

**Minutes of the West Berkshire Council's
Disability External Scrutiny Board
Meeting 30 January 2014**

Item	Notes
Board Members in attendance	Jan Rothwell (Chair), Mick Hutchins, John Carr, Sue Hinks, Alan Fleming, Keith Hester.
Others	Councillor Gwen Mason, Councillor Graham Pask, Rachel Craggs (Crime Reduction Manager), Lesley Wyman (Head of Public Health and Wellbeing), Nick Carter (Chief Executive) and Elaine Walker (Principal Policy Officer).
1. Introduction and apologies.	<p>The Chairman welcomed everyone to the meeting.</p> <p>Apologies: Apologies were received from Elizabeth O'Keefe (Newbury Town Council).</p>
2. Minutes and Matters Arising.	<p>The draft minutes of the meeting held on 12 November 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.</p> <p>Additional updates were provided at the meeting as follows:</p> <p>Action 4: The Council are not able to gather information about the number of people who have requested to downsize their home due to a disability because this detail (where it is available) is held within individual case files, not electronically. Councillor Pask asked that enquiries be made as to whether this information can be tagged electronically. JC requested information as to whether people are still required to pay the 'bedroom tax' if there was insufficient supply of houses to allow people to downsize.</p> <p>Action 1: EW to enquire whether it would be possible to add a marker on electronically held records to show applicants with disabilities.</p> <p>Action 2: EW to enquire whether 'bedroom tax' was still to be paid if a request to downsize was rejected due to a</p>

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	<p>shortage of suitable sized housing.</p> <p>MH noted that a loophole had been identified that allowed people who had continuously lived at the same property and continuously claimed housing benefit since 1996 would not be liable to pay 'bedroom tax'. This loophole was expected to be closed in March 2014.</p> <p>Councillor Pask requested an update on 'bedroom tax' at a future meeting to clarify the position on this and Discretionary Housing Payments. He asked that Sovereign be invited to attend along with Officers.</p> <p>Action 7: Councillor Mason confirmed that she had submitted a request to the Overview and Scrutiny Committee to review the Disability Related Expenditure (DRE) policy. As she had not been present at the meeting, it would be decided in February - at the next meeting - after further clarity was provided.</p> <p>MH informed the board that he had received a response to his Freedom of Information request which he would circulate.</p> <p>Action 3: MH to circulate the response to his Freedom of Information request into the DRE policy.</p> <p>MH explained that he had written to Councillors Mooney and Hunneman to request that a Task Group consider the policy as it did not appear to be in line with Department of Health guidelines. 15 appeals were made against decisions related to this policy in the past year, compared to 1 appeal the previous year and none before 2011. He asked that the Task Group look for greater transparency in the policy, and clarity over what can be claimed and what evidence is required in order to claim be set out in the policy. The calculations used in determining DRE were developed ten years ago and were no longer adequate. Councillor Pask suggested that the Task Group could raise this as an issue at a national level if necessary and asked that this return to the DES board in April for an update.</p> <p>Responses to Actions allocated to Mark Edwards (Head of Highways) at a previous meeting were confirmed as:</p> <p>Action 3: Mark Edwards to check whether any guidelines stated how the advertising should or could be placed on pavements. No guidelines are apparent, but Mark Edwards is checking further.</p>

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	<p>Action 4: Mark Edwards to raise the issue of market stalls within Highways. Mark Edwards has raised this with Council Officers.</p> <p>Action 5: Mark Edwards agreed to review Hilden's Drive. Those sections of the footway in Hilden's Drive that would benefit from repair, are being considered for inclusion in next years capital programme.</p>
<p>3. Out in the Open: Manifesto for Change – Tackling Disability Related Harassment</p>	<p>EW introduced 'Out in the Open: A Manifesto for Change' a report by the Equality and Human Rights Commission into the response given to disability related harassment nationally. Many of the 43 recommendations were relevant to the Council, and the activity we are taking to address them is currently being reviewed. There is, however, one recommendation that the board were asked their views on around the ease and methods of reporting harassment in West Berkshire, and how this might be improved.</p> <p>SH asked what the difference is between harassment and intimidation. Rachel Craggs agreed that this could be clarified.</p> <p>Action 4: Rachel Craggs to clarify the definition of harassment.</p> <p>SH also commented that some people might not report things as they did not think the police would take any notice. Rachel Craggs set out how individuals who might be experiencing harassment could act, and explained that the Council employed an Anti-Social Behaviour Coordinator, but also that if the person were to report the incident on the police non-emergency number (101), it would be taken very seriously. An incident that was considered to be a hate crime would be addressed, a risk assessment would be undertaken to help decide what action should be taken.</p> <p>Councillor Pask stated that it would not be possible to address issues if they were not reported, but acknowledged the difficulty in doing so and suggested that if relevant, Housing Associations should be informed. He went on to also suggest that this subject be brought to the next meeting of the Safer Communities Partnership. This meeting would be taking place in March and an update could be brought to the next DES meeting.</p> <p>Action 5: An update on the discussion at the Safer Communities Partnership be brought to the next meeting.</p> <p>MH commented that any response would need to allay people's fears of reprisals. It was noted that it would not necessarily be helpful for a uniformed response to arrive at a person's home as this could make things worse for them if seen.</p>

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	<p>JC suggested contacting Neighbourhood Police Teams.</p> <p>MH noted that it was important for any process to be communicated not only to the public, but to other organisations, such as Housing Associations, in order that they are acted on in a consistent way. He also commented that it was important to address harassment at work and school as so much time is spent with people here, it is impossible to avoid perpetrators. Perhaps education should begin in schools to give children the confidence to raise issues.</p> <p>MH commented on a wider issue that disabled people can become very disillusioned with achieving anything through a big organisation, as it can be extremely hard work to obtain the smallest things. This experience is likely to leave some unwilling to report incidents as they will expect an uphill struggle to get anywhere.</p> <p>AF said that the Council need to be more reassuring in allaying the fears of the public that reporting incidents will not affect the services they receive.</p>
<p>4. DES board policies</p>	<p>JR introduced the item saying that it had arisen from a need to obtain more members to the board, and also to address some issues that had arisen at the previous meeting when visitors had attended. She agreed that visitors should be encouraged to attend, but that there should be some guidance to avoid issues arising in the future.</p> <p>It was therefore suggested that the terms of reference for the group be amended to ask that members of the board ask the Chair before confirming with visitors that they can attend, and to ask them to provide some notes to explain what they will be addressing so that these can be circulated prior to the meeting. In addition, visitors should only attend for their item of interest which will be placed at the end of the meeting.</p> <p>MH raised an issue about transport which might limit when visitors are able to arrive and leave. He also suggested that bringing in visitors occasionally might be a good way to increase membership of the board. He also agreed that the board was not a place where individual issues could be addressed – these should be taken through the correct Council routes.</p> <p>Regarding communications about the board, it was agreed that there could be some issues with outlying areas. JC advised that he held a central list of email addresses which he used to send information, but some appeared to be out of date – particularly parish emails.</p> <p>Action 6: EW to circulate the central email list for Parishes and Schools.</p>

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	<p>[Note: The following page shows the contact details for all Parish Clerks: http://decisionmaking.westberks.gov.uk/mgParishCouncilDetailsList.aspx</p> <p>There is no central list for schools that is publicly available]</p> <p>The group considered how to market the board, and agreed that:</p> <p>Action 7: MH to write a press release and submit to EW. EW to ask the Council's PR team to release this.</p> <p>Action 8: SH to contact the Kennet Gazette for this article to be included once published</p>
<p>5. AOB</p>	<p>Transport Forum and Personal Budget User Group have not met since the last board meeting. The Personal Budget User Group can be removed from future agendas.</p> <p>Action 9: EW to remove Personal Budget User Group from standing items on future agendas.</p> <p>The Access Panel will be meeting in the week of the 3rd February when there will be a discussion around the replacement of HSG8 (regarding lifetime homes) to the Council's Core Strategy. The group will also be discussing a new mechanism for pelican / puffin crossings.</p>
<p>6. Health and Wellbeing Board</p>	<p>Lesley Wyman presented information about the Health and Well Being Board (HWB), and Health within the Council.</p> <p>The origins of the new approach were from the Health and Social Care Act 2012 and came about through a recognition that the UK has an ageing population, the cost of medicine continues to rise, the public purse is reduced and there is a need for improvement in some areas, for example improved cancer survival rates. The Health and Wellbeing Board allows more freedom to innovate and greater opportunity for patients to be involved. By putting clinicians at the heart of decision making, there is expected to be improved outcomes, and by putting Health within the local authority, there is greater opportunity to work closely with related services in Adult Social Care, Housing, etc.</p> <p>The main aim is to prevent ill health. If people are not involved in prevention, and improving their own health, it will not be possible to afford future health care needs.</p> <p>The Health and Wellbeing Board addressed priorities that had been raised locally and established through local</p>

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	<p>information. West Berkshire is fortunate to have generally fewer health needs than other areas of the country, and this makes it easier to pick out vulnerable groups and focus on their needs. For example currently work is being undertaken to look at social isolation in rural areas, working with villages to develop 'village agents' to help counter this.</p> <p>Flooding is also shown to be negative for health reasons, and it is now easier to link with the correct people within the Council in order to alleviate the negative impacts.</p> <p>Promoting activity for children and families, and eating well is also a priority. Exercise can be referred from a doctor for example, as can smoking cessation support. There is a lot of evidence to suggest that these schemes are successful at helping people to change their lifestyles, which they would be less likely to achieve without the support offered.</p> <p>A number of comments were made by the board:</p> <ul style="list-style-type: none"> - A negative attitude is often encountered within the health service with frequent references to the cost of the treatment being given. - The accountability of the HWB is not clear, and there is no clear route in for local groups or residents. Some good work has been undertaken by local groups, and there is nowhere to feed this into the system. Lesley Wyman suggested that any issues regarding treatments can be taken directly to the Clinical Commissioning Groups (CCGs) where it is possible to raise questions at their open meetings, and they will provide a response. - There didn't appear to be anything constructive coming from HealthWatch. Lesley Wyman agreed to feed this back <p>Action 10: Lesley Wyman to meet with Councillor Mason and Adrian Barker (the West Berkshire Representative on HealthWatch) to discuss what HealthWatch is doing for West Berkshire and to feed in the district's needs.</p> <ul style="list-style-type: none"> - The board were unaware who the voluntary sector representative on the Health and Wellbeing Board was. Lesley Wyman confirmed that it was Leila Fergusson of Mencap and suggested that comments be raised with her as necessary. - Surgeries were not always properly equipped to deal with patients, for example not having a hoist installed.

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<p>7. . Next meeting</p>	<p>The next meeting is scheduled for Thursday 24 April 2014 in Committee Room 1. Possible Agenda Items:</p> <ul style="list-style-type: none"> - Update on service user / carer forums – Tandra Forster - Update on Safer Communities Partnership meeting – Graham Pask?? / Rachel Craggs?? - Care Bill updates – Steve Duffin
<p>8. Nick Carter</p>	<p>AF informed the board that he had received in January 14 invoices stating that he now owed the Council a significant sum of money. After some investigation, he found this to be a mistake, but he has received a number of calls from other residents with the same issue, and he is concerned about how wide spread this might be, and the stress it will put people under if they are not confident to make the necessary enquiries and discover the mistake.</p> <p>MH also mentioned that sometimes late invoicing – after 6 months sometimes – was an occasional issue.</p> <p>Nick Carter offered to look into these personally.</p> <p>Nick Carter suggested that an update on the Care Bill be added as a standing item on the agenda.</p> <p>Action 11: Care Bill Update be added to the agenda as a standing item.</p> <p>MH commented that he had been made aware of a shortage of Occupational Therapists (OT) which was having an impact on the provision of specialist equipment. JC added that whilst Building Control require a letter from an Occupational Therapist for certain adaptations to homes, they did not appear aware that the Council could provide OTs.</p> <p>Action 12: EW to contact building control and raise this issue.</p> <p>MH raised an issue that had been brought to his attention by his Personal Assistant who has been stopped three times by an unmarked police car on her way home late at night (after work). He was concerned that this could be a safety issue, and would like reassurance as to how she should be dealing with this. For example would it be acceptable to either travel to a safe place before stopping – which could be some distance – or even not stop at all.</p>

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	<p>AF suggested contacting the Suzy Lamplugh Trust for information.</p> <p>Action 13: EW to contact Thames Valley Police to obtain guidance for lone female in this situation.</p> <p>Nick Carter informed the board of the outcome from an action from a previous meeting, confirming that it had been agreed that the Council would reserve one apprentice place for a disabled person, and one for a looked after child.</p>
<p>Meeting dates for 2013/14</p>	<p>Thursday 24 April 2014 in Committee Room 1 Market St, 10:30 am – 1:00 pm</p> <p>Thursday 17 July 2014, 10:30am – 1pm - Committee Room 2</p> <p>Thursday 16 October 2014, 10:30am – 1pm - Committee Room 2</p> <p>Thursday 22 January 2015, 10:30am – 1pm - Committee Room 2</p>