

**MINUTES**

**Date:** Wednesday, 21 November 2001

**Time:** 2.00 to 4.50pm

**Venue:** Committee Room 3, National Assembly for Wales

**Attendance:** **Members of Health & Social Services Committee**

Ann Jones  
**(temporary Chair)** Vale of Clwyd

Peter Black South Wales West

Brian Gibbons Aberavon

Brian Hancock Islwyn

Jane Hutt (Minister) Vale of Glamorgan

Dai Lloyd South Wales West

David Melding South Wales Central

Lynne Neagle Torfaen

**In Attendance**

**Members of the Learning Disability Advisory Group**

Norbert Flynn All Wales Forum of Parents and Carers

Dr Oliver Russell (chair) Norah Fry Research Centre

Keri Smallman Service User

Howard Sinclair Mencap Cymru

**Officials**

John Abraham	Children & Families Division
Chris Burdett	Children & Families Division
John Carter	Social Care Policy Division
Dr Ruth Hall	Chief Medical Officer
Ann Lloyd	Director, NHS in Wales
Helen Thomas	Director, Social Care Group
Dr Sarah Watkins	Senior Medical Officer
Bob Woodward	Social Services Inspectorate Wales
<b>Secretariat:</b>	
Jane Westlake	Committee Clerk
Claire Morris	Deputy Committee Clerk

## **Item 1: Apologies and Substitutions**

1.1 Apologies were received from Geraint Davies, Rod Richards and Kirsty Williams. Peter Black substituted for Kirsty Williams.

1.2 Members were reminded of the requirement, under Standing Order 4.5, to declare any interests before taking part in proceedings. The following declarations were made:

- Peter Black, member of the Council of the City and County of Swansea;
- Brian Gibbons, Registered Medical Practitioner;
- Dai Lloyd, general practitioner, member of the Council of the City and County of Swansea and has a brother-in-law who is a Consultant Psychiatrist in Learning Disability.

## **Item 2: Minister's Monthly Report**

### **Paper: HSS-16-01(p.1)**

2.1 In response to the paper, Members made the following points:

- Disappointment was expressed about the process for co-operating with Westminster on the NHS

Reform and Health Care Professions Bill, as the Bill would have had its second reading in Westminster before the Assembly had had an opportunity for debate. Concern was also expressed that Welsh provisions were being included in an England and Wales Bill, and not in the NHS Wales Bill.

- There was a need to join partners in England, Scotland and Northern Ireland in tracking where additional funding for the NHS was being spent and how this linked to output.
- Concern was expressed that joint reviews of local authority social services were recording that very few carers' assessments were being undertaken.
- Some Members had received representations from elements of the care home sector about the burden the Care Standards regulations would create, particularly for smaller homes.

2.2 In response to Members' comments, the Minister made the following points:

- A draft business case for the North Wales Clinical School was awaited. The proposals would be considered by the high level group chaired by the Chief Medical Officer and taken forward as part of next year's budget planning round. Dr Ruth Hall confirmed that it would take until 2003 to put in place the infrastructure for such a substantial development.
- An action plan detailing the implementation process to take forward the considerations noted in the Bank and Agency report would be available in January. This would coincide with the receipt of reports from trusts and would form part of the quarterly review of health authorities and trusts. Updates would continue to be provided as part of the Minister's monthly report.
- Optometry was not classed as a medical or health professional course. It was the sole responsibility of higher education institutions to determine what courses they chose to offer and the number of student places on those courses. The Assembly had no powers to intervene in such decisions but the Minister would discuss with Jane Davidson, Minister for Education and Lifelong Learning, the scope for strategically influencing the institutions.
- The timing of primary legislative opportunities was key to achieving the restructuring of the NHS and abolition of health authorities by 2003. Provision had been made in the Queen's speech for the passage of the English NHS Reform Bill so it had been decided to include enabling Welsh clauses.
- Consideration was being given to tracking how additional funding to relieve pressures in the NHS was being spent.
- The results of a stocktake of current levels of neonatal hearing screening in Wales were expected shortly. Funding to take this issue forward would then need to be considered.
- Copies of the Innovations in Care scheme projects would be circulated to members.
- Wales was leading the way in taking forward Health Impact Assessments through its management of the Objective One programme. Work was beginning, with support from the European Commission, on having strategic impact assessments in relation to development that would include both health and environmental aspects. The Minister also worked closely with Sue Essex, Minister for the Environment, on local assessments.
- £1.9m had been allocated specifically to facilitate carers' assessments and it was important to ensure that local authorities used the money for that purpose.
- The pressures on the care home sector in terms of closures and delayed transfers were being

tracked. Statistics on social services provision would be published shortly.

- Consultation was being undertaken on the impact of the Care Standards regulations.
- The response to the review of the Swansea and Neath Port Talbot Registration and Inspection Unit had been recently monitored. The responsibilities of the Unit would be taken over by the Care Standards Inspectorate for Wales from April 2002.
- Investment was being made across a number of Assembly divisions to address domestic violence issues and this needed to be brought together.
- The eligibility of refugees and asylum seekers to receive free milk and welfare foods had been raised with the Department of Health.
- Discussions were being held with NHS trusts that were reporting deficits. An update would be provided in the next monthly report.
- Further details on how health authorities were using substance misuse funding would be provided in the next monthly report. It was suggested that the Committee receive a paper to note from David A'Herne, the Crime Reduction Director, on confiscated assets.

2.3 Ann Jones advised Members that as temporary chair she had been asked by the Minister to sit on the task force that had been set up to look at issues surrounding the Children's Society. She would provide a report on the meeting to Members.

### Action

- Copies of the Innovations in Care scheme projects to be distributed to Members.
- Paper to note on the confiscation of assets

### **Item 3: National Childcare Strategy Task Force**

#### **Paper: HSS-16-01(p.2)**

3.1 In response to the paper and the Minister's introduction, Members made the following points:

- It was important to have local responses to local need but there also needed to be national standards.
- The results of the Committee's review of services for children with special health needs would need to feed into the strategy.
- Current funding systems were haphazard. A more streamlined funding system was needed.
- The need for a well-trained workforce was extremely important. It needed to be demonstrated that the workforce was valued.
- A holistic view of care was needed. People needing help with care often cared for elderly relatives as well as children and any system aimed at increasing the level of quality care needed to recognise this.
- Concern was expressed that the regulations for obtaining Working Families Tax Credit, disadvantaged people undertaking training.
- Long term, consistent funding would be required to implement the strategy.

- Concern was expressed at the level of childcare provision in Wales, particularly in areas of greatest need.
- Communities First and Objective One areas could pilot projects.
- Disappointment was expressed at the economic analysis contained in Chapter 2. It was believed that the economic benefits to communities were far greater than the document implied. A system of measurement was also needed.
- Concern had been expressed by childminders that the constraints caused by regulation and inspection may make it financially unviable for them to continue.

3.2 In response to Members' comments, the Minister made the following points:

- A strategic approach was needed to pull together contributions at all levels.
- Much good work was being done by Early Years Development and Childcare Partnerships across Wales.
- Access funds were available to enable people in further education to secure childcare.
- The Inland Revenue was consulting on the successor to Working Families Tax Credit and the concerns regarding people undergoing training needed to be fed into this.
- The strategy's emphasis on a children centred rather than economic approach reflected the objective of reaching the most disadvantaged communities.
- Many SureStart projects provided opportunities for childcare as well as play. The role of playgroups as part of the childcare package was highlighted.
- Mudiad Ysgolion Meithrin played an important part in childcare development.

3.3 It was agreed that prior to the plenary debate on 4 December the strategy would be circulated to the Education & Lifelong Learning, Local Government and Housing and Economic Development Committees and the Partnership Councils. The Minister would try to address the concerns raised by Members in her opening remarks.

#### Action

- Strategy to be circulated to the Education & Lifelong Learning, Local Government and Housing and Economic Development Committees and the Partnership Councils.

#### **Item 4: Report of the Learning Disability Advisory Group**

##### **Paper: HSS-16-01(p.3)**

4.1 The Chair welcomed Dr Oliver Russell, Norah Fry Research Centre and Chair of the Advisory Group; Norbert Flynn, All Wales Forum of Parents and Carers; Howard Sinclair, Mencap Cymru; and Keri Smallman, a service user, and thanked them for coming to present their report "Fulfilling the Promises" to the Committee.

4.2 Dr Russell said that Wales had a good background of service development and research and

"Fulfilling the Promises" was about enabling the continuation of high levels of service to families. Of the 17 recommendations contained in the report, he believed the following were the key priorities:

- The National Assembly should reaffirm its commitment to develop the means to extend to all people with learning disabilities in Wales the opportunity to lead a life consistent with the 1983 All Wales Strategy and "Fulfilling the Promises".
- The National Assembly should consider establishing a structured investment programme to increase and develop service availability.
- The National Assembly should review its commitment to achieve the closure of long-stay hospitals and set a new target date for completion of 2006 or preferably earlier. It should also extend the scope of this initiative to include other inappropriate accommodation settings.
- The National Assembly should be aware that the number of people with learning disabilities in Wales was likely to increase.

4.3 Norbert Flynn said it was essential to listen to the views of service users and recognise the role of parents and carers. In 1983 80% of care was undertaken by parents and carers but they received only 20% of resources and he did not believe this situation had changed. Parents cared for their children because they loved them and they were better placed than anyone to understand what they needed to enable them to live a full and fruitful life. The All Wales Parents and Carers Forum appreciated the funding provided to them by the Assembly. They also wanted to become more involved in consultation exercises and campaigning but without appropriate support this was impossible. Services were inadequate in both extent and quality, and provision was patchy across Wales. It was felt that services reflected insufficient resources as opposed to need, learning disabilities were increasing but services were standing still. Without adequate funding "Fulfilling the Promises" would be worthless.

4.4 Keri Smallman said that since "Fulfilling the Promises" had been issued for consultation Mencap and other groups had been holding meetings for people with learning disabilities and their families to talk about how it would make their lives better. The main worries for people with learning disabilities were money, speaking up for themselves and advocacy, how to plan and being involved in joint planning to make "Fulfilling the Promises" work. "Fulfilling the Promises" said that more money was needed to make services better. Less money meant fewer services. She asked that the Assembly be honest about money before making promises. Any additional funding needed to be used wisely. People with learning disabilities should be listened to. Whilst parents, carers and social services had a role in representing their views, they may also have ideas of their own which was why an advocate was needed to speak up on their behalf. There should be the same level of access to services throughout Wales. Planning for the future was very important and planning meetings should be held more often than once a year. Access to good information on what services were available was also essential. She said that "Fulfilling the Promises" offered new things for people with learning disabilities and asked that the Assembly used it as an opportunity to make their lives better.

4.5 Members made the following points:

- Concern was expressed that, despite guidance to local authorities, there were still variations in involving users and carers in the planning process. There needed to be a mechanism for monitoring that users and carers were being consulted.
- It was felt that the document had not dealt comprehensively enough with the issue of what happened when a person with learning disabilities outlived their parents or carer, as this was a major concern for many parents and carers.
- Whilst the assumption was made that everybody wanted care in the community, there was a minority who felt that their choice had been restricted by the removal of institutionalised accommodation.

4.6 In response to comments from Members, the members of the Advisory Group made the following points:

- More flexible options were needed for adults with learning difficulties. Some may want to stay at home with their parents whilst others may want to become more independent. People should be able to make their own choice.
- The main areas of concern surrounding supported employment were levels of earnings and security. There was no easy solution but a lot of work was being undertaken in this area and many developments had been piloted in Wales.
- They had not found that many people sought institutionalised accommodation. The main consideration was that people should have the opportunity to exercise choice. Through the consultation exercise, parents and carers were being given the opportunity to make their views known.
- Social care workforce training was very important. Quality of service was dependent upon of the staff supporting the people receiving it. More investment in training was needed so that staff were better qualified.
- The total investment needed to implement "Fulfilling the Promises" would be £253m, an additional £60m on current levels of expenditure.
- Children with learning disabilities should be well supported to learn in the best environment. In the majority of cases, this would be in mainstream education.
- Village communities had not been addressed in great detail in the report. There were advantages and disadvantages to such schemes and whilst evidence showed small group living provided quality support it would not be suitable for everyone. As there was not the housing stock available to provide a ready home for someone wanting to move out of the family home, village communities were often seen as a last resort.
- Wales had a lot of capacity but this was not being used to the full because it was not possible to build sufficient support.
- Most parents and carers would like any additional funding to be ring fenced.
- Many parent groups had previously had representatives on local social services planning groups but this had been badly affected by local government reorganisation.
- One of the strengths of "Fulfilling the Promises" was the principle that when determining service provision you always started with the individual and their needs rather than comparing the merits of one type of service with another.

4.7 The Minister thanked everyone for their contribution. She said that people with learning disabilities and their carers should be key partners in designing, implementing and monitoring the services provided to them. The report had raised many important issues and it would now be referred to the Education & Lifelong Learning, Local Government and Housing and Economic Development Committees for their consideration.

4.8 The Chair reminded Members that they had until 18 January to take part in the consultation on the report.

### **Item 5: Minutes**

#### **Paper: HSS-15-01(min)**

5.1 The minutes of the meeting held on 7 November were agreed.

### **Item 6: Any Other Business**

#### Carers' Special Grant 2001: HSS-16-01(p.4)

6.1 David Melding asked for an assessment of where the extra funding was being spent and whether additional services were being provided as a result of it.

#### Forward Work Programme: HSS-16-01(p.5)

6.2 It was agreed that the agenda for 5 December should be revised to allow for a debate on the NHS Reform and Health Care Bill.

#### Public Appointments Panel

6.3 The Committee agreed that Ann Jones should substitute for Kirsty Williams on the public appointments panel.