

Minutes of the Health Scrutiny Board

15 July 2010

-: Present :-

Councillor Kerslake (Chair)

Councillors Carter (C), Faulkner (A), Manning, Morey, and Thomas (J)

Please note these are draft minutes and subject to the approval of a future meeting of the Health Scrutiny Board

168. Apologies.

Apologies for absence were received from Councillors Excell and Scouler.

169. Minutes

The Minutes of the meeting of the Health Scrutiny Board held on 17 June 2010 were confirmed as a correct record and signed by the Chair.

170. Clennon Valley Healthy Living Centre – Update

The Board considered Report 187/2010 which provided information on the latest developments and significant changes to the proposed Clennon Valley Healthy Living Centre scheme. Members were advised of the elements of the project previously reported to the Board that were no longer to be included; namely, Out Patients space, day care services/rehabilitation space, and the Paignton Health and Social Care team and the Devon NHS Partnership Trust office accommodation.

The Board was advised that the Clennon Valley scheme had previously included space for the day care services from Fernham Day Centre but the proposal had changed due to the financial climate and considerations of value for money.

The Board was informed that Torbay NHS Care Trust supported the relocation of services from Grosvenor Road and Withycombe Lodge General Medical Practice surgeries as part of a smaller new build scheme at either the Clennon Valley site or at an alternative location in central Paignton. Members questioned the availability of suitable alternative sites to Clennon Valley for the proposed relocation of the GP surgeries. In response the Board was advised that suitable alternative sites in central Paignton that reflected the GPs' catchment area or that could be developed within an acceptable timescale for the GPs to address their accommodation requirements had not been identified.

The Board was advised that an alternative site to Clennon Valley for the GPs' relocation had not been identified. Members were informed of the importance of securing a location accessible to existing patients of Grosvenor Road and Withycombe Lodge General Medical Practice Surgeries.

In reply to questions about developments from the recently announced Health White Paper, the Board was advised that the GPs' current accommodation was neither fit for purpose nor sustainable and a delay of the relocation was inadvisable.

Member asked how much capital would be needed to address the backlog maintenance at Midvale Clinic. The Head of Estates, Torbay NHS Care Trust, indicated that approximately £100,000 was required for the physical maintenance of the building and further funds would need to be spent internally to open up the space and make areas more flexible. Members questioned the merit of such capital investment and were advised that this one-off cost was preferable to the alternative of committing to a 25-years lease on a new building.

Members asked whether the relocation of the GPs' surgeries to the Clennon Valley site would compromise the viability of future development of a Healthy Living Centre at the same site. In response the Board was advised that such future development would be one consideration in the design of the new build scheme.

In reply to questions about the removal of the Rifle and Pistol Club from the Clennon Valley site, the Board was advised that there was a possibility the club would not have to relocate until the build commenced.

Members questioned the costs of the process and whether further consultation would be required. The Board was advised that many costs would be borne by the developer rather than the NHS and that the consultation results had a continuing relevance.

Members raised concern at the apparent shortcomings in the distribution of the consultation leaflet for the proposed Clennon Valley Healthy Living Centre. In response the Head of Estates, Torbay NHS Care Trust, confirmed that distribution methods would be reviewed for future consultations.

In response to questions from a member of the public, the meeting was advised that the Clennon Valley scheme was not to have been a Private Finance Initiative, rather a third party development scheme.

Resolved: that the Health Scrutiny Board continue to receive updates on the Clennon Valley Healthy Living Centre scheme.

(Note: Prior to consideration of the item in Minute 172, Councillor Bent declared a personal interest in the matter as two family members were employed by Torbay NHS Care Trust.)

171. Commissioning Short Breaks for Children and Young People with Physical and Learning Disabilities – tender document

The Board considered Report 188/2010 which provided information on proposals for commissioning short breaks for children and young people with physical and learning disabilities, including relevant tender documentation, and sought a decision from the Health Scrutiny Board as to whether the changes constituted a substantial variation to the provision of services or a substantial development of services.

The Acting Director of Commissioning, Torbay NHS Care Trust, outlined events leading to the draft re-specification of short breaks for children and young people with physical and learning difficulties. The Board was advised that an open tender process would be

progressed as a means of testing the market for the provision of short breaks for families in Torbay. Members were advised of the Fair Access to Carers Breaks Assessment, current and projected demand for short breaks, and the proposed procurement process.

Members questioned the timescale of implementing changes to the short breaks service and were advised that the tender evaluation process should end by October 2010 and it was anticipated service implementation would follow shortly after April 2011. Members were informed that parents, carers, and children would be invited to both attend a provider forum and to assist with the scoring and evaluation of tenders.

In response to questioning about young carers and safeguarding of personal budgets, the Board was advised that this featured in current workstreams at Torbay NHS Care Trust.

In reply to questions, members were advised that it was not possible to give an assurance to parents or carers of young children with complex health needs that they would be allocated personal budgets sufficient to access respite provision similar to the John Parkes Unit and with the same frequency. The Board was informed that formal indicative allocation levels for Torbay's Fair Access to Carers Breaks Assessment had not been published. Members were advised that the statutory duty required the provision of short breaks but that the quantity of such breaks was not specified. The Board was advised that the spending limit, or financial envelope, for short breaks would be reduced in 2011/12 and that this would be a challenge. Members were advised that personalisation was expected to lead to more efficient use of budgets by users.

With specific reference to the John Parkes Unit, members asked if service provision would remain within the boundaries of Torbay after the procurement process. In reply, the Board was advised that if the service was awarded to a provider outside the Bay then another service provider would provide within the Bay. Members were informed that a range of providers were expected to provide the service in future and it was not possible to specify the number of bed spaces that would be available within Torbay. The Acting Director of Commissioning, Torbay NHS Care Trust, indicated that the Care Trust as commissioners would ensure sufficient beds were available. The Board was advised that the location of the service in future would be dependent on the procurement process.

In reply to questions, the Board was advised that consultation would follow once the options were known. Members discussed if the issue of whether the proposed changes constituted a substantial variation to the provision of services or a substantial development of services could be answered at this stage in the process and the information needed to make such a decision. The Board was advised that by November or December 2010 information, such as the proposed location of services, would be available to enable members to determine the issue of substantial variation or development.

At this juncture the meeting was addressed by a representative of the parents of those children accessing the John Parkes Unit as a result of physical difficulties. The Board was advised that cost savings were felt to be a concern in any proposals affecting the Unit. Members were informed that parents and carers involved in the Short Breaks Working Party for children with complex health needs were concerned that the working party had been used to help develop a draft specification for a respite service rather than save the John Parkes Unit by increasing its viability. The meeting was advised

that fears over the likely closure of the John Parkes Unit had prompted some parents to seek provision elsewhere. The Board was informed that parents of children within NHS Devon who had previously accessed the Unit had believed that Robins Respite and Life Skills Centre at Dartington would be offering the same level of service as the John Parkes Unit but this had not occurred. The Board was asked to consider the implications of the John Parkes Unit either not tendering for the service or not winning the tender and the possible risks of a private company being awarded the tender.

Members discussed the longstanding uncertainty over the future of the John Parkes Unit, the many meetings held in connection with the Unit, the difficulties in obtaining information about the Unit, and the progress of the issues. Members asked for assurances that parents and carers would not be presented with a situation which was irreversible and with which they would have no option but to accept. The Acting Director of Commissioning, Torbay NHS Care Trust, indicated that it was intended to broaden the service rather than compromise its level or quality.

Members questioned the possibility of the John Parkes Unit becoming a Trust and suggested the value of parents and clinicians among its trustees.

A member of the public informed the meeting that at the outset of the involvement process with parents the possible use of a local tariff for accessing the John Parkes Unit, in place of the national tariff, had been raised but not apparently explored fully. The Board was reminded that the national tariff for respite at the Unit was approximately £800 for an episode or spell lasting from one to nineteen days. In addition, the meeting was advised that many families did not wish to have respite care provided in their home.

With reference to the procurement process, Board members asked when full details of the proposed changes would be available. In response, members were advised that the necessary evaluation of tenders for short breaks for children and young people with physical and learning disabilities would be completed by October/November and be available for the Board's meeting scheduled for 2 December 2010.

Resolved: that full details of the proposed service changes for short breaks for children with complex needs arising from disability in Torbay be prepared and submitted to the Health Scrutiny Board for its meeting on 2 December 2010.

172. Day Services for Older People: Consultation Findings January 2010 – April 2010

The Board considered Report 189/2010 which outlined the findings from the public consultation on the Future of Older People's Day Services. The Acting Director of Commissioning, Torbay NHS Care Trust, outlined the options consulted on and the process undertaken. The key messages of the consultation findings identified in Report 189/2010 were referred to by the Director of Commissioning, Torbay NHS Care Trust, including the issue of transport and the merit of keeping clients together in groups were possible should they have to move to other providers. The Board was advised that there was no significant bias in support of any option but questionnaire responses rated Option One most favourably.

With reference to both the recent suspension of the intermediate service for older people at St Edmunds Community Care Support Centre, Torquay, and the review of the day care service for older people at the site, members questioned whether the centre would close. In response the Board was advised that there could not be a guarantee concerning St Edmunds.

Members questioned the plans for older people accessing services at Fernham Day Centre, Paignton, given the decision not to include space for the service at the Clennon Valley Healthy Living Centre. In reply, the Board was informed that the Fernham building was not fit for purpose.

Members questioned whether Torbay NHS Care Trust had decided to buy day services from the independent and community sector and no longer directly provide day services for older people. In response, the Board was informed that no decision had been taken regarding in-house day care services.

Members requested visits to Fernham and St Edmunds. The Director of Commissioning, Torbay NHS Care Trust, indicated her agreement to such visits and suggested the matter be progressed through the Director of Operations, Torbay NHS Care Trust.

Members questioned whether the consultation results that informed the Council's Older Person's Strategy had been used in the Care Trust's review of day services for older people.

Members suggested the phrasing of some consultation questions had been closed, with the result that the desire for change was perhaps likely to be overestimated. In reply, the Board was advised that there appeared greater support for services remaining unchanged from those with experience of assessing the service than those without experience of accessing the service.

A member of the public indicated that his response to the consultation had been omitted from the full comments from the consultation included as Appendix Two to Report 189/2010. He indicated that the consultation had weaknesses, including the use of closed questions and adopting a tick box approach, and that written suggestions from Torbay LINK to improve the consultation had been overlooked until the consultation period had commenced and changes were not possible. The member of the public indicated the large number of day service providers in the Bay meant revenues were stretched and suggested a service specification approach would reduce the number of providers and improve outcomes.

Board members suggested the value in keeping ward councillors aware of developments at St Edmunds Community Care Support Centre, Torquay, and at Fernham Day Centre, Paignton. The Acting Director of Commissioning, Torbay NHS Care Trust indicated that the need to involve ward councillors was recognised.

The Board confirmed that the proposals for the future of day care services for older people would be considered by Torbay NHS Care Trust in September 2010, by Torbay Council's Cabinet in early October 2010, and by the Health Scrutiny Board in late October 2010.

Resolved: that visits be arranged to St Edmunds Community Care Support Centre, Torquay, and to Fernham Day Centre, Paignton.

(Note: *Prior to consideration of the item in Minute 174, Councillor Bent declared a personal interest in the matter as two family members were employed by Torbay NHS Care Trust.*)

Chairman