
Meeting	Health and Adult Social Care Policy and Scrutiny Committee
Date	10 June 2015
Present	Councillors Doughty (Chair), Cuthbertson (Vice-Chair), S Barnes, Cannon, Craghill and Warters
Apologies	Councillor Richardson

The Chair welcomed all new Members to the Committee.

1. **Declarations of Interest**

At this point in the meeting, Members were asked to declare any personal, prejudicial or disclosable pecuniary interests that they might have had in the business on the agenda.

A number of Members declared standing personal interests in the remit of the Committee;

Councillor S Barnes' personal interest was due to his employment by Leeds North Clinical Commissioning Group, as they were responsible for commissioning mental health services in Leeds.

Councillor Cannon's was as a current patient at York Hospital and as a member of the Health and Wellbeing Board.

Councillor Craghill was as a member of the Health and Wellbeing Board.

Councillor Doughty confirmed his standing personal interest as a member of York NHS Foundation Teaching Trust.

No other interests were declared.

2. **Minutes**

In relation to the minutes, the Chair asked when data would be made available in relation to annual health checks for people with learning disabilities.

The Acting Director of Public Health confirmed that this data was likely to be reported in time for the September committee.

Resolved: That the minutes of the meeting of the Health Overview and Scrutiny Committee held on 25 March 2015 be signed and approved by the Chair as a correct record.

3. Public Participation

It was reported that there had been a registration to speak under the Council's Public Participation Scheme.

Marije Davidson from York Independent Living Network and Lives Unlimited spoke regarding Agenda Item 6 (Direct Payments Terms and Conditions).

She raised a number of points in relation as to whether Members should be asked to review the policy, these included;

- That the terms and conditions currently stated that payments would be paid into a Cashplus account and individuals must make transactions from it. However, further communication said 'no individuals would be required to have a Cashplus account if they do not want it'.
- The letter to people with direct payments proposed that the Council would make payments for statutory maternity pay, statutory paternity pay and statutory sick pay instead of individuals doing it through their normal payroll systems. Individuals have employer obligations and this must be reflected in the Terms and Conditions and the Policy.
- Individuals would only be allowed to accrue 4 weeks or one month funding – the Council was not clear about that, there was a promise last year it would remain at 8 weeks, and it was not part of the policy approved by the Cabinet in December, so where was the authority for that change?

She acknowledged that Council Officers had addressed some of the issues raised in a previous letter(which was included within the agenda pack). However, it did not address issues where Terms and Conditions needed to be amended and she therefore felt this needed to be done and urged the Committee to choose Option 2 in the report.

4. Arrangements for Overview and Scrutiny in York

Members received a report which highlighted the Council's arrangements for the overview and scrutiny function and resources available for its support, along with the current terms of reference for the Health & Adult Social Care Policy & Scrutiny Committee.

The Scrutiny Officer explained that alongside possible changes to the terms of reference of each of the scrutiny committees there was also the possibility that the future scheduled meeting dates would change.

In respect of how much preparation Members needed for scrutiny work on the committee, the Scrutiny Officer stated that he would circulate a guide on Health Scrutiny. The Acting Director of Public Health suggested to Members that they might wish as a scrutiny topic, to examine how the Public Health Grant to Local Government was spent.

Resolved: That the report and remits of the Committee be noted.

Reason: To inform Members of scrutiny arrangements.

5. Update Report from Leeds and York Partnership NHS Foundation Trust on their progress against Care Quality Commission's (CQC) Action Plan

Members received a report on Leeds and York Partnership NHS Trust's progress against a Care Quality Commission (CQC) Action Plan following an inspection of the Trust.

Jill Copeland and Antony Deery from the Trust attended to present the report. Members were informed that;

- Refurbishments at Bootham Park Hospital were running behind schedule.
- Acomb Garth had problems and was mixed sex accommodation but these concerns were being managed.
- There was a wait for a new hospital for mental health in York.
- The Trust's complaints procedure had been reviewed.

- Staff morale levels had improved.

In response to Members' questions it was reported that funding for the hospital would be from central Government, and the Trust would ensure the action plan's delivery even if they happened not be the provider of mental health services.

The Director of Adult Social Care commented that he supported the improvements that had been made by the Trust.

Resolved: That the report be noted.

Reason: So that the Committee is kept up to date with the Trust's performance against the CQC's standards.

6. Direct Payments Terms and Conditions

Members received a report which detailed the Council's approach to direct payments to adult social care customers. They had also received a representation via email from York Independent Living Network and Lives Unlimited following publication of the agenda. The Chair requested that this be added to the minutes and it was added as an annex.

Discussion of the report took place following the Public Participation item.

The Chair asked Officers if the Council could continue to use the current system legally. Officers confirmed that this could leave Council more open to challenge in regards to the ability to audit the money used for direct payments. A Member asked if Officers felt comfortable about whether sufficient amounts of consultation had taken place on the terms and conditions. In response, it was noted that what was proposed was not a change in service and assurances had been given in regards to money, for example for short breaks not being counted.

Discussion took place over the Direct Payments terms and conditions.

In response to a comment from a Member about whether encouraging people to have Cashplus accounts for their care was purely for audit means, Officers responded that they encouraged this for transparency and easy manageability.

However, they confirmed that those that did not want to have a Cashplus account did not have to have to receive payment this way.

Referring to a disadvantage of Option 2 mentioned in the Officer's report, one Member asked, what would be the risk of Members approving Option 2. Officers responded that in their opinion it would not allow for the expansion of Direct Payments and therefore not give customers management of their money. However, they admitted that the public engagement over the changes to Direct Payments had been not been sufficient.

In addition, Councillor Stuart Barnes suggested that as the proposed changes to Direct Payments had not been perceived as a service change by service users, Members could themselves provide some criteria and guidelines to Officers what they deemed to be service changes. He added that the Committee could develop some guidelines for Officers. The Chair agreed with the suggestion and urged those Members who felt confident to so, to circulate their ideas via email

Members proposed Option 2 in the Officer's report and suggested some additional wording to include additional engagement with organisations like York Independent Living Network and Lives Unlimited. They suggested that Officers would write to service users to inform them once they had made all changes. A verbal update from Finance on the terms and conditions would also be given at the July committee.

Resolved: That Option 2 is chosen and the terms and conditions under which direct payments are provided remain but are reviewed again, further amendments are considered in conjunction with stakeholders and a further report is made.

Reason: It will allow Members the chance to review the changes made to Council policy following further consultation.

7. Work Plan

Members considered the Committee's Draft Work Plan for the upcoming municipal year.

The Manager from Healthwatch York was in attendance at the meeting and informed the Committee that the data they were currently gathering on the wheelchair service, which was contracted out by Vale of York Clinical Commissioning Group (VOYCCG), could be presented to the Committee in July.

Discussion took place including mention of whether the Committee could get an update on systems resilience ahead of the winter from the CCG and future scrutiny topics could include IAPTs, Pain Management, and Personalisation.

Following further discussion the following was agreed;

- For Health and Wellbeing Board Update reports to be biannual.
- For a scoping report to be written on the Public Health Grant spending and outcomes for the July meeting of the Committee.
- That a report in relation to annual health checks for people with learning disabilities be presented to the September meeting.
- That a report on health systems resilience be prepared for the September meeting.

Resolved: That the work plan be noted with the above detailed changes made.

Reason: To ensure that the Committee has a planned programme of work in place.

Councillor Doughty, Chair

[The meeting started at 5.35 pm and finished at 7.25 pm].