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MEETING	HEALTH OVERVIEW & SCRUTINY COMMITTEE
DATE	2 MARCH 2011
PRESENT	COUNCILLORS BOYCE (CHAIR), FRASER, KIRK, SIMPSON-LAING AND WISEMAN (VICE-CHAIR)
IN ATTENDANCE	SUE METCALFE – NHS NORTH YORKSHIRE AND YORK ALAN ROSE – YORK HOSPITALS NHS FOUNDATION TRUST HELEN MACKMAN – YORK HOSPITAL GOVERNOR ANNIE THOMPSON - LINKS DEE BUSH – OLDER PEOPLE’S ASSEMBLY GEORGE WOOD – OLDER PEOPLE’S ASSEMBLY KATHY CLARK – CYC STEVE TAIT - CYC
APOLOGIES	COUNCILLORS HOLVEY AND SUNDERLAND

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#### 57. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. Members requested the following changes to the standing interests already declared:

Councillor Fraser	Council appointment non voting Trustee of the Council for Voluntary Services
Councillor Simpson-Laing	Deletion of ‘Disabilities Trust’ <sup>1</sup> .

#### Action Required

1. Amend list of standing interests. JP

#### 58. MINUTES

RESOLVED: i) That the minutes of Committee meeting held on 19 January 2011 be approved and signed by the Chair as a correct record subject to the following amendment:

Minute 46 – Update on Recommendations Arising from the Dementia Review (Access to Secondary Care) - in the fourth paragraph the deletion of the words ‘The Council’s Interim Assistant Director Commissioning and Partnerships’ and their replacement with ‘The Corporate Strategy Manager’.<sup>1</sup>

- ii) That the minutes the last meeting of the Committee held on 24 January 2011 be approved and signed by the Chair as a correct record.

Action Required

1. Amend minutes.

JP

**59. PUBLIC PARTICIPATION**

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

A new representative of the Older People's Assembly (OPA) introduced herself to members. She stated that of their 50 -100 plus membership that it was health issues that united them all. She confirmed that the Assembly were at present examining the Health and Social Care Bill and were aware of the public consultation that was due to take place. Liaison with other voluntary organisations would be undertaken by the OPA where there were perceived overlaps and she confirmed that Assembly members were looking forward to working with the Council on these and other issues.

**60. SIX MONTHLY UPDATE FROM NHS NORTH YORKSHIRE AND YORK**

The Deputy Chief Executive of NHS North Yorkshire and York attended the meeting and reported on The Operating Framework for England in 2011/12 which included the transition to new organisational structures which would start to implement the challenges set out in the White Paper.

She confirmed that this was her six monthly update to members and the main points raised covered the following areas:

- a. PCT Financial Situation
  - Confirmation that hard work would ensure that they would be close to achieving a balanced budget by the year end.
  - Difficult decisions had had to be made regarding reductions and changes in services with work still ongoing.
  - Proposals were also ongoing to ensure stability for the voluntary sector during the next financial year with the Board supporting taking this forward with 4% efficiencies. Confirmation that this would ensure that no future short term decisions were then taken.
  - Work with other organisations/providers was still ongoing and would be completed by the end of March.
- b. Transforming Community Services
  - At the end of last year, agreement had been reached that community based services would go back to local providers. Work was ongoing with arrangements for the transfer of staff, which included Selby and Scarborough with transition letters due out on 1 April.

- There had been a number of interested providers for the transfer of mental health services however this had taken longer than the process for community services because of the formal tender process. A tender had now been approved with services in the York/Selby and Tadcaster area being awarded to the Leeds Foundation Trust. Owing to the need for Monitor to approve the changes, this would probably not now formally take place until September/October 2011.

c. White Paper - Transition

- The transition included NHS development and support for the new General Practitioner Commissioning Consortia.
- Five core Commissioning Consortia were proposed and two fringe Consortia. One of these would cover the York/Pocklington/ Tadcaster/Selby area covering a population of 300,000 with the late addition of Kirbymoorside into the area. Confirmation that this would cover a wider area than that covered by the York Health Group with GP's having a choice of which Consortia they joined. Two Pathfinder Consortia existed in the area.
- Details of PCT clustering arrangements to try and maintain staffing levels and provide stability and continuity throughout the transition.
- Details of the emerging Commissioning Board, which would be up, and running by October 2011 with the National Board headquarters being sited in Leeds.
- NHS North Yorkshire and York's wish to maintain and continue their good working relations with all.

Members then questioned a number of points raised including:

- Confirmation received that GP's could only join one Consortia but that their patients could cross boundaries.
- Was there a requirement for the PCT to clear their historic debt. Confirmation that the debt had to be cleared and in current balance which would be carried out over this and the forthcoming years.
- As the Council budget for 2011/12 was based on receipt of an Enabling Grant estimated at £1.97m, questioned how robust this figure was and if the PCT were obliged to transfer this directly to the authority. Confirmation that if this had been the figure advised there was no reason why this would not be accurate.
- Confirmation received that tendering for the mental health services had been through the full EU tender process. This had resulted in a clear winner for the York grouping.
- Confirmation that the tender for the muscular skeletal services had last week been awarded to the York Foundation Trust.

The Chair thanked the Deputy Chief Executive for her informative six monthly update.

RESOLVED: That the six monthly update from NHS North Yorkshire and York be received and noted.

REASON: To continue to inform the Committee of ongoing work of the NHS.

**61. DRAFT CORPORATE RESPONSE TO: HEALTHY LIVES, HEALTHY PEOPLE: OUR STRATEGY FOR PUBLIC HEALTH IN ENGLAND**

Members considered a report, which set out the draft corporate response on the public health white paper Healthy Lives, Healthy People and associated documentation. It was confirmed that the City of York Council corporate response to the consultation would be considered by the Executive at their meeting on 15 March.

The Corporate Strategy Manager confirmed that she was not aware of any updates to the response, following consultation, but confirmed that members were still able make additional comments for consideration at the Executive meeting.

Members expressed a number of concerns and pointed out that the draft response appeared inadequate with a number of omissions which included:

- That the response did not appear to reflect the comments and views of members as set out in the minutes of the meeting on 24 January 2011.
- Reference to contradictions with wider policies had not been included.
- Need for a national register detailing who were willing providers for services.
- Monitoring of pandemics etc need to be clear which areas were being retained by Public Health England.
- Reductions in voluntary sector funding.
- Services provided by the voluntary sector to patients with mental health issues.
- GP provider's overview.
- General public health concerns and privatisation issues.
- Concerns at the wide range of providers of both goods and services and destabilisation of the market.
- Procurement knowledge and quality assessment.
- Considered that York had previously received inadequate funding, therefore there were concerns regarding the development of the allocation formula.
- Increases in life expectancy and possible non-continuation of 10 yearly census and resultant future issues.

The Corporate Strategy Manager pointed out that some of the issues raised were about the wider reforms and not just the Public Health Paper.

Following further lengthy discussion it was

RESOLVED: That the following issues be recommended to the Executive as additional points for inclusion in the Council's corporate response to Public Health England at the Department of Health on the White Paper:

- Question 1 - amend last paragraph on Q1 to add ' *this and other sectors*' after the message about potential to be undermined.
- Felt that Question 2 had been misunderstood and that the answer did not adequately answer the question. Suggested that a national register should be set up to show what providers were 'willing providers'.
- Q2 – Members were unclear what the question was asking about securing a wide range of providers, and had concerns that this could destabilise the market. There was a view that 'any willing provider' could lead to contract failures, and that quality needed to be built in to the concept. Members wished to see local authorities required to ensure that procurement around such specialist areas was undertaken by those with a specialist understanding of the requirements and able to make sound judgments about quality.
- Questions 6 & 7- Members did not believe that we should be asking for as much as possible to transfer to the local authority - as this risked inappropriate functions being transferred.
- Question 7 - Concern that some of the broader issues such, as the reductions in benefits would not be addressed through the proposals.
- Question 10 – Members felt that there should be a reference and emphasis on the long-standing concerns that current allocation formulas disadvantaged York. There were also concerns that in the longer term allocation formulas, which were dependent on the census, would not be sustainable if the census did not continue.
- The draft response was also not felt to include adequate reference to the issues raised by the Health Overview and Scrutiny Committee at their meeting on 24 January, and Members requested the Executive to include these issues in any response, if necessary as 'any other comments' if they do not fit within the set questions:

These issues were:

- That 'giving every child the best start in life' reference, concern that changes in benefits would have a knock on effect on families
- Concerns regarding the proposal of working collaboratively with the voluntary sector. Certain members felt this was a finance issue rather than a holistic approach
- Reductions in funding from health commissioners (minutes say PCT) for the voluntary sector. eg services for young people may result in further pressure on local authorities
- Conflict with other governmental policies coming through required joined up thinking to alleviate any problems
- Regional overview of GP providers required
- Accountability concerns and responsibility to hold commissioners to account
- Concerns that consortia may have differing outcomes in each area

- Importance of Health And Wellbeing Board and Scrutiny arrangements in scrutinising the provision of services and the providers <sup>1</sup>.

REASON: In order that the Committee's full response to the governments White Paper can be included in the City of York corporate response.

Action Required

1. Refer Committee's comments to Executive.

TW, KC

**62. THIRD QUARTER MONITORING REPORT - FINANCE AND PERFORMANCE IN ADULT SOCIAL SERVICES**

The Committee considered a report which analysed the latest performance for 2010/11 and forecast the outturn position for all the relevant services falling under the responsibility of the Director of Adults, Children and Education.

Officers confirmed that the earlier over spend had been significantly reduced however there were still financial pressures arising from more people taking direct payments, the higher number of referrals for independent residential and nursing care and payments for agency staff. It was reported that there had been a projected under spend in a number of areas owing to vacancies being held across Small Day Services budgets, increased income from the PCT for their use of Pine Trees and additional resources identified within the Social Care Reform Grant.

Members commented on a number of issues including:

- Concerns at the apparent lack of performance improvements in some of the indicators. Confirmation that certain indicators showed interim figures pending further care package reviews etc.
- Incorrect column heading for the performance indicator targets.
- Information required on the present position in relation to the setting up of a pool of bank staff to provide continuity and reduce the need for agency staff. Members to be emailed details of the present position. <sup>1</sup>.
- Questioned possible increased pressure on residential homes if experiencing higher turnover from shorter stays. Confirmation that length of stay was monitored and that at present this showed an average stay of 12 to 18 months, which did not appear to be having any detrimental financial impact. However it was confirmed that this would continue to be monitored.

The Chair thanked officers for the work undertaken to reduce the pressures.

RESOLVED: i) That the 2010/11 third quarter monitoring report on finance and performance in Adult Social Services be received and noted.

- ii) That Officers be requested to include in future monitoring reports an indication of whether or not the indicators are likely to hit target. <sup>2</sup>

REASON: To update the Committee on the latest finance and performance position for 2010/11.

Action Required

- 1. Email Members details of bank staffing arrangements. RH
- 2. Future monitoring reports to include likelihood of indicators hitting target. RH

**63. FINAL REPORT OF THE CARER'S REVIEW TASK GROUP**

Consideration was given to the final report arising from the Carer's Scrutiny Review which was due to be presented to the Executive in April 2011. Members were reminded that the key objectives had been to raise awareness of carers and to improve access to information for carers.

Members indicated that it was interesting to note how much unpaid care workers saved both the authority and voluntary groups. Certain members also pointed out that some of the recommendations appeared to be rather tentative. However it was felt that if the review had demonstrated a need, irrespective of funding being available, it was felt that the recommendation should be included. Reference was also made to the large cohort of young carers who often went unidentified.

The Chair then thanked both Task Group members and Officers for all their hard work and research in connection with this review.

RESOLVED: That the final report and recommendations of the Carer's Review Task Group be endorsed subject to the inclusion of details of Task Group membership for presentation to the Executive meeting on 26 April 2011. <sup>1</sup>

REASON: To complete this scrutiny review.

Action Required

- 1. Add to Executive work plan. TW

**64. WORK PLAN 2011**

Consideration was given to the Committee's work plan for July 2011. Members noted that this was the last meeting of the Committee for this municipal year during which there had been a number of achievements. Reference was also made of the need to retain membership consistency for the Committee, if at all possible, in an effort to make early progress on the work planned for the Committee during the forthcoming municipal year.

RESOLVED: That the Committee's work plan be received and noted.

REASON: In order to progress the work of the Committee.

CLLR B BOYCE, Chair

[The meeting started at 5.00 pm and finished at 6.45 pm].