in September 2012”.

4 MATTERS ARISING FROM THE MINUTES

Laura Johnson gave an update on behalf of Malcolm Alexander who had informed her that he had tried without success to meet the Chief Executive of MVSC .He has not seen any documents nor discussed any issues with them since attending the meeting with MVSC and Merton Council officers last October.

5 BUSINESS PLAN 2012-16 – UPDATE

Councillor Evans invited the Director of Community and Housing answer questions on each saving not supported or not yet supported by the Panel, starting with the

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proposal to reduce and monitor high level placements.

The Director reported that this saving would involve reviewing placements using the care funding calculator to determine if the council is paying a fair price for the service. If it is found that an individual would benefit from a different model of care then they will be supported to move to an alternative placement. The Director assured the Panel that no-one will find themselves in a position that their care will be unaffordable to them personally.

A panel member expressed concern that self funders pay a higher price for their care and are effectively subsidising council funded places.

The Director of Community and Housing reported that the pricing for self funders is based on a transparent financial model. A panel member asked if we could inform self funders of the prices we are paying for individual placements, which they can use to determine if they have been charged more fairly. The Director of Community and Housing reported that we are moving towards transparency and although this is a useful suggestion, commercial confidentiality may be an issue.

The Director of Corporate Resources reported that we are committed to the transparency agenda we publish details of spend over £500 and will soon publish details of contracts.

The Director of Community and Housing reported that the council will be developing an information portal for self funders to help them find cost effective solutions.

A panel member asked if the review of an individual's placement could lead to reduced quality accommodation, as we need to be aware that for a vulnerable person this could lead to death.

The Director of Community and Housing reported that we will fulfil our statutory duties but we need to look at value for money. Evidence shows that there are high risks for moving people in the last years of their lives including people with dementia. The risks are lower for younger people and they can benefit from many years of future benefit once the changes have been made.

A panel member asked if the care funding calculator could lead to increased costs despite the aim being to reduce costs. The Director of Community and Housing reported that it is possible that costs will increase, and indeed the care funding calculator has shown cases where we have to pay more. However overall the experience is that costs are driven down.

A panel member asked if anyone has benefited from a review of their placement, if there have been any complaints and what was the impact on the 20 people who took part in the pilot? It was reported that some people have benefited from moving from residential care to supported living, although a systematic review has not been done.

Optimising the use of telecare and assistive technology

A panel member reported that she had looked at the project in Birmingham and it looked impressive.

The Director of Community and Housing reported that telecare keeps people safe and can maintain independence in their own homes. Savings will come from people with higher needs in group living and from people living in their own homes. Telecare can subsidise sleep-in staff, also groups of older people who already receive high levels of care. The saving was modelled on one less visit per week for older people receiving six or more home care visits per week.

A panel member asked how confident we could be that saving could be made as there would be costs for equipment and customers can resist telecare, viewing it as an invasion of privacy. It was reported that most telecare equipment is cheap and portable. Privacy and liberty is an interesting concern, there is a trade off between staying in your own home and sacrificing some privacy.

A panel member asked if there has been a reduction in the number of people using the telecare service because of higher charges. It was reported that a number of people have opted out but it is not a threat to this programme.

Reducing the cost of support for young people

The Director of Community and Housing reported that there are small numbers of young people with high support needs in residential living but the costs are high. Therefore the council want to use more supported living. Therefore we need to work with families to find suitable local provision.

A panel member asked if we encourage parents to continue care and if we use out of borough placements. It was reported that all families are different; some are able to care for their child others are not. The key is to prevent a crisis as this becomes more expensive, so it is important that we help people to plan ahead. Most of our placements are out of borough.

0% inflation uplift to third party suppliers

The Director of Community and Housing reported that he had a meeting with thirty to forty providers, has written to all providers and to date the council has not heard encountered great opposition or overwhelming feelings of anger in regards to this proposal. Concerns have been raised that inflation is currently running at 5%. However it is thought that the rise in inflation has now peaked and it will soon begin to fall and that the true inflationary pressures in the actual costs in this sector are significantly lower than 5%.

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A Panel member reported that they had met with providers from the voluntary sector who were infuriated by this proposal and claimed they would find it incredibly difficult to deliver services in coming years.

Panel members also noted that the council are increasing costs by 2% but providers would not benefit from this. There was concern that this would lead to a reduced quality of service and did not support the prevention agenda. The Director of Community and Housing expressed a view that the cost pressures for the voluntary sector are no worse than for the private sector.

A Panel member said that people need to recognise the harsh realities. Voluntary sector organisations can find savings. There are salary freezes across the board, but some voluntary sector organisations are not doing this. The voluntary sector could generate income. It was dangerous for voluntary sector organisations to rely solely on statutory organisations for funding.

The Director of Community and Housing reported that we recently tendered domiciliary care contracts and had 180 expressions of interest. This demonstrates that providers can deliver the service within our requirements. Contracts explicitly state the level of quality of service that is required. By increasing fees and charges we are decreasing our subsidies rather than making huge profits for the council.

A panel member expressed concern that home care workers had to travel long distances between visits, which meant they didn't spend enough time in the client's home. The Director of Community and Housing reported that new contracts groups workers into zones, which will reduce their travelling time.

Restructure and refocus the use of supporting people services

A panel member expressed concern that this saving could result in an increase of problems such as self-harm and anti-social behaviour amongst young people. We seem to be targeting the vulnerable, which will cost the council more in the longer term.

The Director of Community and Housing reported that Supporting People is a preventative programme but the proposed cuts are not disproportionate to those taking place across adult social care. The issue is that some people use this service who do not meet the wider adult social care criteria. We will not aim to exclude people and will meet our statutory obligations however we need to demonstrate that the service delivers preventative outcomes for the council rather than the wider public sector.

When the Panel were informed that this would deliver 25% saving Councillor Maurice Groves expressed concern that this is a significant percentage cut for a front line service. The Director of Corporate Resources pointed out that we also made savings

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from the back office and not just the front line.

Deregistration of residential care

A panel member noted that this saving exploits a benefits loophole and could be changed through the benefits review or at any other time

The Director of Community and Housing pointed out that it supports people to make a contribution to their own care through housing benefit rather than through the council tax-payer. There is a delivery risk and we will be monitoring this closely to react to any changes.

A panel member pointed out that in speaking to Croydon about how effective their attempts had been to implement deregistration of care homes, they had found that 40% of people had appealed against this change.

The Director of Community and Housing reported that the having undertaken some further analysis, the view now was that the savings target of £400k for 12/13 was high by about £200k and would not be achieved. The Director also pointed out that the council was relying on a body of evidence from around the country, which had shown that supported living produced better outcomes than residential care. It should be noted that there are homes in Merton that are deregistered and have had good outcomes.

Panel members asked if monitoring would be in place and if we would be using lay assessors?

The Director of Community and Housing reported that we still have the responsibility to monitor the support arrangements. A feasibility study is about to take place regarding the use of lay assessors. The aim is to use officers, service users and volunteers to monitor services to get a more rounded picture.

A panel member pointed out that the role of the LINK is to train volunteers to monitor care homes and then report back to the overview and scrutiny committee. It was asked if this is financial arrangement and if providers will have fewer responsibilities

The Director of Community and Housing pointed out that there would be financial benefits to the end user. Deregistration separates roles of landlord and support provider. Tenancy rights will be increased. The model offers more rights and flexibilities.

The Chief Executive of Age UK, Merton expressed concern that there needs to be support for staff to deal with the culture change as they move from residential care staff to supported living staff. In Lambeth customer care panels were developed so they could look at issues that affect them all.

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Panel members pointed out that people will need help to enable them to claim this benefit. A huge transition will need to take place and people will need help to claim benefits and to be trained as lay assessors.

The Director of Community and Housing reported that the cost benefit analysis has been done. The Care Quality Commission will be the statutory regime and the council is seeking to supplement rather than replace this.

Reducing transport usage by implementing eligibility criteria

The Director of Community and Housing reported that transport accounts for a high percentage of our budget on day care and support. The model currently used is not as effective as it should be and people should be encouraged to use other forms of transport if they can.

The Cabinet member for Adult Social Care and Health reported that the council is working closely with Merton Community Transport to look at how the two services can share resources. Lots of innovative ideas are being looked at which aim to provide more flexibility.

A panel member expressed concern that the level of savings in transport should be determined after the service has been reviewed. Flexibility is important, it should be noted that transport plays a key role in the prevention agenda, helping keep the elderly and disabled independent and socially active, enabling them to stay in their own homes for longer and/or with carers, which reduces the need for more intensive support, which would be more expensive for the council in the long term.

A Panel member said he was supportive of empowering people to make their own transport arrangements. This should be welcomed. But because of people's expectations convincing people would be a challenge.

Seek alternatives to residential care

A panel member asked if this would be a top down process or if discussions will take place on a one to one basis

The Director of Community and Housing reported that officers will be working within a framework that the 'normal' option is supported living/shared lives rather than residential care, but that this is dependent on individual assessment of need.

A panel member asked if we have sufficient landlords for this programme. It was reported that supply side is not the issue; there is more capacity than demand. The risk is helping people to accept changes. We believe the outcomes justify a programme of this nature.

Staffing savings in Direct Provision

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A Panel member questioned how this saving could be made given that staff budgets are already cut to the bone.

The Director of Community and Housing reported that Direct provision is a provider service, which needs to be competitive with the independent sector. Savings are coming out of the management structure. There will be job enlargement but frontline services will be protected, this keeps costs down and justifies having an in-house provider.

The Chair asked the Director of Corporate Resources to give an update on the budget position. The Director reported that we have a balanced budget for 2012/13. Funding is on a downward trajectory in 2015/16. There are still significant savings to be found to ensure we have a balanced budget in the medium term.

There was a revenue under spend of £1.7m in January,

RESOLVED

The Panel agreed the following in regards to the proposed savings:

Proposed saving	Panel decision
Reduction and monitoring of high value/high cost placements.	The Panel accept this saving
Optimise the use of telecare and assistive technology.	The Panel accept this saving
Reducing the cost of support for young people (Transitions)	The Panel accept this saving
0% inflation uplift to third party suppliers	The Panel do not support this saving. There was concern among some panel members that this would have a significant impact on providers, particularly those in the voluntary sector, and risks a dip in quality of service. They also felt effectively reducing providers' fees, while potentially increasing fees to self-funders by 2% could not be

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	justified.
Restructure and refocus the use of Supporting People services	The Panel accept this saving. Cllr Maurice Groves asked that his objection be noted on the basis that he had severe concerns about the sustainability of the Supporting People initiative given this massive cut of 25% in the budget.
De-registration of residential care	The Panel accept this saving. Cllr Suzanne Evans asked that her objection be noted on the basis that this saving is based wholly upon an ambiguity in the benefit system which could be changed in the benefits review or at any other time, forcing the whole complex process of de-registration to be reversed. She also argued that the saving came with considerable risks to effective monitoring of care services, and that further thought and a full cost benefit analysis needed to be conducted to determine the cost of implementing this change, which will include training volunteers as lay assessors and support to help people claim benefits.
Reducing transport usage by implementing eligibility criteria	The Panel do not support this saving. Some Panel members feel that the service needs to be reviewed and a clear menu of alternative transport options developed before financial savings can be legitimately identified.

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	They also feel the saving is short-sighted. Transport plays a key role in the prevention agenda, helping keep the elderly and disabled independent and socially active, enabling them to stay in their own homes for longer and/or with carers, which reduces the need for more intensive support, which would be more expensive for the council in the long term.
Seek alternatives to residential care	The Panel accept this saving
Staffing savings in direct provision	The Panel accept this saving

6 WORK PROGRAMME 2011-12

There were no comments on the work programme