

Adult and Community Services Overview Committee

Minutes of a meeting held at
County Hall, Colliton Park, Dorchester on 23 June 2014.

Present:

William Trite (Chairman)

Michael Bevan, Ronald Coatsworth, Robin Cook, Fred Drane, Beryl Ezzard, David Jones,
Ros Kayes, Paul Kimber and John Wilson.

Jill Haynes (Cabinet Member for Adult Social Care), Toni Coombs (Cabinet Member for Education and Communications), Robert Gould (Deputy Leader and Cabinet member for Corporate Resources) and Colin Jamieson (Cabinet Member for Community Services and Public Health) attended under Standing Order 54(1).

Barrie Cooper, County Council Member for Blandford attended for minutes 95 to 97.
Janet Dover, County Council Member for Colehill and Stapehill attended for minutes 95 to 97.

Andrew Cattaway, Vice-Chairman of the County Council, also attended.

Officers:

Catherine Driscoll (Director for Adult and Community Services), Phil Rook (Group Finance Manager for Adult and Community Services) and David Northover (Senior Democratic Services Officer).

For certain items as appropriate:

Andrew Archibald (Head of Adult Services), Glen Gocoul (Head of Specialist Adult Services), Derek Hardy (Strategic Commissioning Manager (Housing)), Mike Hoskin (Arts Development Manager), Michael Ford (Policy and Project Manager), Paul Leivers (Head of Community Services), Tracy Long (Dorset Library Service Manager) and Ali Waller (Head of Commissioning and Improvement).

Public Speaker

Attending for minutes 95 to 97

Gareth Roberts, Carer of a Service User

Apologies for Absence

71. Apologies for absence were received from David Walsh and Kate Wheller.

Code of Conduct

72. There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Minutes

73.1 The minutes of the meeting held on 16 April 2014 were confirmed and signed, subject to the following editorial amendments:-

- Present – “Spencer Flower, Chairman of the Cabinet”
- Minute 41 – “...and provided more support than most other Local Authorities.”
- Minute 49.7 “.....for the company to develop into a different vehicle”
- Minute 50.6 “....that people did not occupy acute beds....”
- Minute 55.9 “....that the report showed a lack of conviction...”

73.2 In relation to minute 45.7, one member asked why, when he had formally proposed the permanent deletion of telephone assessments from the Programme and,

consequently the Chairman had ruled this to be inadmissible, there was no indication as to why this was the case. He asked for the Chairman's reasoning in making this decision to be made clear and the Chairman agreed that this would be identified. This was due to the establishment of the Executive Advisory Panel which would consider the details of the work, including the possible role of telephone assessments.

Terms of Reference

74. Members noted the existing Terms of Reference for the Adult and Community Services Overview Committee.

Public Participation

Public Speaking

75.1 The Committee were informed that one request for public speaking had been received from Gareth Roberts in respect of the Reconfiguration of Phoenix House. Mr Roberts chose to address the Committee at this point. As a primary carer of a service user of Phoenix House, he expressed his grave concern at the proposed closure of this much valued and essential facility, in that it should be maintained to provide the necessary respite care for those with adult learning needs and their carers. He was concerned at the capacity for 'shared lives' carers to adequately be able to provide all that was necessary as a viable alternative. Furthermore he felt that the costs associated with keeping the facility open should not necessarily be a consideration when balanced against the benefits of what the service users and their carers got from the facility and which could not be replicated by alternative provision.

75.2 He suggested that the facility should be retained as a flexible resource on the basis that it could provide essential adult social care needs, together with the administration associated with this. Alternatively it could serve as an emergency respite centre, designed to best meet the needs of best practice for Dorset. The Committee thanked Mr Roberts for his comments.

75.4 The Committee were informed that no public statements or questions had been received.

Petitions

76. The Committee were informed that there had been no submissions of petitions.

(At this point, the Committee meeting was adjourned for members to attend the Armed Forces Flag Raising Ceremony.)

Libraries Service Co-Operation and Shared Services

77.1 The Committee considered a report by the Director for Adult and Community Services which set out consideration of the position for collaboration for Dorset Library Service with other authorities and provided an update on the current position with work being undertaken to explore collaboration with Bournemouth Borough Council and the Borough of Poole in respect of library services.

77.2 In addition, the report included consideration of the Dorset Library Service becoming a full partner member of the existing Libraries West Consortium, which comprised five public library services in the south west of England designed to establish a joint procurement process for a new Library Management System (LMS). Members were informed that the consortium had already achieved significant economic and service benefits in the operational areas of library systems provision and support and the acquisition of stock through a shared LMS across the five library authorities.

77.3 The Committee were informed of progress being made with the collaborative work with Bournemouth and Poole, by way of new stock ordering and processing; the LMS

and; a shared management structure, with those areas being identified as being the key areas of work where there was scope for shared working in order to release potential efficiencies.

77.4 The financial commitments and arrangements associated with both the collaboration and in joining the Libraries West consortium were explained to members and the rationale for what was being proposed was drawn to the attention of the Committee. They were informed that it was designed particularly to enable the best possible library service to be provided, which not only delivered value for money and efficiencies and provided for economies of scale, but also benefited customer service, by way of improvements through access to other libraries and stock.

77.5 Additionally how the contractual and procurement arrangements associated with joining the consortium would be applied was explained for members understanding. Officers confirmed that there was no intention for the Dorset Library Service to play any part in the arrangements Bournemouth had in place for their PFI library initiative.

77.6 The Committee were generally in favour of the way in which it was proposed to take the service forward and recognised that partnership and collaborative working would play a significant part in the Service being able to maintain the level of service it currently did. However they considered there to be a need for local libraries to be able to retain their individual identities and recognised the part these played within their particular communities. Equally they considered that whatever measures were put in place should be bespoke and take into account the requirements of those individual libraries and it should not be regarded that one size fitted all.

77.7 Officers acknowledged the part libraries played within their communities and how local residents identified with these and that it was important this relationship was maintained. Essentially the proposals were more related to the way in which the processes associated with administrative support systems were managed, rather than resulting in changes being made to the front line delivery of services.

77.8 In response to one member's suggestion that archaeological and historic records might be maintained at local libraries, officers explained that local collections were generally retained centrally at the Dorset History Centre as this was designed to manage these and had the capacity and resources for their suitable retention, whereas this was not necessarily the case at a local level.

77.9 However, one member was concerned that the proposals were a precursor for certain libraries on the boundary of the conurbation being subsumed into their library services and asked for assurances that this would not be the case. Officers assured members that there was certainly no intention of this being the case at this time, but that bearing in mind the future constraints on revenue funding, there could be no absolute guarantees given. On being put to the vote, the Committee decided that the recommendations set out in the Director's report should be supported.

Recommended

78. That the Cabinet be asked to:-

- (i) agree in principle that the library service explore and undertake collaborative working where there are significant cost savings and/or improvements in customer service;
- (ii) note the progress of work with Bournemouth Borough Council and Borough of Poole about collaborative library services;
- (iii) endorse Dorset Library Service becoming a member of the Libraries West consortium.

Reason for Recommendation

79.1 To help secure a sustainable approach to the County Council's corporate area of focus on 'health, wellbeing and safeguarding'

79.2 To offer an improved customer service for library users.

79.3 To deliver a cost efficient and effective service for the management and the delivery of the LMS.

The Future of the Arts Service and DepARTture Arts Education Development Agency Interim and Update Report

80.1 The Committee considered a report by the Director for Adult and Community Services on the future of the Arts Service and DepARTture Arts Education Development Agency. The report provided an update on work in relation to the restructuring the Arts Service and its incarnation to a Community Interest Company (CIC), which would have the status of a mutual organisation and how work was progressing on its proposed base an hub for arts organisations at the Little Keep.

80.2 The Committee were informed that considerable progress was being made in four areas, these being:-

- the creation of a shadow board for the CIC,
- work on the Business Plan,
- work in relation to the Little Keep, and
- work with staff and trade unions on Staffing issues, including the arrangements in place for their transfer and their pension liabilities were explained.

80.3 Officers explained how the CIC was intended to operate and how it was proposed to be organised, both in terms of funding and resourcing. It was considered that the new approach would deliver efficiencies and benefits to the way in which the Service was managed and delivered and would hopefully be made more accessible to the general public.

80.4 The Committee were informed how the Board would be constructed was explained and what their responsibilities would be. Over time the Board would evolve to incorporate employees of the company so they would be able have a say on how things were run. When a permanent Board was finally established, it was also intended to appoint a County Council member onto this to contribute to the running of the Service.

80.5 The Committee welcomed the approach being taken to how the Arts Service would operate in the future and recognised the benefits this would bring.

Recommended

81. That the Cabinet be recommended to:-

- (i) note the resolution of the the Pension Fund Committee at the meeting on 4 March 2014 that the Arts Service/DepARTture Arts be granted admission body status subject to Dorset County Council agreeing to guarantee any future pension liabilities of the organisation.
- (ii) guarantee any future pension liabilities of the organisation.
- (iii) agree the approach to approving a transitional grant to support any redundancy costs arising from necessary restructuring of the CIC, subject to an application for the grant setting out the case for consideration by the Directors for Corporate Resources and Adult and Community Services in consultation with the relevant Cabinet members, with a recommendation being made to the Cabinet for decision.
- (iv) agree to payment of transitional grant being made on submission of accounts of expenditure,
- (v) delegate responsibility for negotiating detailed arrangements between the County Council and the CIC to the Directors for Corporate Resources and Adult and Community Services after consultation with the relevant Cabinet members, and,

(vi) note that it will receive a report, including the business plan, in September 2014 with a view to formal approval of the new arrangements.

Reasons for Recommendations

82. To contribute to the corporate vision of Working Together for a strong and successful Dorset and help secure a sustainable approach to the County Council's corporate areas of focus on health, wellbeing and safeguarding and growing our local economy.

Pathways to Independence Programme - Update

83.1 The Committee considered a report by the Director for Adult and Community Services which outlined progress being made with and the key issues pertaining to the Pathways to Independence Programme, which was designed to be the transformational change programme within the Adult and Community Service's Directorate. A summary of the principles for the introduction of the Pathways to Independence Programme was provided together with its Vision, this being "to support people to live independently for as long as possible to significantly reduce the demand for health and social care and to promote health and wellbeing". The Programme was designed to focus on a series of key issues, which were set out in the Appendix to the report.

83.2 The report outlined the progress being made and key issues and members were asked to agree the plan for future thematic reports. There were three strands to the Programme, the first relating to the future of provider services; the second reviewing the models of care; with the third covering the Directorate's restructure. The report provided detail on the progress being made in respect of these strands, with a Programme summary - monitoring the performance status of each in how they were meeting their targets, together with the financial targets associated with each and the timetable for implementation.

83.3 The Director considered that the Programme would contribute significantly towards making the necessary £16m savings required by the Directorate and could hopefully achieve this in a measured, proportionate and structured way. As part of the process within Strand 1, it was proposed to establish a Local Authority Trading Company (LATC) which had been identified from an options appraisal and outline business case findings as the most sustainable option to deliver Provider Services in the future. Members noted that a full business case was now being prepared to consider how, or indeed whether, there were opportunities for the Directorate to work in partnership with Bournemouth Borough Council and/or the Borough of Poole.

83.4 Members acknowledged that regardless of any decision concerning an LATC, there were cultural and financial imperatives for some changes to be implemented now and therefore a restructure of Provider Services was currently taking place. There was also an imperative to create an efficient and sustainable business model for Provider Services and this would be done by the rationalisation of some services and positions. The report set out how this was proposed to be done.

83.5 Having considered the Director's report, a series of issues were raised by members, particularly as to how the partnership with Bournemouth and Poole would be applied in practice and they requested that they be provided with a copy of the outline business case containing the options appraisal process, so they could see how the proposals had been arrived at. Some concern was expressed over how the restructuring process would be carried out, so as to ensure that resourcing capability was maintained.

83.6 In respect of the vision set out for the Programme and its areas of focus, some members were concerned over the bullet point "to reduce the need for adult social care" and considered that this should be altered to read reduce the "demand" for adult social

care. Further to another focus point, it was asked how service users and carers might be able to influence the service redesign as suggested.

83.7 The Director responded to the issues raised and explained that the prospect of an LATC had been envisaged for some considerable time and that this was designed to achieve the necessary efficiency savings and would be designed to benefit all three authorities equally. She also emphasised that reducing the need for adult social care was a key driver in the Pathways to Independence Programme, with officers working on the part demand management played in the delivery of services. Furthermore, it was explained that the focuses of the vision had been formally agreed and were now embedded in the direction the Programme was taking. However the Chairman of the Committee and the Portfolio Holder for Adult Social Care both were of the view that, if possible, that particular wording should be changed, from 'need' to 'demand' to better convey what the Directorate was trying to achieve.

83.8 Members recognised the importance of the Dorset Partnership for Older People's Programme (POPP's) initiative and the high esteem in which it was held in providing the ability for service users to maintain their independent living and how much this service was valued. The Director considered this to be key to managing demand and was a cornerstone of the Programme.

83.9 However one member reiterated his continued opposition to the principle of the Pathways to Independence Programme and what it was designed to achieve, believing that there was a need for maintaining the way in which adult social care had been previously delivered and he remained unconvinced of the Programme's merits. In particular he expressed concern over the arrangements for telephone assessments, especially in light of the concern previously expressed by members to this, which he considered to have been disregarded. He considered that the establishment of an LATC was ill founded and would not deliver the necessary benefits as suggested.

83.10 He considered that there were still too many uncertainties remaining over how the Programme would be delivered and the risks associated with it which had not been fully answered or understood. These needed to be resolved before the Committee could be asked to come to a decision or indeed, form a view, on how the initiative should be progressed. Accordingly, he asked that the Committee meet specifically to consider this matter in greater detail in advance of their next formal meeting on 6 October 2014.

83.11 The Committee agreed that arrangements should be made to hold this additional meeting to cover, in particular, the consideration of thematic reporting and how the Programme was to be delivered.

83.12 The Director recognised the opposition to the prospect of telephone assessments and the concerns raised by members, but assured the Committee that these would only be applied as a means of managing the anticipated significant increase in demand of queries about financial reform arrangements as a result of the way in which future social care assessments would be carried out, this arising from the Dilnot Report recommendations. However members were assured that personal, one to one assessments would still be maintained for vulnerable service users in making an assessment of their complex care needs. Members were advised that detailed work on how the provisions of this would be applied was being considered by the Executive Advisory Panel on Pathways to Independence.

83.13 Despite the assurances given by officers on how the Programme would be run and how it would benefit service users, the member remained of the firm view that the Programme was tantamount to benign neglect and managed decline and that its provisions would not adequately meet the needs of service users as described.

83.14 However this opinion was refuted by both the Chairman of the Committee and the Director, who commended the commitment and dedication of all those within the Directorate in doing what was right for service users. The Director commended the principles behind what the Programme was designed to achieve and extolled the benefits to be gained by service users from its implementation. Essentially, service users would be given the opportunity to make considered choices on how they wished their adult social care to be provided, so as to be able to maintain their independent living wherever possible. She was clear that the implementation of any initiative was invariably for the right reasons and with the right intentions, in order to be able to continue meeting the needs of service users in a receptive and responsive way within the financial constraints in which the Directorate were obliged to work.

83.15 Other members, whilst understanding the concerns expressed by the member in how the Programme would be applied, recognised the need for changes to be made to how services were delivered and accepted that there was a need for reform and the rationalisation of working practices and their delivery without compromising its effectiveness. Accordingly, whilst some reservations did undoubtedly remain, members considered that the Programme was the best available means of providing for that future need within the financial and resourcing limitations in which the Directorate was working. The Committee considered that what was being proposed was in the best interests of service users, being mindful of the need to maintain their care needs whilst providing them with the independence to choose how they wished to receive this. However they asked to be assured that the business plan for a LATC was suitably robust and would be able to achieve all that it was designed to do. The Portfolio Holder for Adult Social Care endorsed this view wholeheartedly.

Resolved

84.1 That the contents of the Director's report and the progress being made with the Pathways to Independence Programme be noted and the proposals for how the future plan for thematic reports should be managed be agreed.

84.2 That a special meeting of the Committee be arranged to precede the next scheduled meeting on 6 October 2014 to consider thematic reports and how the Programme was to be delivered.

Reasons for Decisions

85.1 Pathways to Independence was part of the Forward Together Programme to secure both the organisational benefits and financial savings necessary to deliver a balanced budget up to and beyond 2016/17.

85.2 It would also support the County Council's corporate area of focus on 'health, wellbeing and safeguarding'.

The Care Act 2014

86.1 The Committee considered a report by the Director for Adult and Community Services on the provisions of the Care Act 2014, which represented a comprehensive consolidation of the legislation which underpinned adult social care and incorporated developments that significantly widened the number of people who would require a link with adult social care in the future.

86.2 Members were informed that the reforms marked a fundamental and generational shift in the way in which the care system was delivered; this shift being from a system that was essentially reactive and prescriptive to one that was preventative, personalised and proactive in its approach. The system was designed to be one which focused on people's strengths and sought to secure personal wellbeing, instead of focusing on deficits and meeting needs.

86.3 The Act was intended to deliver a series of benefits, with these being set out in Paragraph 4 of the Director's report, but essentially was designed to empower the service

users and provide them with greater choices of how they wished their adult social care to be delivered.

86.4 Officers explained that whilst the Act endorsed current practices being undertaken in many areas, it also required a fundamental shift in culture, system change and further development of networks of local community support outside of the Authority at a greater speed than previously planned.

86.5 The timetable associated with the implementation of the Act was set out in the report together with an explanation of how the project would be managed and how the work would be aligned with other programmes, as well as how the resourcing and financial implications of the Act would be applied in practice. The timetable for the delivery of the aspects of the Act provided for care requirements and financial eligibility to be implemented in April 2015, with the funding reform elements and an independent appeals system being required to be implemented from April 2016.

86.6 The Committee was reassured that Dorset was well positioned through its Pathways to Independence Programme to meet the cultural and systems changes needed, as those requirements aligned well with the Care Act. However, members recognised that there was a greater challenge in moving forward at an increased pace and scale of activity, with higher risk being related to resources and capacity.

86.7 Whilst appreciating that the County Council was obliged to embrace the provisions of the Care Act and be in a position to discharge their statutory duties accordingly, members expressed concern that those decisions which needed to be made, had to be taken in the absence of any substantial detail of how this should be applied or the funding associated with its delivery. They were also mindful that a change in national government might jeopardise its implementation and asked officers if any preparatory work should bear this in mind.

86.8. It was noted that the Care Act was already on the statute books and enshrined in law and therefore, in any event, it was beholden on local authorities to comply with the provisions of the first strand of the Act; regarding the need for care requirements and financial eligibility being implemented by April 2015. The Group Finance Manager explained how the funding would be applied; with £1m coming from the Better Care Fund in 2015/16 and £2.2m estimated from the Government in new burdens funding. Whilst there was a risk associated with planning the resourcing for implementing the provisions when uncertainty remained as to what direction developments might take, the Director advised that this had to be balanced against the undoubtedly greater risk of being under prepared.

Resolved

87.1 That the contents of the report, in particular the statutory driver for change and key implementation dates and the County Council's approach to manage implementation and mitigate risk, be noted.

87.2 That the potential challenge arising from the financial impact of the Care Act on the County Council be noted.

Reasons for decisions

88.1 To ensure the Committee was informed and engaged with this significant development in the legislation which would underpin future social care practice and the financial risk as currently identified.

88.2 To help secure a sustainable approach to the County Council's corporate area of focus on 'health, wellbeing and safeguarding'.

The Policy Development Panel on Charging and the Executive Advisory Panel on Sustainable Purchasing

89.1 The Committee considered a report by the Director for Adult and Community Services on the proposals to amalgamate the Policy Development Panel on Charging and the Executive Advisory Panel on Sustainable Purchasing so as to avoid duplication of what was being considered and in recognising the impact that the Care Act would have on both Work Programmes.

89.2 Members were informed that the new Panel would be entitled the Executive Advisory Panel on the Care Act and Future Social Care Policy, the membership of which was to be determined, as well as the membership of the Panel which would support Pathways to Independence. The Committee acknowledged the need for the amalgamation and the reasoning behind this.

Resolved

90.1 That the Cabinet decision to merge the Executive Advisory Panel on the Sustainable Purchasing of Adult Social Care with the Policy Development Panel on Charging for Social Care Services, be noted.

90.1 That the Terms of Reference of the Panel, as contained in Appendix 1 to the report, which have been extended to cover the policy implications of the Care Act, be noted.

Reason for Decisions

91. To help secure a sustainable approach to the County Council's corporate area of focus on "health, wellbeing and the safeguarding"

Update on the Learning Disability Improvement and Transformation Programme

92.1 The Committee considered a report by the Director for Adult and Community Services which provided an update on the Learning Disability Improvement and Transformation Programme, including how its Service Plan would be applied and the way in which this integrated with the Pathways to Independence initiative.

92.2 The report outlined the progress to date of the Systems Implementation and Transformation Programme for Learning Disability Services and the forthcoming milestones for its implementation.

92.3 The Committee were informed that four areas for improvement had been identified in the findings of the 2013 LGA Peer Challenge Review. These were reviews, safeguarding, self-directed support pathways and commissioning and a Programme Board was to be established to oversee the delivery of the necessary improvements.

92.4 Members acknowledged the good progress being made, supported the direction of travel, were pleased that the basic ground work undertaken had paid dividends and that the investment made had proven worthwhile.

92.5 Particular mention was made by the Portfolio Holder for Adult Social Care of the admirable specialist interim support work undertaken by Vamsi Pelluri and Julia Cassidy, their achievements and what was continuing to be achieved.

Resolved

93. That the progress made in relation to the Systems Implementation and Transformation Programme for Learning Disability Services be noted and that the direction of travel be supported.

Reasons for Decision

94.1 To help secure a sustainable approach to the County Council's corporate area of focus on 'health, wellbeing and safeguarding'.

94.2 The Systems Implementation and Transformation Programme for Learning Disability Services would contribute to the delivery of the Pathways to Independence programme to secure both the organisational benefits and financial savings necessary to deliver a balanced budget up to and beyond 2016/17.

The Reconfiguration of Phoenix House

95.1 The Committee considered a report by the Director for Adult and Community Services on the progress being made with the reconfiguration of Phoenix House and the proposals for the way in which its residents, service users and their families might be best provided for in the future.

95.2 Officers took the opportunity to remind the Committee that Phoenix House was a residential care home for adults with learning disabilities, which offered both short breaks for service users, by way of respite care, as well as long term residential care. However, for some time there had been an under occupancy of the facility and, consequently, high unit costs had accrued, particularly for the long term residential placements. Given this, it was now proposed that the facility should close and alternative accommodation arrangements should be made for maintaining the service provided to those needing to access this.

95.3 As part of the process, over recent months consultation had taken place with service users and their families on the proposed closure, particularly in respect of the nature of alternative provision, with individual service user reassessments being carried out to determine what alternative provision would meet their needs. Simultaneously, consultation had taken place with staff and Trade Unions on the impact of the closure proposal with the outcome of those consultations and assessments being reported to the Committee, and subsequently the Cabinet. Dependent on the outcome of the consultation the decision would be taken whether to enact the closure of Phoenix House as proposed, with the property being disposed on terms to be agreed by the Director for Environment.

95.4 The Committee heard from Gavin Roberts, as a carer on behalf of a service user, who had expressed his opposition to the closure of the facility as proposed and his concern that the needs of the service users would not be adequately addressed by the alternative arrangements proposed.

95.5 The Chairman provided the opportunity for the County Council Member for Colehill and Stapehill to address the Committee. She expressed her concern at the proposed closure and reported that those residents within her electoral division who used the facility were of a similar view. She asked that the building should remain open as it was an invaluable facility for those with learning disability needs and their families.

95.6 She considered that since being built only four years ago, Phoenix House had not as yet been given the opportunity to prove successful or the benefits realised and in her view should be given the chance to do so, given the investment made in it. Her concerns also covered the current staffing situation at the home, which had recently been significantly depleted. She considered that at the very least, the opportunity should be given for another provider to assume responsibility of the facility and asked that this prospect be explored.

95.7 The Committee then heard from the County Council Member for Blandford who expressed grave concern at the proposed closure. He considered it critical that the availability of an establishment to provide for those with adult learning needed to be maintained. He was disappointed that the majority of members of the Committee had not taken the opportunity to visit the home as he considered that they would have benefited from

a more meaningful understanding of what the facility had to offer.

95.8 If the home were to close, he considered that the accessibility to the essential equipment needed when respite care was provided would be unavailable in alternative provision. Additionally he was concerned that the assessments of service users did not satisfactorily take into account their individual needs and that these could be compromised as a result. As far as he understood, there had been no consideration that the building might be converted to a more suitable premises befitting the needs of service users.

95.9 He was also of the view that the premises did not necessarily need to be sold, but that another Directorate could put it to use. In any event, he understood that it was either for the County Council or the Cabinet to authorise the sale of a property and was not for a Committee to do so. As such, he would be asking the Chief Executive to investigate the whole episode and the way in which the decision to close the home had been reached.

95.10 The Head of Specialist Adult Services explained that the way in which providing specialist services for adults with a learning disability had changed in recent years. Residential care expectations were now generally more progressive in the approach taken, with a more flexible approach to accommodation needs now being favoured over the institutionalised facilities of the past. Members were informed that new best practice at a national level had determined how residential care should be provided for and Dorset had adhered to those principles.

95.11 Accordingly, facilities such a Phoenix House were no longer considered to be appropriate in providing the type of care they once did. Recent high profiles cases highlighted in the media, such as the ill treatment of service users at Winterborne View, had compounded this view, with local authorities re-assessing their means of providing this particular service. The expectation was now for more flexible accommodation arrangements being made available so that service users could live more independently and feel comfortable in a setting more conducive with family life. The proposal was a direct response to the changed demand, given that, only one of the ten residential beds was being used on a permanent basis and there was only 26% occupancy of the six respite beds.

95.12 The Head of Specialist Adult Services explained how the consultation exercise had been undertaken and what responses had been received. Responses to the consultation had been disappointing and very limited, with only two responses having been received to the online consultation; one being from a staff member who was in favour of the building being adapted to meet individual needs and the other from People First Dorset, who considered that the house should close as user needs could be met by alternative means. From other feedback received from relatives of service users it was considered that the facility had provided a good service over the years and they would wish for that service to continue.

95.13 Members were also informed that meetings had taken place with staff and Trade Unions on how the proposals were likely to affect them. Operational and regulatory considerations had also been taken into account in how the service should be delivered in the future. In particular as fewer service users were now requiring the use of Phoenix House, there was not the requirement for the staffing levels of the past. This had been compounded by staff resignations as a consequence of the uncertainties surrounding the facility's future which had meant that the Care Quality Commission (CQC) might be raising some concern at the balance between permanent staff and agency staff now being employed.

95.14 Furthermore, an online social media petition had generated a number of signatories, whilst Unison had organised a petition opposing the closure, which was due to be presented to Cabinet at its meeting on 2 July 2014.

95.15 The proposals for Phoenix House accorded with those arrangements for the wider configuration of adult learning disability facilities across Dorset, as had been the case with the Douglas Jackman House (DJH) in Dorchester where alternative provision for service users had successfully been put in place and was seen to be meeting their needs. An application had been made to the CQC to de-register Alexandra Road Home in Weymouth on the same basis as for DJH.

95.16 The Committee were informed of the following options for the provision of alternative services, relating to both short break provision and accommodation:

- Creating additional capacity in Shared Lives;
- Securing additional places through: -
 - (i) a tender for a two-place service in the east of Dorset.
 - (ii) purchasing places from new service in Upton
 - (iii) the use of a County Council facility in Ferndown that will become vacant at the end of June.

95.17 The Committee was informed that, currently, there were two people who were long term residents at Phoenix House, one person being a long term resident and one person awaiting a move to permanent accommodation. One individual had recently become eligible for Continuing Healthcare Funding (CHC) with the NHS Dorset Clinical Commissioning Group (CCG) who was therefore now responsible for commissioning services for the individual's current and future needs. An application for CHC eligibility was also in progress for the other long-term resident.

95.18 For both residents, reassessments of their needs had been undertaken and discussions with providers were on-going to source alternative provision in supported housing with an individual package of support, which should be achievable within the ensuing months.

95.19 The Committee recognised that the sensitivity of this issue and whatever decision was taken should be treated sympathetically. Whilst acknowledging that expectations of care had changed over the very recent past, the Committee was of the view that it was unfortunate that this situation had not been envisaged when planning for the construction and use of Phoenix House. It was recognised that what had since transpired could not necessarily have been foreseen at that time.

95.20 One member expressed her concern that the Committee was being asked to make a decision when no formal provision had been put in place for alternative arrangements. She asked that the opportunity be taken to consider converting the building to accommodation which was fit for purpose and suited the needs of service users. This would also provide for the retention of the respite care provision and demonstrate that Dorset was a forward thinking authority. As such she proposed that the recommendation to the Cabinet should be amended to provide for further research to be undertaken into alternative use of the premises and that no decision should be taken on its closure until alternative arrangements for service user provision had been made. She advocated working with stakeholders in order to achieve this.

95.21 The Director for Adult and Community Services assured the Committee that an alternative use for the building had been looked at in great detail and that, unfortunately, its characteristics did not lend itself to supported living and a conversion, in the way described, would not be a viable option.

95.22 Furthermore, she explained how the savings to be met had already been committed in the Meeting Future Challenges savings programme and agreed previously in the budget process, this being £1m over 2 years, £500k in 2013/14 and £500,000 in

2014/15. There would be financial consequences for revenue budget if the facility continued to remain open.

95.23 The Vice-Chairman of the Council, who had been a previous Cabinet Member of Adult Social Care, informed the Committee that the arrangements now being proposed had proved to be successful for the service users of Douglas Jackman House and could see no reason why this success could not be repeated with Phoenix House.

95.24 The Cabinet Member for Adult Social Care considered that, unfortunately, with the occupancy rate being as it was, the continuing use of Phoenix House did not provide value for money. Furthermore the ongoing saving of £654,000 of revenue costs could not be overlooked in the current financial climate. Accordingly, closure and the disposal of the asset was the only cost effective option and that alternative arrangements for meeting the care needs of current service users was necessary. She assured the Committee that officers were considering in detail how this would be achieved. Serious consideration had previously been given to the how the facility might operate in alternative ownership, but there had been no appetite or interest shown for this. The characteristics of the facility did not lend itself to conversion so alternative accommodation arrangements were seen to be the only viable solution.

95.25 Officers assured the Committee that all of the alternatives had been explored in detail and discounted for the reasons previously given. It was confirmed that there was no capital provision made for construction of a new building or a conversion of the existing building. Furthermore there was sufficient alternative accommodation in which individuals might be placed to not justify the construction of any new build for this purpose. The Committee was reminded that, fundamentally, the County Council was responsible for safeguarding adults, taking into consideration national best practice and, critically, the way in which it was proposed to meet those needs in future had the support of People First Dorset, who represented the service users and carers of service users.

95.26 Other members, whilst regretting the need for the closure of the establishment, accepted that circumstances had changed and that there was now a shift in emphasis on how residential care provision for adults with learning disabilities was delivered. They acknowledged that experiences elsewhere in Dorset had shown that alternative arrangements could satisfactorily deliver what was required and there was no reason to believe that this would not be the case for the service users of Phoenix House.

95.27 In particular, those members considered that notice should be taken of the views of People First Dorset and were confident that the alternative arrangements proposed would meet the needs of service users quite satisfactorily. Furthermore they considered that if the issue was deferred pending further investigation, greater uncertainty and anxiety would be caused for all concerned and was likely to delay the inevitable decision having to be taken, proving detrimental to both residents and staff alike.

95.28 The Cabinet Member for Adult Social Care took the opportunity to remind the Committee of the detailed work already undertaken by officers in formulating the recommendations as proposed and that, in particular, the Dorset Property Division had considered extensively the options for retaining the property but that from their assessments, this could not be justified and it was impractical to now do anything else expect close the building and dispose of the assets.

95.29 The Committee then voted on the amendment to the recommendation as proposed, which was lost.

95.30 Prior to voting on the recommendation, the Chairman of the Council asked for assurance that there would be no decrease in the level of service provision currently afforded to the residents and service users. The Head of Specialist Adult Services confirmed

that the level of service provided to those individuals would be maintained, based on meeting their assessed needs. He also clarified that, to date, there had been limited scope for alternative arrangements to be formalised as this would have been seen to be pre-empting any decision taken.

95.31 The Committee's Chairman then asked that in order to strengthen the emphasis on ensuring alternative provision was provided as a matter of urgency, the word "critically" should be added to that recommendation (ii).

95.32 On being put to the vote, the recommendations, with the addition of the word "critically" at recommendation (ii) were agreed.

Recommended

96. That the Cabinet be recommended to agree that:-

- (i) Phoenix House be closed as an adult residential care provision and the property be released for sale;
- (ii) critically, alternative provision be provided for the current service users appropriate to their assessed needs; and,
- (iii) statutory consultation be undertaken with staff on the closure proposal.

(Note to Cabinet: If these recommendations are accepted there will be a requirement for a 45 day statutory period of consultation with staff, followed by a report to the Personnel Appeals Committee and a 3 month period of notice: this provides a closure date towards the end of November 2014.)

Reason for Recommendation

97. The proposal to close Phoenix House contributes to the County Council's corporate focus on 'health, wellbeing and safeguarding'.

Pan-Dorset Community Equipment Services from April 2015

98.1 The Committee considered a report by the Director for Adult and Community Services which set out progress being made for how the Community Equipment Service should be delivered in the future with a view to enabling the County Council to explore the potential for a single Bournemouth, Dorset and Poole Community Equipment Service from April 2015.

98.2 Members were informed that following further investigations and discussions with key partners, including the NHS Dorset Clinical Commissioning Group (CCG), it was proposed that a single, Pan-Dorset Community Equipment Service which would offer consistency to service users and patients, would be commissioned and for this to commence from April 2015. It was further explained that the Service was delivered through three distinctive workstreams, as follows:

- simple aids for daily living without electrical or hydraulic parts,
- complex aides for daily living which may have electrical or hydraulic parts, and
- bespoke special items of equipment.

98.4 The Committee was informed of the relationship between the demand and supply of equipment in Dorset, Bournemouth and Poole and the arrangements each authority had for the delivery of these. The proposed Pan-Dorset model would amalgamate these services and provide for more effective delivery of equipment and its efficient use and, consequently, would provide for more recycling of equipment which, in turn, would contribute towards the delivery of efficiency savings. Furthermore, it was proposed that there would be a single catalogue of equipment and one management team comprising a streamlined workforce overseeing its delivery. The way in which the Service would be funded was also explained.

98.5 Members felt that the proposed arrangements for providing the service in future would be of benefit to all three authorities and would generate the envisaged efficiencies associated with such economies of scale.

Recommended

99. That the Cabinet be recommended to commission a new Pan-Dorset Community Equipment Service.

Reasons for Recommendation

100.1 To allow the recommendations of the Cabinet from 18 September 2013 to be realised.

100.2 The future provision of a joint service with Bournemouth, Poole and the CCG would achieve greater efficiencies for the County Council and its health partners.

100.3 To support the County Council's corporate focus on 'health, wellbeing and safeguarding'.

Revenue Budget Monitoring 2013/14 Final Outturn, including Forward Together Update

101.1 The Committee considered a report by the Director for Corporate Resources which showed draft outturn information of an overspend against service budgets for the County Council of £1,100,000, compared to a forecast overspend of £3,700,000 as at the end of February 2014. For the Adult and Community Services Directorate this represented an overspend of £470,000, or 0.04% of the budget for the year, primarily from one off reductions.

101.2 Members were informed that all of the Directorate MFC targets had been met with the exception of the Learning Disability Services, which would now form part of the Pathways to Independence Programme. Officers reported that whilst Pathways to Independence was progressing well, the primary focus was now for the Forward Together Board and Adult Challenge Group to oversee the developments of Pathways to Independence to ensure the transformation was being achieved as anticipated, whilst meeting the financial challenges ahead.

101.3 Demand led budgets, particularly within Specialist Adult Services and Adult Services, continued to be an issue with overspends for Residential Care, Learning Disabilities, Direct Payments and Supported Living. However there continued to be detailed work amongst officers regarding monitoring and ensuring that savings were being achieved in order that the overspend was reduced.

101.4 Accordingly there continued to be a review package for all service users being undertaken in conjunction with detailed negotiation of rates with providers, which was beginning to have some impact on the projected overspend.

101.5 Meetings had been established to focus on Budget and Performance issues and were identifying where actions might be taken to reduce overspending of budgets with Forward Together and Pathways to Independence being instrumental in identifying ways to reduce spending. Nevertheless, on this occasion, members were asked to recommend that the overspend in the Directorate budget should not be carried forward into 2014/15, which would be of considerable benefit to the Directorate. Members noted the position and, given the circumstances, on this occasion agreed that this was a reasonable course of action to take.

Recommended

102. That the Cabinet be asked not to carry forward the overspend in the Directorate's budget into 2014/15.

Reason for Recommendation

103. That close monitoring of the budget position was an essential requirement to ensure that money and resource were used efficiently and effectively.

Deferral of Agenda Items

104. The Chairman ended the meeting at this point. As the remaining items had been discussed by the Committee previously and no decisions were involved, it was

Resolved

105. That the items on Corporate Performance Monitoring (Fourth Quarter 2013/14), the Dorset Safeguarding Adults Board Annual Report 2013/14, Work Programme, Member Briefings, and Outside Bodies be deferred until the next meeting on 6 October 2014.

Duration of meeting
10.00 am – 2.00 pm