

ADULTS COMMITTEE: MINUTES

Date: Tuesday 4th November 2014

Time: 2.00p.m. to 5.00p.m.

Present: Councillors P Ashcroft, A Bailey (Vice-Chairwoman), S Crawford, K Bourke, D Giles, L Nethsingha, M Loyns, S Frost (substituting for Councillor J Reynolds), K Reynolds, S Rylance (Chairwoman), F Onasanya, M Smith, G Wilson, T Orgee (substituting for Councillor Kenney) and F Yeulett

Apologies: Councillors G Kenney, J Reynolds and M Tew.

43. DECLARATIONS OF INTEREST

Councillor Wilson declared a statutory disclosable interest under the Code of Conduct in relation to "Future arrangements for the Services currently retained by CCS" which would be considered at the next meeting, as his wife was a Specialist Health Visitor employed by Cambridgeshire Community Services (CCS).

Councillor Smith declared a non-statutory disclosable interest under the Code of Conduct in Minute No.49 Cambridgeshire Safer Communities Partnership Team as she had been appointed by the Fire Authority as a member of the Cambridgeshire Crime and Disorder Partnership.

44. MINUTES –7TH OCTOBER 2014

The minutes of the meeting held on 7th October 2014 were agreed as a correct record and signed by the Chairwoman subject to the following amendment:

Page 3, last paragraph, delete the word "impossible" and insert "unacceptable".

45. PETITIONS

No petitions were received.

46. REFERENCE FROM AUDIT AND ACCOUNTS COMMITTEE – MONITORING OF CONTRACTS WITHIN CARE HOMES

The Committee received a reference from the Audit and Accounts Committee regarding the monitoring of contracts within care homes. Councillor Shellens, Chairman of the Audit and Accounts Committee presented the report. He explained that following a concern raised at its July meeting, the Acting Head of Internal Audit and Risk Management was asked to provide a report to the September meeting on the process by which Care Homes were monitored and the level of assurance available as to their financial management.

The Audit and Accounts Committee had expressed concerns in relation to how whistle blowers could make their concerns known regarding potential abuse, what measures were taken within the contract to monitor staffing levels and quality; including ensuring staff were appropriately qualified. The Committee had raised further questions over what safeguarding checks were undertaken in relation to the employment of staff. It had also highlighted the contract monitoring measures being taken by the Local Authority that were considered different from other local authority controlled Care Homes, which had seriously failed their clients and had been the subject of national media coverage. These issues were considered appropriate for the Adults Committee to consider.

Members discussed the report and commented:

- that there might have been a misunderstanding regarding the Council being asked to directly provide additional staff
- the Spokes regularly received updates in relation to any Care Homes where the Local Authority had concerns. There was confidence in the safeguards that existed and Members were assured that effective contract monitoring was taking place. However, it was proposed that future updates to Spokes should also include the dashboard capturing performance of homes.
- on the role of the Care Quality Commission in monitoring the performance of Care Homes.
- that it was important to note that there were no Local Authority run Care Homes in Cambridgeshire.
- welcomed the report and felt reassured following discussions with Officers that robust measures were in place for the monitoring of contracts within Care Homes. However they believed that it might be appropriate to consider the Council responsibilities in respect of the four points under paragraph 1.4 of the covering report and therefore proposed that it be included as a future agenda item.
- that it was a complex area and that more information would be helpful for Members to better understand the processes involved and the role of the Local Authority. It was therefore recommended that a presentation was made at a future Members' Seminar.

Officers acknowledged that a Member Seminar would be helpful as clear examples could be provided of specific issues in relation to Care Home contracts and how they were managed. It was agreed that all Members would benefit from being presented with further information.

In considering whether the Committee wished to undertake any further investigations, it was proposed with the agreement of the Committee, to add three additional recommendations requesting further action.

It was resolved unanimously to:

- a) consider the comments made by the Audit and Accounts Committee contained within the report.
- b) agree the dashboard be brought to future Spokes meetings as part of the monitoring of Care Homes.
- c) present a report to a future Committee meeting detailing the Contract Monitoring process, which would address relevant issues raised in paragraph 1.4 of the reference from the Audit and Accounts Committee.
- d) Request that the subject be presented at a future Members' Seminar covering the following topics:
 - case work studies on care homes with safeguarding concerns
 - more information regarding the Council's responsibilities
 - who to contact and how concerns were addressed once concerns had been raised

47. IMPLEMENTATIONS OF THE CARE ACT 2014

A report was received by the Committee providing details of the proposed policy statements that would be required to provide the policy framework for the delivery of the requirements of the Care Act 2014. Having discussed the contents of the report Members:

- asked whether officers would be identifying significant resource implications based on the warnings from the Local Government Association(LGA) and the Association of Directors of Adult Social Services set out in paragraph 5.1.3 of the report. In response the officers advised that the Policy Statements were written to support staff practice. Referring to paragraph 5.1.3, the officers explained that 2016/17 represented the implementation of the second phase of the Care Act that introduces wider financial changes to the social care system and further discussions were due to take place with the Department of Health (DoH) and the LGA leading up to the next comprehensive spending review.
- asked if there were activities that the Local Authority was carrying out now that it would no longer undertake in the future. Officers responded by advising the Committee that it was more nuanced than this and that efficiency and effectiveness of resources played a role. An example was provided of the greater use of Assistive Technology being made in order to prevent the need for certain services or interventions in the future. It was also highlighted that the Transforming Lives Programme would assist this process with Care Managers and Social Workers using their professional judgement rather than clearly defined rules.
- noted paragraphs 2.6.1 and 2.6.2 on the need for the process for identifying the personal budget to be transparent so the person or carer could understand how the amount had been calculated. It was questioned whether this was currently the case as the report identified that a number of options were being explored. Officers explained that the possibility of moving away from the current Resource Allocation System to a system of pricing a support plan was being considered. Members questioned whether looking at no longer using the Resource Allocation System was

a step backwards. Officers informed the Committee that the current methodology of calculating Personal Budgets was being compared with alternative models used by increasing numbers of local authorities.

- highlighted the importance of policy statements being positive and use positive language throughout.
- queried whether options had been considered regarding paragraph 3.2 in relation to increased demand, what plans were in place for the recruitment of staff and whether there was a problem with recruiting staff in Cambridgeshire. In reply officers recognised that there would be an increased demand on Older Peoples Services and that there was already a gap in staff capacity that needed to be filled as a result of staffing reductions in the past. A creative approach to recruitment needed to be adopted in order to highlight that Cambridgeshire was an attractive place to work. A clear induction process needed to be developed for new starters and work had begun with Human Resources on developing this. A number of issues had been identified as barriers to recruiting in Cambridgeshire which included salary in comparison to neighbouring Local Authorities, the cost of living and simultaneous recruitment campaigns being undertaken by many other local authorities. There had been lots of interest in positions that had been advertised, but the quality of applicant had not been that high.
- queried whether the Local Authority had any assets that it could utilise as accommodation for newly recruited workers. In response it was indicated that there were no Local Authority assets that could be released for accommodation but it was acknowledged that it was those sorts of creative ideas that were needed to solve the issue of recruitment.
- queried whether there was confidence in the accuracy of the Lincolnshire model for predicting the levels of funding required and the increased demand on services. Officers advised that the Lincolnshire model had been developed to identify whether there was enough money provided by Central Government to implement the Care Act successfully. The model predicted future demand for services through census and population data and the model was backed by Association of Directors of Adult Social Services (ADASS) and the LGA.
- asked how members of the public would know what was happening with regard to the Care Act, and what the expectations were in relation to Local Members communicating the messages. The Committee were informed that tools from the DOH regarding a publicity campaign had now arrived. A national advertising campaign was due to commence in January 2015 and the Council could now begin to build its own communications campaign to complement the national campaign.

It was resolved unanimously:

To consider and comment on the proposed policy statements that would require the Committee's approval at the meeting in January 2015.

48. BUSINESS PLANNING – REVIEW FINAL DRAFT REVENUE AND CAPITAL PROPOSALS

A report was presented setting out the final draft revenue Children, Families and Adults (CFA) Service business planning proposals that were within the remit of the Adults Committee. The report built on the discussions that took place at the last meeting of the Adults Committee and the Business Planning Workshop with it being widely acknowledged that it was becoming increasingly difficult to make the necessary savings.

During discussion Members:

- noted that there had been previous discussion about the early implementation of Care Accounts and this appeared to have been dropped. In response officers advised that a new I.T. platform for CFA was in the process of being procured and that the successful bid would have a Care Accounts module. This however would not prevent the early assessment of self-funders.
- noted the savings identified in paragraph 7.7 were in addition to those identified in paragraph 7.6 and asked what percentage of the overall budget for the Learning Disability Partnership (LDP) and the Physical Disabilities (PD) team did the savings represent. Members were informed that the combined budgets of LDP and PD were similar to the Older People's budgets and that the savings were of a similar size as the savings for Older People's Services.
- noted that at the last Committee meeting a 1% inflationary uplift for Adult Social Care, Older People and Mental Health services was proposed, which included flexibility to manage inflationary uplifts on an individual basis. Concern was raised about inconsistent information provided to Members in previous discussions and at the Members' seminar in October. Questions were raised regarding what the Local Authority was contractually obliged to offer in terms of inflationary uplifts and what level of increase was required to effectively operate within the market. Officers acknowledged that it was a confusing picture due to different contractual arrangements for a wide range of providers and different market conditions impacting on providers. There was a decision to be made as to whether savings were achieved through controlling the unit cost of procured services, or through the volume of services purchased. It was noted that the Business Plan included proposals based on a reduction in volume of activity in home care. It was recommended that in order to ensure that the Local Authority could meet its statutory requirements and avoid a situation where a provider refused to accept a Local Authority funded client because of the level of funding being offered that an increase of 1% should be agreed. Home Care was given as one example where the Local Authority already struggles to meet requirements which can also result in delayed transfers of care from hospital..
- asked whether an increase of 0.5% would provide officers with the required level of flexibility when negotiating contracts. Officers reinforced the challenges faced by some providers particularly around recruitment of nurses in nursing homes in order to meet complex needs such as those with advanced dementia. Officers advised that it was important to note that contracts were individually negotiated where market conditions had a particular impact. On this basis Members accepted that a 1% increase was reasonable and welcomed the flexibility for negotiating rates

within the financial envelope that 1% would provide, which was already built into the Business Plan proposals.

- accepted that these were challenging savings to make and that it would be beneficial for Members to have a greater understanding of the contract negotiation process and the details related to inflation.
- requested that the proposed Key Performance Indicators were brought back to a future Committee meeting for more detailed discussion.
- asked where the additional savings totalling £6 million would be found from. Officers in response advised that it was important to note that a proportion of the savings would be made by Children's Services. It was explained that both the LDP and PD teams had been asked to absorb any increases in care need for current service users that might arise within existing resources. In addition work was being undertaken with Public Health on falls prevention which had an additional savings target associated with it. It was proposed that additional savings would need to be identified through efforts to clarify responsibilities for Continuing Health Care by ensuring that eligible people received the help they were entitled to when they have ongoing health needs. Additional savings had also been identified to come from Reablement. Officers explained that a Supreme Court Judgement had changed the expectation and standards linked to the deprivation of liberty under the Mental Capacity Act. New guidance had just been issued that had the potential to reduce legal costs associated with this process and therefore it had been possible to reduce the cost pressure identified against this activity.
- queried whether redundancies were being considered to achieve some of the savings. Officers explained that if staffing levels were reduced further it would adversely affect the ability of the service to achieve the savings. It was accepted that ways of working would change but no redundancies were foreseen at this stage.
- acknowledged that it was essential that communication took place with the Cambridgeshire and Peterborough Foundation Trust (CPFT) and other NHS partners in relation to the 'Five 5 Year Plan'. In response officers advised that the Executive Director; Children, Families and Adult Services was a member of the local NHS Transformation Board, to ensure that strategic developments taking place within the NHS and Local Authority are as joined up as possible.
- queried whether it was feasible for the Local Authority to run and manage its own Care Home. Officers agreed that in principle it was and made reference to paragraph 7.26 of the report regarding plans to take this forward.

It was resolved unanimously to:

- a) note the overview and context provided for the 2015/16 to 2019/20 Business Plan revenue proposals for the Children Families and Adults (CFA) Service.

- b) provide comments on those final draft revenue savings proposals that were within the remit of the Adults Committee for 2015/16 to 2019/20 and endorse them.
- c) consider the proposed levels of fees and charges for the CFA Service that were within the remit of the Adults Committee for 2015/16 to 2019/20 and endorse them.
- d) consider the proposed approach to inflation for those CFA services that were within the remit of the Adults Committee for 2015/16 and endorse the recommendations as set out in paragraph 6.8 of the report.
- e) not endorse the Key Performance Indicators set out in paragraph 7.30 and that further discussion and information was required before a decision could be taken. It was requested that a report be brought back with the information to the next Committee.

49. CAMBRIDGESHIRE SAFER COMMUNITIES PARTNERSHIP TEAM (CSPCT)

The Committee received a report providing an outline of the CSPCT, how it was funded and setting out the Local Authority's responsibilities regarding substance misuse, domestic abuse and community safety.

During a discussion regarding reporting graffiti, Members:

- commented that it was unclear to the public which was the appropriate partner /council to report anti-social behaviour to. An example of graffiti vandalism was provided where it appeared that when reported, the District Council was not interested in taking action. As a result it was suggested that there needed to be a central contact information point for advising where anti-social behaviour could be reported. Officers explained that responsibility for the example provided would sit with District Councils. A discussion should have taken place at the relevant Crime and Disorder Reduction Partnership (CDRP) meeting. Cambridgeshire County Council's responsibilities lay in co-ordinating partnership working across all the agencies involved. One Member explained that issues could be reported on the 101 telephone number. If the same issue was reported 3 times then it triggered an escalation.
- queried whether people completing Community Service could be utilised to clean graffiti. Officers advised that District Councils had been looking at that as an option, and the Probation Service had been working with Fenland District Council on this.
- suggested that it would be beneficial for an initial briefing note to be issued in terms of appropriate reporting routes. In further discussion, it was suggested that a report should be prepared initially for Spokes and then to Committee on how the public could report anti-social behaviour and the roles of partner organisations. With the agreement of the Committee, it was proposed to add this suggestion to the recommendations

It was resolved to:

- a) note the contents of the report.
- b) submit a report to the Committee on how members of the public were able to report anti-social behaviour to the correct organisation and to provide further information on the role of partner organisations including districts and the County Council.

50. COUNTYWIDE OLDER PEOPLE STRATEGY

The Committee received a report presenting the final Countywide Older People Strategy that had been developed in conjunction with officers from district councils and the Cambridgeshire and Peterborough Clinical Commissioning Group.

During discussion, Members

- welcomed an excellent document.
- queried on page 8 of the document whether the word ‘residents’ was required.
- highlighted the fact that elderly people who volunteer and provide valuable resources to their communities did not appear to be mentioned and that older people could act as “Community Navigators”.
- highlighted the typo on the first paragraph of page 8, “bring” should read “being”.
- suggested that the Local Authority might wish to take a more central role in scrutinising the delivery of the aims within Cambridgeshire County Council and across its partners.
- queried whether it was the role of the Adults Committee or other Committees to be involved in the scrutiny of the delivery of the aims. Officers advised that there were a number of different organisations that fed into the Strategy; therefore it would come under the remit of several Committees. It was proposed for a further report to be presented to the Committee as the implementation of the strategy progressed.

It was resolved:

- a) to endorse the contents of the Older People Strategy;
- b) to discuss at a future meeting how the Council could take forward the areas of work outlined in the Strategy as part of an integrated system with partners;
- c) that a further report be brought back to the Committee regarding implementation of the Strategy and the monitoring role to be played by the Adults Committee, the Health and Wellbeing Board and the Health Committee to help avoid duplication.

51. BETTER CARE FUND

An update was presented to the Committee in the form of a report on the Better Care Fund submission to Government made on 19th September. The report outlined the next steps for the Better Care Fund proposal and its associated work programme. The Committee was advised that Cambridgeshire County Council's bid had been approved subject to four conditions and that a Better Care Fund Advisor had been allocated to develop an action plan to ensure the conditions were met.

Members noted that as a result of the decision to include the new arrangement for procuring services for older people and those with long term conditions in the BCF proposals, this has resulted in a smaller number of initiatives. Members confirmed that progress should be monitored closely to ensure success. A question was raised on whether a Better Care Fund Advisor was necessary. Officers reported that an Advisor was allocated to a Council as part of the award conditions and therefore it was in the best interests for the Council to work closely with them.

It was resolved unanimously:

to note the report and the oral update provided at the meeting.

52. FINANCE AND PERFORMANCE REPORT

The Finance and Performance report for September 2014 was presented to the Committee. The report reflected the position half way through the financial year. Section 3 of the report requested the Committee consider Key Performance Indicators (KPIs) for deprivation.

Members discussed the report and commented:

- that clarification was required on paragraph 2.2 of the report, specifically around increased client contributions. Members thought these should have remained fairly static. Officers explained that the increase was the result of the revised Contributions Policy adopted earlier in the year. This had resulted in greater efficiency and contributions were now being collected earlier.
- on whether it would be possible to plot post codes as well as the percentages in order to focus attention on key areas of deprivation.
- that it was not appropriate for the KPIs to be decided at the current meeting as the data might already have been collated by other areas. It was felt by Members that this linked to the KPIs in the earlier 'Business Planning' agenda item and that a report should be submitted to the Committee regarding KPIs. Officers agreed to investigate further and report back.

Following discussion and with the agreement of the Committee, it was proposed to add two actions to the recommendations.

It was resolved:

- a) to review and comment on the report;

- b) that as the Committee did not feel able agree the details of the Key Performance Indicators for deprivation a further report should be presented to the Committee on options, once further consultation and research had been undertaken with the Council's Public Health Directorate to ascertain details of any similar measures already in place.
- c) the above report , detailed in recommendation b), be combined with the earlier request for a report on Key Performance Indicators.

53. ADULTS COMMITTEE AGENDA PLAN

The Committee was asked to review its agenda plan.

It was resolved:

to note the agenda plan, including the updates reported orally at the meeting.

Chairwoman