

## **SELECT COMMITTEE ON HEALTH AND ADULT SOCIAL CARE**

Thursday, 26<sup>th</sup> March, 2009 at 6.00 p.m.  
in Committee Room 2 at the Council House, Dudley

### **PRESENT:-**

Councillor Mrs. Ridney (Chairman)  
Councillor Mrs. Faulkner (Vice-Chairman)  
Councillors Mrs. Aston, Mrs. Cowell, J.D. Davies, K. Finch,  
Mrs. D. Harley, Islam, Kettle and K. Turner

### **Officers**

Assistant Director of Adult, Community and Housing Services (Policy, Performance and Resources) (Lead Officer to the Committee), Scrutiny Officer, Assistant Director of Adult, Community and Housing Services (Learning Disability and Mental Health), Interim Head of Adult Safeguarding and Mr. J. Jablonski (Directorate of Law and Property).

### **Also in Attendance**

Mr. D. McConnell (Department of Health) (for Agenda Item No. 6)  
Ms. M. Makin - Dudley LINK and Mr. D. Orme - Interim Vice Chairman for Dudley LINK  
Ms. V. Little - Director of Public Health, Dudley Primary Care Trust and Dudley M.B.C. (for Agenda Item No. 10)  
Ms. Sharpe (Director of Governance, Dudley Primary Care Trust) and Ms. J. Giles - Dudley Primary Care Trust  
Jacky O'Sullivan - Director of Performance and Strategy and Marsha Ingram - Head of Corporate Affairs - both Dudley Walsall Mental Health Trust  
Sue Green - Director of Governance - West Midlands Ambulance Service and Mr. M. Chapman - West Midlands Ambulance Service (all in connection with Agenda Item No. 11)

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### **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of Councillor Tyler and Mr. Farrington and Ms. McMahon - Dudley Group of Hospitals.

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DECLARATION OF INTEREST

Councillor Mrs. Aston declared a personal interest in respect of Agenda Item No. 11 (Annual Health Check) in that her son works as a paramedic for West Midlands Ambulance Service.

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MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on the 15<sup>th</sup> January, 2009 be approved as a correct record and signed.

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PUBLIC FORUM

No issues were raised under this item and no members of the public were in attendance.

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NHS CHOICES

Mr. D. McConnell of the Department of Health gave a visual presentation on the website for the NHS entitled NHS Choices. The website could be accessed by logging onto [www.nhs.uk](http://www.nhs.uk).

In his presentation, Mr. McConnell outlined the various features and functions of the website with particular reference to what the website did and its potential as a tool for staff and for scrutiny.

Although the website was not yet fully available to the public, some 5½ million visits had been made to it principally to find services, access the Health A to Z and provide comparisons between services and patient feedback.

Arising from the results of an on-line survey, it was found that 17% of users of the website were carers, for whom detailed information was provided and that 31% of those respondents were classified as skilled, supervisory or manual workers.

Regarding feedback on services, anyone who had a concern about quality of service was encouraged to go on to the website to express that concern as, in addition to providing suggestions and advice, the website was also about changing behaviour.

Given that the website was a professional tool for frontline staff and for corporate and communication, its content could be available for development on the Council's own website.

Arising from the presentation given, a number of questions were asked relating, in particular, to the complaints made to the website and in response it was reported that the complaints were moderated and fell mainly into the categories of car parking and issues surrounding staff. It was noted that for the more serious complaints, such as malpractice, whilst an initial complaint might be received on the website, the complainant would be asked to refer it to a more appropriate formal channel.

Arising from the questions asked and responded to, Mr. McConnell was thanked for his presentation.

RESOLVED

That the information contained in the presentation given, on NHS choices, and as reported at the meeting, be noted and that the Lead Officer to the Committee be requested to pursue the matter of the content on the NHS Choices website being put on the Council's website and for the content also to be made available on computers in libraries, so as to facilitate easier access.

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## QUARTERLY CORPORATE PERFORMANCE MANAGEMENT REPORT

A report of the Lead Officer to the Committee on the Quarterly Corporate Performance Management Report for the third quarter (October to December, 2008) for the services under the Terms of Reference of this Committee was submitted.

The Lead Officer to the Committee in his presentation of the report commented that there would be an inspection of adult social care in June, 2009 dealing with aspects such as safeguarding and the quality of life for older people. The Committee would be kept informed of the outcome of the inspection and would receive a copy of the Inspection report once produced.

RESOLVED

That the information contained in the report submitted, and as reported at the meeting, on the Quarterly Corporate Performance Management Report for Quarter Three (October to December, 2008) for the services under the Terms of Reference of this Committee, be noted.

DIRECTORATE OF ADULT, COMMUNITY AND HOUSING  
SERVICES EQUALITY AND DIVERSITY ACTION PLAN, 2009/10

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A report of the Director of Adult, Community and Housing Services was submitted on the annual Equality and Diversity Action Plan for 2009/10 for the Directorate of Adult, Community and Housing Services.

The Lead Officer to the Committee presented the content of the report, and Appendix to the report, submitted.

Arising from the presentation given, Members raised the following queries in respect of the objective - "Transforming Communities" - as follows:-

- (i) In respect of objective TC3 - to ensure the new North Priory meets the diverse needs of the residents of Dudley - clarification as to the objective was requested.
- (ii) Regarding objective TC5 - targeting employment engagement and support from the Adult and Community Learning Team to jobs in priority wards and for priority groups - the implications for the Brierley Hill area of this objective were queried; and
- (iii) In respect of objective TC2 - to ensure affordable housing in the Borough reflects the needs of Dudley's diverse population - a definition of the term "affordable" was requested.

In response the Lead Officer to the Committee undertook to arrange for responses to the queries made to be submitted to the Members concerned.

RESOLVED

That the information contained in the report, and Appendix to the report, submitted on the annual Equality and Diversity Action Plan for 2009/10 for the Directorate of Adult, Community and Housing Services, be noted.

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DUDLEY'S LOCAL INVOLVEMENT NETWORK (LINK)

A paper, together with a LINK Activity Report had been circulated to the Committee and its content was presented by Maxine Makin, the Dudley LINK Support Officer. Ms. Makin commented on the paper and activity report submitted and in so doing, introduced Mr. David Orme the Interim Vice Chairman for Dudley LINK.

In her presentation, Ms. Makin also emphasised in particular the purpose of the organisation which was to provide an independent voice for the community but with links to partners and service users, and commented on the current activity relating to raising the profile of LINK as indicated in the activity report submitted.

Although Dudley LINK was still very much in the formative stages, it was hoped that, in due course, its purpose as set out in the paper submitted would develop, hopefully leading to the desired improvement in services provided. Arising from the presentation made, Members asked a number of questions and raised queries relating in particular to:-

- (i) The publicity to raise awareness and for the Annual General Meeting of LINK, as indicated in the activity report submitted and queried the effectiveness of this. It was also reported that one way that Members could assist in this, would be for the Support Officer to contact the Lead Officer to this Committee so that material could be put in the Members' pigeonholes at the Council House for distribution.
- (ii) The progress/issues referred to in respect of LINK Elections arising from the Annual General Meeting to be held on the 30<sup>th</sup> March, 2009.
- (iii) The financial arrangements for Dudley LINK.

The Lead Officer to the Committee undertook to obtain the information requested and submit details to Members.

- (iv) The relationship of Dudley LINK with this Committee in the light of the protocol agreed at the meeting of this Committee in July, 2008. It was noted that Dudley LINK was still in its formative stages and that following the Annual General Meeting, referred to above, issues and activities could be progressed.

#### RESOLVED

That the information contained in the paper and activity report submitted, in respect of Dudley LINK, be noted and the various actions referred to above, endorsed.

A joint report of the Director of Public Health and Director of the Urban Environment was submitted on the current position in respect of the Let's Go Outside programme, Dudley's Healthy Town Initiative.

The Director of Public Health in her presentation of the content of the report informed the Committee of the background to the Healthy Town Initiative and in this connection circulated a copy of the full obesity system map as combating obesity was the main driver of this latest initiative.

In her presentation, particular points made related to the successful bid made, giving rise to funding of £4.5 million over three years that would be received by Dudley Primary Care Trust and be transferred to the Local Authority via a series of financial agreements.

The basis of the successful bid was also outlined in that it built on other work and strategies that were in place and could be developed and so was a Borough-wide approach, hence the development of family healthy hubs based in parks and open spaces in each of the five Area Committee areas of the Borough. It was, therefore, the case that the initiative was not solely about parks but was one part of Dudley's strategic approach to tackling high levels of obesity in the Borough. As well as developing the family healthy hubs, active green corridors would also be developed as would service reform and in the context of service reform, the aspiration was that the influence of the Healthy Towns programme would impact and register with all service sector agencies not just those with a health remit.

Following the presentation made, whilst welcoming the funding to be received for the Healthy Town Initiative, Members raised a number of concerns and issues relating in particular to the lack of information and involvement of elected Members in the initiative, for example, in respect of the location of the family health hubs based in parks and open spaces and on the scope of the initiative, as now reported at the meeting. A particular concern was also raised at the loss of any current facilities arising from the development of this initiative.

A further Member also commented on these matters and referred to the lack of a representative from the Directorate of the Urban Environment at this meeting.

The points made were responded to by the Director of Public Health and, arising from the responses made, a proposal was put forward that the Director of the Urban Environment be requested, by the Lead Officer to this Committee, on behalf of the Committee, to ensure that all elected Members were kept fully informed and involved in respect of this action. This proposal was endorsed by the Committee.

Arising from consideration of the funding arrangements for this Initiative, it was also agreed that reports at approximately six monthly intervals would be submitted to this Committee detailing amounts spent and where they had been spent.

## RESOLVED

- (1) That the information contained in the report, and as reported at the meeting, on the Let's Go Outside programme, Dudley's Healthy Town Initiative, be noted and supported.
- (2) That the Director of the Urban Environment be requested, by the Lead Officer to the Committee, on behalf of the Committee, to ensure that all elected Members were kept fully informed and involved in respect of this action.
- (3) That the Lead Officer to the Committee be requested to facilitate the reporting to the Committee at approximately six monthly intervals on the amount of money spent and where monies had been spent in relation to Dudley's Healthy Town Initiative.

### THE ANNUAL HEALTH CHECK, 2008/09

A report of the Lead Officer to the Committee was submitted on an overview of the Government's 2008/09 Annual "Health Check" of NHS Trusts and the role that this Committee could play in the process; a draft commentary on the "Health Check" performance standards for each Trust proposed for submission to the Quality Care Commission to facilitate its assessment process and on the summaries of the Trusts' self assessment dealing with their compliance against the "Standards for Better Health" and other targets.

The Scrutiny Officer in his presentation of the content of the report, and Appendices to the report, submitted, referred to Appendix 2 to the report - Summary of each Trust's Declaration of compliance against the performance standards and the various parts of that appendix relating to the Trusts indicated:-

- Part 1 - Summary Declaration of Dudley Primary Care Trust.
- Part 2 - Summary Declaration of Dudley Group of Hospitals.
- Part 3 - Summary Declaration of West Midlands Ambulance Service; and
- Part 4 - Summary Declaration of the Dudley Walsall Mental Health Trust.

In connection with this latter Summary Declaration, an updated copy of their Annual Health Check was circulated at the meeting and its content explained in the context of the Trust only being in operation for five months and being still in the process of developing and embedding systems which were likely to result in the Trust considering that the best it could strive to achieve in its first six months of existence was a “fair” or “weak” rating for its Annual Health Check.

Appendix 1 to the report submitted contained draft commentaries on the “Health Check” performance standard for each Trust, that the Committee were asked to consider and, if appropriate, approve.

Following the presentation given, representatives from each of the Trusts present at the meeting, commented on the content of their summary declarations as indicated above, with the exception of Dudley Group of Hospitals, whose representatives could not be in attendance at this meeting. Any comments made in respect of this Trust would be forwarded to them for response.

Arising from the comments made on the summary declarations submitted, members asked a number of questions and raised queries and in response to the following particular matters, it was agreed:-

- (i) That the Lead Officer to the Committee, in consultation with Dudley Primary Care Trust be asked to arrange for a report to be submitted to a future meeting of the Committee, following analysis of the results obtained from national surveys carried out with GP’s, on surgery waiting times.
- (ii) That, in relation to questions arising from a presentation attended by the Chairman by West Midlands Specialised Commissioning Team on the development of Child Adolescent Mental Health Service tier 4 Strategy involving providing for the needs of young people with very complex needs, typically in hospital settings, the Lead Officer to the Committee be asked to facilitate, with Dudley Primary Care Trust, a response to questions relating to how far Dudley was implementing the strategy and on how a repaid sum of money had been re-allocated, due to an unexpected drop in the demand for services over Summer, 2008.
- (iii) That the Lead Officer to the Committee be requested to ask a representative of Dudley Group of Hospitals Trust to respond to a question raised regarding an allegation that staff in Accident and Emergency were sometimes insensitive to the needs of persons with learning difficulties and disabilities and learning abilities.
- (iv) That the Lead Officer to the Committee be requested to ascertain from West Midlands Ambulance Service Trust the costs of operating the Air Ambulance Service.



- (v) That the Director of Performance and Strategy of Dudley Walsall Mental Health Trust, be requested to forward to the Lead Officer to the Committee, when completed, the Action Plans for the Trust so that he might then circulate them to Members of the Committee.

RESOLVED

- (1) That the information contained in the report, and Appendices to the report, submitted on an overview of the Government's 2008/09 Annual "Health Check" of NHS Trusts and the role this Select Committee could play in the process; the draft commentary on the "Health Check" performance standards for each Trust and on the summaries of the Trusts' self assessment detailing their compliance against the "Standards for Better Health" and other targets, and as reported at the meeting, be noted and that the actions referred to above be endorsed.
- (2) That approval be given to the draft commentary in Appendix 1 to the report submitted for submission to the relevant Trust and ultimately the Quality Care Commission.

THE ANNUAL REPORT OF THE ADULT PROTECTION COMMITTEE, 2008

A report of the Director of Adult, Community and Housing Services was submitted on the Annual Report of the Dudley Safeguarding Vulnerable Adults Board for 2008.

A copy of the Annual Report referred to in the report submitted had been circulated to Members via e-mail and made available in the Members' Room prior to the meeting. A copy of the report was also available on the Council's Committee Management Information System.

The Assistant Director (Learning Disability and Mental Health) in his presentation of the report submitted introduced Ann Harris, the Interim Head of Adult Safeguarding, who was present at the meeting.

RESOLVED

That the information contained in the report submitted, on the Annual Report of the Dudley Safeguarding Vulnerable Adults Board for 2008, be noted.

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## DEPRIVATION OF LIBERTY SAFEGUARDS

A report of the Director of Adult, Community and Housing Services on the Deprivation of Liberty Safeguards that would come into effect from 1<sup>st</sup> April, 2009, as part of the Mental Capacity Act, 2005 as amended by the Mental Health Act, 2007, was submitted. The Assistant Director (Learning Disability and Mental Health) in his presentation of the content of the report submitted referred to the Appendix to the report in respect of the Bournemouth case that had given rise to the legislation.

It was noted that the Deprivation of Liberty Safeguards were to provide protection for people living in a care home or in hospital who were deprived of their liberty for the purpose of providing treatment or care and, arising from the presentation given, comments were made by Members regarding arrangements for the carrying out of assessments and for the authorisation to deprive someone of their liberty.

In response to a particular question regarding the implications for a person who was on long-term medication, it was considered that such people were particularly vulnerable and that this issue needed to be raised with all relevant agencies and incorporated as part of the inspection regime of care homes.

### RESOLVED

- (1) That the information contained in the report submitted, and as reported at the meeting, on the Deprivation of Liberty Safeguards, to come into effect from 1<sup>st</sup> April, 2009, as part of the Mental Capacity Act, 2005 as amended by the Mental Health Act, 2007, be noted.
- (2) That the Director of Adult, Community and Housing Services be requested to submit a further report in approximately six months' time to this Committee, setting out the areas in which persons had been deprived of their liberty and on the decision-making process.

## VALUING PEOPLE NOW

A report of the Director of Adult, Community and Housing Services was submitted on a document entitled "Valuing People Now" published by the Department of Health in January, 2009. An "easy read" version of the document had been circulated to Members via e-mail and had been made available in the Members' Room prior to this meeting. A copy could also be viewed on the Council's Committee Management Information System.

The report submitted also referred to the fact that the “Valuing People Now” document was a new three year strategy for people with learning disabilities and was a cross-government strategy for services for people with a learning disability, setting the agenda across a range of issues including health and well-being, housing, employment, education and community inclusion.

The Assistant Director (Learning Disability and Mental Health) in his presentation of the content of the report submitted, also referred to the results of the Joint Review undertaken, as set out in paragraphs 29 to 40, identifying the principal areas for development.

Arising from the presentation given, the Chairman referred to a Valuing People Day event that she had attended and in connection with paragraph 35 of the report submitted, requested that the Lead Officer to the Committee facilitate for members, the production of a handbook/information sheet, listing those organisations providing services in this area, so that elected Members could put constituents, who contacted them on these matters, in touch with relevant organisations.

#### RESOLVED

That the information contained in the report submitted, and as reported at the meeting, on the document “Valuing People Now” published by the Department of Health in January, 2009, be noted.

The meeting ended at 9.05 p.m.

CHAIRMAN