

Minutes of the West Berkshire Council's

Disability External Scrutiny Board

Meeting 18 July 2013

Item	Notes
Board Members in attendance	Jan Rothwell (Chair), Mick Hutchins, John Carr, Sue Hinks, Keith Hester.
Others	Councillor Gwen Mason, Alison Love (Longer Term Care Service Manager), Barbara Billett (Quality Assurance Manager), Mark Edwards (Head of Highways and Transport), Robert O'Reilly (Head of Human Resources), Elizabeth O'Keefe (Newbury Town Council), Elaine Walker (Principal Policy Officer).
1. Introduction and apologies.	<p>The Chairman welcomed everyone to the meeting.</p> <p>Apologies: Apologies were received from Norma Weaver, Kate Green, Alan Fleming and Councillor Graham Pask</p>
2. Minutes and Matters Arising.	<p>The draft minutes of the meeting held on 25 April 2013 were approved as a true and correct record.</p> <p>The responses to actions arising from the previous meeting were circulated to the Board. Action 1 would be carried forward. Three further questions arose from action 3: Why people were being refused; How long were people waiting for an assessment; was there enough money in the budget to see the year through?</p> <p>Action 1: Carried Forward - Councillor Pamela Bale would raise the issue of suitable and accessible assessment centres with the local MP.</p> <p>Action 2: Mel Brain to provide responses to the following questions relating to Discretionary Housing Payments: Why people were being refused; How long were people waiting for an assessment; was there enough money in the budget to see the year through?</p> <p>KH asked what was happening about recruiting more people to the board. JR reminded everyone that if new members were wanted, then it was up to the board to take this forward. MH advised that he had spoken to a teacher</p>

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	<p>at Mary Hare school, and that as he had now resigned from the West Berkshire Independent Living Network (WBILN) then a representative from there would be useful. Also that it would probably be possible to send a general email to most relevant organisations via the WBILN as they have good contact lists for the area. JR suggested that the Volunteer Centre be approached. MH also noted that it would be good to get a representative from the west of the area.</p> <p>All agreed that members of the board should be able to represent other people and not just their own interests.</p>
3. Consultation on supporting people with a learning disability	<p>Alison Love presented information about a policy to replace the Local Services for Local People Policy 2007. The new policy (Supporting Adults with a Learning Disability) had been through a series of consultation events including with the Learning Disability Partnership Board, LinkUp, Its My Life and the Carers Board. The new policy aims to clarify what people can expect from the Council.</p> <p>The policy is not a significant change from current practice, but formalises existing arrangements.</p> <p>It has already been noted that there will need to be clarity that the first option of community based, affordable, supported living opportunities will need to make reference that this will include those living at home with their parents, and support arrangements put in place to make this sustainable for all, as well as those who are leaving their family home.</p> <p>In terms of monitoring the provision of services (and the providers) that are outside the West Berkshire borders, Alison Love explained that a social worker would undertake a review at least annually, and along with assessing the person, they would consider the wider setting and the provision by the provider. All visits have to be announced, but the Care Quality Commission (CQC) and local Adult Social Care service would be consulted to understand whether any concerns had been raised about the provider. Any safeguarding concerns will always be followed up.</p> <p>MH suggested that families who visit on a regular basis would be able to raise issues where they were present, but those without close family or regular visitors would not have this in place and so these people should be considered more carefully. Alison Love explained that local advocates would be identified for such people to represent them.</p> <p>Alison Love explained that all places have been reviewed over the last six months, and consideration was given to whether the placement remained the best solution. Of approximately 45 people, 2 or 3 are looking to come back to West Berkshire and the Council is working with them to achieve this.</p> <p>Alison Love confirmed that all assessors of need are qualified social workers with the exception of one person. The</p>

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	<p>team is small and are dealing with 350 to 400 known people in a range of circumstances.</p> <p>Alison Love explained that the Council has a duty to assess the needs that people have and that this is undertaken in line with national guidance (the NHS and Social Care Act). Once needs are assessed we must provide services to meet the needs of people meeting our eligibility criteria (currently critical), but we may consider our resources when deciding how we will meet those needs. The eligibility criteria is a national framework from which Local Authorities are able to choose the level of eligibility for which needs will be met.</p> <p>The Council has been undertaking a consultation on whether the level of eligibility (critical) is appropriate, however this has been superseded by the Government announcing plans to review this themselves. West Berkshire's consultation has therefore been suspended pending any outcome from the Government.</p> <p>If it is decided that the level of eligibility is reduced to substantial, the Council will still have a duty to meet the needs of all people assessed at the substantial and critical levels.</p> <p>The following questions were posed as part of the consultation:</p> <ol style="list-style-type: none"> 1. This policy replaces the 'Local Services for Local People Policy 2007'. Do you expect the changes and clarification on how West Berkshire Council supports adults with a Learning Disability to have an impact either on you or the organisation you represent? <ul style="list-style-type: none"> - The policy might affect organisations that provide advocacy and a user voice. Need to consider how we get the message out to people with a LD and organisations that represent vulnerable people and we need to be clear about how we explain any shift in policy. - If there are any negative changes then support will need to be given; - Care needs to be given to ensuring the message is clear to those with a learning disability. 2. If you consider there to be any negative impact of the refreshed policy, can you suggest any ways in which the Council might reduce this? <ul style="list-style-type: none"> - If there is an increase in people being placed out of area, then there may be concerns around the size of the team being able to monitor providers. <p>Alison Love explained that people were not often placed out of area, but where this did happen it was because of a</p>

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	<p>need for specialised care that was not available in West Berkshire. MH asked if there were a number of people needing a particular service, could the Council encourage a provider to provide that service in West Berkshire? Alison Love related an account where this had happened and Blagdon House had been designed around the specific, complex needs and now housed 4 people, some of whom had been brought back from out of area placements.</p> <p>3. Do you think any other individuals or groups of people may be impacted by the policy?</p> <ul style="list-style-type: none"> - If the policy requires an increase in funding, what impact will this have on other groups? <p>Alison Love commented that there were no expected cost implications from the policy.</p> <p>4. Are there any other comments you have on the principle or impact of this policy?</p> <ul style="list-style-type: none"> - This policy only affects those eligible for social care. But what support is available for people that are not eligible, should we be thinking about how this support is provided? <p>Alison Love spoke of a course being run at Newbury College which aims to provide life and independent living skills to people with learning disabilities including skills for employment. There are also a range of services available to those who do not meet the Council's criteria. These are run by West Berkshire Mencap, Webcas, and through a fund held by the LDPB which generally involves buddy schemes with volunteers.</p> <p>MH advised that it was important to lobby the Council to maintain funding support to organisations providing this sort of support.</p>
4. Highways	<p>Mark Edwards commented on several issues that had been raised prior to the meeting:</p> <p>1. The condition of the roads and pavements in the town centre is considered to be very bad.</p> <p>This is often caused by utility companies digging up the roads for their purposes and not relaying the surface correctly. Tarmac is frequently used in the first instance to make the surface safe, but the companies are expected to come back and correct this to match the surrounding surface. Whether companies return to do this varies. The Council are now going to do a sweep of the town centre with a capable contractor, correcting all issues that are found. This is due to take place in the next 4-6 weeks.</p> <p>In addition some areas will subside over time, which is what has happened on the bridge by Griffens. This is to be</p>

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	<p>reconstructed and it is hoped this will happen within this financial year, but is a costly project for which funding has yet to be identified.</p> <p>2. Hazards on pavements such as A-boards, café furniture and scaffolding.</p> <p>MH stated that it was often possible to negotiate obstacles in a wheelchair, but it was hazardous for blind people. JC advised that he understood that blind people were taught to use either a kerb or the building line to negotiate their route in towns. With no kerbs in the pedestrian areas of Newbury, A-boards etc could be restricted to the road side, to leave the building line unobstructed. KH asked whether advertising could be placed at a high level.</p> <p>Mark Edwards explained that Highways had asked to bear in mind the economy and be as supportive as possible for local businesses, but he would check whether any guidelines stated how the advertising should or could be placed.</p> <p>Action 3: Mark Edwards to check whether any guidelines stated how the advertising should or could be placed on pavements.</p> <p>EO'K asked what impact market stalls had on negotiating the town centre. SH advised that it was the needs of totally blind people that needed to be understood, as many blind people had enough sight to be able to negotiate large objects. Mark Edwards agreed to raise the issue of market stalls within Highways to remind inspectors to consider the needs of blind and partially sighted people.</p> <p>Action 4: Mark Edwards to raise the issue of market stalls within Highways.</p> <p>3. KH advised that Hilden's Drive remained in a bad state despite improvements being made. Mark Edwards agreed to review this.</p> <p>Action 5: Mark Edwards agreed to review Hilden's Drive.</p> <p>4. MH asked who checked the activity of contractors where they needed to barrier sections of road or pavement, as they often did not leave enough room for wheelchairs or buggies.</p> <p>Mark Edwards responded that the Council were expected to monitor this, but around 8000 holes were dug each year and it was not feasible to monitor all of them. A dip sample of 10% of works were required to be inspected, and the larger projects would be checked. Contractors do work to regulations which specify the need to consider road and</p>

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	<p>pavement users, but these were not always abided by. However if an issue is reported to Highways, it is generally reviewed the same day. The public don't report all issues so this can't be relied upon to ensure all contractors are acting appropriately.</p> <p>5. JC noted an issue with the crossing control units at pedestrian crossings, where one contractor had not used the agreed specification despite significant consultation activity some years ago to identify an appropriate unit.</p> <p>EW advised that this issue had been resolved, but Mark Edwards would investigate the matter.</p>
5. Human Resources	<p>Robert O'Reilly explained that the Council operated the 'Two Ticks' policy requiring all job applicants who meet the minimum criteria for a job to receive an interview. However he noted that despite this, only about 2% of applicants were successful at getting the job, putting this down to the high standard of applicants creating great competition for all positions.</p> <p>The Council currently has 3.41% of employees who have declared a disability.</p> <p>The Council works closely with Job Centre Plus to provide work experience for disabled people, providing them with skills to help them in obtaining employment.</p> <p>80% of disabled people had undertaken training, which in part would be to help progress within the organisation.</p> <p>Apprenticeships (open to all, not specifically disabled people) were not attracting high numbers of applicants at present, but consideration was being given to aiming some positions to disabled people. This would be formally considered in the Autumn after which the result could be reported back to the board.</p> <p>Action 6: Robert O'Reilly to report back the decision relating to aiming apprenticeships to disabled people.</p> <p>JC asked whether more people were now considering themselves to be disabled given the wider scope of the definition in current legislation. Robert O'Reilly replied that this could be seen on job applications being received and internally, employees appeared more confident about declaring a disability. The equalities part of the job application is kept separate from the main body of the form, so only HR have access to that information. This is kept confidential and is up to the individual if they wish to disclose to colleagues. The only other reason for disclosure is for reasonable adjustments.</p>

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	<p>MH asked what policies were available to protect carers especially for unexpected leave. Robert O'Reilly informed the board of the ability to call on miscellaneous leave, emergency leave and flexible working arrangements. It was expected that anyone needing to take leave for any reason could do so.</p> <p>MH asked what the level of promotion was amongst disabled people. Robert O'Reilly replied that there were proportionally fewer disabled people at senior levels.</p> <p>JC asked if there were any problems with making reasonable adjustments. Robert O'Reilly stated that Occupational Health or Access to Work might be consulted to advise on what adjustments would be appropriate and that no problems had been encountered. Adjustments had included specialised computers, telephones, desks, work locations, etc.</p> <p>MH asked whether Access to Work provided any funding for adjustments. EW thought that funding could be provided to the individual (not the organisation) to assist them in their employment, but would find out and confirm this.</p> <p>Action 7: EW to confirm the funding available from Access to Work.</p> <p>Robert O'Reilly added that Access to Work were particularly helpful in advising of appropriate adjustments as they remained realistic for the individual and the organisation, instead of asking for everything possible.</p>
6. AOB	<p>Transport Forum: No meeting held</p> <p>Personal Budget User Group: MH reported that he expected to continue to attend these meetings as a personal budget user and could report back in that capacity.</p> <p>Access Panel: No meeting held, as no suitable applications had been received.</p> <p>JC reported that messages were still being left on the DES board answer phone from individuals saying that their carer had not turned up.</p>
8. Next meeting	<p>The next meeting is scheduled for Tuesday 12th November 2013 in Committee Room 2. (Please note the change of date)</p>

Item	Notes
	<p>Main Agenda Items:</p> <ul style="list-style-type: none"> - Disability Related Expenses - Welfare Reforms update
Meeting dates for 2013/14	<p>Tuesday 12th November 2013 in Committee Room 2 Market St, 10:30 am – 1:00 pm</p> <p>Thursday 30th January 2014 in Committee Room 2 Market St, 10:30 am – 1:00 pm</p>