

**MINUTES OF A MEETING OF THE COMMUNITY & OLDER PEOPLE
POLICY AND SCRUTINY COMMITTEE HELD AT COUNTY HALL,
CHELMSFORD ON 13 OCTOBER 2011**

Membership

* W J C Dick (Chairman)	M Page
* L Barton	* R A Pearson
* P Channer	* Mrs J Reeves (Vice-Chairman)
J Dornan	* C Riley
* M Garnett	* Mrs E Webster
* C Griffiths	* Mrs M J Webster
E Hart	* Mrs J H Whitehouse (Vice-Chairman)
* S Hillier	* B Wood
* Present	

The following also were in attendance: Councillor A Brown (Deputy Cabinet Member), and P Coleing, Co-Chair and Ms M Montgomery, Deputy Co-chair of Essex Older People's Planning Group.

73. Attendance, Apologies and Substitute Notices

The Committee Officer reported apologies had been received from Councillor E Hart and Councillor A Naylor (Cabinet Member).

74. Declarations of Interest

No interests were declared.

75. Minutes of last meeting

The Minutes of the Committee held on 8 September 2011 were approved as a correct record and signed by the Chairman.

76. Libraries – Target Operating Model

The Committee received a report (CWOP/40/11) from Susan Carragher, Director of Libraries and Culture, on the progress on the Libraries Target Operating Model.

The TOM aimed to increase the trading activity of the service with external partners in order to make additional income.

The Essex Library Service (ELS) had established working plans and protocols for developing its trading whilst bidding for and securing one contract (Slough Borough Council – Libraries full outsourcing) which was now being fully implemented. The projections for additional income from this contract were currently in line with expectations.

(a) The Slough contract

Delivery of the contract to provide library services to Slough Borough Council (SBC) was provided by Library Services (Slough) Limited, a separate local authority trading company. Staff employed to work on this contract under the TUPE regulations were employed by this company and all costs associated with delivering the SBC public library service were also met by the company. No ECC staff had transferred under TUPE. Staff pensions for those staff transferred from SBC had been fully funded at the time of transfer. Through substantial economies of scale, ECC were able to pass on significant benefits both within Essex and potentially for other trading activities. There were regular monitoring meetings with SBC and feedback to date had been positive.

(b) Soft market testing

Members questioned the feasibility of the target operating model to further expand external trading activity. In recent months a new market had emerged with up to six local authorities now undertaking varying degrees of soft market testing of outsourcing options for their library services in the future. It was stressed that ELS needed to maintain a high market profile to ensure that it was regarded as a provider of choice. As it was likely that contracts would be awarded for an extended period there might not be a further opportunity to bid for contracts for some time. To date, all indications of interest received from local authorities, had arisen from direct approaches to ELS (rather than ELS first having to pitch for business) as it already had a reputation as a market leader.

Whilst the Slough contract had been for a full outsourced library service, ELS also were developing other models in response to market enquiries. It was anticipated that, in future, once ELS had finalised three or four alternative service model variations, the amount of future tender work would be significantly reduced as these models would be used in tender submissions as standardised 'off the shelf' service models.

ELS were looking to have a flexible approach to future capacity and scalability encouraging some staff to 'act up' to a higher grade job as part of their career development. This was viewed as an affordable way of 'scaling up' capacity and allowed ELS to turn up or down capacity as the market varied over time. It was also stressed that procurement processes could be lengthy and that there would be a considerable lead-in timeline to enable ELS to prepare for the management of multiple contracts.

(c) Safeguarding ECC from contract costs

Members were concerned that ECC should be protected from the costs and liabilities of the ELS trading activities. Members suggested that there was always a cost in submitting a tender and queried how that cost was built into the tender price submitted and how the cost was recovered for unsuccessful tenders. To date, ELS had submitted one tender (for the Slough contract that was subsequently awarded to them) and had estimated the costs associated

with the submission of the tender and built it into the contract price. ELS were now evaluating how accurate that estimate had been and would amend as necessary for future tender submissions. Work provided by ECC's finance directorate in connection with the tender submission was billable to the ELS trading company. ELS had an operating budget for its trading activities which was deemed sufficient to fund some speculative bids. Each awarded contract would be held and administered by a separate trading entity.

It was stressed that ELS had entered into a strategic partnership with SBC which was underpinned by the outsourcing contract. Under the SBC contract, responsibility for buildings and their general maintenance remained with SBC. SBC would be developing a new cultural centre, in consultation with ELS, as the current centre had not been particularly well maintained and this was reflected in its relatively low current usage rate.

Four key performance indicators were included in the SBC contract: the number of customer visits and number of virtual visits, number of loans and number of cultural events. ELS expected virtual usage rates to rise significantly as it was felt that current usage rates in the Slough area were low.

It was confirmed to Members that exit strategies was one of the issues being discussed during the soft market testing to ensure that ELS had the ability to exit contracts at suitable points in time. Suitable negotiated exit clauses would be included in future contracts.

(d) Delivery of library service in Essex

Members questioned whether the external trading activities could impact adversely on the delivery and service of library services in Essex. However, it was emphasised that the primary function for the ELS was to provide an efficient and effective library service in Essex. In addition, there had been some exchange of ideas and best practice as part of the Slough contract placement and the soft market testing with other local authorities which should lead to a better library service in Essex. Some aspects of the library service in Essex had not been comprehensively costed before and this had now been done as part of developing various trading models and it was thought that this analysis should lead to better and more efficient library services and decisions.

In its discussions with other local authorities, potential contract values had ranged between £2 million and £22 million a year. As the trading activity was to generate profit to fill funding gaps in the budget for library services in Essex it was possible that this could be fulfilled by either the future award of just one or two high value contracts or multiple smaller contracts.

(e) Strategic Partners and joint ventures

ELS were in discussions with a significant private sector company to ascertain the viability of offering local authorities a wider bundle of services that they could outsource. At the moment ECC were likely to only tender for library services but working with strategic partners in future might offer the

opportunity to offer other services and enable them to bid for wider and more diverse contracts. Other possible future partnerships could include specialist software and system providers so as to be able to offer and deliver enhanced and different workplace solutions. ECC's IT department also were facing up to the challenge that changes in ELS activities would raise.

Members were concerned whether ELS were prepared to be a junior partner and work with a prime contractor. Such arrangements would highlight the need for robust management and mitigation of risks and raise the level of assurance required. It was acknowledged that any such future working arrangements would involve a significant learning curve for officers and that specialist support would be sought as required.

(f) Community partners

It was highlighted that ELS also worked with over 600 other partners (fire, police, Citizens Advice Bureaus, district and borough councils) in providing a wide selection of community information from public libraries in Essex. The information was delivered via different models so as to maximise flexibility. For instance, one model involved ECC library staff being trained to also be able to give out advice on behalf of a lower tier council (such as in Braintree, Halstead and Witham) whereas another model involved a lower tier council having representatives in the library to give out advice (such as in Uttlesford). ELS was also keen to identify other opportunities for further organisations to utilise ECC's library buildings to enhance the provision of community information.

Members questioned the future basis on which voluntary groups, who were currently charged a lower concessionary hiring rate, would continue to use library space in future. The Cabinet Member for Environment and Culture was working with Cabinet colleagues responsible for Communities and Planning and for Procurement, Property and Major Projects, to develop guidelines and consistency for concessions in libraries in future. It was recognised that it was important not to be overly prescriptive on the granting of concessionary rates for the use of library facilities and it was stressed that, in future, they would be judged on a case by case basis, aligning the applications with ECCs corporate aims and objectives.

(g) E-books

Members questioned the effect of e-books on the library business. There were universal e-book reading products on the market and Essex were at the forefront in offering e-reading facilities in its libraries and this had created a new audience and demand. The current issue of the Kindle e-book reader was not usable in public libraries although it was anticipated that its next release would permit such access.

Members emphasised the importance of the library network remaining open and that the services they could deliver should go beyond just loaning hard copy books.

(h) Conclusion

Members acknowledged that it was a challenging time for both officers and Members as both were now expected to learn and exercise a new range of skills. in connection with expanding trading activities.

The Chairman thanked Cabinet Member J Lucas and S Carragher for attending and requested that they attend again in six months time to further update the Committee on trading activities and opportunities.

77. Adult Community Learning Target Operating Model

The Committee received a report (CWOP/41/11) updating Members on the Target Operating Model for Adult Community Learning. Danny Canning, Business Manager, ACL was in attendance to introduce the item and respond to questioning.

Background

ACL was undergoing a full strategic review to determine its future Target Operating Model. Phase 1 had just been completed. It had been process driven and had involved an analysis of the current core areas of the service taking into account current skills strategy, resources currently used, the ACL property portfolio, and financial management and had looked back over three years to identify trends. Phase 2 would soon commence and would focus on the evidence and outcomes from the core analysis and include discussions on options for change, including changes in service delivery. ACL was aiming to consult the Committee early in the New Year and invite input into this Phase 2 process. Members emphasised their desire to input early enough in the process so as to be able to scrutinise all the options under consideration and influence decision-making.

Thereafter, Phase 3 would commence which would develop detailed implementation plans to embed the new Target Operating Model, incorporating and aligning with relevant work streams for Customer Service and Business Support areas arising from the New Ways of Working project, and the Corporate Property Strategy. As most ACL course planning was undertaken on the basis of the academic year there would be sufficient time to discuss options and implement any changes before the start of the next academic year in September 2012.

Members highlighted local apprenticeship schemes being run for 13-16 year olds that supplemented learning being provided by schools. The Cabinet Member acknowledged this and highlighted a particular scheme at an Adult Community Learning centre in Braintree which had established links with external businesses.

Members would be provided with a breakdown of non accredited courses within the overall ACL course provision.

The Cabinet Member confirmed that ECC would respond to the Government consultation document on informal adult learning.

The Chairman thanked the Cabinet Member and Mr Canning for attending and it was agreed that they should return and update the Committee in January 2012.

78. Occupational Therapy Review – Implementation review October 2011

The Committee received a report (CWOP/42/11) updating Members on implementation of three accepted recommendations from the Occupational Therapy Service Review published in April 2011 (as reproduced in subsections (a), (b) and (c) below). John Mackinnon, Commissioning & Delivery Director - West, and Rachel Richardson-Wright, Consultant Practitioner, Internal Standards and Governance, were in attendance to introduce the item and respond to questioning.

- (a) Recommendation: The Committee recommends that family assessments are undertaken on the whole, rather than divided between Adult and Children's Services. Joined-up working would reduce bureaucracy and delays in cases where a family assessment is required.

A number of areas for improvement had been identified in relation to the process for making Occupational Therapy (OT) referrals between Adult Social Care (ASC) and Schools, Children and Families (SCF). Currently, access to all the differing systems across both directorates was not possible due to a management directive within SCF, hardware capabilities, staff training and the use of multiple systems. There was also a degree of inconsistency between the directorates due to the use of localised processes.

Since September 2011, SCF had commissioned the children's OT service as part of the Children with Disabilities Offer. Consequently the children's OT element had been removed from the ASC directorate and re-positioned within the CWD team within SCF, with an intention that this would become part of a jointly commissioned function for Health in the future. The service area believed that this provided an opportunity to develop a high standard specialist children's OT service, recording a child's entire case information onto one system within SCF, and that the process would be streamlined as information would not need to be transferred between different directorates and systems.

Members re-iterated their earlier recommendation that assessments should be family based and processed and recorded on one system. This complemented the Committee's view that there also needed to be one team for Safeguarding stretching across both ASC and SCF. It was stressed that the OT service area was working towards being able to process and record family based OT assessments as part of a comprehensive IT review currently being undertaken. However, it was felt that, at this time, some aspects of the review were commercially sensitive as a contract was soon to be awarded to an

external contractor to build a customised system. It was expected that final delivery of the system would take 12-18 months.

Members viewed that only partial implementation had been achieved to date as joint commissioning processes and safeguarding processes still remained unachievable at present.

- (b) Recommendation: The Committee recommends that there should be liberalisation of the OT service to give people the opportunity to buy-in to the service. This would enable those who may not meet currently meet eligibility criteria to privately seek the service of an OT to consider what adaptations they may need in the near future. This may be utilised through the use of pre-payment cards.

The service area stressed that it had always been possible for people to privately commission OT services and referred to the website for the College of Occupational Therapists which had a specialist section for occupational therapists working in independent (private) practice. This information could be given out at ECC's customer access points. This part of the recommendation was considered to be completed.

The service area was in the process of seeking tenders for the project to develop pre-payment cards and within the specification was a capacity to be able to load the cards either on a monthly basis or as a one off. It was confirmed to Members that it was anticipated that all contractors and/or service providers would be able to process payments from the cards or withdraw cash direct from them. Carers would be able to use the cards as well. This part of the recommendation was considered to be ongoing.

It was noted that service users could use part or all of their personal budget to fund assessments/adaptations if there were no other routes for funding (e.g. not eligible for Disabled Facilities Grant) and the adaptation would remove the risks and barriers to meeting the persons eligible unmet need.

- (c) Recommendation: The Committee would like to revisit whether complaints and delays have been reduced. A rigorous analysis should be undertaken to report back to the Committee, on an area-by-area basis, on the numbers of complaints and delays on OT over a five-year period. The Committee would also wish to receive a report on the percentage of delays which are caused as a result of the Disabled Facilities Grant system.

Data on complaints and delays would be provided to the Committee to link into the separate review into the part of the Disabled Facilities Grant (DFG) process that was administered by district and borough councils. A fast track process had been implemented using a link person in each community team at borough and district councils to assist the housing officers processing the DFG who might have queries in relation to the original OT recommendations. The link person also would support good practice and support the service user through the application process. It was confirmed that the service area was

looking to commission self employed occupational therapists on a contract by contract basis to improve work flow.

Members questioned why OT assessments in hospital were only available for those in wards and not for those visiting Outpatients. Members also commented on the general level of Outreach services provided by hospitals and that their communication and coordination with social services at the time of patient discharge could be improved.

It was noted that eligibility criteria for the DFG was different to that for other social care services and that a client could still receive support for DFG despite not being eligible for other social care services.

It was considered that this recommendation had been partially implemented and was subject to a further separate scrutiny into DFG.

The witnesses were thanked for their update.

79. Performance Arrangements

The Committee received a report (CWOP/43/11) on the new arrangements for providing a directorate performance information and support to assist the scrutiny process. The Executive Scrutiny Committee had asked that each Policy and Scrutiny Committee had an overview and responsibility for their respective service areas' performance.

New Directorate Management Information Scorecards would be made available to Scrutiny Committee Chairs. These scorecards were structured around four key operational elements reflecting impact, outcomes, and views of the customer, as well as key processes and results. The new arrangements would enable the Committees to determine for themselves the specific areas they would like to scrutinise further. The Committee **Agreed** that, in future, support would be required from the service area as and when scrutiny issues were identified from this new information process and that it would expect the Deputy Executive Director, Adults, Health and Community Wellbeing, or nominee, to respond to requests for further information.

80. Forward Look

The Committee received a report (CWOP/44/11) from the Governance Officer outlining the Forward Look for the Committee and the items currently scheduled for meetings through to March 2012. It was **Agreed** that (i) the items on the Information Portal and Carers Strategy be deferred from the November meeting and moved to December; and (ii) an Absence Management report be added to the schedule of items for the December meeting. It was noted that the proposed review of Essex Assist would also need to be added to an appropriate future meeting schedule once the project had been approved by Cabinet.

81. Any other business

The Chairman advised that he was in the process of re-allocating the schedule of Member inspection visits to residential homes and would advise Members in due course.

82. Date of next meeting.

It was noted that the next meeting would be held on Wednesday 9 November 2011.

The meeting closed at 12.15 pm

**Chairman
9 November
2011**