

## Health, Social Care and Housing Committee

10:00 am Tuesday 27 January 2015

### Present

Councillors Ricky Henderson (Convener), Day (Vice-Convener), Aitken, Booth (substituting for Councillor Chapman), Burgess, Doran, Griffiths, Heslop, Howat, Lunn, Shields, Walker (Substituting for Councillor Gardner) and Work.

### 1. Health and Social Care Grants to Third Sector Organisations 2015/16

---

#### (a) Deputation

The Committee agreed to hear a deputation from Liliias Morrison and Dr Ros Wight from the Link in Craigmillar regarding the recommendations for grants to third parties.

The deputation provided Link in Craigmillar's response to the report on the award of grants to third sector organisations for the 2015/16 year. They requested that the Committee took the following points into consideration:

Their current financial reserve was £108,000, this was significantly less than a number of other organisations receiving council grants and asked why had Link been singled out for their grant to be cut.

Link's most recent accounts referred to a fund balance of £239,734 but this figure included a current Lothian pension scheme asset of £131,360 and creditors of £19,428 giving a balance of £108,883. It was perhaps the first figure which was causing confusion however Link's reserves were not sufficient to meet their current liabilities.

Link In Craigmillar was a member of Lothian Pension Fund although its scheme was now closed to new members. Like many small charities Link struggled to meet ever higher employer's contribution rates but could not afford to buy their way out of the scheme. Link had a considerable pension liability which would be triggered if the two remaining members were to leave the scheme or if the organisation were to cease to be financially viable. The last report put the liability at £197,000 but now been could be considerably more because of the recent poor performance of gilts, the basis on which the liability was calculated.

If the committee approved the grant recommendation it was telling organisations in a similar position to Link that there was little point in setting aside reserves to meet their pension deficits. Should Link be unable to meet its pension liability then the Pension

fund would look to the funding body, the City of Edinburgh Council to recoup the outstanding amount.

In recent years, Link had steadily used its own monies to sustain services funded by the council. This had resulted in a £60,000 reduction in their reserves over the last 8 years. Should the Council take the decision not to fund the service, the council could not then presume that Link would pick up the tab. Link's Board would make its own decisions on future spending taking full account of existing commitments. Link believed the recommendation that Link funded the service themselves was frankly was ill-informed and incredulous. It also cut across the councils own Inclusive Edinburgh strategy given that the service supports individuals with complex needs. Had the council carried out an equalities impact assessment on the likely effect of closure of the service? Yet again cuts were targeted on the most vulnerable.

In conclusion they asked that the Committee to restore their grant allocation.

The Convener thanked the deputation for their presentation and invited them to remain for the Committee's consideration of the report by the Director of Health and Social Care.

## **(b) Report**

Following the decision of Council to transfer responsibility for developing grant programmes and making grant awards to executive committees, it was proposed that there be an approach to the further development of the health and social care grant portfolio and recommendations be set out for the award of grants for 2015/16 and beyond. Savings were identified on grant expenditure for 2015/16.

## **Decision**

- 1) To approve:
  - a) The recommended approach to the future development of the health and social care grant portfolio.
  - b) The award of three year grant funding for the services for older people listed in Appendix 1 of the report by the Director of Health and Social Care, subject to the Council's annual budget setting process.
  - c) That the Director, in consultation with the Convener, might make non-controversial adjustments to the allocations should the Council adjust the global grant allocations.
  - d) The proposed saving for 2015/16.
  - e) The award of one year funding for the mental health, disability and carer support services listed in Appendix 2 of the report with the exception of the one year funding for Link In Craigmillar.
- 2) To agree to hold a special briefing for elected members to provide clarification of Links funding reserves and pensions liability.

3) To delegate authority to the Director of Health and Social Care, in consultation with the Convener and Vice Convener of the Health, Social care and Housing Committee to determine the level of grant funding for 2015/16 to Link In Craigmillar.

4) To note:

- 1) The important contribution grant recipients made to the achievement of capital coalition pledge priorities.
- 2) The intention to report to Committee in the new year with proposals for taking the next steps in shaping the provider market in Edinburgh to meet the Council's statutory obligations in this respect, and to achieve a more cooperative commissioning process.

(Reference - report by the Director of health and Social Care submitted.)

### **Declaration of Interest**

Councillor Aitken declared a non-financial interest in the above item, as she was a Director of Oxfams Care.

## **2. Minutes**

---

### **Decision**

- 2.1 To approve the minute of the Health, Social Care and Housing Committee of 11 November 2014 as a correct record.

## **3. Health, Social Care and Housing Committee Key Decisions Forward Plan**

---

The Health, Social Care and Housing Committee Key Decisions Forward Plan for January 2015 to June 2015 was presented.

### **Decision**

To note the Key Decisions Forward Plan for January 2015 to June 2015.

(Reference – Key Decisions Forward Plan, submitted.)

## **4. Rolling Actions Log**

---

As part of a review of the Council's political management arrangements, the Council had approved a number of revisions to committee business processes including that Executive Committees introduce a rolling actions log to track committee business.

The Health, Social Care and Housing Committee Rolling Actions Log updated to 27 January 2015 was presented.

### **Decision**

- 1) To close items 5 (action 1), 8 (action 2) and 12 (action 2).
- 2) Otherwise to note that future actions agreed by the Committee calling for further reports or information would be added to the Rolling Actions Log.

(References – Act of Council No. 12 of 24 October 2013; Rolling Actions Log 11 November 2014, submitted.)

## **5. Business Bulletin**

---

The Health, Social Care and Housing Business Bulletin for 27 January 2015 was presented.

### **Decision**

To note the Business Bulletin.

## **6. Progress Report: the Willow Centre (Women in the Criminal Justice System)**

---

The Committee on 17 June 2014 had considered a progress report by the Chief Social Work Officer on the Willow Centre (Women in the Criminal System).

The Scottish Government was withdrawing funding in March 2015, and details were provided of plans for the financial sustainability of the service.

### **Decision**

To note the contents of the report and that a further report would be provided to the Committee in January 2016, regarding funding arrangements.

(References – Health, Social Care and Housing Committee 17 June 2014 (item 7); report by the Chief Social Work Officer, submitted.)

## **7. Adult Protection Policy for Social Care Staff**

---

Approval was sought for a policy statement in respect of Adult Protection, as detailed in Appendix 1 of the report by the Chief Social Work Officer.

The policy aimed to ensure that all adults who were unable to protect themselves because of disability or infirmity received the help and support they needed to stay safe. The policy provided a set of principles and definitions in relation to the support

and protection of adults. It also outlined the Council's duties and powers under the Adult Support and Protection (Scotland) Act 2007.

### **Decision**

To approve the policy statement in respect of Adult Protection, as detailed in Appendix 1 of the report by the Chief Social Work Officer.

(Reference – report by the Chief Social Work Officer submitted.)

## **8. Contribution Based Charging for Self-Directed Support and Care and Support Services**

---

Councils have a statutory duty to charge for residential care, and a power to charge for non-residential care services. Charging for non-residential adult social care services raised income of around £50 million per year for Scottish councils, and £3.5 million in 2013/14 for the City of Edinburgh, the largest amounts were for domiciliary care and community alarms. Staffing costs involved in income collection accounted for about 16% of the income raised. Social care charging therefore made a significant contribution to the funding of care services.

The Social Care (Self-directed Support) (Scotland) Act 2013 enabled people to have a greater choice and control over the support or services that allowed them to live independently, by offering them options for how their “personal budget” was spent to achieve the outcomes agreed in their assessment.

This would require a change in charging policy, from one based on charges for particular services, to one based on a contribution to a personal budget.

Details of the rationale for moving to a “contribution-based charge” were provided.

### **Decision**

- 1) To note that the Scottish Government and COSLA had recommended that councils reviewed their non-residential charging policies and adopted a contribution based approach that reflected self-directed support more appropriately.
- 2) To agree or amend the principles set out in paragraph 3.13 of the report by the Director of Health and Social Care, which should underpin charging policies for social care.
- 3) To note that further modelling work was being undertaken to estimate the impact on current service users, and that this would be included in a draft Equalities and Rights Impact Assessment and reported to Committee at a later date.
- 4) To agree a full three month consultation with key stakeholders, commencing February 2015, which would include a draft policy statement explaining how

contribution-based charging would work, and the draft Equalities and Rights Impact Assessment.

- 5) To agree to receive a further report at the Committee's meeting on 16 June 2015, including the results of the consultation and a revised Equalities and Rights Impact Assessment.

(References – Health, Social Care and Housing Committee 17 June 2014 (item 4); report by the Director of Health and Social Care, submitted).

## 9. Assistive Technology for Digital Inclusion and Enhanced Rehabilitation

---

Details were provided of a Technology Hub which had opened at Firrhill Centre to enable adults with a disability to access digital information through using specialist devices and services. This new service helped Edinburgh's citizens experience improved health and wellbeing with reduced inequalities in health, while also promoting digital inclusion.

### Decision

To note that the Technology Hub and service would ensure digital inclusion and enhance independent living for adults with a disability in the City of Edinburgh.

(Reference – report by the Director of Health and Social Care, submitted.)

## 10. Reducing Health Inequality in Edinburgh: Grant Awards for Preventative Action

---

Details were provided of the investment levels, criteria and priorities, which had been used in commissioning to meet Council and partnership outcomes for reducing health inequality in 2015/16. Awards were recommended for 30 services valued at £1.48m for preventative work within the budgets available in 2015-16, complementing partnership funding of £0.65m.

### Decision

- 1) To note the partnership process to agree priorities for funding for preventative action in reducing health inequalities in 2015/16, to invite and assess applications, and recommend awards to the Committee.
- 2) To agree the awards set out in the report by the Director of Health and Social Care at Appendix 3, subject to final decisions on the Council budget for 2015/16 by the full Council.

- 3) To delegate to the Director of Health and Social Care consideration and decision-making through the partnership arrangements any non-controversial adjustments in awards due to changes in budget resources from later decisions by joint funders, changed Council budget levels in 2015/16, or other factors.
- 4) To agree that funding awards for up to three years from 2016/17 were delegated to the new Integration Authority and agreed by the Health and Social Care Partnership Board, with future reporting to the Council as agreed for delegated services.

(Reference – Former Health, Wellbeing and Housing Committee 18 June 2013 (item 13); report by the Director of Health and Social Care, submitted.)

## 11. Specialist Care Home Places for Older People with Very Complex Needs

---

Details were provided of the unmet demand for specialist complex care home places for older people who were very distressed and had behaviours which care services found very challenging. These services supported people with very complex needs resulting from certain forms of dementia, mental health or neurological conditions.

The current National Care Home Contract (NCHC) negotiated rates were well below the level for which this type of specialist care home provision could be purchased and recommended that an additional premium be negotiated for a small number of care home places which could meet the specialist requirements of older people with very complex needs..

### **Decision**

To grant permission for places to be purchased at the National Care Home (Nursing) Rate plus an additional premium for older people with complex needs. The premium would not be a set amount, but would be based on client need and market price. The cost of the additional premium would be met from already agreed health and social budgets.

(Reference – report by the Director of Health and Social Care, submitted.)

## 12. New Psychoactive Substances

---

At the Council meeting on 20 November 2014, the Council approved a motion by Councillor Ricky Henderson in regards to the challenges and concerns presented by New Psychoactive Substance (NPS) use.

Details were provided of the work undertaken to date and examined further action that could be taken including any enforcement options available to the Council and/or the Police.

## Decision

- 1) To note the current challenges and progress across the partnership to address the issue of NPS, including the on developing enforcement options.
- 2) To support the existing response coordinated through the CIP process and acknowledge that the CIP needed to allocate time to scoping the challenge and developing a clear plan of action.
- 3) To note regular progress reports in relation to this issue would be submitted.
- 4) To note the Committee's concerns about the harmful impact of NPS in Edinburgh.
- 5) In addition to the ongoing work being carried out by Police Scotland, NHS, EADP and other agencies, the Committee requested that the Leader of the Council write to the Scottish and UK Governments seeking meetings to discuss the legal framework within which public agencies were operating and looking at ways of overcoming existing legal barriers to controlling NPS and preventing harm.

(References – Act of Council No 9 of 20 November 2014; report by the Director of Health and Social Care, submitted.)

## 13. Reducing the Negative Impact of Alcohol on Our City

---

The Health, Social Care and Housing Committee considered an update report by the Acting Director of Services for Communities on the levels and dimensions of alcohol-related harm experienced across the city.

In September 2014, the Edinburgh Partnership agreed to identify alcohol as a priority within the Single Outcome Agreement for 2015-18. This included tasking lead officers to develop a strategy regarding alcohol to support the delivery of the Single Outcome Agreement. Details were provided of the level and dimensions of alcohol related harm experienced across the city.

The Committee also received a presentation from Nick Smith (Edinburgh Alcohol and Drug Partnership) Lynn McCallum (NHS Lothian) and Superintendent Matt Richards (Police Scotland) on Alcohol – The Challenge for Edinburgh.

The Convener thanked the speakers for their presentation.

## Decision

- 1) To note the harm caused by alcohol across the city
- 2) To note that effective interventions to reduce alcohol-related harm needed to focus on reducing harm across the whole population

- 3) To support the local dialogue across the Council, Police, NHS and 3rd Sector with the intention of developing a cross cutting higher level strategy on alcohol to underpin the delivery of the Single Outcome Agreement.
- 4) To note that the Committee supported the work of the strategy group established by the Edinburgh Partnership to produce a higher level strategy on alcohol to underpin the delivery of the SOA 2015-18 and requested that the group's findings be shared across all relevant service areas within the Council to ensure an effective Council wide approach.
- 5) To refer the report to the Licensing Board for information.

(References – presentation by Edinburgh Alcohol and Drug Partnership; report by the Acting Director of Services for Communities, submitted.)

## **14. Health and Social Care: Draft Integration Scheme Consultation**

---

The Committee's views were sought on the health and Social Care: Draft Integration Scheme as part of the formal consultation,.

### **Decision**

- 1) To note the Draft Integration Scheme.
- 2) To note the Consultation Plan.
- 3) To note the timeline for responses, the reasons for the short consultation period and the short period for collation of responses and adjustments of the Scheme prior to submission to Scottish Government.

(Reference – report by the Director of Health and Social Care, submitted.)

### **Declaration of Interest**

Councillor Ricky Henderson declared a financial interest in the above item as he was a non executive board member of NHS Lothian.

## **15. Services for Communities Grants to Third Sector Organisations 2015/16**

---

Details were set out of recommendations for grant applications submitted to Services for Communities for 2015/16, which were now the responsibility of Health, Social Care and Housing Committee. There were five grant applications, requesting a total of £355,268.

On 11 February 2014, the Communities and Neighbourhoods Committee agreed to transfer the responsibility for “developing future grant programmes and making grant awards to executive committees and policy development subcommittees”.

## **Decision**

- 1) To approve third sector grant awards in 2015/16 for five applicants.
- 2) To agree that grant levels be maintained for Citizens Advice Edinburgh, Community Help and Advice Initiative, Granton Information Centre and Victim Support Scotland at 2014/15 grant award levels.
- 3) To note that Homeless Action Scotland applied for a reduced level of grant and approved an award of £5,325, which reflected their 2015/16 grant application.
- 4) To notes that expenditure for 2015/16 on third sector grants would be £355,268.
- 5) To agree that savings were sought from grant recipients during 2015/16, with a view to making recommendations to Committee on grant awards from 2016/17 onwards.

(References – Communities and Neighbourhood Committee 11 February 2014 (item 1); report by the Acting Director of Services for Communities, submitted.)

## **16. Short Term Commercial Lets**

---

In October 2013, the Council sought a ‘Management Control Order’ (MCO) under the Antisocial Behaviour etc (Scotland) Act 2004, for two properties in Grove Street, which were being used as short-term commercial lets or “party flats”. The Council assumed responsibility for the properties for a period of 12 months. This was the first time such an order had been granted in Scotland.

The MCO expired on 23 October 2014 and management of the properties returned to the owner.

An outline of the proposed approach to management of short-term commercial lets, building on the experience of the MCO was provided.

### **Decision**

- 1) To agree the approach to management of short-term commercial lets presented in the report by the Acting Director of Services for Communities.
- 2) To discharge the remit from the 17 June 2014 Health, Social Care and Housing Committee, requesting a report on the longer term strategy for Management Control Orders.

(References – Health, Social Care and Housing Committee 17 June 2014 (item 17); report by the Acting Director of Services for Communities, submitted.)

## 17. Preventing Homelessness – Domestic Abuse Work Stream Update

---

Details were provided of the successful initial consultation with existing providers and stakeholders to reshape services for women suffering domestic abuse, the need to deliver efficiencies through the work stream and the risks and control measures associated with the procurement options for commissioning these services.

### Decision

- 1) To agree the direction of reshaping Domestic Abuse services, as outlined in the report by the Acting Director of Services for Communities.
- 2) To note the previously agreed permanent budget reduction of approximately £150,000 required within the Domestic Abuse work stream and future proposals within the 2015/18 revenue and capital budget framework.
- 3) To note the procurement options of tendering or collaborative consultation and associated risks highlighted at paragraphs 3.12 and 3.15 of the report by the Acting Director of Services for Communities.
- 4) To agree that the favoured option is to engage in a collaborative pilot with existing providers and referred the report to Finance and Resources Committee for deliberation on the commissioning approach.
- 5) To note that there would be a further report to the Finance and Resources Committee seeking approval to award contracts, following the preferred procurement route, in summer 2015.

(Reference – report by the Acting Director of Services for Communities, submitted).

## 18. Recommendations of the Social Work Complaints Review Committee

---

The recommendations of the Social Work Complaints Review Committee held on 10 December 2014 on a complaint against the Health and Social Care Directorate were detailed.

### Decision

To approve the recommendations of the Social Work Complaints Review Committee of 10 December 2014.

(Reference – report by the Chair of the Social Work Complaints Review Committee, submitted.)

## **19. Services for Communities Financial Monitoring: Period Nine 2014/15 (Based on Period Eight Data)**

---

Details were provided of the month nine financial monitoring position for Services for Communities revenue and capital budgets. A balanced position was forecast for the General Fund Revenue Budget and the Housing Revenue Account, however the General Fund Capital Budget and the Housing Revenue Capital Budget was managing significant pressures.

### **Decision**

To note Services for Communities financial position and actions underway to manage pressures.

(Reference – report by the Acting Director of Services for Communities, submitted.)

## **20. Adult Social Care Budget Pressures, 2015/15: Update**

---

The Finance and Resources Committee on 15 January 2015 considered a report by the Director of health and Social Care that provided an update on the projected overspend of £5.3million in the Adult Health and Social Care Budget by the end of the financial year.

The Finance and Resources Committee referred the report to the Health, Social Care and Housing Committee for its interest.

### **Decision**

To note the referral report.

(Reference – Finance and Resources Committee 15 January 2015 (item 7); referral from the Finance and Resources Committee, submitted.)