

NORTH YORKSHIRE COUNTY COUNCIL

CARE AND INDEPENDENCE OVERVIEW AND SCRUTINY COMMITTEE

8 SEPTEMBER 2011

INDEPENDENT CARE SECTOR REPRESENTATION

1.0 Purpose of Report

- 1.1 To invite Members to consider the appointment of a representative from the independent care sector as a member of the Committee.

2.0 Background

- 2.1 Two voluntary sector representatives currently sit on the Committee. They, and their substitutes, are elected from constituent organisations of the North Yorkshire and York Forum. Their term coincides with County Council elections, therefore your two current representatives will serve until May 2013.
- 2.2 The voluntary sector representatives are non-voting members, but have full speaking rights and otherwise participate fully in the work of the Overview and Scrutiny Committee.
- 2.3 The key role of the voluntary sector representatives is to ensure that the views of all voluntary organisations and the people they work with and for are heard by the Committee.
- 2.4 These appointments were first made some time ago by the then Social Services Committee. The thinking was to give the sector a formal opportunity at a political level to influence decision making on social care matters. This decision was taken at a time when Social Services Authorities traditionally grant aided rather than contracted with third sector organisations.
- 2.5 As social care became increasingly provided from a mixed market and the role of the voluntary and community sector in service planning and provision broadened, Members took the view that the case for representation was still valid. This position remains relevant with the recent publication of a 'Vision for Social Care' with its emphasis on partnership and plurality, ie, broadening the market of care services.

3.0 Independent Care Sector

3.1 The Committee asked its Group Spokespersons to consider whether a similar arrangement was warranted for the independent sector.

3.2 Group Spokespersons reflected on the following context:

- The Council commissions services with many organisations from the sector - residential care; nursing care; domiciliary care; home from hospital services and advice / advocacy services. The sector provides a significant percentage of social care services in the County.
- The social care market is dominated by the Independent Sector in employment terms.
- The County Council plays a significant, but actually a small part in terms of direct delivery of services and is more dependent upon the independent sector to meet the needs of service users.
- There is also a growing national expectation that local authorities and Local Health Boards not only develop robust partnerships with the Independent Sector but that they also involve them in developing and delivering on key health and social care strategies and plans.

3.3 Taking these issues into account your Group Spokespersons reviewed the reasons and advantages for appointing a representative from the sector.

- It would provide an insight into how the sector is meeting the challenges of a commissioning environment against a background of issues such as increasing percentage of older people, greater choice, direct payments and increased competition.
- Like the voluntary sector representatives, the right person would be a source of independent expertise and knowledge for Members.
- It would be consistent with NYCC volunteering policy - promoting civic society.
- It would raise the profile of the sector within the authority and build on the constructive working relationship that Adult and Community Services has with independent care sector representatives, but possibly improve links to with other directorates.

4.0 The role of the representative

4.1 I have drawn up a list of key tasks and responsibilities the Committee might want to stipulate if it goes ahead with this proposal (with minor changes in wording, these are the same as we used for voluntary sector representatives).

4.2 The key tasks for the independent care sector representative would be to:

- Attend and play an active part in the meetings of the Committee, in meetings of any working groups to which they are appointed by the Committee, and in seminars and training sessions provided by the County Council.
- Represent the interests and views of all the sector, not just those of their own organisation or area of interest.
- Inform other providers and organisations in the sector of issues being considered by the Committee and encourage them to respond to the issues.
- Take information and views from the sector and providers (and the people they work with and for) to communicate directly with the Committee.
- Be available for personal contact by those organisations.
- Liaise with the Independent Care Group to contribute to written briefings circulated by the Group.

4.3 People nominated for election should:

- Agree to undertake the key tasks set out above.
- Have good interpersonal and communication skills.
- Have experience of committee working including speaking in public meetings.
- Have experience of working (unpaid or paid) with vulnerable adults and older people.
- Agree to abide by the code of conduct for County Councillors including registration and declaration of relevant personal and other interests.

5.0 Constitutional Issues

- 5.1 The voluntary sector appointments are made in a non-voting capacity until the County Council elections in 2013. If the Committee is minded to recommend to the County Council an independent care sector representative be appointed to it, it would be sensible to adopt a similar approach.
- 5.2 If agreed the nomination would need to be referred to the Executive before being ratified at full County Council. The individual would have to observe the County Council's Code of Conduct and an appointment would be conditional upon this.
- 5.3 As a member of the Committee the individual would have a right to participate in full discussions. In certain circumstances there will be a need to declare an interest in the matter being discussed and the individual may have to sometimes withdraw from the meeting.

6.0 Method of appointment

- 6.1 If the Committee decides to take this approach, in the short-term a pragmatic solution might be to invite the Independent Care Group, which represents the sector, although not all providers are members, to nominate an individual to serve for the remainder of the current County Council term only. The Committee would then be able to review this decision prior to the 2013 County Council elections.
- 6.2 The Committee might also want to give some thought as to whether a substitute be appointed.

7.0 Recommendation

- 7.1 The Committee's views are requested.

BRYON HUNTER SCRUTINY TEAM LEADER

County Hall
Northallerton

Author and Presenter of Report: Ray Busby
Contact Details: Tel: 01609 532655
E-mail: ray.busby@northyorks.gov.uk

31 August 2011

Background Documents: None