

Merton Council

Healthier Communities and Older People Overview and Scrutiny Panel



Date: Wednesday 4 July 2012
Time: 7.15 p.m.
Venue: Committee Rooms B, C and D
Merton Civic Centre, London Road,
Morden SM4 5DX

AGENDA

Page Number

1.	Declarations of Interest	-
	Members are reminded of the need to have regard to the items published with this agenda and, where necessary, to declare at this meeting any interest they may have in relation to any of these matters. For further advice, please speak with the Council's Assistant Director of Corporate Governance.	
2.	Apologies for absence	-
3.	Minutes of the meetings held on (a) 19 April 2012 and (b) 31 May 2012 (special meeting)	3 9
4.	Matters arising from the minutes	-
5.	GP Funding Review	13
6.	Proposal to close Jasmine Ward at Tolworth Hospital	15
7.	South West London and St George's Mental Health NHS Trust: Public consultation on application for Foundation Trust Status	21
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**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 Dennis Pearce
Councillor Greg Udeh

Substitute Members:

Councillor Laxmi Attawar
Councillor Janice Howard
Councillor Linda Taylor
Councillor Sam Thomas
Co-opted Representatives
Myrtle Agutter
Laura Johnson
Sheila Knight
Barbara Price
Saleem Sheikh

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

19 APRIL 2012

7.15pm-9.25pm

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

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

ALSO PRESENT: Adam Wickings, Managing Director for NHS Sutton and Merton NHS Southwest London, Valentine Mulholland, Energy Manager, EDF Energy, Dr Val Day, Interim Director for Public Health.

1 DECLARATIONS OF INTEREST

Councillors Maurice Groves and Nick Draper declared an interest as Board Members of Merton Priory Homes

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sam Thomas and Barbara Price

3 MINUTES OF THE MEETING HELD ON 23 FEBRUARY 2012

The minutes of the meeting held on the 23rd February were agreed

4 MATTERS ARISING FROM THE MINUTES

A Panel member noted that feedback had not been received from the Adult Social Care team regarding this Panel's comments on the service plan, particularly in relation to the impact of the rise in costs of telecare equipment. The scrutiny officer explained that the department had only just been given the information and would respond within the next week. The Chair asked that this information be circulated to the Panel as a matter of urgency.

5 GP FUNDING REVIEW – VERBAL UPDATE

Adam Wickings reported that there has been a delay in implementing the changes following the GP Funding review. Practices are now expected to start the new regime on the 1st July, although some may be ready to implement earlier.

Following the emergency discussion regarding concerns at Vineyard Hill Surgery, and the concern that it may have to close as a result of the impact of the GP funding review, Adam Wickings reported that he had met with Vineyard Hill surgery last week to discuss their concerns. As a result, the Local Medical Council has been enlisted to support the Surgery and help them work through their concerns. There are other surgeries which have a similar model to the one that is proposed for Vineyard Hill and these examples are being used to help them overcome the challenges to meet with the new requirements. Adam Wickings maintained his view that he does not believe that the surgery needs to close. He will be visiting all the surgeries in the borough before July to discuss the new contract framework and will help those

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surgeries that are facing a challenge in making a transition to the new process. Adam Wickings agreed to come back to the Panel in July to discuss the new transition.

Panel members asked for a more details on the impact of the changes on GP Surgeries including information on which will lose and which will gain money. Adam Wickings agreed to provide this information subject to ensuring that it is not business sensitive. A panel member pointed out that surgeries receive public money and must therefore be accountable, also given the new role for clinical commissioning and the role GP's will have, it is even more important that information about public money is available for scrutiny. Adam Wickham supported this position.

RESOLVED

That Adam Wickings attend the Panel meeting in July to provide a further update on the implementation of the GP Funding review and data on the financial impact within individual surgeries

6 UPDATE ON WARM HOMES

The Chair congratulated officers for their progress with this work, particularly Steve Nottage Environmental Health and Housing Manager who had attracted substantial funding to the borough.

Steve Nottage reported that with the help of colleagues the council were able to put together a bid for a grant from the Department of Health from the Warm Homes, Healthy People Fund and were awarded £174,411. As well as giving an overview of the projects that had been implemented as a result of the funding, he also reported that there had been some teething problems in sending out a energy booklet to residents. Some households had received more than one copy of the booklet and it was dated for 2011 giving the impression that it was obsolete in 2012. Steve Nottage reported that this feedback would be used to improve services in the future.

Dr Val Day also thanked Steve Nottage for his excellent work on the bid and the amount of money received. She reported that there were no recent updates in regards to tackling excess winter deaths. The good news however was that in past meetings we had discussed what could be done with no new money then the funding arrived. It is now important that the winter plan is put in place.

A panel member expressed concern that local traders were using inappropriate methods to try and persuade people to get loft insulation.

Steve Nottage reported that security and safety is important, our Trading Standards Team and the Police are aware of these issues and are doing their best to tackle it. Codes of practice have been put in place for genuine traders, including to make them recognisable. For example they should wear a badge, make appointments before visiting people's homes.

Panel members suggested that My Merton could be used to warn people about rouge traders.

It was reported that sometimes it is difficult to synchronise receipt of funding with My

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Merton deadlines. A panel member suggested that a flyer is sent to community groups

7 EDF ENERGY TACKLING FUEL POVERTY

Valentine Mulholland, Energy Manager, EDF Energy, reported that EDF is one of the largest energy suppliers in the UK. Since 2005 the company has engaged in a range of initiatives to tackle fuel poverty, they are required by the government to focus some of their profits in alleviating fuel poverty amongst the most vulnerable. The Panel asked a number of questions including what is the penalty if they do not reach their targets to alleviate poverty amongst vulnerable groups, how do you identify a vulnerable group and why are there so many bill tariffs. It was reported that tackling fuel poverty is a requirement of the fuel companies license and they will be financially penalised if they do not meet their targets. Valentine Mulholland said it is difficult to identify those in fuel poverty, EDF tend to focus on those in receipt of certain benefits such as cold weather payments, disability benefits, pension credits, however this does not take into account the working poor. The larger six energy companies are also working towards clearer bills. OFGEM the fuel companies regulator are also conducting a retail market review on simplifying bills.

A panel member pointed out that energy companies say they are implementing a range of measure to tackle fuel poverty but rising fuel costs are affecting everyone, so why do they not just cut the basic cost of fuel?

Valentine Mulholland reported that while she does not work on the commercial side, she can report that £1.6 billion is being re-invested in the commercial fleet. The cost of fuel is determined by prices on the world market. The supply side of the business does not make a profit and EDF does not make unreasonable profits

8 TRANSITION OF PUBLIC HEALTH TO THE LONDON BOROUGH OF
MERTON

Dr Val Day gave an overview of the transition process highlighting that there is a lot of work to do but a relatively small budget at £7-8 million.

The Chair asked when a new director would be in post as there was some concern that the best candidates have already been recruited. Dr Day reported that councils are required to have someone in post by the 1st April 2013 or they will have to appoint an interim. Dr Day pointed out that in terms of appointing someone to the post, there are different situations across the UK. There is no difference if councils appoint earlier or later in the year, there will turnover during the year.

In terms of the deadline it was reported that the decision to appoint will be made in June, we will go out to advert in July, recruitment panel to be appointed in September

A Panel member asked that this Panel ask for the Director of Public Health to be appointed sooner rather than later to help with the transition process as well as the new role. It was also asked that a scrutiny task group be set up to look at this issue. Concern was expressed that mental health was being sidelined in the process and

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that funding is usually inadequate when these decisions are made.

The Chair asked how this Panel can highlight their concerns around funding for public health.

Dr Day said that the Health and Wellbeing Board will lead on developing the Health and Wellbeing Strategy, she agrees that mental health needs to be mainstreamed. The funding levels are based on PCT spending for 2010/11, while Dr Day is confident that the PCT estimate is accurate they did not invest in public health as they should have. There are a number of areas that Merton will be able to demonstrate funding shortfalls eg; PCT did not invest in areas that are now mandatory. The population spend in Merton is lower than it should be, Dr Day is putting together a report to submit to the Department of Health. Once her figures are available they will be given to this Panel.

A Panel member pointed out that the transition is complex and will be difficult to deliver in one year, therefore it is essential that the Director is in post. There was also concern about the financial viability of having a Director for both Sutton and Merton, in other areas there is sharing. A panel member also pointed out that Councillors are not represented on the Transaction Board.

Dr Day pointed out that she advises that Merton appoints its own Director of Public Health to give it the focus that it needs and ensure that they get to know the local area. They are looking at areas where costs for public health could be shared across Sutton and Merton.

After a number of Panel members expressed their concern about this transition process it was agreed that the following reference be made to Cabinet:

Having reviewed the Transition Plan and the arrangements that are being put in place to manage the transition of Public Health Functions from the NHS to the London Borough of Merton from 1st April 2013. The Healthier Communities and Older People Overview and Scrutiny Panel is not satisfied that they are fit for purpose for the following reasons:

The Public Health Grant allocated is inadequate

Insufficient account has been taken of mental health in the Transition Plan

There should be cross party councillor representation on the Transaction Board.

9 SCRUTINY REVIEW ON SAFEGUARDING OLDER PEOPLE – DRAFT
REPORT

The report and recommendations were agreed by the Panel

10 IMPLEMENTATION OF QUALITY OF CARE IN NURSING HOMES REVIEW
RECOMMENDATIONS

A panel member expressed concern that there is not enough power to change things in care homes and concern that commercial interests prevail. It was agreed that officers be thanked for their work on this review and that the Panel look to the future

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and continue to address concerns about care homes in other ways.

11 MERTON LINK – VERBAL UPDATE

At the last meeting a panel member raised concern that this Panel was not fulfilling its role in performance monitoring Merton Link and the Chair asked for clarification on the legal duties. The Scrutiny Officer reported that having reviewed the legislation and consulted with the Centre for Public Scrutiny she can report scrutiny does not have a statutory duty to performance monitor the LINK

12 PLANNING THE PANEL'S 2012/13 WORK PROGRAMME

The Panel would like a scope to be developed for the following task group ideas:

Transition of Public Health to the London Borough of Merton.

Review of continence services.

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HEALTHIER COMMUNITIES AND OLDER PEOPLE OVERVIEW AND SCRUTINY
COMMITTEE
31ST MAY 2012

7.15pm-8.10pm

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

Co-optees: Myrtle Agutter, Barbara Price, Sheila Knight, Laura Johnson and Saleem Sheikh,

ALSO PRESENT: Councillor Linda Kirby Cabinet Member for Adult Social Care and Health, Dr Val Day, Interim Director for Public Health, Simon Williams, Director of Community and Housing.

1 DECLARATIONS OF INTEREST

There were no declarations of interest

2 APOLOGIES FOR ABSENCE

There were no apologies for absence

3 TRANSITION OF PUBLIC HEALTH TO THE LONDON BOROUGH OF MERTON

The Chair asked if there had been any progress in determining the extent of the financial shortfall when the council takes over responsibility for delivering public health. Simon Williams, Director of Community and Housing, reported that the money will be based on PCT historic spend and that he is confident the PCT has accurately reported the actual level of spend to the Department of Health. This means the Council will have enough money for its current commitments for staff and public health programmes. The Director further reported that we are below the London average on population spend per head. If this was weighted to take deprivation into account, we wouldn't get much more as we are a relatively prosperous London borough.

However he raised concerns the allocation may not be enough to fulfil new statutory duties therefore the Director suggested that a letter be written to the Department for Health expressing concern about the level of funding and is co-signed by the Chair of this Panel, Councillor Suzanne Evans and the Cabinet member for Adult Social Care and Housing, Councillor Linda Kirby. The Panel supported this proposal.

Dr Val Day reported that that the Advisory Committee on Resource Allocation (ACRA) are looking at spend on public health nationally. ACRA will publish their findings in late June and councils will be asked to respond. Actual spend varies across the country, it is higher in London. There will be more guidance at the end of this year around pace of change and at what speed Councils will be expected to move from current to the new position. The Secretary of State has assured councils that they will not receive less money than the PCT did to deliver this service. The

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Department of Health has published estimated baseline spends so local authorities know the minimum amount of money that they will have.

A panel member pointed out that it is important that we have additional funds for extra activities otherwise there will not be any progress.

The Chairman asked that this letter be sent to the Secretary of State as soon as possible.

The Director for Community and Housing pointed out that we always wish to do more the key thing is if we are required to do more. We need to be aware if activities become mandatory and if they are prescriptive and set minimum standards.

RESOLVED

That the Director of Community and Housing, draft a letter to the Department of Health on behalf of the Chair of the scrutiny Panel and Cabinet Member for Adult Social Care and Health expressing concern about the level of funding for public health duties in Merton

The Chair asked how the Panel's concerns that mental health issues are sidelined in the transition plan are being addressed.

The Director for Community and Housing pointed out that this is about Public Health transition. The Health and Well being Strategy, which is in development will address mental health issues. The Strategy should be ready to come to the Panel in early autumn.

A panel member reported that a couple of reports had stated that Merton has the lowest spending on mental health in London.

The Director for Community and Housing said that we have the lowest spend in adult social care in London. There are budgetary pressures on a number of services including environmental and children's services. We are a low spend borough.

A panel member pointed out that there needs to be acknowledgement that more needs to be done to address mental health issues and there is already some concern that some GP's do not identify mental health issues.

RESOLVED

That the Panel scrutinise the mental health section of the health and wellbeing strategy when it is produced.

The Chair highlighted that the Panel also had concerns about the lack of Councillor representation on the transition board

The Director for Community and Housing reported that the name Board could be misleading as it has a detailed implementation role. Members set policy and officers implement policy. The Board focuses on national policy there is detailed guidance

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coming from national government every week. Sometimes an issue will come up that is a matter for members and this will then go to Cabinet, for example the appointment of the Director of Public Health. Panel members will have the opportunity to oversee policy shaping and influence the health and wellbeing strategy. The Panel were asked to endorse the proposal for Merton having its own Director of Public Health, to which Panel members agreed.

The Director for Community and Housing SAID that officers are not trying to exclude members. The transition board works according to nationally prescribed criteria, which cannot be influenced. The Director suggested that minutes from the Board could be a standing item on the agenda and officers could come back and answer questions if required.

A panel member asked if staff will be prepared for the transition process as the council works very differently from the PCT. The Interim Director for public health reported that there would be a development programme for the new team including shadowing and understanding Council structure.

RESOLVED

That this Panel receive a copy of the Transition Board minutes as a standing agenda item

That the Panel support the proposal that Merton should have its own Director for Public Health.