

## ANGUS COUNCIL

MINUTE of MEETING of the **SOCIAL WORK AND HEALTH COMMITTEE** held in the Town and County Hall, Forfar on Thursday 21 February 2008 at 4.00 pm.

**Present:** Councillors RUTH LESLIE MELVILLE MBE, ALISON ANDREWS, COLIN BROWN, MAIRI EVANS, DAVID FAIRWEATHER, PETER NIELD, DAVID MAY, BILL MIDDLETON, DONALD MORRISON, ROB MURRAY, HELEN OSWALD, PETER MURPHY, PAUL VALENTINE and JOHN WHYTE.

Councillor LESLIE MELVILLE MBE, Convener, in the Chair.

### 1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Ian Mackintosh, Glennis Middleton and Margaret Thomson, with Councillor Peter Nield substituting for Ian Mackintosh and Councillor Peter Murphy substituting for Margaret Thomson.

### 2. DECLARATIONS OF INTEREST

Councillor Bill Middleton declared an interest in item 4 as his mother was in a nursing care home and in item 7 as he was a volunteer driver and indicated he would not participate in discussion or voting on these items.

Councillor May declared an interest in item 7 as he was a Director of Montrose Day Care Centre and Forfarshire Society for the Blind.

### 3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 10 January 2008](#) was approved as a correct record and signed by the Convener.

### 4. REVIEW OF FEES FOR RESIDENTIAL AND NURSING HOMES 2008/2009

With reference to Article 16 of the minute of meeting of this Committee of 27 February 2007, there was submitted [Report No 176/08](#) by the Director of Social Work and Health proposing rates for placements in local authority residential homes for 2008/2009 and interim rates for independent sector homes until national negotiations regarding these had been completed.

The Report indicated that it was proposed to increase the maximum cost for local authority homes by 3% for 2008/2009, details of which were outlined in Appendix 1 to the Report. These unit costs would be comprehensively reviewed following the completion of the Best Value Review of Services for Older People.

National discussion regarding rates for independent sector residential and nursing home fees for 2008/2009 were still ongoing and it was proposed to pay interim fees for 2008/2009 at the level of 2.7% above the 2007/2008 rates until such time as the national negotiations were completed, at which point a further report would be brought to Committee to confirm the rates to be paid to independent sector providers. It was noted that this was the inflationary increase only and that negotiations were still ongoing nationally in respect of quality related payments.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the rates for placements in local authority residential homes for 2008/2009, as set out in the Report; and
- (iii) to approve the interim rates for independent sector homes, as set out in the Report, until national negotiations regarding these had been completed.

## 5. REVIEW OF NON-RESIDENTIAL FEES AND CHARGES FOR 2008/2009

With reference to Article 14 of the minute of meeting of this Committee of 27 February 2007, there was submitted [Report No 177/08](#) by the Director of Social Work and Health proposing some amendments to the non-residential charging policy and seeking approval to revise rates for financial year 2008/2009.

The Report indicated that, each year, the fees and charges for community care services were revised to allow contractual arrangements with service users and providers to be updated. The charging policy for non-residential care packages had been revised to reflect guidance from COSLA and to take account of the introduction of Supporting People. A transitional projection scheme had been established for existing service users, which meant that there were effectively two schemes of charges in operation and this was reflected in the rates proposed in Appendix 1 (Report No 249/03 refers). The policy had been amended again in February 2006 to reflect further guidance from COSLA aimed at bringing greater uniformity to charging policies across Scotland (Report No 233/07 refers). The proposed rates set out in Appendices 1, 2 and 3 to the Report took into account the current COSLA recommendations.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the charges and disregards for non-residential care services as outlined in Appendix 1 to the Report;
- (iii) to approve the rates for direct payments as outlined in Appendix 2 to the Report; and
- (iv) to approve the rates for non-residential Supporting People housing support services as set out in Appendix 3 to the Report.

## 6. REVIEW OF FEES AND ALLOWANCES WITHIN CHILDREN'S SERVICES 2008/2009

With reference to Article 13 of the minute of meeting of this Committee of 27 February 2007, there was submitted [Report No 178/08](#) by the Director of Social Work and Health setting out proposals for the fees and allowances within Children's Services for 2008/2009.

The Report indicated that the Social Work and Health Department had revised the fees and allowances for specific services in line with statutory requirements, guidance and Angus Council policy. The rates proposed, details of which were appended to the Report, were in relation to Children's Services.

In previous years COSLA had recommended an annual update on a variety of fees and allowances, including fostering allowances. However, in 2005, COSLA had decided that they would no longer be issuing annually recommended rates on the basis that they were simply providing a measure of overall yearly inflation. Their view was that Councils could just as easily apply inflation measures themselves. The proposed increase of 2.5% for all fees and allowances was based on the current rate of the Consumer Prices Index.

The Committee agreed to approve the rates as set out in the Appendix to the Report, with effect from 7 April 2008.

## 7. SERVICE LEVEL AGREEMENTS 2008/2009

With reference to Article 5 of the minute of meeting of this Committee of 30 May 2006, there was submitted [Report No 179/08](#) by the Director of Social Work and Health advising the Committee of the Service Level Agreements proposed to be entered into with the voluntary sector by Social Work and Health in 2008/2009.

The Report indicated that entering into the Service Level Agreements detailed in the Appendices to the Report on a partnership basis with the voluntary sector would help ensure the provision of a range of essential social work and health services in Angus. This type of partnership working brought with it a range of benefits including a sharing of skills and expertise and the capacity to attract additional funding to Angus. Partnership working and the use of Service Level Agreements was an essential aspect of the Social Work and Health Department's delivery of best value services to the most vulnerable individuals and families in Angus. However, the services provided under the Service Level Agreements were subject to the monitoring arrangements as set out in the corporate standards of Service Level

Agreements, and the organisations were subject to monitoring arrangements put in place within Social Work and Health, based on the balanced scorecard approach to performance monitoring, that required quarterly reporting on the level and quality of services provided.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to approve the Service Level Agreements proposed to be entered into by Social Work and Health in 2008/2009 as detailed within the Report; and
- (iii) to note the ongoing commitment by Social Work and Health to partnership working with voluntary sector service providers.

#### **8. PROVISION OF CARE AND HOUSING SUPPORT SERVICES AT BROOMFIELD, MONTROSE**

With reference to Article 11 of the minute of meeting of this Committee of 27 September 2007, there was submitted [Report No 180/08](#) by the Director of Social Work and Health advising the Committee of the tenders received for the provision of care and housing support at Broomfield, Montrose and making a recommendation regarding the award of the contract.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the awarding of the contract for the provision of care and housing support services at Broomfield, Montrose to Real Life Options, Unit F1, The Granary, Coal Road, Cupar, Fife for a three year period with an option to extend for a further two years.

#### **9. LUNAN HOUSE, ARBROATH - SPECIALIST NURSING CARE**

There was submitted [Report No 181/08](#) by the Director of Social Work and Health advising the Committee of the need to secure the continued provision of specialist nursing home beds for people with learning disabilities.

The Report indicated that to secure the future care of the residents in Lunan House, Arbroath, it was proposed to enter into a block contract between Angus Council and Four Seasons Health Care Ltd, the owners, for the provision of 23 specialist nursing home beds for people with learning disabilities for five years. A formal agreement with Angus Council and NHS Tayside would be entered into for the resource transfer element of the revenue funding. This would allow Four Seasons Health Care Ltd to invest in the residential home to bring it up to the standards required by the Care Commission, prevent closure of the Home and avoid the need to move the current residents and the associated upset and distress this would likely cause. It would also allow time for development of clear long-term commissioning intentions for learning disability nursing care through the redesign project and the development of facilities suitable to meet the need of this group of individuals for the next 20 years.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the purchase of 23 nursing care home beds for people with profound and complex learning disabilities at Lunan House, Arbroath, for five years.

#### **10. BEST VALUE REVIEW: RESIDENTIAL PROVISION FOR CHILDREN AND YOUNG PEOPLE**

With reference to Article 9 of the minute of meeting of this Committee of 15 November 2005, there was submitted [Joint Report No 182/08](#) by the Director of Social Work and Health and the Director of Education advising the Committee that a full Best Value Review of Residential Provision for Children and Young People had recently been undertaken in Angus between early 2006 and November 2007. The review had been wide-ranging and had implications for Angus Council and NHS Tayside and had been officially considered by the NHS Tayside Executive Team.

The Report indicated that the Review had considered a number of key issues relating to the cost of caring for accommodated children outwith their local authority area. The Review acknowledged the good work and effective practice which were evidenced within Angus but noted that issues, outwith the control of those who provided services in Angus, had now impacted on the effective delivery of services to all children.

Issues such as younger children being placed in residential accommodation, societal expectations, the increase in substance misusing parents, child protection referrals, troubled and troublesome youngsters and improved outcomes for children with complex health needs were combining to create a potentially difficult situation. The Review had recognised that changes to local service delivery bringing positive outcomes for those troubled young people who were most in need might be possible. It was recognised that this could not be done without a full review of the current budgetary arrangements and the need to involve key partners, in particular NHS Tayside and the Angus Community Health Partnership.

The Report also recognised that this was not only an issue within Angus but one which was replicated across Scotland. The Review had highlighted the need for the new Scottish Government to take account of the issues facing local authorities and their partners in undertaking their role as corporate parents and, in particular, to address the need for adequate funding.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to note the content of the Best Value Report, a copy of which had been placed in the Members' Lounge; and
- (iii) to endorse the proposed action plan arising from the Best Value Review, a copy of which was appended to the Report.

#### **11. TAYSIDE NEUROLOGICAL REDESIGN PROJECT - SUE RYDER CARE**

With reference to Article 12 of the minute of meeting of this Committee of 19 June 2007, there was submitted [Report No 183/08](#) by the Director of Social Work and Health advising the Committee of the development of the Tayside Neurological Redesign Model which provided an opportunity for the three Tayside local authorities to achieve service improvement objectives across a range of initiatives and develop transformational change that would improve outcomes for people in need of community care and health services.

The Report indicated that it was proposed that the three local authorities across Tayside commit to the new redesign project model. Committing to the model would also form an agreement, in principle, to explore options to working in partnership with NHS Tayside, the Angus Community Health Partnership and Sue Ryder Care. Sue Ryder Care was a national charity with a proven track record in the delivery of a range of community care services that had identified Tayside as an area requiring investment and redesign to improve outcomes for people affected by neurological conditions and had indicated that they would like to become key partners in the project by providing significant funding to achieve a whole systems redesign of services.

The Committee agreed:-

- (i) to note the content of the Report; and
- (ii) to note and welcome the proposal to support the Neurological Redesign Model.

#### **12. SOCIAL WORK PROVISION AT HMP NORANSIDE**

There was submitted [Report No 184/08](#) by the Director of Social Work and Health advising the Committee of the proposed changes to the management structure for the Social Work Unit at HMP Open Estate, Noranside and providing information about the implications for Angus Council Social Work staff based at Noranside.

The Report indicated that, currently, the Social Work Unit at the Noranside site of HMP Open Estate was managed by Angus Council Social Work and Health, Criminal Justice Social Work Services. The Service was commissioned and wholly funded by the Scottish Prison Service with Social Work services at the Castle Huntly site of HMP Open Estate managed by Perth

and Kinross Criminal Justice Services. It was now proposed that a single Social Work Team be created across HMP Open Estate with an identified team leader and enhanced management support at both Social Work units at the Noranside and Caste Huntly sites. This single Social Work team would be accountable to a single local authority Criminal Justice Service and given that Perth and Kinross Criminal Justice Service currently managed the Social Work services provided at HMP Perth, HMP Friarton and at the Castle Huntly site, it was felt by officers that, logically, subject to the consideration of the Committee, the most appropriate authority to manage all Social Work services in the Open Estate would be Perth and Kinross Criminal Justice Services.

Three Angus Council Social Work and Health staff were currently based at Noranside and the proposed changes would result in the posts occupied by these three staff no longer existing within the establishment. Subject to detailed discussions with Perth and Kinross Council, the three staff affected would have the option of transferring to Perth and Kinross Council and remaining at Noranside or being redeployed within Angus Council to posts considered to be a suitable match.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the change of management structure for HMP Open Estate, Noranside as detailed in the Report.

### **13. RESPONSE FROM ANGUS COUNCIL ON DRAFT CODE OF PRACTICE FOR ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007**

With reference to Article 5 of the minute of meeting of this Committee of 16 August 2007, there was submitted [Report No 185/08](#) by the Director of Social Work and Health advising the Committee that the Scottish Government was currently consulting on the draft Code of Practice for the Adult Support and Protection (Scotland) Act 2007, a copy of which had been placed in the Members' Lounge.

The Report indicated that the draft Code of Practice had been issued by the Scottish Government for consultation with responses requested by 21 March 2008. A copy of a proposed response to the draft Code of Practice from Angus Council was appended to the Report and was a lengthy detailed commentary as it was felt further clarification was required on implementation of the provisions contained in the Act. The proposed response suggested to the Scottish Government that further work and amendment was required on the Code of Practice for it to be a helpful document to the Council and its employees in the course of exercising their duties under the Adult Support and Protection (Scotland) Act 2007.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to instruct the Director of Social Work and Health to forward the proposed response to the consultation exercise on the draft Code of Practice for the Adult Support and Protection (Scotland) Act 2007 to the Scottish Government.

### **14. CONSULTATION ON DRAFT LOOKED AFTER CHILDREN (SCOTLAND) REGULATIONS**

There was submitted [Report No 186/08](#) by the Director of Social Work and Health advising the Committee that the Scottish Government was currently consulting on the draft Looked After Children (Scotland) Regulations 2008 which would replace the Arrangements to Looked After Children (Scotland) Regulations 1996; the Fostering of Children (Scotland) Regulations 1996 and Regulation 17 of the Residential Establishments Child Care (Scotland) Regulations 1996. These new Regulations would apply to all looked after children and their carers whether the children were cared for at home, by other people known to them, by foster carers, or were in a residential setting.

The Report concluded that the issue of new Looked After Children (Scotland) Regulations was welcome. It had been 12 years since current regulations had been issued and the new regulations were an opportunity to consolidate on the positive developments that had taken place in services to children over this time. At the same time however, the draft Regulations, as they stood, had significant financial implications for local authorities and there was a need to ensure that any changes to current practice were affordable and adequately funded to

ensure that the high standards of care for accommodated children in Angus were maintained.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to instruct the Director of Social Work and Health to forward to the Scottish Government, the response to the consultation exercise on the draft Looked After Children (Scotland) Regulations 2008, a copy of which was appended to the Report.

## 15. PERFORMANCE MANAGEMENT REPORTING

With reference to Article 6 of the minute of meeting of this Committee of 15 November 2007, there was submitted [Report No 187/08](#) by the Director of Social Work and Health providing the Committee with an update on progress being made by the Department in implementing the actions set out in the Service Plan and seeking approval of the revisions by lead officers for Service Plan actions.

The Report indicated that, in line with the agreed reporting arrangements, crystal reports had been produced from Excelsis for each department's Service Plan. The full reports for Social Work and Health were detailed in Appendix 2 to the Report, with summary reports having been drawn from these crystal reports to allow recommendations of individual senior management teams to be recorded for each of the actions that had gone beyond deadline, or with changes to deadline requested during the reporting period.

The summary report for the Social Work and Health Service Plan actions were detailed in Appendix 1 to the Report. The summary report also showed the recommended course of action from the Director following discussion with his senior management team. Following agreement by the Committee to the proposed revised deadline date, the action status would be revised from "overdue" to "on target".

The Committee agreed:-

- (i) to approve the Director's recommendation for the actions beyond the deadline listed in Appendix 1;
- (ii) to approve the Director's recommendation for revisions to deadlines during the reporting period for the action listed in the summary Report in Appendix 1; and
- (iii) to note the action marked as completed during the reporting period for the full Report at Appendix 2.

## 16. TRANSFER OF HOUSING SUPPORT SERVICES FROM HOUSING TO SOCIAL WORK AND HEALTH

There was submitted [Joint Report No 189/08](#) by the Director of Social Work and Health and the Director of Neighbourhood Services seeking approval for the Phase 2 restructuring process in relation to the transfer of Housing Support Services from Housing to Social Work and Health.

The Report indicated that the focus of this element of the Phase 2 restructuring was to ensure all Housing Support Services provided by Angus Council were managed through a single department. Two distinct service areas were being transferred from Housing to Social Work and Health, these being the Sheltered Housing Service and the Homelessness Support Service. It was proposed that the Sheltered Housing Service (including management) should be based in the Social Work and Health Home Care Service and that the Homelessness Support Service be based within the Social Work and Health In-Take Service. Following detailed discussions between Neighbourhood Services and Social Work and Health, a Project Board had been established to oversee the smooth transfer of all appropriate staff.

Considerable preparation was being put into the consultation process with tenants and staff. The communications strategy was currently being finalised and would involve roadshows within each of the sheltered housing units and with staff. The appropriate trade unions had been fully consulted and involved in the proposed transfer.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the intention to transfer Housing Support Services to Social Work and Health on 1 April 2008.