

**QUESTIONS FROM MEMBERS OF THE PUBLIC**  
**Wednesday 12 April 2023**

**1. QUESTION FROM MISS ANN GORAY (ATTENDANCE VIA TEAMS)**  
**Re: Letter to Councillor Hart and Response regarding Day Services**

What steps does the Council propose to take to address the concerns identified in my letter to Councillor Hart dated 30 March 2023.

(The letter relates to relating to the conduct of the Cabinet proceedings in March 2023 / the associated Report of the Health and Adult Scrutiny Committee ("the Committee") of 20 January 2023 ("the Report") in respect of Agenda item 12 - "Replacement Day Care Services" the letter specifically asking for a response to the presentation / consideration of a Report at Cabinet entitled "Replacement Day Care Services" at a time when there is an ongoing consultation regarding the future of such services and the consequential perception/ prejudice to the outcome of such consultation process, together with further concerns regarding the Contents of the Report including its failure to recognise that RFI and direct payments are unlikely to be appropriate alternatives for the severely disabled service users/ vulnerable carers concerned and the pursuit of which would, in many cases, represent a serious breach of the Council's duty of care, its failure properly to reflect the value with which the day services are regarded by many service users and carers, the implied inappropriate criticism of carers for investing in day services / not exploring direct payments and the failure to recognise in the Report/ at the Cabinet meeting that the Mental Capacity Act 2005 and the associated Code of Practice will apply to most of the service users concerned which requires the Council to act at all times in their best interests and finally concerns as to whether the members of Cabinet (including the Committee) have received best interests and disability awareness training in the light of the contents of the Report/ some of the comments which were made at the Cabinet meeting including a suggestion that a service user could be looked after by a volunteer in the community)

A copy of the letter to Councillor Hart can be made available on request.

**REPLY BY COUNCILLOR MCINNES**

Thank you for your letter to Cllr Hart that was received on the 30 March setting out a number of concerns you have relating to a Cabinet report in March on replacement day services. In response to feedback we have received we will be pausing the consultations on day and respite services while we consider what we have heard. A full response to your letter is being brought together and will be sent directly to you by Friday 21 April.