

**JOINT OVERVIEW AND SCRUTINY COMMITTEE OF DUDLEY AND
WALSALL METROPOLITAN BOROUGH COUNCILS**

Tuesday 11th December 2007, at 6.30 pm

PRESENT

Councillors Burston, Mrs Faulkner, J Martin, Simms and Mrs Ridley
(Dudley Metropolitan Borough Council) (MBC)
Councillors Paul, Pitt, Robertson and Miss Woodruff (Walsall
Metropolitan Borough Council) (MBC)

Officers

Mr R Carter (Assistant Director Learning Disability and Mental Health)
(Dudley MBC)
Ms M Willcox (Assistant Director) (Walsall MBC)
Mr A Sangian and Ms N Ehlen - Scrutiny Officers – Dudley and Walsall
MBCs respectively
Mr J Jablonski (Democratic Services) (Dudley MBC)

Also in Attendance

Ms Sue Hunt, Joint Interim Chief Executive – Dudley and Walsall Primary
Care Trusts (PCT's)
Ms Marcia Ingram – Project Manager for Health Trusts

Councillor Lavender (Dudley MBC) and Mr B Clifford (Lead Officer Select
Committee on Health and Adult Social Care (Dudley MBC) were also in
attendance.

1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Miss Woodruff (Walsall MBC) be elected
Chairman of this Committee for the remainder of the 2007/08
Municipal Year.

(Councillor Miss Woodruff in the Chair)

2 **APPOINTMENT OF VICE CHAIRMAN**

RESOLVED

That Councillor Mrs Ridley (Dudley MBC) be appointed Vice
Chairman of this Committee for the remainder of the 2007/08
Municipal Year.

3 APOLOGIES

Apologies for absence from the meeting were submitted on behalf of Councillors Mrs Blood and Jackson (Dudley MBC).

4 SUBSTITUTE MEMBERS

It was reported that Councillors Simms and Burston had been appointed as the substitute members for Councillors Mrs Blood and Jackson respectively for this meeting of the Committee only.

5 DECLARATION OF INTEREST

Councillor Pitt (Walsall MBC) declared a personal interest in Agenda item 7 (Joint Overview and Scrutiny Committee to consider the future configuration of mental health services in Dudley and Walsall) in view of his employment by the West Midlands Ambulance Service NHS Trust

6 TERMS OF REFERENCE AND MEMBERSHIP

Consideration was given to a revised copy of a report of the Director of Law and Property (Dudley MBC) circulated at the meeting, together with a revised Agenda for the meeting, on the Terms of Reference and Membership for a Joint Overview and Scrutiny Committee for Dudley and Walsall Councils

Arising from consideration of the content of the revised report submitted, in particular paragraph 7 relating to a request made by the Select Committee on Health and Adult Social Care (Dudley MBC), regarding the attendance at meetings of the Committee by a Liberal Democrat Member, Councillor Lavender, without a voting entitlement but by invitation to the Committee, it was:

RESOLVED

- 1 That approval be given to the Terms of Reference and Membership for a Joint Overview and Scrutiny Committee for Dudley and Walsall Councils, as set out in Appendix 1 in the report submitted.
- 2 That, as it was recognised that, unless excluded by motion of the Committee, individual Councillors and members of the public would be entitled to attend meetings of the Committee, no action be taken on the request of the Select Committee on Health and Adult Social Care (Dudley MBC) that a Member of that Select Committee attend meetings of this Committee without a voting entitlement, but by invitation of the Committee.

CONSIDERATION OF THE FUTURE CONFIGURATION OF MENTAL HEALTH SERVICES IN DUDLEY AND WALSALL

Circulated with the Agenda for this meeting was a copy of a document entitled "A Better Idea... Better Mental Health Services for Dudley and Walsall – A Consultation Document". The proposal, in essence, was to create a single NHS Mental Health Trust for Dudley and Walsall, which would manage mental health services in the two Boroughs and so, by being entirely focused on mental health, would generate a whole range of benefits for service users, their carers and staff.

The purpose of this meeting was for the Joint Committee to consider and respond to the proposal to create the new NHS organisation to provide mental health services for the Boroughs of Dudley and Walsall.

In this connection, in addition to the copy of the consultation document circulated, a copy of the business case prepared by Walsall/Dudley Mental Health Partnership, that had been submitted to, and approved by, the Strategic Health Authority as a precursor to the consultation now being undertaken on the proposal had also been circulated.

To support the documentation submitted, a presentation was given by Ms Sue Hunt, Joint Interim Chief Executive of Dudley and Walsall Primary Care Trusts on the proposed reconfiguration of mental health services. The presentation outlined the current situation, noting in particular that the mental health parts of the current organisations were small compared to other mental health organisations elsewhere in the country and that the current arrangement of having mental health services within PCTs was no longer the norm. It was also the case that without the proposed reconfiguration, the service could not move to Foundation Trust status. An overview was also given of the national picture regarding service reform; the local history that had led to the current proposal and the ultimate desired position indicated that of a single Black Country Trust, supported by a Black Countrywide commissioning strategy. Such a move would be approved and supported by the Strategic Health Authority. An outline of the proposals regarding a Mental Health Trust for Dudley and Walsall was then given, together with an outline of the benefits such a move would bring. Such details were contained in the consultation document submitted.

Regarding the consultation process itself, this would end formally on 19th December, 2007. Comments received would then be collated into a report for consideration by the PCT's and the Strategic Health Authority. A recommendation would then be forwarded to the Secretary of State who would determine the proposal. It was considered that if a new Mental Health Trust was approved, it would not go 'live' earlier than 1st July 2008.

A document entitled "Summary of the Dudley/Walsall Mental Health Partnership Consultation Process" was then circulated at the meeting giving details of the consultation and communications plan that had been implemented and, amongst other details, a summary of 37 responses received.

Overall, a mixed response had been received indicating general support for the proposed reconfiguration of mental health services, together with queries around the commissioning of mental health services and support for wider Black Country collaboration.

Arising from the formal presentation given, further information was given by Officers present relating to the advantages of the proposal, which it was considered would lead to services provided not being in competition with each other, without duplication and with a sharing of good practice. The situation in respect of the management of any new Trust was also outlined, in that with two current vacancies, this would lead to opportunities in this regard. Ms Hunt also reported that she had been involved in drafting the interim arrangements to ensure that the Trust was operational from day one. It was also noted that as part of the management structure, there would be a clear locality focus.

Arising from the information given, Members then asked a number of questions, to which responses were given, and made comments, relating in particular to: -

- A query regarding management costs, in response to which it was noted that a commitment would be given by the new Trust that such costs would not detract from front line services. It was also noted that the estimated cost of establishing the new Trust would be approximately £700,000. Furthermore, efficiency savings would also accrue and there would be a residual impact on the PCT's.
- The Headquarters of the new Trust, a pragmatic approach would be taken on this matter, whereby as there are existing leases on offices, until more suitable premises became available, the Headquarters could be in either Walsall or Dudley. It was considered though, that the more important issue was where locality management was located.
- Engaging with the black and minority ethnic groups in the Boroughs, it was reported that consultations had been undertaken with such groups through, for example, DOSTI. However, given that the proposed reconfiguration was one of structure and not service change, this had been reflected in the number of responses received.

- The business case for the proposal, it was confirmed that the business case submitted with the agenda for this meeting, had been accepted by the Strategic Health Authority, enabling the consultation process to be undertaken. It was also reported that the support of the Strategic Health Authority was predicated on a commissioning strategy, involving the four Black Country Boroughs and this document was currently being worked on and would be available during December, 2007.

The position regarding the four Black Country Boroughs was then outlined in that the Strategic Health Authority supported Sandwell's application for Foundation Trust status and the current proposals in respect of Dudley and Walsall. In Wolverhampton, the PCT and the Local Authority were working together to create an Adult Care Trust. It was acknowledged that the views of the Strategic Health Authority on the Dudley Walsall partnership could still change.

The effect of the various arrangements was also commented upon. However, with greater collaboration between Dudley and Walsall, this could, for example, put the two Boroughs on an equal footing with Sandwell.

- Arising from comments made regarding the various Appendices referred to in the business case submitted whilst these had not been included in the documents circulated any Member, on request, could be sent a copy of any such Appendix.

It was stressed, however, that the position set out in the business case submitted had now moved on. In this regard, mention was made of the risk analysis at paragraph 4.1 of the business case. Performance against the Autumn Assessment targets shown in paragraph 3.1.3 of the business case was also discussed, with particular reference to the "red" indicators of which Walsall had three in respect of Crisis Resolution, StaR Workers and Personality Disorder. The one red rating that Dudley also had was in respect of Personality Disorder. It was reported that in respect of this latter indicator, the provision of such services would improve under a joint arrangement.

In respect of the current position on the business case, it was noted that further work had been undertaken, for example in respect of the identification of those services to be delivered by the proposed Trust (outlined in paragraph 2 of the consultation document,) in that for example, all existing NHS provided “Child and Adolescent Mental Health Services (CAMHS)” and staff and buildings had been identified. TUPE arrangements in respect of NHS staff to be transferred to the proposed new Trust had also been drawn up. Consideration had, and would also continue to be given, in respect of the corporate functions of any new Trust, in particular the elements that would need to be transferred and those which any new Trust would require, together with consideration as to those services that might be shared with other Authorities.

It was the case, therefore, that the business case contained in the documentation was now out of date given the detailed plans that were being worked up in respect of a proposed new organisation.

In response to a question asked it was reported that it was unlikely to be before February/March 2008 before the details of these plans would be available for consideration by Members of the Joint Committee. It was further commented upon that the commitment to the new Trust was implicit in the work being undertaken

- Regarding actual numbers receiving the services of the proposed Trust, it was reported that for Dudley Social Care in 2006-2007, there were 200 new referrals, whilst there were also 650 current cases. Overall, it was reported that the national indicator was that a figure of 10% of the population(the proposed Trust would have a population of approximately 500,000) was at any one time receiving a secondary care Mental Health service and that the figure was 25% if primary care was included.
- Regarding proposals in respect of services relating to the early onset of dementia, it was noted that neither Borough had such provision. In response, it was reported that under current arrangements, given the small numbers involved, such provision was at best ad hoc but under the new arrangements, services could be designed and offered to commissioners for offer to the younger people concerned. It was also noted that the current position had been discussed with clinicians with a view to a Dementia Care Unit being provided by Walsall MBC and investigation of ways in which this could be linked with the PCT.

It was also noted that, in respect of rehabilitation services, as there was currently no service in Dudley, the Trust could become leaders in this regard.

- In response to a query as to the effect/impact upon community services of the proposed new Trust, it was reported that in the short term little difference would be perceived. However, in the longer term, services would be accessed more locally but with a greater range than previously, and with reduced travelling. Also, given the enhanced resources of the proposed Trust, this would enable the recruitment of higher skilled personnel, for example, Clinicians, leading to great efficiencies and the provision of services on a more effective basis.
- Regarding staffing issues, the likelihood of greater consistency in the remuneration of staff was commented upon, together with the need for the current uncertainty and anxiety felt by staff to be ended as soon as possible, although it was noted that there was no real evidence that staff were leaving as a result of the proposals.

It was also noted that, as regards management remuneration, whilst the Trust would be larger than its component parts, it would not be a Trust capable of paying the same level of salary as some other larger Trusts in surrounding areas. However, this it was considered would not detract from attracting the appropriate calibre of staff, given the challenges that lay ahead. It was also noted that, at middle management level, appropriate staff were already in post.

- In response to a question regarding the impact of the proposals on the numbers of patients currently sent out of Borough to receive services, it was reported that this was a real opportunity area as patients were not only sent to neighbouring areas but also across the country. Whilst this position would continue, as not all services could be provided within the future arrangements, there was the opportunity for fewer people to be sent out of area given the current proposals. This area was therefore one that would be investigated given the likely opportunities.
- In response to concerns expressed regarding mental health services for young people, it was reported that such services would benefit from the locality management to be put in place in respect of the new Trust. Such services would also benefit from the current services working together and an assurance was given that these would work across the Trust. It was further reported that the Trust would be committed to all child and adolescent mental health services working closely with all related agencies to ensure that children were supported as well as they could be.
- In response to a question regarding risk analysis, it was reported that work was being undertaken currently on developing such analysis and that once a fuller picture had been developed, the information would be shared with Members.

At the conclusion of questions, it was noted that in order for the response of the Joint Committee to be considered by the Strategic Health Authority, the response needed to be submitted to the Project Manager by no later than 10th January, 2008.

Arising from the questions and comments raised by Members, the overall consensus was that the proposed creation of a new NHS organisation to provide mental health services for the Boroughs of Dudley and Walsall should be broadly welcomed.

Thanks were then given to the Officers involved in the arrangements for the meeting.

RESOLVED

That, arising from the consideration given to the proposals to create a new NHS organisation to provide mental health services to the Boroughs of Dudley and Walsall, the response to the consultation document in respect of the proposals be based on the comments made at this meeting, broadly welcoming the proposal, and that, following preparation of the response by the relevant Officers, the Chairman and Vice Chairman be authorised, on behalf of the Joint Committee, to agree the content of the response prior to its submission to the Project Manager for Health Trusts by 10th January, 2008 at the latest.

The meeting ended at 7.45 pm

CHAIRMAN