
Health Overview and Scrutiny Committee

8th July 2009

Feasibility Report – Adult Social Services Inspection Rating

Summary

1. This report asks Members to consider a scrutiny topic registered by Councillor Simpson-Laing to: 'Investigate the Council's Adult Social Services Inspection Rating and the ongoing improvements as recommended by the Inspector. A copy of the topic registration form is attached at Annex A to this report.

Criteria

2. Councillor Simpson-Laing believes that this topic fits with the following eligibility criteria as set out in the topic registration form:
 - Public Interest (i.e. in terms of both proposals being in the public interest and resident perceptions)
 - Under performance/service dissatisfaction
 - In keeping with corporate priorities
3. Councillor Simpson-Laing has made the following additional comments on the topic registration form in support of the selected eligibility criteria:

Public Interest – Residents, either themselves or as family members of those receiving care need to feel confident in the services provided by the Council.

Under Performance/Service Dissatisfaction – Management performance was an area identified by the Inspector as problematic. There has also been some customer dissatisfaction in relation to changes in care timing and provider.

4. In response to Councillor Simpson Laing's comments on 'Under Performance/Service Dissatisfaction' - the Director of Housing and Adult Social Services (HASS) stated that the 2008/09 outturn will show very significant improvement in performance and satisfaction levels have remained high throughout. Adult Social Care is clearly a government priority but it would be difficult to review a whole service area on this scale.
5. Members of York Local Involvement Network (LINK) believed that the newly registered topic was in line with the eligibility criteria marked.

Consultation

6. The Director of HASS has made the following comments on the topic registration form:

'A rigorous process is in place to monitor progress on the improvement plan for adult social care approved by the Executive Member for Housing and Adult Social Services in December 2008. This followed a formal inspection by the Commission for Social Care Inspection in June 2008. This improvement plan has become amalgamated with additional improvements agreed by the Executive Member in January 2009 following the annual performance assessment for the year 2007/08, which was published in November 2008. A full update on all the recommendations and the action taken was reported to the Executive Member at the Decision making Session meeting on 23rd June 2009. The report set out the very significant improvements that had been made on the actions arising from the inspection and on the performance of adult social care in 2008/09.

He further stated that a report was included on this Committee's agenda summarising the performance of adult social care for Members to consider. This report confirms the positive improvements in performance in 2008/09 whilst operating within the approved budget.

I therefore suggest, that a scrutiny review would not be appropriate at this time for the following reasons:

- A robust reporting process is in place through the Decision Session meeting for the Executive Member. This was the process agreed at the former HASS EMAP (Executive Member and Advisory Panel) in January 2009.
- The report to the Executive Member on 23/06/09 shows that very substantial progress has been made which means that the performance of adult social care would not be identified as a risk area.
- The time period covered by the inspection and annual performance assessment is 2007/08 and it would not be productive to go over that ground again in scrutiny given that detailed improvement plans were agreed at EMAP in January 2009.
- This would be a very substantial piece of work involving many aspects of adult social care and there are insufficient resources to service that, the ongoing work on other major projects and other directorate commitments made in the departmental plan agreed by Members in January 2009.
- The Annual Performance Assessment for adult social care in 2008/09 is already underway. The Council has submitted a detailed self assessment (much of which is covered in the report to the Executive Member on 23.06.2009) and a grading will be determined by the new regulator, the Care Quality Commission, in the autumn.

7. The Executive Member for HASS has made the following comment on the topic registration form:

'The Inspector's report and the improvement plan referred to in the scrutiny topic request were considered at the Decision Session of the Executive Member for Housing and Adult Social Services on 23rd June 2009, at which Councillor Simpson-Laing registered to speak and made observations on the accompanying report. While it might be interesting to analyse how far some of the comments of the Inspector's report were actually justified by the facts, the thrust of the report, received on 23rd June 2009 was that good progress was being made and that it was not helpful, from the Department's point of view, to be still working to an agenda which, if it ever was wholly justified, is not justified now. I approved the plan to focus on a narrower set of major issues, which married into corporate objectives. I think the approval of this scrutiny topic would involve the department in returning to issues that have already been addressed - and would not therefore, as the proposer suggests, contribute to improvement in performance but would be in danger of diverting time and effort away from the task, not least in terms of management input. I would not therefore wish to support the proposal.'

8. Members of the Local Involvement Network (LINK) were consulted on the topic registration form and they made the following comment:

'Without seeing the rating report and the recommendations, it is difficult to assess the topic because it is so wide. A lot of the recommendations may well fit into LINK priorities for this year and York certainly needs to keep up the level of its social care for adults.'

Analysis

9. Until recently the usual reporting line for progress/update reports on these matters would have been through the Executive Member for Housing & Adult Social Services & Advisory Panel meetings (HASS EMAP). These have been replaced with Executive Member Decision Sessions and regular reports are now presented to the Executive Member for consideration.
10. An update report was presented to the Executive Member for Housing and Adult Social Services on 23rd June 2009 and this can be found at Annex B to this report. The Executive Member agreed the recommendations within this report.
11. In light of the comments made by both the Director and the Executive Member for HASS Members may wish to consider whether progressing this scrutiny topic would be revisiting ground already covered in other ways (as outlined in Annex B to this report).
12. In addition to the above Members may like to consider the comments provided by the Director of HASS in the fourth bullet point (paragraph 6 of this report) regarding the resources available to assist with a piece of work of this significance. If Members were mindful to proceed with a review they may wish to consider a narrower remit to ease impact on the resources available within the Directorate.

13. If Members decide to progress the review they may want to take into consideration their forthcoming commitments, as set out in the work plan and prioritise this review accordingly. A copy of the Health Scrutiny work plan is attached as part of this agenda.
14. The Committee now has the option to form small 'task groups' to undertake reviews and should Members choose to proceed with the review they may wish to form a smaller group who would be able to work more informally. Any task group would periodically report back their findings to formal meetings of the Health Overview and Scrutiny Committee and would be fully supported by the Scrutiny Officer.

Conduct of Review

15. Should Members choose to proceed with this review Councillor Simpson-Laing has suggested that the Committee look at:
- Management structures – what needs/can be done to improve these
 - Political leadership – the Inspector questioned the involvement of political leadership in the department
 - Staffing levels – are there enough staff? Does the organisation ensure best retention procedures
 - Provision of care – how much care is provided and what care that clients may need help with can't the Council provide
 - Suitability of care surroundings – how are home assessments carried out, and how often are they updated?
 - Care plans – how often are these updated and how are they monitored both within CYC and by providers
 - Procurement of care – how does the Council decide on which care to be contracted out to private providers and what monitoring systems are in place – such as ensuring care plans are used and updated.
16. If the review were to proceed then Councillor–Simpson-Laing has suggested that the following be consulted:
- Representatives of older residents' groups (e.g. Older Peoples' Assembly, Age Concern) so that practical experiences can be understood
 - Front line care staff
 - Staff Union
 - Representatives of private sector providers
 - Relevant senior officers from CYC
 - Executive Member for Housing and Adult Social Services
17. Councillor Simpson-Laing has also suggested that the working practices at CYC would need to be investigated along with Best Practice at other Local Authorities. The Director of HASS has confirmed that the Council already has 'buddying' relationships with both Sunderland and Bolton Councils as part of ongoing improvement work. In Yorkshire and Humber, the top performing Councils are Barnsley, Sheffield, Wakefield, East Riding and North Yorkshire – none of these, though, are comparable to York in terms of geography, demographics or spend.

18. It is envisaged that any review would take approximately 6 months.
19. The Director of HASS has concerns regarding the resources that would be needed to undertake a review of this significance [paragraph 6, bullet point 4 of this report refers].

Corporate Strategy

20. This report and the issues set out within in it are directly in line with the Corporate Strategy theme of being a Healthy City – ‘we want to be a city where residents enjoy long, healthy and independent lives.’

Implications

21. **Financial** – There is a small amount of funding available within the scrutiny budget to carry out reviews. There are no other financial implications associated with this report however; implications may arise should the review be progressed.
22. **Human Resources (HR)** – The Director of HASS has raised concerns regarding resourcing this review and these are contained in paragraph 6, bullet point 4 of this report. There are no other, known HR implications associated with this report.
23. **Legal** – There are no direct legal implications associated with this particular report however; legal implications associated with this topic may emerge if a review were to progress.
24. There are no known equalities, property, crime & disorder or other implications associated with the recommendations in this report.

Risk Management

25. In compliance with the Council’s risk management strategy, there are no known risks associated with the recommendations in this report.

Recommendations

26. Based on the evidence and analysis presented within this report Members are not advised to proceed with this scrutiny review. As an alternative, Members may wish to consider receiving copies of future Executive Member reports on this matter prior to them being presented to the Executive Member for consideration. This would allow the Committee to make the Executive Member aware of any concerns and/or comments that they might have.

Reason: In order not to duplicate work already being undertaken

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Feasibility Study
Approved



Date 25.06.2009

Specialist Implications Officer(s)

None

Wards Affected: List wards or tick box to indicate all

All



For further information please contact the author of the report

Background Papers:

Commission for Social Care Inspection - Inspector's Report 2008 (This can be found on the Care Quality Commission's website)

Annexes

Annex A Topic Registration Form

Annex B Copy of the Report to the Executive Member 23rd June 2009