

THE MORAY COUNCIL
HEALTH AND SOCIAL CARE SERVICES COMMITTEE
WEDNESDAY 26 MAY 2010
COUNCIL OFFICE, ELGIN

PRESENT

Councillors L Bell, (Chairman), A McKay, (Deputy), J Cree, B Jarvis, G Leadbitter, A McDonald, I Ogilvie, P Paul, D Ross, J Sharp and A Wright.

IN ATTENDANCE

The Director of Community Services, the Acting Head of Community Care, the Head of Financial Services, the Integrated Mental Health Manager, NHS Grampian and the Team Manager, Old Age Psychiatry, and Mrs S Kennedy, Committee Services Officer as Clerk to the Meeting.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors G McIntyre and J Mackay.

Apologies for absence were also intimated on behalf Mrs R Gunn, Acting Principal Solicitor (Litigation & Licensing) and Mr R D Burns, Chief Legal Officer.

1. DECLARATION OF GROUP INTERESTS

There were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda or any declarations of Members Interest in respect of any item on the Agenda.

2. WRITTEN QUESTIONS

The meeting noted the following written question submitted by Councillor Ross and the Council's response thereto:

To ask if Community Service sentences undertaken in the Moray Council area are meeting the target of 100 hour sentence being completed in less than three months and what is the average time taken to complete a 250-hour community service.

COUNCIL RESPONSE

The results of an audit undertaken between 1 October and 31st December 2009 shows, that of those who successfully completed orders (i.e. not subject to breach proceedings); the average length of time for a 150 hour order or less was 204 days. There were no orders between 201 and 250 hours completed during the audit period.

The results of a similar audit in 2008, shows, that the average length of time for a 150 hour order to be completed was 314 days. The average length of time for an order between 201 and 250 hours to be completed was 425 days.

Therefore, based on the above audit, between 08 and 09, for orders of up to 150 hours there has been an improvement in the speed in which they have been completed by 110 days. In 09/10 we had 8, 100 hour orders imposed and no 250 hour orders. Of the 8, 100 hour orders only 2 were completed without breach action. The first order was completed within 51 days and the second was completed within 318 days. Average length of time was therefore 185 days.

The remaining 6 orders were subject to breach action and the average length of time to complete these was 602 days.

Reasons which led to the length of time for the order to be completed are usually outwith our department's control. The following gives an indication of some of the issues we are faced with:

- 1) Offender had health issues, dislocated shoulder thus unable to compete hours and also had issues re homelessness which ultimately led to failures to attend which resulted in breach action.
- 2) Offender had significant short term periods in custody thus unable to complete order. This order was therefore continued over a 3 year period.
- 3) Offender had on/off periods of employment resulting in time loss due to re-issuing work instructions to accommodate this and lack of available days to attend. Also client had short term period of custody.
- 4) Client suspended for walking out of CS without explanation then delay of 3 months in breach being dealt with by court. This could be due to the client failing to attend a breach hearing and a warrant for arrest issued.
- 5) Frequent breaches to court but order allowed continuing.

In Moray, our department's aim is to try to get all orders completed within a 6 month period. The above gives some indication why this does not always happen. In order to increase the speed in which orders are completed we endeavour to sign people up for work the same day or the following day from the date the order was imposed. Where possible all clients are expected to attend for unpaid work twice weekly. We also aim to submit breaches in line with national standards.

As a supplementary question Councillor Ross stated that whilst he understood that the targets were part of the Criminal Justice and Licensing Act which is going through Parliament at the moment, it still gave him cause for concern in that this is a target-local authorities have to meet if it goes through and asked what measures can be taken to ensure that should this target go through Parliament that Moray is prepared and able to ensure that the majority of orders are completed within the target, should that be set at 3 months. Although he understood that this was not a Moray issue but a national issue and during the most recent audit 30 of 32 Local authorities in Scotland failed to come close to this target, what more assistance or help can the Moray Council get from the Scottish Government if they are planning to go down this route, in terms of giving people more Community sentences instead of short 6 month prison sentences?

In response the Director of Community Services advised that the targets stated in the question related to the new Bill which has not yet had Royal Assent. The new Community "Pay Back" Order will probably be operational in December 2010 and will include all existing community sentences and the targets given relate to the new Order.

He further advised that there was a small increase of funding made to local government, primarily designed to speed up how quickly orders start to be undertaken. The audit referred to by Councillor Ross does show that this is improving across Scotland in that there were 4 out of the 32 Local Authorities that had slipped back.

In terms of completion times, he advised that the completion times currently recommended for Community Services is 12 months and the new legislation will bring that down to 6 months which will be very challenging. He further advised that his understanding in relation to the current 12 month figures was that 62% of Orders are complete, which is up from 50% in 2008 so there was a gradual improvement in performance. However the concerns that the Councils have across Scotland is that the last two years have seen a 4% increase in the demand each year for Community Services across Scotland, so the small increase in resources is quickly swallowed up by the fact that community sentences are very popular with the Courts and by in large they are completed well and many offenders do turn their lives around and are seen as successful. Sheriffs do see the value in them so some of the schemes have become a victim of their own success. The Association of Directors of Social Work is pressing nationally to make sure that this service is properly resourced and a further audit will be undertaken by the Scottish Government, probably in October 2010. The bottom line however, is that whatever your target is, if an offender has health problems or can't attend some of the projects because of employment issues, the Council has to try and tailor what can be provided around their needs and this cannot interfere or jeopardise their employment. There have been a number of occasions that despite some reoffending sheriffs have decided not to breach and people have continued their order once they have been released.

In response to Councillor Ross's question the Criminal Justice Manager also advised that he agreed that there would be real challenges in getting people through orders in a significantly reduced time period as this was not being achieved at the moment. He further advised that Criminal Justice was endeavouring to make sure that things were in place to provide the service that is expected of the local authority, to carry through their responsibilities to return people to court if they fail to comply. He gave an assurance to Members that that this was being done. In general terms he hoped the process could

be speeded up in order that people are returned to us or breached. As part of the process people often go to court for failure to comply with a Community Service Order and on some occasions they are given more community service. There is sometimes some difficulty if someone has failed to attend in the first place and there is perhaps nothing to indicate that they will continue in the future and it is the time delay between us breaching and coming back that adds to the significant period of time that the calculation is based on.

3. COMMUNITY CARE AND CRIMINAL JUSTICE REVENUE AND CAPITAL BUDGET MONITORING 2009/10

There was submitted a report by the Director of Community Services informing the Committee of the current position regarding the Community Care and Criminal Justice Revenue and Capital budgets.

The meeting noted that the Community Care and Criminal Justice budget for 2009/10 was provisionally showing an underspend of £1.3m. It was also noted that there were no projects for Community Care and Criminal Justice agreed in the Capital Plan for 2009/10; however a retention cost of £4000 had been paid in March 2010 with regard to the Murray Street training accommodation project.

The Director of Community Services gave a health warning to the meeting that although budget holders manage the budget tightly, the level of underspend covers non-recurring expenditure and portrays an over rosy picture and although the report shows a positive picture it may not be a realistic one.

The Chair on behalf of the Committee congratulated staff on the indicative £1.3m underspends, however he advised that Community Services will be facing extremely challenging times ahead. He also expressed his thanks to other providers for their assistance.

Thereafter, the Committee noted the provisional position of the revenue and capital budget for Community Care and Criminal Justice as at 31 March 2010 as set out in Appendix 1 and paragraph 3.14 of the report.

4. COMMUNITY CARE & CRIMINAL JUSTICE PERFORMANCE REPORT - QUARTER 4 JANUARY - MARCH 2010

There was submitted a report by the Director of Community Services asking the Committee to scrutinise progress made against priority areas and targets detailed in Community Services' Service Improvement Plan and actioned by the Community Care and Criminal Justice Services to the end of quarter 4, March 2010. and also to scrutinise progress against Performance Indicators and Complaints to the end of quarter 4, March 2010.

The meeting noted that in relation to performance indicators for those that were due to be reported in this quarter; 68% were performing well; 14% required close monitoring and 18% required action if the targets were to be met. With regard to the Service Improvement Plan 45 actions/sub actions were due to be completed by quarter 4 or by the end of April 2010, 34 had been completed and other actions had made significant progress to give an overall percentage of completion of 87.5% at the end of March 2010. With regard to complaints, action had been taken in respect of all complaints.

With regard to page 10 of the report, action 3.55, the Acting Head of Community Care advised the meeting that a draft was out for consultation and a more detailed Strategy would be submitted to the August Committee.

With regard to paragraph 4.2.8 Indicator Comms230b - 90% of carers who feel supported and capable to continue their role as a carer the Committee acknowledged that this was a good report.

With regard to paragraph 4.31 of the report re the HEAT target for 2009/10 the Integrated Mental Health Manager (NHS Grampian) advised the meeting that research was lower than required and GPs were better at diagnosing however, people do not remain on antidepressants for as long as they should and acknowledged that the prescription of antidepressants in combination with psycho-analytical therapies represented the best form of treatment and consequently HEAT target (T3) had now been withdrawn.

Thereafter, the Committee agreed to note:

- (i) the performance against Community Care and Criminal Justice Service Performance Indicators, at the end of quarter 4 2009/10, March 2010;
- (ii) the progress against priorities identified in the Community Care and Criminal Justice Service Improvement Plans 2009-2010, at the end of quarter 4 2009/10, March 2010;
- (iii) the performance in achieving the Community Care and Criminal Justice Complaints Targets, at the end of quarter 4 2009/10, March 2010; and
- (iv) The proposals given in Appendix 4 to Performance Indicators for 2010/11.

5. PLANS FOR EXPENDITURE OF NEW FUNDING 2010-2011 - OLDER PEOPLE'S SERVICES

There was submitted a report by the Director of Community Services setting out the plans for expenditure of the additional funding of £250,000 for Older People's Services in 2010-2011.

The meeting noted that the Financial Services plan for 2008-11 sets out a three year budget for Council Services and the additional funding for Older People's services in 2010-11 will be used.

In response to Members' request for additional data showing a decrease in demand for services for people aged 65-70, the Acting Head of Community Care advised that there were figures on their system however, the pressure areas were less in the 65-70 age group and realistically older people in Scotland tend to be those aged 75-80 . However those requiring most services tend to be aged 80-85 years old and those figures would demonstrate a greater pressure on the service and there would be a shift upwards as people become older.

In response to concerns expressed with regard to the additional monies for Hanover Housing, the Acting Head of Community Care advised that the development of extra-care housing in partnership with Hanover Housing will require that Hanover be commissioned to provide both care and support and the additional monies were being used to review the scope of service which is on-going and for part of the start up costs to Hanover Housing.

Thereafter, the Committee agreed the proposals and approved the draw down of additional funding of £250,000 for Older People's Services, £140,000 for Homecare and £110,000 for extra care housing development.

6. SERVICE IMPROVEMENT PRIORITIES FOR COMMUNITY CARE AND CRIMINAL JUSTICE - 2010/11

There was submitted a report by the Director of Community Services inviting the Committee to approve the proposed Service Improvement priorities for Community Care and Criminal Justice in 2010/2011 as detailed in Appendix 1 of the report.

The meeting noted that the contract with care homes had been revisited along with local homes to formalise/standardise conditions. This was an opportunity to tidy up the strategy and to take account of the views of carers.

In response to Members' request for clarification of what re-enabling meant, the Acting Head of Community Care advised that as people get older there are certain things they can no longer do for themselves and that it was about encouraging people to try and get to the route of a difficulty at an early stage and concentrate on this to give them back a lost skill so in the long term this is a service that would not need to be provided in the future.

Thereafter, the Committee agreed to:

- (i) to approve the Service Improvement Priorities for Community Care and Criminal Justice for 2010-2011; and
- (ii) that monitoring reports be presented to future meetings.

7. UPDATE ON PROGRESSING PERSONALISATION

There was submitted a report by the Director of Community Services providing the Committee with an update on the personalisation agenda currently being trialled within physical disability services in Moray.

Following consideration the Committee agreed:

- (i) to approve the planned progress of personalisation in Community Care;
- (ii) to note the feedback from early consultation re the Grampian Living Options facility in Forres and agreed the way forward detailed in paragraph 4.2; and
- (iii) that the trial development of personalisation for people with a physical or sensory disability is to be widened to include all service users who have a physical disability.

8. IMPROVEMENTS TO INTEGRATED MENTAL HEALTH SERVICE IN MORAY

There was submitted a report by the Director of Community Services providing Committee with an update on improvements to the Integrated Mental Health Service in Moray since 2008 following a service-wide review and completion of a series of redesigns.

The meeting noted the improvement made in the redesign of Mental Health Services for SAMH and day care and that the next stage was to progress the 3-year strategic plan for the needs of mental health services in Forres and Keith.

The Chair on behalf of the Committee and the Director of Community Services applauded Mags Fowler, Team Manager, Old Age Psychiatry for her input and passion for the job and commended her for work in this service and everyone agreed that it was a plaudit richly deserved.

Thereafter, the Committee agreed to:

- (i) note the contents of the report and noted the improvements made;
- (ii) to progress the 3 year strategic plan as detailed in paragraph 6.2 of the report; and
- (iii) that details of progress reports and any proposed developments be brought back to a future committee.

9. QUESTION TIME

In response to a question from Councillor A McKay, relating to Agenda item 5, Speyside and Keith Home Care enabling Pilot and in particular with regard to training being given to Home Carers, the Acting Head of Community Care advised that the principal of the training was to train Home Carers not to do something for a person but to encourage them to try and do things for themselves, which can be difficult at times as it is instinctive to jump in and help out rather than see a person struggle to do it.

In response to a question from Councillor Cree asking how many people are carrying out Community Service Orders in a year, the Criminal Justice Manager advised that on average there were between 70 - 100 orders which vary from 80 – 300 hours on an on-going basis.

Councillor Ross asked, with regard to the hall at Lhanbryde which was being used to provide local services by Health Visitors for a “Wait and See” clinic and a “Minor Injuries” clinic and in light of the concerns expressed to him regarding the loss of these local services, what was the possibility of these services returning to Lhanbryde in the near future

In response the Director of Community Services and the Integrated Mental Health Manager advised that they could not provide a response to this question and agreed to take this issue back to the Moray Management Team and thereafter to advise Councillor Ross of the response.