
SERVICES SCRUTINY COMMITTEE

11.04.13

Present:

Councillor Peter Read - Vice-chairman

Councillors: Alwyn Gruffydd, Christopher Hughes, Elin Walker Jones, Beth Lawton, Liz Saville Roberts, Ann Williams, Eirwyn Williams, Elfed Wyn Williams, R. Hefin Williams and Selwyn Griffiths (ex-officio member).

Teachers' Unions: Siôn Amlyn (NASUWT), Dilwyn Hughes (UCAC)

Cabinet Members: Councillor Siân Gwenllian (Education)
Councillor R H Wyn Williams (Care)

Officers: Dafydd Lewis (Corporate Director), Wyn Hughes (Engagement Manager), Dafydd Owen (Commissioning Manager), Ann Lloyd Jones (Senior Manager Adult Services), Dilys Phillips (Head of Democracy and Legal), Vera Jones (Democratic Services Manager), Gareth James (Members' Support and Scrutiny Manager) and Glynda O'Brien (Members and Scrutiny Support Officer).

Apologies: Councillors Huw Edwards, Alan Jones Evans, Linda A. W. Jones, Llywarch Bowen Jones, Eryl Jones-Williams, Dewi Owen, and Dyfrig Siencyn, Rev. Robert Townsend (Church in Wales), Mr Dylan Davies (Meirionnydd Parent Governors Representative).

1. DECLARATION OF PERSONAL INTEREST

Mrs Rhian Roberts declared a personal interest in Item 5 – Scrutiny Investigation of the Quality of Education, as she worked for Careers Wales. The member was of the view that it was not a prejudicial interest and did not therefore withdraw from the Chamber during the discussion on this item.

2. MINUTES

(a) The Chairman signed the minutes of the previous meeting of this committee held on 2 February 2013, as a true record.

(b) Councillor Ann Williams noted that she had not received a response from the Statutory Director of Social Services regarding a query that stemmed from the minutes of the previous meeting, namely point 4(p), regarding the significant gaps that continued in terms of Level 2 training for staff and managers in the Youth Service.

The Cabinet Member gave an assurance that he would contact the Statutory Director of Social Services to arrange for her to contact the Member without delay.

3. SCRUTINY INVESTIGATION OF THE QUALITY OF EDUCATION

A report was submitted by the Lead Officer of the Scrutiny Investigation of the Quality of Education, updating the Committee on the work undertaken by the Investigation and what remained on the work programme.

(a) The Committee was reminded that the purpose of the Investigation, in accordance with a request by the Education Cabinet Member, was to ascertain:

- (i) Why did polarisation occur in the KS4 performance of schools?
- (ii) Achievement standards in Mathematics and the impact of this on the TL2+ indicator
- (iii) Why were the quality standards and KS3 provision generally robust across all the authority's schools?
- (iv) Nurture a fuller understanding of the performance of pupils receiving free school meals and the degree the achievement of the groups of learners had an impact on KS4
- (v) The relevance of the free school meals indicator to identify rural deprivation
- (vi) The impact of leadership on the performance of schools and the way leadership skills were nurtured and developed.

(b) The Democratic Services Manager expanded on the work undertaken thus far by the Scrutiny Investigation and it was noted that they were approximately half way through the work with considerable work yet to be completed. It was explained that the Investigation had understood and analysed data together with identifying three different categories of secondary schools to be scrutinized in the context of the performance of Key Stage 4. It was noted that the first part of the work had been completed and there was work to continue on the second and third part namely challenging at grass roots level, meeting independent experts in the field before proceeding to draft recommendations for the Education Cabinet Member and the Service Scrutiny Committee by 3 October 2013.

(c) Councillor Liz Saville Roberts who served on the Scrutiny Investigation, noted that 55% of the county's pupils attained threshold level 2+ (gaining 5 GCSE A*-C including Mathematics, Welsh or English). Therefore, this meant that the other half of the County's pupils failed and personally the Member was of the view that the expectations in Gwynedd should be higher i.e. that a threshold level 2+ performance should include both languages equally namely Welsh First Language and English. It was also noted that it was not languages that influenced the County's performance, but the Mathematics results.

(ch) The Scrutiny Investigation was of the view that there was room to raise expectations in terms of the level 2+ threshold, and this could not be resolved in the last year in secondary and had to be developed from the primary sector up. By holding interviews with School Heads the Scrutiny Investigation had seen good practice and this was in the form of tracking systems and it was noted that it was important for the tracking system to exist between the primary and secondary sectors. The free school meals indicator was a priority by Heads in terms of results and it was noted that every child's expectations had to be looked at.

(d) The Scrutiny Investigation was awaiting the result of the ESTYN Inspection report that was to be published in July this year. It was also seen that the governing body had an important role and consideration should be given to strengthening the governors role. It was seen that good leadership in schools was vitally important.

(dd) It was further noted that Councillor Dewi Owen had resigned from the Scrutiny Investigation and therefore there was a vacancy on the investigation. Councillor Beth Lawton had expressed an interest to join the investigation and the Committee was asked to vote on the proposal to elect her to serve on the Scrutiny Investigation.

During the ensuing discussion the following points were highlighted:

(i) In response to a query, the Democratic Service Manager noted that Gwynedd was 6th in the national league and therefore compared relatively well with other Welsh authorities. However, concern had been highlighted regarding polarisation where performance was lower in some schools in terms of standards and the need to retain consistency and ensure that every child had the same opportunity.

(ii) A representative of the Teachers Unions noted that he agreed that pupils and teachers should be praised and he did not understand why the Westminster Government said that teachers were failing, as the way to get the best out of them was to support and praise their achievements. The Committee was asked further to support schools to retain the same procedure for paying salaries as currently existed, rather than the Government's idea of introducing local pay in order that every school would determine the salary of teachers. The Union saw this as a threat to teachers' morale.

(iii) The importance of sharing good practice was noted as well as learning from educational practitioners from outside the county.

Resolved: (a) Accept, note and thank the officer for the progress report on the Scrutiny Investigation on the Quality of Education.

(b) To elect Councillor Beth Lawton to serve on the Scrutiny Investigation as the successor to Councillor Dewi Owen.

4. HOME CARE

A report was submitted by the Care Cabinet Member in response to a request by the Services Scrutiny Committee regarding the provision of home care and specifically how the home care provision worked, concern regarding the lack of Welsh speakers within the provision together with an update on work contract hours of Council home care workers.

An overview of the provision in Gwynedd was received by the Cabinet Member and he expanded upon this with an update on the linguistic practices of staff; relationship between Hospitals and Social Services in the context of home care and enablement on the weekends together with details of working hours contracts.

Members were given an opportunity to scrutinise the report, however, they noted their discontent that there were no officers from the Provider Department present to respond to any queries that caused concern.

The Cabinet Member and the officers were challenged regarding the following matters:

(a) Whilst welcoming the recommendation of the Language Planning Centre that the clause regarding the chosen language of the individual who receives the service should be changed, it was noted with disappointment that this was not part of the contract and the intention should be turned into fact and it was stressed that it was the need that was important and not choice.

In response, the Commissioning Manager gave an assurance that the Unit had commissioned a piece of work to ensure that they maintain the best practice. A grant had been received to undertake the work and the intention was to update the contracts as soon as possible, and include the linguistic clause.

(b) Cost details were requested for monitoring private home care companies to ensure that they conform with the requirements.

In response, the Commissioning Manager explained that home care was provided – 50% internally by the Council and 50% of the provision was externalised. Private companies were used such as Caredig, Gofal Bro, Cymorth Llaw, Saga and Abacare (in Meirionnydd) as well as two companies from the third sector namely Cartrefi Cymru and Anheddau. It was stressed that by doing this, provision to users had not been reduced, but had rather lead to savings.

It was noted that monitoring arrangements had been undertaken within the Unit by two officers to ensure compliance by the private companies and home care in accordance with the contracts guidance in relation to standards. The cost was not huge, however, there was an internal cost within the Provider Unit to ensure expectations.

(c) Following on from the above, it was asked who would be responsible if anything went wrong in the provision to vulnerable adults by a private company or third sector.

In response, the Commissioning Manager explained that the monitoring officer would not be responsible, however, assurance was given that when concern was raised regarding any providers a meeting could take place with the Care and Social Services Inspectorate for Wales (CSSIW) including representatives from health, police and social services to ensure the safety of individuals and compliance with the expected standards.

(ch) It was asked how a private company managed to attract staff in comparison with the Council who was experiencing recruitment difficulties.

In response, the Commissioning Manager explained that recruitment was problematic in some areas, such as south Meirionnydd, where the average working age was low. However, an improvement had been seen regarding this over the last two years.

(d) In some specific areas home carers had retired and no one had been appointed in their place.

The Commissioning Manager reported that there were situations where there was an understanding with the Provider Unit that they purchased 5,000 hours and gave contracts to the value of 4,500 hours to their staff. It was stressed that although hours had been reduced since 2008, this was mainly due to the need to promote people's independence with schemes such as telecare, enablement etc. The hours had started to increase in the last year, however, evidently the population would double in future and different elements would have to be considered as the provision would not be sustainable.

(dd) In response to a query regarding more favourable terms to home carers on weekends by private companies, the Commissioning Manager explained that every company operated differently with some paying double over the weekend and others who did not. It was noted that only one rate was implemented internally by the Council to home carers.

(e) It was asked what arrangements were in place if a private company folded as had occurred in other parts of Britain.

In response, the Commissioning Manager explained that whilst accepting that a number of large national companies had bought up small companies, this had not occurred in Gwynedd. Evidently, if an emergency arose then this would be discussed with other companies to take over the work, and it would be expected that the home carers would transfer to the operational company.

(f) The Commissioning Manager outlined the steps implemented to improve the linguistic qualifications of the rest of the staff who were non-Welsh speakers and it was noted that approximately 90% of the home carers were bilingual with the smallest number of non-Welsh speakers in Meirionnydd. In the past, the service had to purchase care

packages from Powys and there was no certainty of the choice of language outside the County. It was noted that a number of the companies in terms of recruitment worked in close collaboration with Colleges.

(ff) In response to a query regarding the reason for the reduction in home care hours, the Commissioning Manager noted that the enablement scheme and other factors were responsible for this in order to try and create independence for individuals.

(g) Regarding the enablement scheme, there was a tendency for clients to favour this service from the Council, as there was not much change in the number of carers who visit users. The Commissioning Manager explained that the independent sector and the Council internally offered the enablement scheme 50:50. It was noted further that a monitoring procedure existed with questionnaires sent out to users, and if anything obvious was raised in the responses then these would be followed up without delay.

(ng) In terms of linguistic needs, the Commissioning Manager noted that some members of staff lacked confidence to speak Welsh, and he confirmed that this had been discussed with the Training Unit to ensure that individuals had an opportunity to receive training and it was a matter to discuss further with the private companies. Obviously, there was a high percentage of users who did not speak Welsh and therefore the service could be offered to them in the medium of English. In the care plans, users were asked in which language they wished to receive the service.

A request was made to the Commissioning Manager to follow up the matters noted below that stemmed from the above discussions asking him to present the responses to the next preparatory meeting of the Scrutiny Committee to be held on 15 May 2013.

- (i) Did the home care workforce choose working hours as part of their contract?
- (ii) It was understood that individuals were on duty from 7.00 in the morning until 11.00 in the evening – was this correct?
- (iii) Had the Unit made requests for references/testimonials for the individuals appointed?
- (iv) How many of the home carers had not signed contracts?
- (v) How many individuals had lost their jobs as a result of externalising the provision?
- (vi) More information regarding the exact cost of the Council's home care and the cost of private home care.
- (vii) Details of geographical patterns noting what companies operate in the different areas, what is the pattern in terms of staff linguistic abilities and qualifications according to the area.
- (viii) Analysis of the responses to the questionnaire sent to home care users including home care in the independent sector and internally by the Council.

Resolved: (a) To accept and note the contents of the report.

(b) To request that the Commissioning Manager submits responses/information to the questions outlined in (i) to (viii) above to the next preparatory meeting of this Scrutiny Committee.

5. ACCOMMODATION AND CARE NEEDS ASSESSMENT, PORTHMADOG

A report was submitted by the Care Cabinet Member on the progress of the accommodation and care needs review in Porthmadog and the vicinity.

The Cabinet Member guided Members through the report and referred to future support to be offered to older people, update of the review in Porthmadog and the vicinity, together with an update for the remainder of the County. Attention was also drawn to the responses to the questions asked by the Scrutiny Committee stemming from the discussion that took place in the preparatory meeting, namely:

- What lessons were learnt from the changes in the Blaenau Ffestiniog area and other areas?
- What provision was in place already to deal with the closure of any home?
- What plans were in the pipeline to deal with the closure of any home and the timescale
- What kind of discussions had taken place with the users
- How many people were on the waiting lists by area

It was noted that the information conveyed a picture of what was happening in the Porthmadog area and was valuable to understanding what were the requirements of older people. In general, the picture showed a reduction in the number of individuals going into residential care and the work emphasised the need to ensure housing and support choices which respond to the needs of individuals that vary according to circumstances.

An opportunity was given to challenge the contents of the report and the following points were highlighted by individual members::

(i) That it was necessary to correct the first sentence in the introduction to the evaluation attached to the report, to state that it was the resolution of the full Council on 15 December 2011 to close Hafod y Gest and not the Council Board as suggested. Under the Council's previous governance it was possible to call in a decision and this had been done in this case and it was stressed that this procedure was valuable. It was noted that the report was damnable and was not open and fair, that there were approximately 24 lessons to be learnt from the process and no apology had been given in response to the concern caused to vulnerable people and their families in the Porthmadog area. However, since the report referred to facing facts with a fair and transparent consultation, it was trusted that the same situation would not arise again and suitable provision could be offered to the people of Porthmadog.

(ii) It was agreed that errors had been made in the past, however, now it was pleasing that positive meetings were taking place with an input from local members and the importance of open discussion was noted.

(iii) In response to a query, the Corporate Director noted that the Older People Services Transformation Project Board had been operational for approximately two years in its current form. It was explained that services for older people included residential care, telecare and enablement schemes, day care, accommodation and extra care housing, use of sheltered housing and how effective were the disabled assessment processes. The strategic review of residential care and nursing referred to residential provision only.

(iv) The Corporate Director responded to a query regarding waiting lists and noted that there was no one on the waiting list for a residential home. It was explained further, in response to concern about the language provision for users and the need for patients to have to travel far for care, that the Units at Bryn Blodau (Llan Ffestiniog) and Llys Cadfan (Tywyn) offered residential care for dementia patients and not nursing care. If nursing care was required then the procedure of having to travel to other units would have to continue. Provision was available in north Gwynedd (Bangor, Bontnewydd and the Pines, Cricieth) but there was a lack of provision for nursing care of dementia

patients in Meirionnydd. As part of the service to older people project, an effort had been made to attract independent providers to develop a new home in Meirionnydd, however, thus far this had been without success. Neither had the Council stepped in itself to give a nursing service because of the medical managerial requirements.

(v) Stemming from the above response, more information was requested regarding dual registration.

(vi) Disappointment that there were 9 vacant units at Awel y Coleg, Y Bala, and it was asked how many residents had moved from there and to where?

In response, the Corporate Director noted that 2 out of 9/10 had moved from Bron y Graig and in accordance with the assessments they required nursing care rather than residential care. It was added that the units were gradually being filled. In terms of the assessment pathway, every effort was made to try and support individuals as much as possible in their homes, however, if nursing care was required it was noted that homes were available in Llandderfel, Cerrigydrudion, Bryn Blodau (Llan Ffestiniog), Cefn Rodyn and Llwyn (Dolgellau).

(vii) Further information was requested regarding the catchment area of service users at Bron y Graig, listing from which communities they hailed from and the reason why they were there.

(viii) In response to a question regarding taking older people to Hafod y Gest home, Porthmadog, the Corporate Director explained that the home did not admit anyone permanently but accepted users for respite care for a specific period. The Care Cabinet Member noted further that it would not be fair to take in older people without knowing for certain what the future was for Hafod y Gest. If residential care was required in the area then the individual would be given a placement in response to needs.

The Corporate Director referred to a new scheme namely the Rehabilitation Unit that operated following the principles of the enablement scheme in order to regain the confidence of individuals with the intention that they move back home or a suitable location but not necessarily into residential care.

Whilst accepting that residential care was required in the Porthmadog area, the problem was how much need there was and to also bear in mind that residential and nursing homes exist in the area.

Apart from a nursing home, and if the provision could not be satisfied within the community, extra care housing offered another option for users. The additional care housing model offered a home care service together with community nurses exactly like the service individuals received in their homes.

(ix) Details were requested regarding how many in Gwynedd received nursing care/dementia care outside their own communities.

Resolved: (a) To accept and note the contents of the report.

(b) To request that the Care Cabinet Member submits further details as a response to the comments noted above and specifically:

(i) Dual Registration

(ii) How many residents moved from Bron y Graig, Y Bala and to where?

(iii) The catchment area of service users at Bron y Graig listing from which communities they hailed from and the reason they were there.

(iii) How many people from Gwynedd received nursing care/dementia care outside their communities?

6. SOCIAL SERVICES

(a) The Members' Support and Scrutiny Manager reported that the Chair and Vice-chair had met the Care Cabinet Member and the Statutory Director of Social Services to discuss the development of the work programme against the new strategic plan, the priorities of the Service, visit of Care and Social Services Inspectorate for Wales (CSSIW) with Gwynedd as well as another six authorities on how the role of leadership in Social Services was being developed. Reference was also made to comments made regularly in the preparatory meetings regarding the terms of reference of the Services Committee and how it could be justified that deserving attention was given the areas presented to the Committee.

(b) The Head of Democracy and Legal reported that a brief review had been undertaken of the arrangements since the Council's change of governance to a Cabinet system and the comments regarding the area of work of this Scrutiny Committee. Whilst accepting that it was a wide remit for one Committee, the Care and Social Services Inspectorate for Wales (CSSIW) applauded the fact that services and education were together in order to have a joint-discussion and there were advantages to be under one committee. It was further noted that the Scrutiny Committee had commenced an investigation into the quality of education and the impression given by Members was that there was much more satisfaction to be had by undertaking intensive investigations. It appeared that this was the direction that would be recommended as the best way forward in the future, namely that it would be possible to look seriously at the influence of Council policy on the citizen.

The review's recommendation was that the Committee remained as one Committee and did not split, however, it would be possible to move one/two peripheral issues to other committees if required. It was suggested that Members could be split in accordance to their interests to undertake detailed investigations and report back to the same committee in order that all had an overview and could also have the satisfaction of undertaking detailed work.

(c) In response, a Member acknowledged that it was a process of experience and by now she had started to have a taste for both fields. She felt that if the Inspectorate stated that this was good practice then the arrangement should continue. However, one of the considerations that caused her concern was further investigations and if there was sufficient capacity in terms of support to cope with the work.

(ch) Another Member disagreed with the suggestion to continue with one Committee, and it would be an extremely bad move, bearing in mind that social services and education were responsible for 80% of the Council's expenditure. It was felt that the opportunity for detailed scrutiny would be lost as the area of work was huge and at the moment the member was of the view that worthy attention was not being given to both fields.

(d) Several Members agreed that the workload was huge, however, it was suggested that it should be trialled for a period and to review the situation in approximately six months to a year.

(dd) In response to a comment made regarding additional support, the Head of Democracy and Legal noted that she would see the need for additional support to undertake investigations. She had been discussing this with the Corporate Management Team to ascertain if they could support investigations at a higher level as

it were. The principle had been accepted, however, further discussions would have to be undertaken with the relevant Departments.

In terms of the suggestion to trial this for a period and that many Members had satisfaction from undertaking more intense work, she was of the opinion that this was the direction for scrutiny in future and this could be a pilot scheme for other scrutiny committees. If the Committee agreed, it was suggested that a list of the terms of reference could be presented to the next meeting of this Scrutiny Committee to discuss who was interested in which field and to establish Interest Groups and then prioritise issues according to the impact on the citizen in order to give worthy attention to both fields.

Resolved: To accept and note the above and request that the Members' Support and Scrutiny Manager submits the terms of reference to the next preparatory meeting of this Scrutiny Committee to discuss the interests of members in the care and education fields with the intention of establishing Interest Groups to undertake more intensive investigations.

The meeting commenced at 10.00 am and concluded at 12.15 pm.