

Scrutiny for Policies, Adults and Health Committee

Wednesday 2 October 2019

10.00 am Taunton Library Meeting Room,
Paul Street, Taunton, TA1 3XZ



To: The Members of the Scrutiny for Policies, Adults and Health Committee

Cllr H Prior-Sankey (Chair), Cllr M Healey (Vice-Chair), Cllr P Clayton, Cllr M Caswell, Cllr A Govier, Cllr B Revans, Cllr A Bown and Cllr G Verdon

All Somerset County Council Members are invited to attend meetings of the Cabinet and Scrutiny Committees.

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk - 24 September 2019

For further information about the meeting, please contact Jennie Murphy on 01823 357628, JZMurphy@somerset.gov.uk or Or Lindsey Tawse on 01823 355059, LTawse@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on

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AGENDA

Item Scrutiny for Policies, Adults and Health Committee - 10.00 am Wednesday 2
October 2019

1 **Public Question Time** (Pages 3 - 6)

The Chairman will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chairman's discretion.**

Public Questions for
Scrutiny for Policies, Adults and Health
02 October 2019

Agenda Item 7 - Discovery Report

Nigel Behan

Question 1

In the "**Discovery at Two: a progress review**" (link just below) it is stated that:

<https://discovery-uk.org/wp-content/uploads/2019/08/progress-report-final-print.pdf>

"Too many colleagues have chosen to leave Discovery over the last two years and this is extremely regrettable; it has meant that the people we support have lost familiar people who they have known for years, causing upset and worry.

As with recruitment, retaining colleagues in social care is a national problem. In fact, over 30% of all care and support workers left their jobs last year, according to SkillsforCare. Discovery is part of the Dimensions Group. Dimensions experiences figures less than half that – still a big problem but clear evidence that the approach works. There's no comparable figure for Discovery last year, as we went through a major restructure amongst other fundamental changes."

Whilst in Section 3.7 of the **Scrutiny Discovery Report**: "Levels of retention continue to [be] an area of concern....."

And:

"Although there are difficulties in recruitment and retention, Discovery continue to provide enough staff to meet the requirements of the contract, through the use of agency and bank staff to supplement the employed staff. This accounted for approximately 15% of the hours delivered in year 2."

Does the Committee acknowledge that the transfer, restructuring (including reduction in salaries/redundancies) contributed to the problems identified in the retention of staff and the "causing [of] upset and worry..." for the people who are supported?

Question 2

In the **Financial Update (Section 5) of the Scrutiny Discovery report** it is noted that:

“Capital Resource Flexibility Payments (CRF) is money that the council identified before the award of the contract, to be used by Discovery to allow Transformation activities to occur. The money has been ringfenced and is paid in tranches linked to the contract, with mechanism for the joint agreement of the use of it built into the process. It is a relatively small percentage of the overall cost of the contract and is kept as a commercially sensitive under the contract.

5.2 In line with the service specification commissioned by SCC, built in to the ‘Discovery’ cost model is the requirement to produce a surplus. This is consistent with the expected surplus of any not for profit or charitable organisation. This surplus amount is split equally, with half being spent within Somerset on social value activities. This is also meeting a key requirement of achieving ‘Social Enterprise’ status. The remainder of the surplus is kept by ‘Discovery’ to establish a reserve, as part of good governance of a charity.”

the year 1 surplus generated £630,000 for the Discovery Community Fund (which according to the **Dimensions Somerset SEV Limited trading as Discovery Directors Report Year ended 31 March 2018**, was derived from a surplus of £1.258m (3.53%)). The other £0.629m going towards building the reserves. Discovery were forecasting a future surplus for the next year (2018/19).

The “**Dimensions (UK) Limited Report and Financial Statements for the year ended 31 March 2019**” (approved by the Board of Dimensions (UK) Ltd on 5 August 2019) and which incorporates Dimensions Somerset SEV Limited (trading as “Discovery”) states in Note 2 (p42) Income and Expenditure account that the Group has designated £1.142m to be used to fund social projects within Somerset. Was this generated from an increased surplus (for the year ending 31 March 2019) to approximately £2.284 million and total Discovery (a subsidiary of Dimensions (UK) Ltd) reserves of about £1.8m?

Question 3

In Section 7.3 of the Scrutiny Discovery Report

Employment Tribunal. Following the transfer of the Learning Disabilities Provider Service to Discovery in April 2017, Unison brought an employment tribunal claim against Somerset County Council and Discovery which was to be heard in September. This was relating to the adequacy of the information provided to staff prior to the transfer.

Somerset County Council and Discovery believe they fulfilled their obligations in relation to the transfer. However, to avoid a protracted legal hearing with the potential for further action - as well as continued uncertainty for staff – Somerset County Council has reached a financial settlement with Unison (with a total value of £674,000) on behalf of its members and this has enabled the claim to be resolved in a way that is satisfactory for all parties.”

Presumably SCC/Discovery budget(s) will be adjusted for the settlement figure (£0.674 million) – what are the financial/service impacts?

Nick Batho

Question 1

The paragraph on the Seahorse Centre in Minehead reads almost exactly the same as the paragraph about Seahorses in the last report, taken 6 months ago. The last report told us that additional guidance and resources would be put into this service. Could I ask:

what that additional guidance is?

what the additional resources are?

when they were put in?

what are the desired changes expected to be effected? and

what progress has been made towards achieving these changes?

Question 2

Turning to the work of the Stakeholder Group at Section 7.

The Stakeholder group has continued to meet with Senior Commissioner and Discovery executives and we remain committed to continuing what we hope is a helpful and productive dialogue. Despite the comment at the end of para 7.0, from the start we have always seen our remit as a much wider than a focus solely on Discovery and you will see that all the initiatives currently under way, listed at para 7.1 are applicable to everyone with LD, not just those supported by Discovery, and in most cases they apply to everyone who is supported by Somerset Adult Social Care.

Finally, if I may quickly address Outcome Based Performance Assessment at para 7.2,

I wholeheartedly agree with the statement at the bottom of page 8. I quote "only by measuring progress towards the achievement of individual and generic outcomes can the effectiveness and therefore the value for money of a providers performance be measured".

An essential step towards that goal is the production by the provider of a Person Centred Care and Support plan which shows each individual's outcomes and the activities the provider plans to deliver in order to achieve the outcomes.

Measurement of progress towards meeting those outcomes is the core of Outcome Based Performance Assessment.

Production of Person Centred Plans for all Discovery customers by the end of December last year was a recommendation in the Task and Finish Report which was accepted by scrutiny last year. To date we are unaware of progress in producing these plans. Scrutiny was promised an update in the last Discovery Performance Report in March but that was not forthcoming. Instead we were promised a report in future updates but there is still nothing in this report in front of us today.

How and by when Discovery and Commissioners plan to capture outcomes for each person supported such that progress towards achievement of their outcomes can be used as a basis for Outcome Based Performance Assessment?

Eileen McCawley

Question 1

The Discovery performance report paints a positive picture of the assessment and review process undertaken by SCC and Discovery. This in no way reflects the experience of me and my sister, which has been negative and, I believe, falls short of SCC's statutory duty. Who is checking the quality of assessments and reviews, and that the process has been completed by having signed off care plans with personalised outcomes?