

**SOCIAL AND HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE**  
**28 FEBRUARY 2013**

Minutes of the meeting of the Social and Health Care Overview and Scrutiny Committee of the Flintshire County Council held at County Hall, Mold on Thursday 28 February 2013

**PRESENT: Councillor C.A. Ellis (Chair)**

Councillors: M. Bateman, V. Gay, C. Hinds, S. Jones, B. Lloyd, M. Lowe, H.J. McGuill, D.I. Mackie, H.G. Roberts, I.R. Smith and D.E. Wisinger

**APOLOGY:**

Councillor P. Curtis

**CONTRIBUTORS:**

Cabinet Member for Social Services, Director of Community Services, Head of Social Services for Children, Head of Social Services for Adults  
Manager – Advice and Homelessness Service and Team Manager – Financial Assessment and Charging for minute number 71

**IN ATTENDANCE:**

Member Engagement Manager and Committee Officer

**69. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**70. MINUTES**

The minutes of the meeting of the Committee held on 24 January 2013 had been circulated to Members with the agenda.

**Matters Arising**

The Member Engagement Manager explained that amendments were required to some of the job titles for officers who attended the meeting.

**RESOLVED:**

That subject to the amendments to job titles, the minutes be approved as a correct record and signed by the Chair.

**71. WELFARE REFORM ACT – ‘OVERVIEW, IMPACTS AND MITIGATION’**

The Manager – Advice and Homelessness Service provided a detailed presentation; the main features were as follows:-

- The Welfare Reform Act 2012
- All change for welfare benefits
- The impacts

- Mitigating the impacts
- Work in progress

The Chair and Members of the Committee thanked the Manager – Advice and Homelessness Service for the detailed and informative presentation.

Councillor H.J. McGuill asked who funded the gap if residents who were affected by the changes had requested a move to smaller properties but there were no suitable sized properties available. She also asked whether assistance was being provided to residents on how to set up a direct debit to pay their rent as the payment was no longer being made direct to the landlord. The officer explained that the rent gap was the responsibility of the tenant even if a more suitable property was not available. Work had been undertaken with tenants on a support plan to prepare them for the changes.

Councillor I. Smith asked how many children were affected by the changes. The officer advised that he did not have the information with him but that he would obtain the details following the meeting.

Councillor D.E. Wisinger asked about rooms used by family members serving in the armed forces and why details of the addresses of carers who had to stay overnight to care for the severely disabled were being sought. He also raised concern about whether suitably adapted properties were available for the disabled residents who had to downsize because of the cuts. In response, the officer said that there was a temporary absence rule which he felt would apply in the case of those away in the armed forces. The addresses of carers were being sought as the rules stated that if a person was severely disabled and required a non-residential carer to stay for two to three nights per week the property could have an extra bedroom for the carer. He added that this was a decision of the Council's Housing Benefit department. On the issue of severely disabled residents needing to be rehoused to properties that may not be adapted for their needs, the officer explained that the Department for Work and Pensions was considering again the impacts of the housing benefit reforms on households containing a person with a severe disability. He also advised that the Discretionary Housing Payment may be available for those in hardship.

Councillor S. Jones raised concern about the small number of council properties available and asked whether residents could take the Government to court as the inability to rehouse them in a suitably sized property was out of their control. Councillor M. Lowe asked whether a Disability Living Allowance payment was stopped whilst an appeal was being considered following an assessment to establish the entitlement to the payment and also how the applicant would get about if their mobility payment was stopped. The officer responded that if an assessment had been undertaken and a claimant was not entitled to a personal independence payment, the payment would stop during the appeal process. However if they lost the motability payment then the applicant may be allowed to retain the disability car whilst awaiting the outcome of their appeal.

Councillor V. Gay emphasised the importance of applicants contacting the Department of Work and Pensions (DWP) when they first needed to make a claim as their claim date was used as the first point of contact. The officer advised the Committee of the DWP visiting team who assisted claimants in completing their claim application. Councillor Gay asked if the DWP could attend a workshop to provide a presentation to Members.

Councillor H.G. Roberts raised concern about some bedrooms in properties which were too small to be a bedroom for two people and asked for further information about the assessments to establish a person's ability to work. The officer responded that a room may not be classed as a bedroom if it was below a certain size and such decisions would be made by the Landord. He explained that the assessments were independent and consisted of a series of 15 activities and 10 mental health activities.

Councillor M. Bateman asked if Flintshire County Council could be seen as negligent if a tenant was forced to downsize because of the regulations if a suitable size property was not available thereby forcing them to pay money they could not afford. The officer responded that it was the choice of the resident to stay and pay the difference in rent or move to a suitable sized property. He reminded the Committee that the reforms targeted working people up to the age of 61.5 years and those in receipt of Disability Living Allowance up to the age of 65.

**RESOLVED:**

- (a) That the presentation be received and Members' comments noted; and
- (b) That the Department of Work and Pensions be asked to provide an awareness workshop for all Members.

**72. PUBLIC LAW OUTLINE AND ASSOCIATED MATTERS**

The Head of Social Services for Children introduced the report to inform Members about the Public Law Outline, a Framework deployed by Children's Services for cases being considered for an application for a Care Order within the Family Proceedings Court. The officer detailed the background to the report.

In response to a query from Councillor V. Gay on the timetable for proceedings, the Head of Social Services for Children explained that recent changes had been undertaken which meant that adoption of children used to recommended by a panel but this had been designated to the Head of Social Services for Children. She explained that it was a complex area of activity and that a workshop could be arranged to provide further details to Members.

**RESOLVED:**

- (a) That the report be noted; and

- (b) That a workshop on the Public Law Outline and Associated Matters be arranged for Members.

**73. REGIONAL COMMISSIONING HUB**

The Director of Community Services introduced the report to provide a progress update on the development of the North Wales Commissioning Hub (NWCH) for social care, health and education care home placements.

The Director detailed the background to the report and explained that commissioning of payment for the care plan was undertaken by the regional hub. It was reported that it was unique in Wales as it covered children's and adult's services in partnership with the NHS. The team in place consisted of four staff and their roles were identified in appendix one. Flintshire's annual contribution was currently £36,381 and across the region annual cashable savings of £298,000 had been realised for Flintshire which included a saving of £38,090 for Flintshire County Council. In addition, cost avoidance savings of £11,900 had been realised for Flintshire and a further £97,767 of annualised savings had arisen from work undertaken on "open book accounting" and negotiations on Learning Disability Care Home Placements during 2012/13.

**RESOLVED:**

That the report be noted.

**74. MENTAL HEALTH MEASURE UPDATE**

The Head of Social Services for Adults introduced a report to provide an update on the implementation of the Mental Health Measure across adult mental health services within Flintshire.

There were four main areas and these were detailed in the report along with the timescales for implementation. The Director was most closely involved with the first two elements of the measure and further details of these areas were reported. Part 2 of the Act required specialist individual work to develop and integrate revised plans.

Councillor S. Jones asked whether there were priority areas where work was most needed and also when it was envisaged that good coverage would be in place for the whole of Flintshire. In response, the Head of Social Services for Adults said that areas were monitored by practice area and that capacity could be changed if some areas were found to require more or less support. It was hoped that the service would be in place for the whole of Flintshire within one to two years.

Councillor V. Gay felt that the changes to welfare reform would increase the number of mental health issues. She asked if work had been undertaken with neighbouring authorities in England for patients who lived in Wales but who used a doctor in England. The Head of Social Services for

Adults said that an increase in demand may be caused by the welfare reform changes. He added that he would speak to Vicky Forman, the Team Manager on the issue.

The Chair queried the proportion for Flintshire County Council of the £800k funding for Part 1 of the Mental Health Measure and was advised by the Head of Social Services for Adults that the amount received had been based on the population and that he would obtain the information for Flintshire County Council for the Chair.

**RESOLVED:**

- (a) That the report be received; and
- (b) That the work undertaken by Adult Mental Health Services to implement the Mental Health Measure be noted.

**75. FORWARD WORK PROGRAMME**

The Member Engagement Manager introduced a report to consider the Forward Work Programme of the Committee.

He explained that the meeting on 21 March 2013 was a joint meeting with Lifelong Learning Overview & Scrutiny Committee and that it had been suggested that the following reports be considered at that meeting but that the remainder of the items be deferred to another joint meeting:-

- Educational attainment of Looked After Children
- Children and Young People Partnership
- Families First

During earlier discussions it had been suggested that a workshop be arranged to receive a presentation from the Department for Work and Pensions; it was felt that all Members should be invited to attend.

The reports for the Directorate Plan and Family Placement Team Restructure would not be available for 11 April 2013 meeting so would be deferred to a future meeting and it had been suggested that an update on Social Services and Well-being Bill be considered at the 9 May 2013 meeting. The Member Engagement Manager read out from an email on Carers Strategy and said that an update could also be considered at the 9 May 2013 meeting. The Director of Community Services suggested that it be considered at the meeting on 20 June 2013 which was due to be attended by Betsi Cadwaladr University Health Board.

Councillor M. Bateman asked that an item on the Ambulance Service and waiting times be discussed and it was suggested that representatives could be invited to the meeting in June or July 2013. The Chair queried whether the policy on referrals of minor complaints to hospitals had changed.

**RESOLVED:**

- (a) That the Forward Work Programme be approved subject to the amendments identified and Members' comments be noted;
- (b) That the items on Local Safeguarding Children's Board, Corporate Parenting and Young Carers be deferred from the forthcoming joint meeting with Lifelong Learning Overview & Scrutiny Committee and that a further joint meeting be arranged;
- (c) That a report on the Social Services and Well-being Bill be submitted to the 9<sup>th</sup> May 2013 meeting;
- (d) That the Carers Strategy, Hospital waiting lists and minor condition referrals be raised with Betsi Cadwaladr University Health Board for the 20<sup>th</sup> June 2013 meeting;
- (e) That a representative of the Ambulance Service be invited to attend a future meeting of the committee.

**76. DURATION OF MEETING**

The meeting commenced at 2.00 p.m. and ended at 4.03 p.m.

**77. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There was one member of the public and one member of the press in attendance.

.....  
**Chairman**