

ANGUS COUNCIL

MINUTE of MEETING of the **SOCIAL WORK AND HEALTH COMMITTEE** held in the Town and County Hall, Forfar on Thursday 10 April 2008 at 4.00 pm.

Present: Councillors RUTH LESLIE MELVILLE MBE, ALISON ANDREWS, COLIN BROWN, MAIRI EVANS, DAVID FAIRWEATHER, IAN MACKINTOSH, DAVID MAY, BILL MIDDLETON, GLENNIS MIDDLETON, DONALD MORRISON, ROB MURRAY, HELEN OSWALD, PETER MURPHY, PAUL VALENTINE and JOHN WHYTE.

Councillor LESLIE MELVILLE MBE, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

An apology for absence was intimated on behalf of Councillor Margaret Thomson with Councillor Peter Murphy substituting.

2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 21 February 2008](#) was approved as a correct record and signed by the Convener.

4. PARTNERSHIP WORKING BETWEEN ANGUS COUNCIL SOCIAL WORK AND HEALTH LEARNING DISABILITY SERVICE AND CAPABILITY SCOTLAND

There was submitted [Report No 372/08](#) by the Director of Social Work and Health advising the Committee of an initiative in partnership working between the Social Work and Health Learning Disability Service and Capability Scotland which would bring resources to Angus to fund a Transition Co-ordinator for young people within the Autistic Spectrum Disorder Range.

The Report indicated that one of the recommendations in the Scottish Executive's policy direction entitled "The Same As You". had been that services for people with Autism and Aspergers syndrome should come under the learning disability umbrella. A growing area, in particular, was one of young adults in transition from school to adult services. A recent report from NHS Tayside, in conjunction with the three local authorities in Tayside, had set out the needs for this client group and over the last six months Angus Council had worked with Capability Scotland to look at a joint initiative to develop services for young people with Autism who were going through the transition from children's services to adult services.

Capability Scotland had secured £100,000 from the Robertson Trust to take this service forward over the next three years and this would fund the creation of a post of Transition Co-ordinator for Autistic Spectrum Disorder Range. An exit strategy for the service would be put in place should funding, following the three year period, not be secured. Angus Council had already identified twenty young people ranging from some who had not yet left school to some who were up to four years post school leavers and any identified impact on services would be fed into the ongoing redesign of Community Learning Disability Services in Angus and the Tayside wide redesign of Health Learning Disability Services.

The Committee agreed to note the development in partnership working with Capability Scotland as detailed in the Report.

5. DEFERRED PAYMENTS SCHEME

There was submitted [Report No 373/08](#) by the Director of Social Work and Health seeking approval to introduce a Deferred Payments Scheme to provide eligible care home residents with the choice not to sell their home upfront to pay for their care.

The Report indicated that the Scottish Government expected every local authority to operate a Deferred Payments Scheme. Deferred Payments Agreements were funding arrangements which allowed care home residents to delay selling their homes. The agreements, which had been introduced in 2002 by the Community Care and Health (Scotland) Act 2002, were

designed to provide greater re-assurance and peace of mind for people worried about losing their homes to pay for their care home fees. Instead of having to sell their home up-front to meet these costs, some care home residents were able to enter an agreement with their local authority to have part of their fees paid and for the balance to be settled from their estate.

The proposed Angus Council Social Work Deferred Payments Scheme documentation, comprising a leaflet, application form and agreement was appended to the Report and, if the scheme was approved, then the leaflet would be sent to the Plain English Campaign to ensure that it was as user friendly as possible.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the introduction of the Deferred Payments Scheme as outlined in the Report.

6. UPDATE ON FEES FOR RESIDENTIAL AND NURSING HOMES 2008/2009 AND ADDITIONAL SERVICE CHARGES

With reference to Article 4 of the minute of meeting of this Committee of 21 February 2008, there was submitted [Report No 374/08](#) by the Director of Social Work and Health advising the Committee of rates to be paid for placements in independent sector care homes for older people as agreed between COSLA and care home providers, subject to care homes accepting the associated quality conditions. It was further proposed to pay the same rates to care homes for people with learning disabilities, subject to completion of local agreements with these homes. The Report also advised of a proposal to increase the amounts which Angus Council considered to be reasonable in respect of additional service charges made by care homes.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the rates for placements in independent sector care homes for older people as agreed between COSLA and care home providers, and that these would be paid by Angus Council from 7 April 2008, subject to care homes accepting the associated quality conditions;
- (iii) to approve a proposal to pay the same rates to care homes for people with learning disabilities, subject to completion of local agreements with these homes; and
- (iv) to approve a proposal to increase the amounts which Angus Council considered to be reasonable in respect of additional service charges made by care homes.

7. PROPOSED INTRODUCTION OF KINSHIP CARE SCHEME

There was submitted [Report No 375/08](#) by the Director of Social Work and Health informing the Committee of the issues associated with the implementation of the Scottish Government and COSLA strategy document "Getting it Right for Every Child in Kinship and Foster Care" which included the requirement that all local authorities should have a Kinship Care Scheme.

The Report indicated that a key element of the strategy was that all "looked after children" and young people who were staying with a relative or close friend would be entitled to support, including financial support. As at 21 February 2008, Angus Council had 42 children who met the Scottish Government's definition of a kinship carer. In the Concordat published on 11 November 2007, the Scottish Government and COSLA had agreed that allowances should be paid to all kinship carers who had been approved as carers of "looked after children" and to treat them on an equal basis to foster carers. Given the Concordat agreement and the expectations of carers that local authorities would develop a Kinship Care Scheme, it was proposed that an interim scheme be introduced in Angus from 1 July 2008 where kinship carers would be paid the same basic allowance as Angus Council foster carers pending further guidance from the Scottish Government.

The funding of £80,000 provided by the Scottish Government to Angus Council was sufficient to allow around 18 Kinship Carers to receive allowances for a full year. However, it was not known how many kinship care placements would be required in the future or the exact cost of such placements given that some carers would be entitled to claim some benefits. It was also considered that some of the current placements might not wish to undergo the assessment process in order to be approved as a kinship carer.

The Report concluded that the Scottish Government had recognised that the strategy document was confusing and had some potentially conflicting information. To assist in its implementation, a National Reference Group with five associated Task Groups had been established to address a number of identified issues and provide more detailed guidance.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to instruct the Director of Social Work and Health to develop and operate an Interim Kinship Care Scheme based on the recommendations in the Report that reflected any interim recommendations and guidance from the Scottish Government and the National Reference Group; and
- (iii) to instruct the Director of Social Work and Health to provide an update report on the issues identified from the strategy document following the issue of final regulations and guidance.

8. REFORMING AND REVITALISING - THE REPORT OF THE REVIEW OF COMMUNITY PENALTIES

There was submitted [Report No 376/08](#) by the Director of Social Work and Health advising the Committee of the proposals contained in the Scottish Government's recent review of community penalties, highlighting the potential implications of this review and identifying what actions could be taken locally to progress the review.

The Report indicated that the Scottish Government was committed to developing a coherent penal policy that used prisons for serious offenders but dealt with lower risk offenders in the community. The Government also believed there was scope to make greater use of community penalties in place of short custodial sentences. The review had involved a series of meetings with a range of organisations working in the delivery of criminal justice services including statutory and voluntary organisations, community justice authorities and other agencies within the criminal justice system. The review proposed actions around four main themes, namely, reparation and payback; rehabilitation and reintegration; quality and enforcement; and community engagement.

The Report concluded that the Report of the Review of Community Penalties contained proposals and suggested actions to ensure that community penalties were used to their full potential in the future. A number of the actions were already in progress, however, some of the proposals would have significant operational implications which would require further consideration.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the content of Reforming and Revitalising - the Report of the Review of Community Penalties and potential implications for service delivery; and
- (iii) to instruct the Director of Social Work and Health to provide a further report when the operational and consequent resource implications were clarified.

9. AMENDMENT TO TAXICARD SCHEME

With reference to Article 12 of the minute of meeting of this Committee of 30 May 2006, there was submitted [Report No 377/08](#) by the Director of Social Work and Health highlighting an anomaly in the current conditions for the admission of taxi operators to the Angus Council Taxicard Scheme and recommending a change to the conditions.

The Report indicated that one of the current conditions of entry for operators stated that any operator applying to join the scheme must have at least two vehicles at his/her disposal. This condition made it difficult for some smaller operators to join the scheme as they only had access to one vehicle. It was therefore proposed that the above condition be deleted to allow companies with only one vehicle to enter the scheme. All other conditions relating to the scheme would remain the same.

The Report concluded that it was clear that the Angus Council Taxicard Scheme benefited those individuals who, as a result of disability, could not use a bus. The proposal detailed in the Report would ensure that as many operators as possible had the opportunity to be admitted to the scheme.

The Committee agreed to approve the amendment to the conditions relating to the admission of taxi operators to the Taxicard Scheme, as detailed in the Report.