

**Minutes of the West Berkshire Council's  
Disability External Scrutiny Board  
Meeting 24 April 2014**

Item	Notes
<b>Board Members in attendance</b>	Jan Rothwell (Chair), John Carr, Sue Hinks, Alan Fleming, Keith Hester.
<b>Others</b>	Elizabeth O’Keeffe (Newbury Town Council), Rachel Craggs (Crime Reduction Manager, Elaine Walker (Principal Policy Officer).
<b>1. Introduction and apologies.</b>	<p>The Chairman welcomed everyone to the meeting.</p> <p>Apologies: Apologies were received from Mick Hutchins Councillor Gwen Mason</p>
<b>2. Minutes and Matters Arising.</b>	<p><b>Action 1:</b> EW to enquire whether it would be possible to add a marker on electronically held records to show applicants with disabilities.</p> <p>The systems used to monitor this information are managed by an external company who will charge for any changes, including adding markers. It is not proposed to pursue this.</p> <p><b>Action 2:</b> EW to enquire whether ‘bedroom tax’ was still to be paid if a request to downsize was rejected due to a shortage of suitable sized housing.</p> <p>The legislation only prescribes that claimants should be subject to the relevant deduction as long as they reside in a property which is too large for their household needs. There is no exception which relates to whether the tenant is willing to move and/or availability of suitable alternative accommodation, although these issues may be considered relevant in the assessment of a discretionary housing payment (DHP) if the tenant were to apply for a DHP to cover the percentage deduction from HB</p> <p><b>Action 3:</b> MH to circulate the response to his Freedom of Information request into the DRE policy.</p> <p>Carry forward</p>

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	<p><b>Action 4:</b> Rachel Craggs to clarify the definition of harassment A definition was circulated prior to the meeting.</p> <p><b>Action 5:</b> An update on the discussion at the Safer Communities Partnership be brought to the next meeting Complete - See item 5.</p> <p><b>Action 6:</b> EW to circulate the central email list for Parishes and Schools Complete</p> <p><b>Action 7:</b> MH to write a press release and submit to EW. EW to ask the Council's PR team to release this. Carry forward</p> <p><b>Action 8:</b> SH to contact the Kennet Gazette for this article to be included once published Carry forward</p> <p><b>Action 9:</b> EW to remove Personal Budget User Group from standing items on future agendas. Complete</p> <p><b>Action 10:</b> 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. Carry forward</p> <p><b>Action 11:</b> Care Bill Update be added to the agenda as a standing item Complete – See item 4.</p> <p><b>Action 12:</b> EW to contact building control and raise this issue A West Berkshire Council Occupational Therapist meets with the Building Control team to keep lines of communication open. There should therefore be no ongoing issue with Building Control not knowing about OTs.</p>

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	<p>However the issue has been raised within Building Control.</p> <p><b>Action 13:</b> EW to contact Thames Valley Police to obtain guidance for lone female in this situation.</p> <p>A response to this was circulated prior to the meeting.</p>
<p><b>3. Update of Service User / Carer Forums</b></p>	<p>Tandra Forster told the board that she was looking to set up a discussion forum or workshop between care providers, users and the Council, and that she would like to approach this by identifying some themes to be discussed. A working group will be set up to plan the workshop, and it was hoped that a facilitator would be involved to manage the process independently. Tandra Forster asked the board what ideas they had as to the important themes that needed to be raised.</p> <p>AF related his experiences of many years of negative responses from care providers and that he did not believe that the services or responses would change unless there was a change to the contracting process (for example not working after 10pm). He also reported that with a lot of Eastern European workers being employed by care agencies, language could be an issue. AF believed that care providers were only interested in the money to be made, and not in providing a full and fair service that meets people's needs.</p> <p>Tandra Forster told the board that the CQC (Care Quality Commission) are proposing to change their inspection framework in line with Ofsted. CQC manage whether or not a care provider is registered or de-registered with them, the council can only decide whether or not to commission the provider. The provider must meet certain criteria before they can be added to the list of available providers in the area.</p> <p>Tandra Forster replied that hours of work had been under consideration for some time, and that it would be necessary to understand from care providers what arrangements they would need to put in place in order to cover extended hours. Providers would need to be able to explain the impact this change would have on them and their costs for example.</p> <p>Tandra Forster explained about the integration of Health and Social Care, a large project that is currently underway. A pot of money is available to help Clinical Commissioning Groups, Local Authorities and Health Services to provide better and more streamlined care. The general impact of the changes were expected to provide an increase in availability of the service.</p> <p>AF raised an issue that respite payments were not being paid on time. Tandra Forster agreed to follow this up.</p> <p><b>Action 1:</b> Tandra Forster to raise issue of respite payments not being paid on time.</p>

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	<p>EO'K raised that language skills were also relevant to elderly people and those with conditions affecting their memory, stating that accents and familiar language could improve these people's quality of life.</p> <p>AF suggested that another theme might be religion. He had experienced a female Muslim care worker who was not able to provide AF's required personal care due to her religion. Tandra Forster felt that religion would not be a suitable theme, but the issues could be raised by linking it to other areas, for example dementia as a theme, and ask how a carer's religion might impact on the user.</p> <p>Tandra Forster summarised that the themes emerging from the conversation appeared to be</p> <ol style="list-style-type: none"> <li>1 – The skills and abilities of carers – including language skills</li> <li>2 – Flexibility in hours</li> <li>3 – Dementia</li> </ol> <p>AF asked that he and MH be involved in the discussions.</p> <p>KH asked how someone would become known to the Council as someone who requires care services. Tandra Forster replied that a formal assessment could be arranged by contacting the Access for All team or by referring to the following web page:</p> <p><a href="http://intranet/index.aspx?articleid=20545">http://intranet/index.aspx?articleid=20545</a></p>
<p><b>4. Care Bill Update</b></p>	<p>Tandra Forster introduced an update of the progress of the Care Bill which is currently in draft form and progressing through Parliament. The new legislation aims to clarify matters relating to care and support for adults and support for carers. Some new duties are proposed, the biggest being a change to eligibility criteria to create a national common level of 'substantial' (the Council currently operates at 'critical'). It is not yet clear what impact this change might have on the Council, if it is agreed. This will become clearer once the guidance is published which is due in October 2014.</p> <p>A summary of the Care Bill has been attached to these minutes.</p> <p>KH asked who would pay for any increased costs resulting from the Care Bill. Tandra Forster replied that this is an issue that has been raised with central government. Some flexibility has been built in to the bill to help reduce costs in some areas.</p>

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	<p>SH asked whether fairer charging would continue. Tandra Forster replied that yes it would and referred to the Dilnot recommendations relating to long term care funding which limits the amount that a person will need to pay for their own care. Tandra Forster also commented that people might begin to register early in preparation for when social care help becomes necessary for them.</p> <p>Tandra Forster agreed to return in October to provide a further update once the guidance has been published.</p> <p><b>Action 2:</b> Tandra Forster to provide an update on the Care Bill in October.</p>
<p><b>5. Update following the Safer Communities Partnership meeting</b></p>	<p>Following the discussion at the board's last meeting regarding disability related harassment, the following statement was provided by Rachel Craggs from the Safer Communities Partnership:</p> <p>'The SCP Team has welcomed the opportunity to review some of the Out in the Open Recommendations as requested by Graham Pask following a meeting of the Disability Board in January 2014.</p> <p>After taking everything into consideration we do not think we need to do anything in addition to our current working practises.</p> <p>Our procedures, risk assessments and the knowledge and experience of front line staff mean we are confident that any report of harassment is dealt with appropriately.</p> <p>The request to review our practice in respect of these Recommendations has made us check ourselves and we are confident that at this time no further action needs to be taken.'</p> <p>JR asked the board whether this statement provided them with reassurance or whether the board had any comment. SH did not find reassurance in the statement, but no members of the board provided further comment.</p> <p>Referring to the issues being experienced by a specific individual (raised at the last meeting) EO'K asked whether temporary CCTV could be installed to help identify the perpetrator. SH agreed that this might help as the person was not able to be identified by voice alone. Rachel Craggs agreed to enquire as to whether this might be a possible course of action.</p> <p><b>Action 3:</b> Rachel Craggs to enquire as to whether it might be possible to install temporary CCTV at an individuals home to identify the perpetrator of harassing behaviour.</p>
<p><b>6. Transport</b></p>	<p>Jenny Graham introduced a proposal that the Transport Forum no longer meet on a regular basis as it had achieved</p>

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<b>Forum</b>	<p>it's core aims, developed excellent links within the Council and outside, and current resources meant it would be difficult for the Council to continue to support it. Jenny added that should any issues arise that required a wider view, the forum could be gathered on an ad hoc basis. Valerie Witton agreed that extraordinary meetings could be called for large issues, or issues of importance, and added that individuals could work with user groups outside of the Council too to help influence change. This had proven successful in Pangbourne.</p> <p>The board agreed to the proposal.</p>
<b>7. AOB</b>	<p>JC reported that he had not attended the last Access Panel, but noted that Senior Planning Officers were attending meetings now which was a positive step for the profile of access. JC said that the Core Plan was extremely complex and it was difficult to use if to effect without knowing it in detail.</p> <p>JR told the group that the Council had agreed to form a Task Group to investigate the Fairer Contributions Policy (relating to Disability Related Expenditure). EW advised that Task Groups would call for witnesses which would be an opportunity for the DES board to be involved. The Task Group did not yet have a start date.</p> <p>SH told the group that the RNIB was able to complete forms relating to the Welfare Reforms for people with a visual impairment.</p>
<b>8. Agenda Items for next meeting</b>	<p>The next meeting is scheduled for Thursday 17 July 2014, 10:30am – 1pm - Committee Room 2. Possible Agenda Items:</p> <p>- The new internet</p>
<b>Meeting dates for 2013/14</b>	<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>