

Bath & North East Somerset Council Minutes

Council - Tuesday, 16th November, 2010

47 TRANSFORMING COMMUNITY HEALTH AND SOCIAL CARE

(A) Mr Chris Howe, UNISON Trade Union South West Regional Organiser made a statement urging the Council to reconsider the proposed social enterprise model for delivering adult social care and to develop an alternative that would enable the service to be retained within the local authority. Mr Howe referred to the written joint submission from the B&NES Trade Unions which had been circulated to all Councillors.

(B) Ms Rowena Hayward, GMB Trade Union South West Region Organiser made a statement expressing concern about the proposals in this report because of the high risks involved in taking on the commissioned work from General Practitioners and urged the Council to extend the consultation process to enable the options to be more fully explored.

(C) Mrs Diana Hall Hall, Chair of B&NES Link made a statement expressing concern about the proposals in this report because of the high risks of the social enterprise model compared with using alternative statutory health and social care providers and urged the Council to extend the consultation and decision-making process to enable the options to be more fully considered.

Copies of the statements provided by the speakers which were circulated at the meeting are held on file in the minute book and published on the Council's website with the draft minutes of this meeting.

The speakers were thanked for their statements which it was decided would be taken into account during consideration of agenda item 9.

The Council considered a report which set out proposals for a future organisational model for the Council that focused on a strategic leadership role and the structure to deliver it. An update report was circulated to all Members and the public at the meeting on two textual corrections to the main report and the latest projections on which the financial information was based.

During the debate on this item Councillor Will Sandry read a statement which summarised the position of the Liberal Democrat Group's working party on this issue in the discussions they had held prior to the Council Meeting and requested that a copy be retained on the minute book and published on the Council's website with the draft minutes.

On a motion proposed by Councillor Vic Pritchard and seconded by Councillor Francine Haeberling it was RESOLVED that the Council:

1. Indicates its commitment to a direction of travel that aims to transfer integrated community health and social care services into a potential social enterprise subject to the approval of the NHS Bath and North East Somerset Board at its meeting on 18th November 2010.
2. Recognises the key role of General Practitioner representatives as future Commissioners in developing the proposal.
3. Notes that the initial high level Integrated Business Plan will be developed further over the next two months to test the viability of the social enterprise.

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4. Delegates authority to the Chief Executive with the agreement of the Leader of the Council and the Leader of the Liberal Democrat Group, in consultation with the Labour and Independent Group Leaders, the Cabinet Member for Adult Social Care and Housing, the Chair of the Healthier Communities and Older People Overview and Scrutiny Panel, a further member of the Liberal Democrat group, the Monitoring Officer, and the Council's Section 151 Officer, to:

a. Take all steps necessary or incidental to work with NHS Bath and North East Somerset and General Practitioner Commissioning representatives to develop the potential social enterprise option.

b. Implement the option including the organisational form of the potential social enterprise and the development and award of the contracts relevant to Council services, subject to the detailed Integrated Business Plan demonstrating to his satisfaction the viability of the new social enterprise within budget provision and support for the option being agreed with the General Practitioner Commissioning representatives and the Strategic Health Authority.

5. Instructs the Chief Executive to produce a further report to Council should, in his opinion after taking relevant advice, he conclude that the financial challenges as expressed in the Financial Implications to this report cannot be met or if sufficient agreement with General Practitioner Commissioning representatives and the Strategic Health Authority is not achieved.

6. Agrees that the proposed option is subject to proportionate due diligence prior to any transfer of services.

7. Notes that the Integrated Business Plan shall be submitted formally to the NHS South West, the Strategic Health Authority, following the meeting of the NHS Bath and North East Somerset Board, and will be subject to further development over the next two months.

8. Notes the project's governance arrangements, next steps, costs, timetable and the high-level outline terms of the pooled project budget between the Council and NHS Bath and North East Somerset.

(Notes: 1. The above resolution was carried by a majority of 46 Councillors voting in favour, 9 Councillors voting against and 6 Councillors abstaining from voting. 2. The wording underlined in paragraphs 4 and 5 above was added by Councillor Pritchard when moving the motion to the recommendations printed in the report. 3. During the debate on this item a motion under Council Rule 48 was moved and seconded and resolved to extend the duration of the Council Meeting until 11pm to enable the remaining business to be considered. 4. During the debate on this item a procedural motion was moved and seconded and resolved to vary the order of business to take agenda items 14 and 15 before the other remaining items because members of the public were present to make statements on both those items.)