

# Public Document Pack



Neuadd y Sir  
Y Rhadyr  
Brynbuga  
NP15 1GA

County Hall  
Rhadyr  
Usk  
NP15 1GA

Monday, 11 January 2016

**Notice of meeting / Hysbysiad o gyfarfod:**

## **Adults Select Committee**

**Tuesday, 19th January, 2016 at 10.00 am,  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA**

*Please note a pre meeting will be held 30 minutes before the start of the meeting for members of the committee.*

### **AGENDA**

<b>Item No</b>	<b>Item</b>	<b>Pages</b>
1.	Apologies for absence	
2.	Declarations of interest	
3.	Public Open Forum	
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5.	Scrutiny of the forthcoming Social Services Act and the implications for Monmouthshire Council	7 - 14
6.	Policy Review of the Raglan Project	
7.	Consideration of Supporting People Service's Response and Action Plan following the Welsh Government's visit	15 - 28
8.	Adult Select Committee Work Programme	29 - 30

**Paul Matthews**

**Chief Executive / Prif Weithredwr**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

P. Farley  
R. Harris  
R. Chapman  
R. Edwards  
M. Hickman  
P. Jones  
P. Jordan  
P. Watts  
A. Wintle  
D Hill  
D Husdon

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### Welsh Language

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# Aims and Values of Monmouthshire County Council

## Sustainable and Resilient Communities

### Outcomes we are working towards

#### **Nobody Is Left Behind**

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

#### **People Are Confident, Capable and Involved**

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

#### **Our County Thrives**

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

### Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

### Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

# Public Document Pack Agenda Item 4

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Adults Select Committee held  
at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 8th  
December, 2015 at 10.00 am

**PRESENT:** County Councillors: P. Farley (Chairman)

R. Harris, R. Chapman, R. Edwards, M. Hickman, P. Jones,  
P. Watts, A. Wintle and D Hill

### **OFFICERS IN ATTENDANCE:**

Hazel Ilett	Scrutiny Manager
Claire Marchant	Chief Officer Social Care, Health & Housing
Colin Richings	Implementation Lead
Tyrone Stokes	Accountant
Nicola Perry	Democratic Services Officer

### **APOLOGIES:**

Councillors P. Jordan and D Husdon

#### **1. Declarations of interest**

There were no declarations of interest made by Members.

#### **2. To confirm the minutes of the previous meeting held on Tuesday 13th October 2015**

We confirmed and signed the minutes of the meeting held on Tuesday 13<sup>th</sup> October 2015.

#### **3. Scrutiny with Aneurin Bevan University Health Board**

We welcomed representatives from the ABUHB:

G. Evans	Director of Workforce
B. Bolt	Deputy Chief Operating Officer
P. Buss	Medical Director
D. Jenkins	Chair of ABUHB
J. Paget	Chief Executive
A. Davies	Director of Planning and Performance
A. Brace	Deputy Chief Executive and Finance Director

We received a presentation from the Chief Executive in order for Members to scrutinise, with ABUHB, the following areas:

- A Performance Update on Health Developments in Monmouthshire.
- Discussion on 'Dying Matters' as a possible future area for scrutiny work with the Aneurin Bevan University Health Board.
- Scrutiny of an Evaluation of the Choose Wisely Programme.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of Adults Select Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 8th December, 2015 at 10.00 am**

Following the initial presentation on Health Developments in Monmouthshire, Members were invited to comment and discuss. In doing so the following points were noted:

Members sought clarification on the review on the GP out of hours scheme. In response we were advised that a challenge to the Health Board had been recruiting GPs to the out of hours service. The service relied on being able to recruit salaried GPs or Sessional GPs, which had become increasingly difficult over the past 12 to 18 months. In order to address the issue the Health Board had recruited more nurses to work alongside GPs and increased payment rates for GPs, which had not been particularly effective. A complete route and branch review of the service had been conducted, which would have been carried out with the introduction of a new telephone number, the 111 service, to ABUHB in 2017. The review had looked at the number of calls coming in, the types of calls, if a different response could be provided. The Health Board were focussing on a primary care approach to the out of hours service. It was noted that the service was not being reduced, but enhanced.

Members referred to problems with car parking facilities at Neville Hall hospital. In response we heard that a meeting had been attended which confirmed that planning permission had been applied for to extend the facility, but had been appealed against by National Resource Wales. The Health Board confirmed they were committed to resolving car parking issues at both Neville Hall and Royal Gwent Hospitals.

A Member questioned the Health Boards policy surrounding smoking electronic cigarettes and it was confirmed that their smoking policy covered the ban of all types of cigarettes.

A Member raised concerns surrounding the role of the Community Health Council for the future. It was a concern that the future service may be more in-house. The Chair of ABUHB expressed that there was a good relationship with the CHC and the CHC provided a much better informed service. As far as the Health Board were concerned, the work of the CHC in Gwent was greatly valued, as was the support.

A Member questioned if the scrutiny process was a hindrance to progress. The Chief Executive of ABUHB considered the scrutiny process important and useful to test out views and plans. It was thought to be essential that plans were tested through scrutiny and general discussions. It was confirmed that ABUHB wanted to further develop engagement work which was welcomed by Members.

In response to a question regarding the availability of interpreters we were informed that there was an allocation to bring in interpreters or to use language line. There was often help from family members in these instances. Literature was copied into utilised languages.

A Member questioned if ABUHB had reviewed their management structure across the Health Board. In response we heard that there was regular benchmarking of management costs. There had been a similar structure in place for the last 5 years and early in 2016 there would be the commissioning of a fundamental review of structures. With regards to clinical structures we were informed that doctors employed and deployed in the right way. There was a plan over time to get to a fully functioning 7 day service providing 7 day, twice a day ward rounds.

Following a query relating to ambulance waiting times the Director of Planning and performance at ABUHB explained that there were several areas to take into consideration being:

- That ambulances were not unnecessarily delayed in the emergency department.
- Welsh Ambulance Service Trust staffing levels.
- Working with the Welsh Ambulance Service Trust to organise services effectively.

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### **Minutes of the meeting of Adults Select Committee held at Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA on Tuesday, 8th December, 2015 at 10.00 am**

We heard there was a much better foundation going forward.

Following a request for clarification on Welsh Government statement on improved funds, we heard that there was a growing need from the population and therefore a need to invest more. There had been a struggle over the last 4 years to get a good balance. The last comprehensive spending review had shown that the Welsh Government would be protecting other services such as Social Care. It was important to consider how to get serious about integration and how best to pool services together.

The Chief Officer for Social Care and Health added that in terms of integrated services we were building on a strong position, but noted there were always next steps and more to do. Part 9 of the Social Care and Wellbeing Act requires us to pool more budgets and officers were looking at integration within those networks as challenge but exciting opportunity.

A Member questioned, with regards to patients nutrition, what was the policy on assisted feeding, and if appropriate people would be welcomed. We heard that all staff encourage adequate nutrition as part of the policy. A review of the nutritional standard had been undertaken and the Health Board were working at a high level. There were some ongoing activities, and family members were encouraged to assist where possible. We heard that some hospitals were using volunteers.

The Chairman thanked the ABUHB members for the discussion and introduced the Deputy Chief Operating Officer of ABUHB, who was presenting a report on 'Dying Matters'. Following the presentation Members were invited to comment, during which time the following points were noted:

Members felt that if the programme was to be implemented in Monmouthshire the name should be Live Well, rather than a Welsh name that would not be understood in many areas.

A Member expressed that it was important to make people comfortable for end of life care, and to avoid the trauma of going into a hospital situation at that stage. In response we heard that we were very lucky to have 2 hospices in Gwent who were very responsive. St David's Hospice Response Service were renowned across Wales and parts of the UK as being an extremely responsive service.

The Chairman noted that the Committee were invited at this time to participate in discussion and would welcome the endorsement for further opportunities to work together. The Committee accepted, in principle, the invitation and would welcome participation as, possibly, the first in Wales.

Lastly, we heard about the Choose Well campaign and the services were highlighted to the Committee. Following the presentation Members were invited to comment.

The Chairman clarified that this referred to Monmouth rather than Monmouthshire, and Members would be happy to see the scheme move into the other areas of Monmouthshire. Members were keen to note that they would be willing to help to engage, and felt it was important for many reasons, especially as a way of changing forms of services which had previously been bones of contention.

A Member stressed that we should never assume that all people have access to the internet, or know where to turn when help is needed. Leaflets should be distributed to individual

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households. It was suggested that where possible the information could be added to Members newsletters.

The Chairman thanked the representatives from ABUHB for their attendance and the full and frank discussion. The courtesy shown by the Health Board was fully appreciated. The Committee wished to note the hope that for future meetings we would receive paperwork in advance for scrutiny purposes.

The Committee welcomed the invite to take part in the 'Live Well' programme.

The Committee would have like to have been more involved in the Choose Wisely programme and have asked that local County Councillors are given an opportunity to shape what is being done for local communities.

#### **4. Performance Management Report on Improvement Objectives and Outcome Agreements**

##### **Context:**

We received a report in order to present quarter 2 performance data for the Improvement Objective and Outcome Agreement objectives which were under the remit of Adults Select Committee:

- Improvement Objective 2 "We will safeguard people, whether young or old, while reducing people's dependence on social care".
- Outcome agreement theme "Ensuring people receive the help they need to live fulfilled lives".

##### **Key Issues:**

The Outcome Agreement and the Improvement Objectives have a different focus:

- Improvement Objectives were set annually by the council to deliver on priorities. Despite objectives being focused on the long term the specific activities that support them were particularly focussed for the year ahead
- The Outcome Agreement is an agreement with the Welsh Government for a three year period, where the council needs to deliver on performance activity and associated targets that contribute to the Programme for Government. The current agreement covers the period from 2013 to 2016. The council has previously been awarded full payment each year.

In the summer of 2015 the Welsh Government announced the final year of funding for performance in 2015-16 would no longer be attached to performance in the Outcome Agreement and would be rolled directly into the Revenue Support Grant for



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2016-17. This means that payment for performance against the targets in the agreement for 2015-16, being discussed by members today, is assured. However given the importance placed on the agreement as part of the council's performance framework to contribute to delivering the outcomes set it is important to continue to monitor performance against the agreement for its final year.

#### Member Scrutiny:

A Member commented that Children's Services were behind target, which could be attributed to staffing issues and an outcome of inspection reports. It was questioned if officers expected this to improve. We heard that last year had shown incredibly good performance in Children's Services. There had been a difficult start to this year with staffing issues and agencies workers causing added pressures. Staff were now looking closely at the measures, with frequent discussions with the leadership team being fed through to the Directorate Management Team on a monthly basis.

A report regarding Children's Services Performance Indicators would be brought to Joint Select Committee which would try to address all the issues in one coherent plan.

Members raised a concern surrounding Community Coordination and the decision not to roll out across the whole county without pilot work. On the face of it there was a different feel to the services and way of working in Abergavenny and Caldicot to Chepstow and Monmouth. It was questioned if the evaluation proved that it was not as effective as expected what would be the course of action.

The Chief Officer for Social Care and Health explained that in terms of taking forward local area community coordination in those two areas, it would be evaluated against the original criteria and business case. It was important to get the hard evidence of what this has told us. In terms of the future direction of travel and the performance measures the plan B around giving more services to people would not be sustainable from a service or financial point of view.

#### Recommendations:

The report recommended that members scrutinise the performance achieved and impact made to assess progress and performance against the objectives, and that members identify and explore any areas of underperformance or concerns, and to seek assurance from those responsible for future activity where they conclude that performance needs to improve.

#### Committee Conclusion:

#### Chair's Summary:

The Chair concluded that the Committee were broadly content and resolved to accept the report

### **5. Revenue & Capital Monitoring 2015/16 Month 6 Outturn Forecast Statement**

#### **Context:**

We received a report from the Finance Manager to provide Adults Select Committee Members with information on the forecast revenue outturn position of the Authority at the end of reporting period 2 which represents month 6 financial information for the 2015/16 financial year.

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The report would also be considered by Select Committees as part of their responsibility to:

- Assess whether effective budget monitoring is taking place,
- Monitor the extent to which budgets are spent in accordance with agreed budget and policy framework,
- Challenge the reasonableness of projected over or underspends, and
- Monitor the achievement of predicted efficiency gains or progress in relation to savings proposals.

#### **Member Scrutiny:**

Members expressed thanks to all involved and the efforts made to the positive outcome, especially in the challenging position of the Authority. The Chief Officer and Finance Manager were asked to convey the message to staff involved.

We were informed there were no particular areas of concern going forward but it was recognised that it would remain challenging.

#### **Committee Conclusion:**

##### **Chair's Summary:**

The Chair concluded that it was pleasing to see how well different areas sit together. There were occasions where officers had advised that outcomes were dependant on IT and it was clear to see how this appears to have been achieved.

The Committee resolved to note and accept the report.

#### **6. Work Programming**

We received the work programme from the Scrutiny Manager, in doing so we noted that:

- Joint meeting to be held on 16<sup>th</sup> December 2015 with Children and Young People Select Committee.
- 19<sup>th</sup> January 2016 meeting to cover the Raglan Project and the Social Care and Wellbeing Act.
- A special joint meeting with Children and Young People Select to be held – no confirmed date.

**The meeting ended at 12.40 pm**

**SUBJECT: Social Services and Well-Being (Wales) Act 2014**

**MEETING: ADULT SELECT COMMITTEE**

**DATE: 19<sup>th</sup> JANUARY 2016**

**DIVISION/WARDS AFFECTED: ALL**

## 1. **PURPOSE**

The purpose of this report is to brief the Adult Select Committee on the Social Services and Well-Being (Wales) Act 2014, which provides the legislative basis for social services in Wales from April 2016. The report also sets out the implementation actions required at a regional and local level.

## 2. **BACKGROUND**

In February 2011, the former Deputy Minister for Social Services published, "Sustainable Social Services for Wales – A Framework for Action", the Welsh Government strategy to "renew social services and social care for the next decade". Sustainable Social Services made it clear that radical transformation was needed to address the significant challenges to traditional social services as a consequence of the changed social and financial context. Factors such as changes in family structures, demography, expectations about voice and control for service users, more fragmented communities and the impact of issues like substance misuse meant traditional solutions were not sustainable. Social services departments responded positively to this challenge, developing transformation programmes to achieve a paradigm shift in culture, practice and commissioning. These are programmes of continuous and sustained improvements, moving from deficit based, service led practice towards a person centred approach which focuses on strengths and individually agreed outcomes.

The Social Services and Well-Being (Wales) Act 2014 received Royal Assent and became law in May 2014. The Act provides the statutory framework to underpin the changes in culture and practice. It sets out duties for local authorities corporately and partners in the NHS, as well as social services departments. Authorities are required to integrate social services, to support people of all ages with a focus on well-being, prevention, early intervention, and greater voice and control for people. The Act promotes independence and prevention of the need for commissioned services. By integrating and simplifying the law, the Act seeks to deliver greater consistency, promote equality, improved quality and enhanced access arrangements across Wales.

This paper provides:

- A briefing on the 11 parts in the above Act.

- The local and regional position regarding implementation.

## Legal Framework

The Act repeals much of the previous framework of social care legislation in Wales in an attempt to establish a single, clear, modern statute and code of practice that underpins a coherent social care system. It is important to note that some legislation will remain in place including the Mental Capacity Act or will remain in part, including elements of the Children's Act, critically section 47. The primary legislation is supported by regulations (secondary legislation) and detailed codes of practice. The final pieces of the legislative jigsaw are in the process of being put in place. The code of practice in relation to measuring social services performance was issued on 5 October 2015. Following consultation, final regulations and final codes of practice for parts 2 (General Functions), 3 (Assessing the Needs of Individuals), 4 (Meeting Needs), 5 (Charging and Financial Assessment), 6 (Looked After and Accommodated Children), 10 (Complaints, Representations and Advocacy) and 11 (Miscellaneous and General) of the Act, were laid before the Assembly for scrutiny in November 2015. Statutory guidance for part 9 (Co-operation and Partnership) was issued in January 2016. The final codes of practice, in relation to parts 7 and 8 of the Act (safeguarding and the role of Directors of Social Services) will be laid before the Assembly in early 2016, along with regulations in respect of consequential amendments.

The Act is made up of 11 parts. These are briefly summarised below:

1. Introduction – the introduction sets out definitions underpinning the rest of the Act. The Act moves away from definitions in previous legislation which used language such as age, illness and disability to 'people who need care and support' and 'carers who need support'. The definition of carers is far broader than articulated in previous legislation; removing the requirement that carers must be providing 'a substantial amount of care on a regular basis'.
2. General Functions – this part of the Act details overarching duties, duties in respect of well-being outcomes and strategic and operational duties in respect of preventative services.
  - Overarching duties – The Act requires that persons 'exercising functions' under the Act give due regard to the UN Principles for Older People (1991) and the UN Convention on the Rights of the Child.
  - Well-being Outcomes- this duty requires Local Authorities to be proactive in seeking to improve well-being for people who need care and support and carers who need support, when exercising social services functions for a person.
  - Population Needs Assessments - Local authorities and Local Health Boards are required to work together on a regional basis to produce an evidence base in relation to care and support needs and carers' needs. The first population assessment must be produced by April 2017.
  - Preventative services - local authorities **must** provide or arrange for the provision of a range and level of preventative services which they consider will prevent the

people's need for care and support and stop needs from escalating. Authorities should promote well-being in delivering universal services.

- Social enterprises - local authorities must promote the development of social enterprises and co-operatives and/ or involve people and carers in the design and operation of care and support and preventative services.
  - Provision of information, advice and assistance - Each local authority – with the assistance of Local Health Board partners – must secure the provision of a service for providing people with information and advice relating to well-being, care and support in their area, and (where appropriate) assistance in accessing these.
  - Local authorities must develop registers of sight-impaired, hearing impaired and other disabled people
3. Assessing the Needs of Individuals – The underlying approach of this part of the Act is for adults and children to be assessed for care and support and carers to be assessed for support. The aim is to simplify the assessment process. Assessments should be proportionate. Welsh Government is currently working with key partners to develop a national assessment and eligibility tool.
  4. Meeting needs – The Act sets out duties to respond to identified needs. The national eligibility framework will bring with it an enforceable right for the individual. The final version of codes of the code of practice removes any reference to what had become known as the 'can and can only' test for accessing identified care and support. Care and support plans need to identify the role played by unpaid carers, parents, partners and other family members in an individual's care and support. A care and support plan must identify the personal outcomes and set out the best way to help achieve them. Care and support plans will be portable across Welsh local authority borders. Local authorities have a duty to explore innovative ways people's needs might be met through direct payments. A significant change is that direct payments can be used to purchase care and support direct from their local authority.
  5. Charging and Financial Assessment – This part of the Act identifies the circumstances in which a local authority may charge for providing or arranging care and/ or support including when an authority may charge for preventative services and provision of assistance. It also sets out how charges can be set, paid and enforced.
  6. Looked After and Accommodated Children – Part 6 of the Act largely re-enacts the provisions in part 6 of the Children Act (1989) relating to looked after children and the various extensive duties on local authorities to meet the care and support needs of 'looked after' children and care leavers.
  7. Safeguarding – Safeguarding is a theme that runs throughout the Act. A new duty to report is introduced for relevant partners in relation to safeguarding children. There is also a new duty for relevant partners to report adults who may be at risk. A new statutory framework for adult protection is introduced. Authorised officers of the local authority will be able to apply to the court for an adult safeguarding and support order. This will confer a power of entry to speak to an adult at risk, but not a

power to remove. New structures for safeguarding boards are mandated, with board areas and lead partners prescribed through regulations.

8. Social Service Functions – Part 8 of the Act specifies the social services functions of Local Authorities. Local Authorities must appoint a director of social services who must demonstrate competencies specified by Welsh Ministers. The code of practice in relation to the role and functions of the director of social services is the subject of a current consultation. This part of the Act also provides for grounds for intervention by Welsh Ministers in the exercise of social services function, where a local authority is failing.
9. Well-being Outcomes, Co-Operation and Partnership – Statutory guidance has been issued in respect of part 9 reflecting that it related to partnership arrangements between organisations rather than the level of individual and organisational practice guidance. The guidance sets out arrangements for partnership arrangements and regional partnership boards. The statutory guidance requires regional partnership boards to prioritise integration of certain areas: older people with complex needs and long term conditions (including dementia), integrated family support services, learning disabilities, children with complex needs and carers (including young carers). In addition, the guidance now requires the establishment of pooled funds in specific areas: the exercise of care home accommodation functions, the exercise of family support functions and functions that will be exercised jointly as a result of an assessment carried out under section 14 of the Act or any plan prepared under section 14A.
10. Complaints and Representations – this part of the Act has three chapters – complaints and representatives, complaints about private social care and palliative care and advocacy services.
11. Supplementary and General –This part of the Act includes various miscellaneous and general provisions, one of which is a new duty to meet the care and support needs of adults and young people detained in the secure estate. By April 2016 LAs will need to have arrangements in place to assess, and meet, the care and support needs of those in the secure estate. This also includes the provision of information advice and assistance. This has significant implications in Monmouthshire as it is the local authority in which the prison is based which has responsibility for assessing and meeting the ‘care and support’ needs of prisoners whether they are from Wales, England or another nationality.

## **Social Services and Well-being Act Implementation**

### Regional Implementation

Welsh Government has made available a specific grant, the Delivering Transformation Grant (DTG) in each region of Wales to support implementation of the Act. A regional transformation team has been appointed, hosted by Torfaen CBC, for this purpose. Each region in Wales has been required to develop a high level regional implementation plan,

against a nationally determined priority areas. A regional implementation plan has been developed for the Greater Gwent area. This is included as **Appendix 1** to this paper. The Regional Implementation Plan sets out high level aims and objectives; below this there have been development of Operational Action Plans that provide more detail in key areas.

### Local Implementation

Whilst much of the activity to develop appropriate responses, policy and procedures is being co-ordinated at a regional level with the support of the regional transformation team, operational implementation needs to take place at a local level. There are considerable workforce, ICT and financial implications for local authorities and significant new duties in the Act which individual authorities need to ensure compliance with. Select Committee will need assurance that robust process are in place within the authority to ensure that everything that needs to be is in place by April 2016. Synergy between Social and Services and Well-being Act implementation and work to implement the Well-being of Future Generations (Wales) Act is critical. Equally, the fit between local transformation programmes to deliver cultural and practice change and Act implementation is fundamental.

As final codes of practice are issued, baseline assessments are being undertaken at a local (as well as regional level) completed by the appropriate officers across the Council to develop action plans where necessary which can be reported to Senior Leadership Team, Select Committees and Cabinet. Action plans to address any deficits are also being developed.

### Workforce Development

Local Authority Social Care Workforce Development (SCWDP) Grant was top-sliced in 2015/16 and allocated to the Care Council for Wales to develop a national learning and development resource to ensure the workforce is supported and informed to deliver social services in accordance with the Welsh law. The Institute of Public Care (IPC) was commissioned by the Council to develop training modules. Training to priority staff (team managers and senior practitioners) is commencing in January 2016 on 4 modules. The second tranche of training will commence in April 2015. Workforce Development Managers across the region have been working under the leadership of the Director of Social Services from Blaenu Gwent CBC , detailing how training will be delivered

### **3. RECOMMENDATION**

Adult select committee are asked to consider the content of this report and the actions required to implement the Social Services and Well-being Act in Monmouthshire County Council by April 2016.

### **4. AUTHOR**

Claire Marchant

Head of Social Care and Health

**5. CONTACT DETAILS**

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<b>SUBJECT:</b>	<b>SUPPORTING PEOPLE – WELSH GOVERNMENT AUDIT</b>
<b>DIRECTORATE:</b>	<b>Social Care and Health</b>
<b>MEETING:</b>	<b>Adult Select</b>
<b>DATE:</b>	<b>19 January 2016</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

To make members aware of the conclusions and recommendations made by Welsh Government following their audit of Monmouthshire's (MCC) Supporting People (SP) provision, and to provide assurance that appropriate actions are in hand to address issues as appropriate.

## 2. RECOMMENDATIONS:

That members consider the recommendations and the outline management responses, appreciating that the audit and its recommendations are very recent and the actions proposed are very much 'work in hand'.

## 3. KEY ISSUES:

Welsh Government conducted an audit of MCC's SP programme in November, 2016. This was based on the Supporting People Programme Grant (SPPG) as delivered in 2014/15. [Report attached in Appendix I]

The audit's overall conclusion was that it could only be partially concluded that MCC's SPPG is being spent for the purposes for which it is intended. There are concerns that insufficient resources are being applied to the management and commissioning of SP services. That being said, the audit also concluded that the SP services are being adequately managed given the resources available.

The audit cites the level of resources as having a direct impact on the robustness of the key procedures:

- Services being commissioned using a generic contract that does not reflect specialist service specifications.
- The volume of contract monitoring has not assured that services comply with grant funding conditions nor that services are improving appropriately.
- The accreditation of providers, and the updating procedures associated with this, is insufficient to mitigate the risks associated with financial sustainability failures.
- SPPG record keeping procedures have been insufficient for effective commissioning and contract management.
- The SPPG planning group has insufficient involvement from the providers.
- There is insufficient service user involvement influencing commissioning decisions.
- There is insufficient separation between processing invoices and grant claims and the payment procedure.
- Without a detailed desk instruction manual (outlining the procedures and processes for managing SPPG), the Authority is at risk of funding being used inappropriately and at risk of key personnel leaving/not being available.

- Where a service combines SP and SC&H services, there is a risk that the SP service is delivering a portion of statutory services (ineligible for SPPG).

The draft report was forwarded to MCC on 23 December 2015, with a requirement to respond by 8 January, 2016. The management responses are included in Appendix I.

#### **4. REASONS:**

The Minister required assurance that SPPG is being used for best effect and being spent appropriately, the results from the audits of all the Welsh Authorities' provisions being used to inform wider and more detailed considerations for the future of SPPG.

In 2003, Welsh Government increased MCC's Revenue Grant by £100k as a contribution towards managing the SP programme. Until 2012 the SP team comprised 3.4 FTE staff. Since the Commissioning re-structure in 2012, the SP management and administration budget (H064) still reflects this level of funding. However, the actual staffing resource being applied to the SP management is circa 1.5FTE – the remainder of the resource being utilised in other SC&H-wide commissioning requirements.

Achieving the improvements required by Welsh Government will have to be achieved within the current financial envelope and will therefore necessarily involve improvements and streamlining of procedures and prioritisations and some further access to the SC&H commissioning support resources.

#### **5. RESOURCE IMPLICATIONS:**

In the current economic environment, the financial resources available are finite and under pressure. It is not envisaged that any increase in the budgetary provision is possible.

#### **6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

At this time there are no equality or sustainability impacts to be considered. However, managing SPPG more effectively will have positive impacts across all the vulnerable protected characteristics.

#### **7. CONSULTEES:**

Head of Adult Services – management responses to the audit's draft report

#### **8. BACKGROUND PAPERS:**

None

#### **9. AUTHOR:**

Chris Robinson, Lead Commissioner QA & Supporting People

#### **10. CONTACT DETAILS:**

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**Supporting People Programme Grant Funding  
Monmouthshire County Council**

**A Report by the  
Housing and Regeneration Department**

<i>Date:</i>	<b>30 November 2015</b>
<i>Officers:</i>	<b>Simon Prothero, Rob Smith and Sheilah Gaughan</b>

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## SECTION 1 – REPORT SUMMARY

### 1. Background

- 1.1 In April 2014, officials from the Housing and Regeneration Department of Welsh Government commenced a programme of high level reviews of the use Local Authorities were making of the Supporting People Programme Grant they were awarded. It is anticipated all Local Authorities will be reviewed by March 2016.
- 1.2 The main purpose of the review programme is to provide assurance to senior Welsh Government officials and to the Minister for Communities and Tackling Poverty that Local Authorities are using their allocation of Supporting People Programme Grant appropriately. In particular, Welsh Government officials reviewed:
- Procurement of providers;
  - Contract monitoring and management arrangements by the Local Authority;
  - Financial information to validate amounts spent;
  - The strategic decision making process based on the need for the service; and
  - Delivery information to validate numbers of people supported.
- 1.3 The review undertaken in Monmouthshire County Council was based on the information supplied by the Local Authority in their quarter 4 outturn report for 2014/15, i.e. the data for the period January 2015 to March 2015, as this was the most recent and complete data submitted.
- 1.4 The review was undertaken at the request of the Minister for Communities and Tackling Poverty. Given the continuing financial pressures faced by the Welsh Government, there is a need to ensure the programme's budget is being used to best effect and it is managed appropriately
- 1.5 The results of the reviews will inform wider and more detailed examination of all Local Authorities and their Supporting People programmes. The reviews, which may cover all services and support or specific themes, will also inform the Minister's decisions as the Welsh Government prepares the budget future financial years.
- 1.6 These reviews are high level and designed to provide an overview of assurance over the use of Supporting People Programme Grant. The reviews do not examine in detail all transactions and processes used by the Local Authority.

## 2. Overall Conclusion

2.1 Overall, and on the basis of the testing undertaken, we are able to partially conclude the Supporting People funding provided to Monmouthshire County Council has been spent on the purposes for which it was awarded. However, there are concerns over the staffing levels within the Local Authority for this grant funding programme and the ability to effectively manage the Programme as a result of this. The report reflects how provision of service is managed and the recommendations made reflect those which were raised during the visit.

2.2 Welsh Government officials requested information for the following contracts:

Client Spend Category	Provider	Provision	Units	Contract Amount
Women Experiencing Domestic Abuse	WAIMON	Accommodation	5	£118,604
People with Learning Disabilities	Reach	Supported Living / Floating Support	31	£221,119
Young People with Support Needs (16-24)	Llamau	Floating Support	8	£20,266
Families with Support Needs	Solas	Floating Support	2	£25,000
Generic floating support	Gwalia	Floating Support	22	£178,454
Alarm Services (sheltered/extra care)	Melin Homes	Extra Care	21	£21,318
Alarm Services (sheltered/extra care)	Abbeyfield	Alarms	10	£5,109

2.3 In advance of the meeting Monmouthshire provided the Review Team with a selection of electronic files relating to service configuration and the review. On the day we were provided with further information to enable the review to be carried out fully.

2.4 The Review Team found the information viewed was of an acceptable standard, however, intelligence and monitoring relating to services was not saved centrally. This could impact should there be an issue with staff due to sickness. Overall the Review Team were able to conclude the Supporting People services are being adequately managed given the team resources available.

2.5 The Review Team saw copies of contracts and Service Level Agreements and the hard copy with the 'wet' signatures. Of concern was the fact each contract used a generic service specification; this could impede projects from meeting the

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specific needs of the service users which it is intended to target, for example, a service for young people receiving floating support will vary from a generic floating support scheme.

- 2.6 The Review Team discussed management charges with Monmouthshire. The team were advised Monmouthshire does not have a set amount for management charges. The team advised from 2016 they intend to start using a cost calculator to establish costs for services which will include management charges.
- 2.7 The Review Team identified the Supporting People Team were struggling to complete contract reviews and record regular monitoring meetings with providers. The staffing of the team consisted of less than two people which appears to be impacting on their ability to manage the breadth of activities required to maintain effective monitoring and commissioning of services.
- 2.8 The Review Team was provided with evidence of the Supporting People Planning Group minutes, however, at the time of the review there were minutes available from only two meetings in 2015. The Monmouthshire Team advised meetings are scheduled to take place quarterly. Minutes showed the representation from a single provider; the Gateway Manager who works for Monmouthshire Council.
- 2.9 The Review Team requested information on review dates for services. The Supporting People Team advised there was no schedule, a small number of reviews had been started but due to staff shortages these had not been completed. Providers complete Quarterly Monitoring Questionnaires (QMQs), these were viewed on the day.
- 2.10 The Review Team were pleased to note Monmouthshire has a Gateway for people entering services. The Gateway service operates in the same room as the Homelessness Advice Team and provides a link with Supporting People. It was also stated the Gateway provides valuable management information to the Team.
- 2.11 The Reach Supported Living project provides support for people with Learning Disabilities. There are 31 units of support at a cost of £221,119. As this is a mix of accommodation based and floating support a comparison to the Wales average cost for services was not possible. The Monmouthshire Team have made savings for this client group, when the contract was first signed in 2007, 26 units of support cost £301,529. The team advised the contract value would reduce further in 2015/16. Monmouthshire recognise more work is needed and the contract extension letter for 2015/16 advised of the possibility of remodelling the floating support service. As part of the review, evidence was seen which suggested there may have been elements of statutory care being delivered. There was no evidence supplied of a review of this project by the Monmouthshire Team.
- 2.12 Gwalia Crisis Support is a floating support service which was remodelled in 2015 with Support Worker costs capped at £36,000 per year. Gwalia have completed Monmouthshire's cost calculator for 2015/16, at the time of the review the information had been collected but not analysed. A check of the information



raised questions over some of the management costs claimed, these queries were highlighted to the Supporting People Team. Despite attempts to make savings the service appears to cost 136% more than the Welsh average for 2014 and the cost appear to have further increased in 2015. It was unclear as to whether the costs reflect higher needs of people using services.

- 2.13 WAIMON provides housing relates support to women experiencing domestic abuse. It is a former Welsh Government funded project which transferred to Monmouthshire in 2012. In 2015 the project transferred to Cyfynol, which was formed as a result of a merger between WAIMON and Torfaen Women's Aid. There was no evidence of a service review on file. The Provider Self Assessment Form shows the strategic links for the projects and which local, regional and national plans/ guidance it delivers against. The Supporting People Team confirmed they would be looking at the project for 2015/16 and the cap of £36,000 per support worker per annum would be applied which would result in future savings on the contract.
- 2.14 During discussions with the Monmouthshire Team, the Review Team were advised services are approved by the Supporting People Planning Group and Cabinet, which appears to be a robust governance arrangement. However, in order for this to be robust Supporting People Planning Group meetings should happen quarterly and external providers should form part of the membership.
- 2.15 The Supporting People Team shared a copy of the Monmouthshire Internal Audit Report from 2015/16 on the Local Authority Allocation from 2014/15. The Review Team would like to thank Monmouthshire for this and their open and honest approach to this review.
- 2.16 Specific outcome reports were not seen for the projects reviewed. Following discussions with the team there were queries on the robustness of data from providers as outcomes data did not link to information provided in the Needs Mapping Forms and Quarterly Monitoring Questionnaires. The Review Team were advised providers now have to provide information within a 5% variance in order for it to be considered robust. The importance of outcomes information was endorsed by the Review Team.
- 2.17 During the review evidence was seen of service user involvement by Monmouthshire Council, however, it was unclear how this information would feed into service review or development and the timeliness of the collection and use.
- 2.18 It was noted during the review Monmouthshire had previously paid providers quarterly with 6 weeks being in arrears. They have recently reviewed their payments and all providers are now paid quarterly in arrears, this is in line with good grants management practice. However, there were concerns for the lack of due diligence checks on providers and lack of desk instructions for the grants administration. For example, there is no separation of duties for the accounts payments. These concerns were addressed with the team.
- 2.19 Overall, we found the Supporting People team were keen to ensure the services they funded met the requirements of the Grant and work was underway to ensure

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any potential saving, which were needed should the budget be reduced, were identified. The Review Team were keen to advise proposed efficiency savings should be implemented even if there is no reduction in Welsh Government grant funding for 2016/17.

### **3. Acknowledgements**

- 3.1 We would like to express our thanks to officials in the Supporting People Team of Monmouthshire County Council for their help and co-operation during our review.

**November 2015**

**Housing and Regeneration  
Department**

**SECTION 2 – RECOMMENDATIONS AND ACTION PLAN**

**Findings and Management Response**

Ref.	Finding / Observation	Risk / Impact	Recommendation	Monmouthshire Council Response
1.1	Contracts reviewed use the same generic service specifications.	Services are not tailored to the specific needs of different service user groups.	The Supporting People Team should tailor service specification to meet the needs of people who are receiving a service.	<p>When new contracts are issued in the future they will have, as a contract schedule, a service specification attached. As with other contracts in the care and support sector there is current discussion around how contracts can become more outcome focused and less output or task orientated. The development of service specifications for the future will need to take these developments into account.</p> <p>In mitigation of the observation, it should be noted that a considerable proportion of the service delivery in all contracts is similar (some say as much as 90%). Contracts referring providers to the SP guidelines already ensures that the services are expected to comply with the eligible tasks and outcome delivery. The needs of the people being supported are assessed and an appropriate support plan agreed on an individual basis – effectively creating an individual contract between the service user and the support. This is the critical consideration and the basis on which service delivery should be assessed.</p>

Ref.	Finding / Observation	Risk / Impact	Recommendation	Monmouthshire Council Response
1.2	Staffing resource within the team is low, this is impacting on their ability to robustly monitor and improve services.	Inability to appropriately manage the programme.	The Local Authority may wish to consider the resourcing of the Supporting People Team, given the level of resources they manage. This may include sharing functions with other local authorities with which they share partnership arrangements.	<p>The audit has been extremely useful in focusing our attention on the processes involved. Already we have highlighted that in our reviews we do too much work for the provider – in developing an action plan for them. This practice does little to nurture the provider’s ownership and is an inefficient use of our resource. In terms of contracting, we now see the need to place a more formal expectation on providers to have an appropriate quality assurance system in place. We will be requiring an annual self-assessment with an associated quality report. These documents will make the monitoring function more efficient. SP providers will be included in a pilot self-assessment exercise during January 2016.</p> <p>SP is managed through our Social Care and Health Directorate. A number of process and resource utilisation efficiencies are being considered at this time. SP’s requirements will be considered within this process and the recommendations from this report will inform the work.</p>

Ref.	Finding / Observation	Risk / Impact	Recommendation	Monmouthshire Council Response
1.3	Insufficient due diligence checks carried out on providers.	Interruption to service and the impact on service users if a provider were to cease trading.	The local authority should review providers annual audited accounts.	<p>We will include the SP providers in the arrangements already in place for continual financial sustainability monitoring for our SC&amp;H contracts.</p> <p>This will be a 3-step process. Firstly, our Internal audit will conduct financial sustainability checks, based on information and analyses provided by Credit Safe (this includes an appraisal of all recently lodged accounts). Secondly, based on the results from these assessments, a risk assessment will be conducted and those providers that have either questionable sustainability or for whom the failure of the organisation would have a significant impact on people being supported, automatic 'flags' would be set up by Credit Safe to advise us when any adverse financial information becomes available.</p> <p>Lastly, we will need to have an emergency plan developed so that if/when a provider has to terminate a contract at short notice, we have the outline of a plan available with which to manage the situation.</p>

Ref.	Finding / Observation	Risk / Impact	Recommendation	Monmouthshire Council Response
1.4	Insufficient file records for contract monitoring. Project reviews not undertaken in line with Welsh Government guidance.	The Council and service users could be exposed to risk and difficulties should issues arise over quality of service. Services may not be meeting strategic need.	The Council to review monitoring arrangements and ensure meetings and actions resulting are recorded. The reviews which have been started are prioritised for completion and a schedule for reviewing all services is established.	A prioritised schedule has been agreed for the short-term and arrangements put in place for capturing all meeting and discussion notes.
1.5	External providers are not represented on the Planning Group.	Provider experience and knowledge is missed during the strategic planning of services.	Providers are represented in planning group meetings.	<p>This will be discussed at the next Planning Group Meeting. It will be proposed that the Gwent Regional Provider Group nominates 2 provider representatives (MCC providers), This ensures that our Planning Group links with the regional forum.</p> <p>The terms of reference will need to be amended as will the actual agendas for the meetings – there is probably a need for a session where the provider representatives are present and a session when they are not.</p>
1.6	Lack of clarity of how service user’s information fits into commissioning decisions.	Services commissioned do not reflect the needs of people who use services.	There needs to be a clear process for the information gathered from Service Users to feed into commissioning decisions.	Given the rurality of the County, effective service user involvement will always be a challenge. However, a new support worker forum has been implemented and one objective for this is for the support workers themselves to become more involved in consultations with service users, and thus feedback via the forum.
1.7	No claim forms or invoices for payments and no separation of duties for accounts.	Local authority could be open to fraud.	Documented methodology for making payments and clear lines of accountability.	This matter is being discussed with our Internal Auditors and whatever process they recommend will be implemented.

Ref.	Finding / Observation	Risk / Impact	Recommendation	Monmouthshire Council Response
1.8	No desk instructions for financial management.	Funding could be used inappropriately.	Documented desk instructions for administering the grant.	A proposal is to be put to the Directorate and Commissioning senior management that a resource within the commissioning team be used to develop desk instructions. The proposal is for someone who is not familiar with the SP processes to do this work, ensuring that in developing the desk instructions also provides a challenge to inefficiencies.
1.9	Concerns some support provided is delivering personal community care services and not housing related support, particularly around learning disabilities.	An inappropriate use of funding.	Review services to ensure Supporting People funds housing related support only.	<p>It has already been highlighted that there is the risk of this inappropriate use of funding – particularly in respect of the Drybridge Gardens and Reach contracts.</p> <p>Arrangements are already in hand to provide whatever support is needed at Drybridge Gardens via our floating support service – as opposed to the current accommodation-based service.</p> <p>Reach has highlighted that they believe a floating support service would more effectively meet their service users' needs. At the same time, concerns around the delivery of their SC&amp;H contract have also highlighted issues with resource substitution. A joint SC&amp;H and SP review is to be completed before issuing of more appropriate contracts for 1 April 2016.</p>

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## Monmouthshire's Scrutiny Forward Work Programme 2015-2016

Adults Select Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
19 <sup>th</sup> Jan 2016	<b>Raglan Training Programme</b>	Report on the development and progress of the training programme.	Julie Boothroyd	Policy Development
	<b>Social Care and Well-being Act</b>	Report on the likely implications of the act for the Council in terms of Adult safeguarding and Prisons.	Julie Boothroyd	Policy Development
	<b>Supporting People Grant</b>	Following the Welsh Government report, to consider a brief report on the feedback, the services' response to the report and their action plan.	Chris Robinson	Performance Monitoring
<b>Provisional Special Meeting</b> Date TBC	<b><u>Partnership Scrutiny:</u></b>		Sharran Lloyd	Performance Monitoring
	<b>Anti-poverty (Single Integrated Plan Theme 3)</b>	Presentation of the Anti-poverty Statement of Intent	Will Mclean (Anti-poverty Champion)	
	<b>Families First Programme</b>	Digital Stories: What we are delivering and the impact on families Report on "Families First" (the central WG funded programme of the JAFF (which has 7 family focussed projects in total)	Andrew Kirby	
	<b>Joint Assessment Family Framework (JAFF)</b>		Kirsten Major	
	<b>Childhood Obesity *TBC*</b>	Public Health Wales to consult the Committee on a Childhood Obesity Strategy for Gwent	Public Health Wales	Consultation
<b>Special Meeting February 2016 (between 3<sup>rd</sup> and 15<sup>th</sup> but not 8<sup>th</sup> or 9<sup>th</sup>)</b>	<b>Monmouthshire Carers Strategy</b>	To consider the draft Carers Strategy  - Invite partners who form the Carers Group - Invite carers to offer their views  To understand the range of services that support	Deborah Saunders Julie Boothroyd	Policy Development / Pre-decision Scrutiny

## *Monmouthshire's Scrutiny Forward Work Programme 2015-2016*

Adults Select Committee				
Meeting Date	Subject	Purpose of Scrutiny	Responsibility	Type of Scrutiny
*TBC*		carers and those being cared for.		
8 <sup>th</sup> March 2016	Coordination of services to Adults	Discussion on how various services are coordinated and how we engage people: - Befriending Project - Community meals - Raglan Project	Nicola Bowen GAVO Representative	Policy Development
	Supporting People	Consideration of the Supporting People Service Plan and proposals for grant spending.	Chris Robinson	Performance Monitoring
	Gwent Frailty Programme	Section 33 legal agreement for the frailty service. Scrutiny of the Wales Audit Office review.	Claire Marchant WAO	Performance Monitoring
26 <sup>th</sup> April 2016	CSSIW Domiciliary Care Report	To consider the report and findings of the inspectors on the Domiciliary Care Service.  Link with the Turning the World Upside Down Project on Domiciliary Care.	CSSIW Claire Marchant	Performance Monitoring

### Meeting Dates to be confirmed for:

- × **Gwices** - to return approx. April 2016
- × **Continuing Health Care** - Topic Suggested by Member of Public - meeting to be held with Chair and Public
- × **Future meetings with the ABUHB** ~ the role of the Health Board's Public Health and Partnerships Committee in relation to health improvement, Members could attend their meetings.
- × **Stroke Redesign** ~ ongoing scrutiny of implementation.
- × **End of Life Care** ~ with ABUHB