

Lancashire County Council

Health Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 3 December, 2013 at 10.30 am
in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

Present:

County Councillor Steven Holgate (Chair)

County Councillors

M Brindle	A James
D Clifford	A Kay
Mrs F Craig-Wilson	Y Motala
G Dowding	M Otter
N Hennessy	N Penney
M Iqbal	B Yates

Co-opted members

Councillor Julia Berry, (Chorley Borough Council Representative)
Councillor Paul Gardner, (Lancaster City Council Representative)
Councillor Bridget Hilton, (Ribble Valley Borough Council Representative)
Councillor Liz McInnes, (Rossendale Borough Council Representative)
Councillor Mrs D Stephenson, (West Lancashire Borough Council Representative)
Councillor Betsy Stringer, (Burnley Borough Council Representative)
Councillor M J Titherington, (South Ribble Borough Council Representative)
Councillor David Whalley, (Pendle Borough Council Representative)
Councillor Dave Wilson, (Preston City Council Representative)

County Councillor D Clifford replaced County Councillor B Murray for this meeting.

1. Apologies

Apologies for absence were presented on behalf of Councillors Brenda Ackers (Fylde Borough Council) and Julie Robinson (Wyre Borough Council).

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

3. Minutes of the Meeting Held on 22 October 2013

The Minutes of the Health Scrutiny Committee meeting held on the 22 October 2013 were presented

Resolved: That the Minutes of the Health Scrutiny Committee held on the 22 October 2013 be confirmed and signed by the Chair.

4. Complaints and Customer Feedback Annual Report

The report explained that the production of the Annual Complaints and Customer Feedback Report was a longstanding statutory requirement. It contained statistical information, analysis and learning for the organisation in relation to adult social care complaints, comments and compliments received from 1 April 2012 to 31 March 2013.

Angela Esslinger, Strategic Development Manager, Directorate for Adult Services, Health and Wellbeing, used a PowerPoint presentation to draw out the key points. It identified trends, summarised the headlines and key statistics for the year, and learning from complaints and customer feedback. A copy of the presentation is appended to these minutes.

Members raised a number of comments and questions and the main points are summarised below:

- In response to a request for examples how systems, procedures and social work practices had changed in response to feedback, the Committee's attention was drawn to case studies contained in the report. It was difficult to demonstrate specific changes as a result of feedback, but the Multi Agency Safeguarding Hub (MASH) was one example of something that had been introduced in response to feedback.
- It was suggested that changes in the attitudes of some of those involved in social care was an important factor and a question was asked about how distinctions were drawn between lapses in protocols and procedures, and where there is a training need. In response, it was explained that the designated complaint officers who 'signed off' complaints following investigation were heads of service in social work practice. They commissioned training in complaint investigation and training to improve the way in which social work was undertaken.
- It was acknowledged that comments and complaints provide a useful diagnostic tool, however it was felt that the current questionnaire, which had been circulated round the meeting for information, needed re-wording into everyday language that was clear and easy for people to understand.

It was confirmed that this had already been recognised and the form was currently being reviewed.

- Members were informed that the county council was continually reviewing the way in which information was captured and increasingly trying to capture feedback in 'smarter' ways such as via the internet. The way in which information was measured was also subject to change. This was in the context of budget pressures and reducing resources which had led to the loss of a number of experienced staff.
- It was confirmed that if a completed feedback form indicated that the respondent wanted their 'comments to be treated as a complaint' then it would be recorded and treated as such.
- Sometimes the completed forms included comments about other services, for example about the Health Service and these would be followed up.
- In terms of being proactive at picking up issues, it was explained that the Personal Social Care Team were best placed. It was explained that complaints could often involve a number of agencies, which could sometimes present a challenge. There were joint protocols and whichever agency had the main role in the complaint would normally take it forward.
- It was noted from the report that a project had been commissioned because the number of joint complaints had quadrupled from 5 in 2011/12 to 21 complaints in 2012/13 and many of these complaints had been about hospital discharge processes. The Chair asked that this Committee be sent a copy of the report when available.

Resolved

That the Health Scrutiny Committee,

- (i) Receive the Adult Social Care Complaints and Customer Feedback Annual Report 2012/13 and acknowledge the associated learning from customer feedback for the past year; and
- (ii) Agree that the Adult Social Care Complaints and Customer Feedback Annual Report for 2012/13 can be shared as a public document.

5. Report of the Care Complaints Task Group

The report explained that at the Health Scrutiny Committee Steering Group meeting on 10 January 2012 members had met with Pendle Councillors David Whalley and Graham Roach together with their Scrutiny Officer Kath Haydock to receive a presentation of a report on a scrutiny review they had recently undertaken entitled "Scrutiny Review of the Welfare of Elderly People in Care Homes".

One of the conclusions of the report produced by the Pendle scrutiny review identified that:

'Further clarification is needed in respect of the complaints procedure so that improvements aimed at ensuring the swift resolution of complaints and concerns can be considered'

A discussion between members highlighted that there were a number of issues that merited further investigation and these were set out in the report.

As a direct result of these discussions the Steering Group of the Health Scrutiny Committee requested that a County Council task group be established, with the co-operation of two District Council members (one of these from Pendle Borough Council), to look into these issues in more detail and on a county-wide footprint. A request to establish a task group was submitted to the Scrutiny Committee, and this was approved at the meeting held on 14 September 2012.

The report of the task group's investigation, 'Care Complaints' including conclusions and recommendations was attached as Appendix A to the report now presented by its Chair, County Councillor Chris Henig.

In presenting the report County Councillor Henig thanked Wendy Broadley, Principal Scrutiny Officer for her support during the process.

She explained how the task group had reached its recommendations and why certain areas of concern that had emerged during the investigation fell outside the scope of the task group. The Chair of the Health Scrutiny Committee assured members that these matters would be included in the work plan for the Steering Group of this Committee. He also suggested that a copy of the report be sent to the relevant Parliamentary Select Committee.

In considering the report members made a number of comments which are briefly summarised below.

- There was often a fear of some sort of backlash if a resident or their family made a complaint and it was important therefore that they were made aware of advocacy services. Members' attention was drawn to page 15 of the report which talked about advocacy services and referred to an 'Independent Visitor Advocate' pilot study by the organisation delivering advocacy services within Lancashire and Blackburn with Darwen to the Department of Health. It was hoped that fear of complaining would be further addressed by this sort of initiative.
- It was suggested that it was often the owner or manager of a care home that was responsible for the culture within the organisation leading to poor levels of care; the importance of good management was emphasised. It would be important to know where to complain to if the manager was the problem.
- It was considered important that there be an official register for both qualified and unqualified care staff. This could help address the risk of poor staff moving from care home to care home without their new employer having any knowledge of past poor performance. It was

suggested that the Cabinet Member and/or perhaps the Government be asked to consider compulsory registration.

- There was a feeling that care staff should be paid more; the low level of pay gave the 'wrong' message about how important good care is.
- It was suggested that information relating to compliments and complaints, local councillor contact details, HealthWatch and other relevant agencies be displayed on care home notice boards.
- There should also be an adequate whistleblowing policy.
- The member from Pendle Borough Council thanked the task group and the Scrutiny Officer for the report and emphasised the importance of now ensuring that the recommendations were acted upon, especially the single point of access for people who wish to complain.

Resolved: The Health Scrutiny Committee agreed:

- i. To support the recommendations of the Task Group, as set out in Appendix A to the report now presented;
- ii. That an interim response to the Task Group's recommendations be received from the Cabinet Member for Adult and Community Services by the Steering Group by the end of January 2014..
- iii. That a full response from the Cabinet Member be received by this Committee by April 2014.

6. Report of the Health Scrutiny Committee Steering Group

On 27 September the Steering Group had met with West Lancashire Clinical Commissioning Group and Lancashire Care Foundation Trust. A summary of the meeting was set out at Appendix A to the report now presented.

On 18 October the Steering Group had met with Fylde & Wyre Clinical Commissioning Group. A summary of the meeting was set out at Appendix B to the report now presented.

It was explained that the role of the Steering Group was to manage the workload of the Committee. It comprised four members and met more frequently than the main Committee, every three weeks, and determined the work plan for the Committee. The current work plan for the Committee would be circulated to members for information. Members were encouraged to feed in their suggestions for topics to be considered in the future. New ways of working were constantly being considered because it was important that there was a strong relationship between the Steering Group and the main Committee.

It was agreed that members be informed about items scheduled for each Steering Group meeting to enable them to attend should they choose to.

Regarding suggested topics for the Steering Group:

- There was concern that GPs were refusing to carry out Atos assessments which people needed for the Department for Work and Pensions when claiming benefit and it was felt that this required further investigation.
- It was considered important that, in the context of an ageing population, as community based services were increasing it was important that links between social care and adaptations be investigated. There was concern that people were struggling to cope because their accommodation had not been adequately adapted.

Regarding the report of the meeting on 27 September with Lancashire Care Foundation Trust (LCFT), members were assured that the Steering Group continued to carefully monitor mental health care provision and that transport to care facilities was a particular issue of concern that had been raised many times with LCFT.

Members raised particular concerns about Altham Meadows suggesting that information sessions had not been adequately publicised by LCFT. One member believed that there were many inaccuracies in the information provided and he strongly disagreed with the Trust's decision to close beds at Altham Meadows. He felt that it was incorrect to suggest fewer beds were required and in his view people in need of care and their families wanted to retain a local service; the proposed Harbour site was not on a bus route and there were no overnight facilities for families - this would lead to feelings of isolation. He also suggested that as the facility was a PFI the Trust would be committed to pay for a further ten years.

It was reported that the Trust had offered to host a workshop which would give members an opportunity to discuss related issues outside a committee setting.

Resolved:

- i. That the report of the Steering Group be received; and
- ii. That comments made by members be noted.

7. Recent and Forthcoming Decisions

The Committee's attention was drawn to forthcoming decisions and decisions recently made by the Cabinet and individual Cabinet Members in areas relevant to the remit of the committee, in order that this could inform possible future areas of work.

Recent and forthcoming decisions taken by Cabinet Members or the Cabinet can be accessed here:

<http://council.lancashire.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

Resolved: That the report be received.

8. Urgent Business

No urgent business was reported.

9. Date of Next Meeting

It was noted that the next meeting of the Committee would be held on Tuesday 14 January 2014 at 10.30am at County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston