

**FALKIRK COUNCIL**

**MINUTE of MEETING of the SCRUTINY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on THURSDAY 4 FEBRUARY 2016 at 9.30 AM.**

**COUNCILLORS:**

Stephen Bird  
Allyson Black  
Baillie Billy Buchanan  
Steven Carleschi  
Colin Chalmers  
Cecil Meiklejohn (convener)  
Baillie Joan Paterson  
Provost Pat Reid

**OFFICERS:**

Danny Cairney, Acting Depute Chief Finance Officer  
Fiona Campbell, Head of Policy, Technology and Improvement  
Jack Frawley, Committee Services Officer  
Kenny Gillespie, Property and Asset Manager  
Nikki Harvey, Service Manager, Adult Services  
Kathy McCarroll, Head of Social Work  
Joe McElholm, Head of Social Work Adult Services  
Robert McMaster, Head of Roads and Design  
Colin Moodie, Depute Chief Governance Officer  
Robert Naylor, Director of Children's Services

**S34. APOLOGIES**

No apologies were received.

**S35. DECLARATIONS OF INTEREST**

Councillor Chalmers declared a non-financial interest in item S37 as a relation of a service user and advised that he considered that this required him to recuse himself from consideration of the item.

**S36. MINUTE**

**Decision**

**The minute of the meeting of the Scrutiny Committee held on 3 December 2015 was approved.**

In accordance with his declaration, Councillors Chalmers left the meeting at this point. Baillie Paterson entered the meeting during consideration of the following item.

### **S37. ROWANS SHORT BREAK SERVICE**

The committee considered a report by the Head of Social Work Adult Services providing an update to the report considered by the committee on 15 October 2015 (ref SC23). The report provided information on the consultation and engagement work which had been undertaken with families who would be affected by the service closure; occupancy levels; the views of service users and families and lessons learned from the budget decision process. Colin Moodie provided an overview of the report.

Members made comments in relation to the need for better engagement with service users and families where service re-design was considered. There was also discussion of the service available at the Meadows and whether or not this provided a suitable alternative for service users of the Rowans. The committee then heard a statement from the portfolio holder, Councillor L Gow, advising that as no suitable alternative provision had been identified locally the Administration were not minded to close the Rowans. Members welcomed the statement from the portfolio holder.

The committee asked how respite provision like that offered at the Rowans was provided in other authorities. Joe McElholm advised that some authorities still offered services similar to the Rowans but that there had been a diversification of how respite was provided due to the impact of self directed support and individual budgets. In the longer term it was felt that people would want to have a choice in the type of respite provision they accessed. The Service would continually review in this area and look at ways to modernise services.

Members asked for further information regarding the provision of placements at the Meadows. Nikki Harvey stated that the Service had been advised by PSS that the Meadows would close on 9 March 2016 and that all Scottish provision was being withdrawn.

In response to a question on the impact of this decision on service users at the Meadows, Nikki Harvey advised that families had only just been notified of the decision and that the service would support those affected as much as possible. She stated that the Rowans did provide services to some people with critical needs but that most current service users from the Meadows would need to access provision outwith the Council area. She advised that the Service would look at the occupancy at the Rowans to identify if there were opportunities to utilise space there for people affected by the closure of the Meadows. However, she also stated that the Rowans could not meet the needs of all those currently utilising the Meadows as there were no tilt and turn baths or profiling beds.

Members requested that the Service work with those families who had used their allocation at the Rowans for the year already in anticipation of a March closure.

The committee discussed that although the decision to close the Rowans had been part of the provisional budget for 2016/17 some of the preparatory actions had needed to be taken in 2015/16 and asked how a better approach would be taken to future decisions. Joe McElholm stated that the starting point for the Service was achieving good outcomes for service users and families. He advised that discussion and engagement would be

widely held but stated that decisions could not just be about what people wanted and that the Service also needed to develop and modernise, particularly in relation to self directed support. He highlighted the importance of having outcomes focussed conversations and that there would be more formalised structures for engagement.

### **Decision**

**The committee agreed to refer the report to the Executive and recommend that:-**

- (i) where service redesign is undertaken in the future it is carried out using a model of co-production with service users, and**
- (ii) there is greater clarity provided around decisions made in the budget process.**

Councillor Chalmers rejoined the meeting at this point.

### **S38. SOCIAL WORK ADULT SERVICES OVERSPEND 2014/15**

The committee considered a report by the Head of Social Work Adult Services providing information on the current budget position with Social Work Adult Services and actions taken to address the overspend. Joe McElholm provided an overview of the report.

Members discussed the sustainability of provision of services at Summerford and Oakbank, the Closer to Home project and the levels of home care provision provided by the Council and independent sector. Colin Moodie stated that there were challenges to both in-house and external provision of home care. He advised that the unit cost for an hour of home care provided in-house was more expensive than that in the independent sector. The Council was implementing a system of real time monitoring of home care staff to ensure that the service was run as efficiently as possible and to allow better comparison of unit price costs for an hour of care. Longer term commissioning with independent sector partners was being looked at. He stated that there was currently a mixed economy in place of in-house and independent provision. Joe McElholm advised that conditions for in-house care staff were generally better than those in the independent sector but that both recruited from the same pool of people. He stated that in the future the service could be designed to offer high quality dementia and end of life care in-house while utilising the independent sector to provide care to maintain people.

The committee sought information on the impact of the implementation of the living wage for carers. Joe McElholm advised that there was a complicated set of arrangements involved in the implementation. The Scottish Government was providing £250m to Integration Joint Boards (IJBs) for health and social care which would be distributed in proportion to each authority. It was anticipated that 50% of the allocation received by Falkirk would be used to implement the living wage payment for social care workers. Colin Moodie stated that work was required to scope across the range of independent providers, including care homes, to identify the cost of the measure. The convener stated that the living wage would not be implemented until October 2016.

Members commented that the issues relating to social care were replicated across the country and sought information on what other authorities were doing. Joe McElholm

stated that the Service liaised with other authorities regularly and was keen to learn from practice elsewhere. He stated that the key messages from other authorities were the same as in Falkirk, that a focus on prevention was important along with a shift to self care/self management and the utilisation of reablement and intermediate care beds.

The committee discussed the impact of the introduction of the living wage on small companies who had been procured to provide social care and the Council's retention of modern apprentices in social care. In response to comments on the work of the IJB, the Chairperson of the IJB, Councillor A Black advised that the strategic plan had not yet been finalised. The approach to social care which was supported by the IJB was that of home first and information on projects to support this would be shared more widely with elected members along with information about locality planning and the Advice Line For You (ALFY). She advised that there was a delayed discharge group with senior staff from NHS Forth Valley and the Council which met weekly and that there was a long term cultural change required to implement the home first ethos. She noted that the Council was responsible for funding residential care. The committee requested that a briefing note to all elected members was used to disseminate information on the IJB including an indication of the financial benefits of new projects. Colin Moodie confirmed that this could be done and stated that the Closer To Home project was in a very early stage but that a report would be submitted to the IJB in June to review project spending and associated impact.

Members discussed further the implementation of the living wage in social care and asked if the funding from the Scottish Government would be sufficient to meet the costs. Colin Moodie advised that calculating the impact in terms of Council employed carers would be relatively straight forward as their current rate of pay and the numbers affected were known. However, there would be a challenge in making the calculation in relation to the multiplicity of private providers and it was not known at this stage if the additional funding from the Scottish Government would be sufficient to cover the costs. It was also assumed that private providers would contribute 25% toward meeting the costs for their carers.

The committee asked that if there was a shortfall in funding for the implementation of the living wage if the Council would be required to make up the difference. Colin Moodie advised that the situation was not known at this time as no guidance had been issued on the matter.

In relation to the actions being taken to manage the budget pressures, members asked what amount was likely to be saved. Joe McElholm stated that it was difficult to give an exact figure as there were many variables involved. He highlighted the importance of reviewing complex care packages.

The committee asked what options would be available to the IJB if the overspend was replicated next year when it took over responsibility for the budget. Colin Moodie stated that the IJB should try to control overspends in certain areas by underspending elsewhere and take actions to address areas of overspend. If the overspend could not be addressed in this fashion then the IJB could ask the constituent parties, NHS Forth Valley and Falkirk Council, for extra funding. He advised that the actions presented in the report should move spending in the right direction and that historically the Service had been able to stay within budget.

Members commented that Falkirk had particularly challenging demographics and that in the near future the local community would be one of the oldest in Scotland. Colin Moodie stated that the Service would undertake a review of eligibility criteria to deliver services to those most in need and that packages would be kept under review to ensure they were still appropriate.

The committee requested an update report later in the year, Colin Moodie confirmed that this would be submitted containing information on the medium term issues.

## **Decision**

**The committee noted the report.**

### **S39. SOCIAL WORK CHILDREN & FAMILIES BUDGET UPDATE**

The committee considered a report by the Director of Children's Services providing information on budget expenditure from 1 April 2015 to 31 December 2015, the main pressure areas, contextual information and actions being taken to manage the budget. Robert Naylor provided an overview of the report.

Members asked for further information on the removal of the departmental admin and capital charge budgets. Robert Naylor stated that the departmental admin budget had been removed due to the implementation of the SSTAR project and that the capital charge budget would be integrated in a Children's Services budget by Finance by 1 April 2016, where this had previously been separate for Education and Social Work. He stated that there were no specific cost savings as a result. Danny Cairney confirmed that both alterations were the result of internal accounting adjustments.

The committee asked if there would be a sustained overspend in relation to external foster care placements. Kathy McCarroll stated that this would be the case and that year on year there had been an overspend in that area. Members asked if the budget figure was therefore unrealistic and could not be met. Danny Cairney stated that the costs which would be incurred were fixed and that realignment could be looked at but as Council resources are finite budgets would need to be moved from elsewhere. He stated that the pressure would still need to be managed by the Service and that budgets should be fit for purpose. He commented that the Service was broadly on budget as Education spending was under budget while Children and Families Social Work was over which nearly balanced out. The committee stated that the budget, if not fit for purpose, should not appear in the same form next year. Danny Cairney stated that as the cost was fixed the budget could be realigned and that in the previous year's budget there had been a £2m provision for spending pressures. The committee asked if this matter could be referred to the Executive. Colin Moodie confirmed that this could be done.

Members asked why there were differences in cost across residential school placements. Robert Naylor stated that the most expensive placements were for secure residential placements which could involve two to three staff members being with a young person at all times. He advised that there was variation in what level of service was provided, where the provision was and the availability of placements. In cases where the Service's preferred provider was full then they must try other providers until one is able to offer a

placement for the young person. Kathy McCarroll stated that there are four secure residential placement providers in Scotland and that £3,050 was the approximate average cost per week per placement. Robert Naylor stated that at the point of placement the issue was outwith the Service's control but that work was being done to prevent young people being put into residential placements and to decrease the number of young people appearing before Children's Panels. He commented that placements were usually not long term and that there were subsequent hearings and case conferences to identify if alternative provision would best meet a young person's needs.

The committee asked how the current level of Council foster carers compared to that previously. Kathy McCarroll stated that the number had been increased but not by as much as the Service would like. She stated that a number of Council foster carers had many years service and as new carers were recruited others were lost through retirement. The Council did not enforce a retirement age for its foster carers. It was stated that in the next 12 months it was likely that one or two foster carers would stop being carers. With this in mind the Service would run a recruitment campaign in March.

The committee discussed the importance of reducing addiction as it affected so many budgets. Members commented that the national budget to Drug and Alcohol Partnerships had been reduced. Fiona Campbell stated that the Community Planning Partnership had set out four priority areas and that one was substance misuse. There would be a workshop on each priority area to identify what the issues were locally and how these could be addressed. The substance abuse workshop was to be held later in the month and would have input from the Scottish Government.

Members requested an update report later in the year.

### **Decision**

**The committee agreed to draw the information in paragraph 2.7 of the report to the attention of the Executive and to recommend that action is taken to set a realistic budget for external fostering.**

Provost Reid left the meeting during consideration of the previous item.

## **S40. COUNCIL HOUSING INVESTMENT PROGRAMME – CONTRACT MANAGEMENT**

The committee considered a report by the Director of Corporate and Housing Services and the Director of Development Services providing information on the programme of housing contracts including details on the number of projects delivered within the anticipated budget and programme timescales. Appended to the report was the Housing Investment Programme 2014-15 Project Report. Robert McMaster and Kenny Gillespie provided an overview of the report.

The committee discussed the high level of tenant satisfaction and commented on the Service's improved communications. A question was asked if there were any issues with utilities companies. Robert McMaster stated that utility companies tried to work with the Council and fit into its timescales but that utility companies provided services to every local authority. He stated that prices were fixed but that start dates were given as

estimates. The Council held negotiations with their senior officers and there was a local liaison officer for Scottish Power but this was not the case with Scottish Gas or Scottish Water.

Members asked for clarification on the legal position where scaffolding was required to do works to a block of properties where there was a mix of owner/occupier and Council tenants. Kenny Gillespie stated that the Council would check the title deeds and that they usually entitled access for a communal repair. He noted that different powers applied in cases of emergency. The Service consulted with residents and gave notice six months in advance of works.

The committee asked about situations in which contractors did not leave properties in the condition they had been before work was undertaken. Robert McMaster stated that if the issues were in relation to work carried out by utility companies then the Council could not instruct them in the same way as other contractors to return and do further work but the Service did chase companies on this matter. The Council could hold back 2.5% of the fee for a year to ensure contracts were completed properly but utility companies were paid in full upfront.

Members asked if the Service was aware of occasions where owner/occupiers had found cheaper quotes for work. Robert McMaster stated that in cases where they were told of this it had been found that the quotes were not like for like. For instance the door entry systems installed by the Council were of a higher specification than those offered by the private sector in quotes the Service had seen. If a like for like quote was identified which was cheaper then the Council would use that, as long as the contractor met essential criteria such as Construction (Design and Management) and Health and Safety regulations. The committee asked that this information was widely distributed and suggested including it in the Falkirk News.

The committee asked how new housing costs in Falkirk compared to those in other local authorities. Robert McMaster stated that Falkirk compared well to other authorities and the private sector. He advised that he would provide further information including benchmarking to the committee after the meeting.

## **Decision**

**The committee noted the report.**