

ADULTS COMMITTEE: MINUTES

Date: Tuesday 3rd November 2015

Time: 2.00p.m. to 16.55 p.m.

Present: Councillors P Ashcroft, C Boden, S Crawford, D Giles, S Hoy, M Loynes (substituting for Councillor Kenney), L Nethsingha, T Orgee (substituting for Councillor Bailey), P Sales, M Tew (Chairman), G Wilson and F Yeulett.

Apologies: A Bailey (Vice-Chairwoman) and G Kenney.

In order that the meeting be facilitated effectively the Chairman, with the agreement of the Committee, invited Councillor Orgee to sit beside him to identify Members who wished to speak.

119. DECLARATIONS OF INTEREST

Councillors Orgee and Loynes both declared a non-statutory disclosable interest under the Code of Conduct in Minute No.121 "Progress Report on the Prospective Purchase of Southwell Court Care Home" as they were both Members of South Cambridgeshire District Council.

120. MINUTES – 1ST SEPTEMBER 2015 AND ACTION LOG.

The minutes of the meeting held on 1st September 2015 were agreed as a correct record and signed by the Chairman. In considering the Minutes, officers were asked to ensure that the delayed transfers of care (DTC) dashboard was made available to Members. **ACTION**

The Action Log was noted and the following oral update provided to the Committee:

- Item 93: The final report would be circulated following the Committee meeting.
- Item 110: A briefing note was circulated to Members on 3rd November.
- Item 111: Officers confirmed that this was being worked on as a priority.

121. PETITIONS

No petitions were received.

122. HOMELESSNESS SERVICE CONTRACT AWARD: EXEMPTION REQUEST AS LESS THAN THREE BIDDERS.

Members received a report requesting a procurement exemption and permission to award the Cambridge City Homelessness Support contract to Riverside ECHG (previously known as English Churches Housing Group). A full procurement exercise had been undertaken but there had been fewer than three bidders for the contract. It was noted that procurement regulations stated that an exemption was required to remove the need for further tendering.

During discussion of the report Members:

- noted how the tendering process had worked and expressed dissatisfaction that only one tender had come forward because there was a substantial capital barrier to more bidders entering the tender process. Members questioned whether the contract could be disaggregated to encourage more bidders and thereby achieve greater competition and value. Officers agreed to review the contract but past experience had shown that accommodation and the delivery of the service were firmly locked together.
- questioned whether in four or six years' time the Council would be in the same position and whether inflation was fixed or related to the usage of the premises. Officers advised that it was a full cost recovery contract which meant that the Council paid £200k over the course of the contract and if the costs exceeded that, the provider would have to bear them. Officer acknowledged that it was important for the market to be given sufficient time to be aware of a contract that was coming up for tender.
- highlighted the vital services that were provided by the contract to some of the most vulnerable individuals who lived on the streets and were in urgent need.
- noted paragraph 1.8 of the report detailing that the bid from Riverside ECHG had been robustly evaluated by a tender panel, moderated by a manager from the Procurement Team and found to be satisfactory in all areas.
- questioned whether the tendering of the contract was exempt from European Union (EU) procurement requirements. Officers confirmed that discussions had taken place with the Procurement Team and confirmation received that the tendering of the contract was exempt from the EU procurement requirements. It was agreed to provide a briefing as to the reasons why following the meeting. **ACTION**

It was resolved:

To agree to an exemption from a further procurement exercise so that the contract could be awarded to the successful bidder Riverside ECHG.

123. PROGRESS REPORT ON THE PROSPECTIVE PURCHASE OF SOUTHWELL COURT RESIDENTIAL HOME

The Committee received an update regarding the negotiations to acquire Southwell Court Residential Care Home following the closure by Metropolitan Housing. Land searches had revealed that South Cambridgeshire District Council (SCDC) had a covenant in place which restricted the future use of the land to older people's care provision.

A specialist care home consultancy, Cordis Bright had been instructed to consider the commercial viability of running the care home in its present or in an altered form. Following discussion with Cordis Bright, the most practical option for the site was for SCDC to facilitate the development of an extra care sheltered housing scheme designed to meet the needs of older people that incorporated specialist support for people with dementia.

During discussion Members:

- questioned how the viability of the home was determined and whether it was assessed on a profit or not-for-profit basis. It was highlighted that there were care homes with few beds that were commercially viable. Officers explained that there were specific constraints with regard to the building that required additional staffing. The bedroom and facilities available were such that it would prove difficult to attract the necessary self-funding residents to make the home a commercially viable option.
- expressed disappointment that the building was not suitable but were pleased that there was another solution.
- questioned where it left the Council in terms of providing care facilities, which had been an issue discussed at previous meetings. Officers confirmed that a progress report would be brought to Committee at the earliest opportunity. **ACTION** Officers pointed out that the overall strategic direction remained the same and the work Cordis Bright had undertaken would be equally applicable to the development of plans to build a care home.
- noted that a care home built twenty years ago was now deemed to be obsolete and commercially unviable. They highlighted the need to be careful the Council did not build a care home that would become obsolete in a similar time scale.
- questioned whether there would be additional revenue requirements of the Council from such a scheme. Officers advised that the provision of domiciliary care was a statutory requirement and the individuals who would live at the scheme would otherwise need to receive domiciliary care services or be placed in a care home.

It was resolved to:

- a) Agree not to purchase or lease Southwell Court Care Home

- b) Agree to the County Council working with South Cambridgeshire District Council to secure the development of an extra care sheltered scheme on the site.

124. ADULTS AUTISM STRATEGY

The Adults Autism Strategy was presented to the Committee. Cambridgeshire's strategy for improving the lives of people with autism had traditionally formed part of the Learning Disability Commissioning Strategy. However, as autism affected a range of people with different needs, work had been completed to create a single strategy that addressed the circumstances of people with autism as a distinct group in line with national guidance.

The strategy had been produced in partnership with autism sufferers, their families and carers. The Committee's attention was drawn to the link with Tier 1 of the Transforming Lives model and it was explained that in the long term it should save the Council money by focussing on prevention, thus avoiding the need for more intensive social care intervention at a later date.

During discussion of the report Members:

- noted that the strategy focussed on people with higher functioning autism and questioned how the strategy helped people at the other end of the spectrum with additional needs. Officers acknowledged that the strategy did not focus on those with autism and additional needs but explained that the strategy needed to be viewed alongside the LDP strategy which would cover those people with autism and learning disabilities whose needs were often more complex.
- noted the estimate of the number of individuals on the autistic spectrum and the number that were diagnosed. It was also noted that the vast majority of people were undiagnosed. Officers informed Members that the Cambridge Lifespan Asperger Syndrome Service (CLASS) clinic at Fulbourn Hospital was managed by the Cambridgeshire and Peterborough Foundation Trust (CPFT). It was acknowledged that diagnosis was an issue because individuals were not necessarily aware that they were on the autistic spectrum and may not seek or receive help and support. It was noted that it was important to have a good link from the diagnostic pathway to the social care pathway that would provide access to information, advice and support within the Transforming Lives model.
- expressed concern regarding the diagnosis of autism and questioned whether there was a strong financial case for putting pressure on the Clinical Commissioning Group (CCG) to enable people to access the diagnostic service. Officers acknowledged that speedy diagnosis was helpful and confirmed that pressure was being applied to the CCG and CPFT to ensure that services were receiving the correct level of funding. Members were informed that a formal diagnosis of autism was not required in order to receive a statutory assessment or services from the Council.
- questioned how much had been achieved by the Council with regard to employing people on the autistic spectrum. Officers advised that a lot of work had been

undertaken with regard to supporting people into employment and there were two support managers who advised individuals on employment issues based with the National Autistic Society. Officers acknowledged that the Council needed to be more open to employing people on the autistic spectrum, which also applied to all employers.

- requested statistics that showed how long it took from the point of referral to diagnosis. **ACTION**
- questioned whether there were other routes available to individuals to receive a diagnosis for example through Psychologists particularly given pressures facing CPFT. Officers explained that the cohort that would follow the CPFT pathway were people with higher functioning autism. It was noted that people with autism and learning disabilities would be dealt with through the Learning Disability Partnership (LDP) which includes psychiatrists, psychologists, Learning Disability specialist nurses, and speech and language therapists.
- highlighted the higher prevalence of autism in Fenland and questioned how the strategy would help those in this area. Officers explained that the staff in the National Autistic Society covered the whole county and the strategy was designed to ensure individuals' needs were responded to across the county. Officers agreed to present a report that detailed the progress of the strategy, focussing on high areas of need, at a future Committee. – **ACTION**
- questioned whether the strategy was cost neutral. It was noted that the money had already been budgeted for and there might be some savings through preventative work.

It was resolved:

To approve the Cambridgeshire Adult Autism Strategy.

125. FINANCE AND PERFORMANCE REPORT SEPTEMBER 2015

The Committee received the September Finance and Performance report. Officers drew the attention of the Committee to the current position of the Children, Families and Adults (CFA) service as a whole and highlighted that the Committee would continue to see reductions in the overspend in future reports. The main budgetary pressures were seen in Looked after Children and Home to School Transport. It was recognised that the Learning Disability Partnership (LDP) Team was currently overspent and this pressure was reflected in the Business Planning proposals. Officers highlighted the recent good performance regarding delayed transfers of care from Addenbrooke's Hospital but remained cautious as winter was approaching which would place strain upon the service.

During discussion Members:

- requested that when virements were made the date should be shown on the report. They also questioned what happened to the assumed income when virements were

made. Officers explained that it had a neutral effect on the CFA forecast. Members were reminded that General Purposes Committee approved all virements.

- requested greater clarity regarding the reserves shown in Appendix 5 of the report. It was noted that a directorate had previously been able to hold uncommitted reserves but the General Purposes Committee had recently agreed that a directorate could only hold committed reserves. Officers assured Members that there were no unfunded commitments that had to be covered.
- noted the improvement in delayed transfers of care but highlighted that the numbers remained above the national targets. It was questioned how the issues with domiciliary care were being tackled. Officers advised that there was no quick solution, an improvement plan was in place and a post was being funded to implement the plan. It was noted that domiciliary care providers were struggling to recruit staff and that attention had to be paid to ensure quality as well as the quantity was available.
- questioned whether there was scope to further reduce out of county placements within Learning Disability Services. Officers explained that analysis undertaken several years ago showed that many service users were placed only 10 or 15 miles outside of the county and this was often close to where they had previously lived within the county. In responding to the Winterbourne View scandal, the LDP had focused on people in out of county inpatient settings and had successfully brought people back into services within the county, reducing these types of placements from 16 to 5. It was confirmed that there was capacity to support more people to return to the county but it took time to plan the appropriate services for individuals to return.
- highlighted appendix 2 of the report and the decision of the Government to delay the implementation of part of the Care Act 2014 relating to Care Accounts requiring assessments of people funding their own care. This had resulted in an underspend on the money allocated to the Council for implementing the Care Act of £1.6m. It was acknowledged that there was uncertainty about how this allocation would be dealt with by government in 2016/17 and so careful consideration would need to be given to any proposed commitments against this money in the next financial year.
- drew attention to the performance indicators detailed on paragraph 1.2 of the report and sought assurance from officers that areas that were underspending were not achieving a red performance indicator. Officers informed Members that a decision had not been taken to sacrifice performance in order that savings could be delivered.

It was resolved:

to review and comment on the report.

126. ADULTS COMMITTEE REVIEW OF DRAFT REVENUE BUSINESS PLANNING PROPOSALS FOR OLDER PEOPLE, MENTAL HEALTH AND ADULT CARE SERVICES 2016/17 TO 2020/21

The Executive Director: Children, Families and Adults presented the Committee with the overview of the draft revenue business planning proposals for Children, Families and Adults (CFA) Services that were within the remit of the Adults Committee.

Officers highlighted that this was the fourth Adult Social Care budget the Executive Director had presented and austerity had been the theme of all of them. He explained that savings had been made through efficiencies but there continued to be a significant financial challenge ahead. Demographic changes in Cambridgeshire were seen as the most critical challenge to be met. The overall population of the county was forecast to increase as were the numbers of older people particularly those people living longer with serious medical conditions. Inflation was also identified as an issue; the market was under pressure and demand was in excess of supply and therefore the cost of services was increasing. The Living Wage was identified as an additional pressure facing the Council.

Members were informed that the Transforming Lives model would require different working practices and a focus on preventative measures. There was a need for an overall strategy for the next 5 years. Attention was drawn to the strategy attached at appendix A of the report.

The Executive Director was clear that there would be cuts and individuals experiences of the cuts would vary because of their individual needs. The services that some people received would be reduced and some individuals that could have expected to receive services might no longer. There was a need to balance the risk to individual service users against the risk to the Council of spending beyond its means. The plans represented a significant increase in the level of risk in terms of the Council's duty to care for those who were in need.

The Chairman invited Beth McCabe from the Cambridgeshire Alliance for Independent Living to address the Committee. She expressed her disappointment with regard to the consultation process undertaken. The Learning Disability Partnership Board was asked for its views on the draft strategy two weeks before the closing of the consultation but there was no easy read version of the strategy available. This was a missed opportunity as evidence showed that when people were involved the outcomes were generally better. She reported that the pressures the Council was under were appreciated but this happened every year.

The Executive Director apologised for the oversight and confirmed that there was now an easy read version of the strategy. He emphasised that the budget planning process was on going and there would be many opportunities for service user involvement. He reported that he was committed to working with the Cambridgeshire Alliance.

In response to Members questions Ms McCabe:

- confirmed that she could not comment on where an additional £7m of revenue

funding generated by Council Tax being increased by 5% should be spent. She highlighted the increased statutory duties under the Care Act 2014 and questioned whether they could be met given the level of funding available.

- highlighted the importance of involving carers at Partnership Boards and focus groups.

During discussion of the report Members:

- expressed disappointment that the Council was in a position where drastic reductions in spending had to be made, but thanked the report authors for a clear and concise report. Concerns were raised regarding prevention as a means by which risk could be managed and therefore demand for services. Prevention was a key focus for the Health Committee but the budget had been reduced by £1.6m and would continue to shrink. Grave doubts were expressed whether services could be maintained and statutory duties discharged. Officers confirmed that the Public Health Team were part of the prevention strategy. However, in this case prevention was being viewed in terms of the individual and how on an individual basis it could prevent escalation of need. Officers were clear that prevention was not being offered as a panacea. Members were advised that the Council would be very close to only meeting its statutory duties and therefore the risks of judicial review would increase.
- expressed the view that it was unreasonable for the Government to reduce the Revenue Support Grant to nil but then not allow the Council to raise revenue through taxation. It was therefore hoped that strong representation was being made to Government Ministers. Concern was raised that the risk to vulnerable people would be increased and the budget would not be met. Officers confirmed that any increase in Council Tax would be considered by General Purposes Committee and would need to then be approved by Full Council. It was noted that it would be very difficult for the Council to mount a legal challenge regarding the level of funding received from the Government. It would need an exceptionally strong evidence base on which to mount any challenge.
- questioned where the priority areas for spending would be for the revenue generated if a 5% increase in Council Tax was implemented. Officers advised that the areas that were affected the most by the proposed cuts would be prioritised and flexibility would be created at an individual level to mitigate the impacts of the budget constraints. Officers drew attention to the relatively static numbers of Service Users in the Learning Disability Partnership and the Physical Disabilities Team where less would be spent on individuals care services, which would increase the risk to them and the impact on their families as half of the individuals supported lived with their families.
- raised concern that Adult Social Care was rather abstract in being able to describe how budgetary pressures would affect individuals compared to the Highways and Community Infrastructure Committee where street lights and potholes were tangible things to people in the community. It was therefore important to emphasise the impact to individuals. Officers acknowledged the challenge of making the impact clear especially as they operate in a highly prescribed statutory framework.

- noted that there was still uncertainty regarding the Council's finances as the Autumn Statement had not yet been delivered and there was a risk that the situation could become much worse as a result.
- questioned how realistic it was for long term savings to be achieved from preventative strategies. Officers confirmed that there were risks associated to assuming that savings could be generated by preventative measures and as a result savings had not been forecast. Preventative measures were less well developed in Adult Services when compared to Older People's Services and work with children's colleagues is being progressed to reduce the level of dependency of young people as they move into adulthood.
- questioned why pension contributions were forecast to increase by 5.5% in 2016-17 and then decrease by 0.5% in 2017-18. Officers advised that there was an ongoing review of pension contributions and officers would provide a briefing as to the reasons why the figure fluctuated. **ACTION.**
- noted the assumption that the cost of the Living Wage would be met by the Government or in 2016/17 from the Council's central funding resources and that the savings detailed in the report were not predicated on the Living Wage.
- noted that the situation regarding the availability of domiciliary care providers was likely to become more difficult.
- expressed the view that communities should take a more active role and be more responsible for their residents. Officers agreed that there was a need for staff to understand better what was available in local communities in terms of support however, it was important not to assume that communities would provide what was provided by the Council.
- confirmed with officers that the overall spend on home care support was being reduced and more work was to be undertaken with individuals to ensure they remained in the community for longer with support.
- noted that shared accommodation would be provided for people with a physical or learning disability and those individuals would only live on their own if there was a very good case.
- noted that there was a reduced budget for community equipment and as a result the range of available equipment would be reduced.
- acknowledged that fines for delayed transfers of care were not currently being levied by hospitals but that there was a risk that they may start again if delays increased significantly.
- questioned what the average client contribution for services received would increase by. Officers explained that contributions would not increase as it was a means tested assessment. However, work was being undertaken to ensure that

the Contributions Policy was being administered effectively and that contributions were being collected efficiently.

- highlighted the example of a client currently receiving care services via another Council. She had received 24 hour live in care but due to budget pressures it had been withdrawn. As a result, she was required to wear incontinence pads during the night. If Council Tax was increased above 2% it would prevent such situations.
- highlighted the fact that the rural isolation box within the Community Impact Assessment for older people had not been ticked. Officers agreed to correct the assessment. **ACTION.**
- raised concern regarding access to Mental Health services as people in serious crisis were struggling to access support. Officers explained that there was a link between health and social care regarding mental health and that it could be hard to distinguish between them.
- drew attention to the Ferry Project in Wisbech which was an area that experienced high levels of deprivation and questioned what level of cross directorate working was taking place as the building was leased from the Council and could provide additional revenue. Officers suggested that Councillor Hoy contact the Executive Director for it to be investigated further. **ACTION**
- noted that the Drugs and Alcohol Team was a small part of the overall budget and was primarily funded through the Public Health Grant but it played a vital role in mitigating impact on other areas of the service.
- noted the proposed reductions in staffing and recognised that cutting back office staff had risks associated to it even though the redundancy costs would be met centrally.

The Chairman proposed, with the unanimous agreement of the Committee to delete “and endorsed them” in recommendation b) and replace with “and pass on comments and concerns”. It was also agreed unanimously to delete “and endorsed the recommendations” in recommendation c) and to delete recommendation d) completely.

Councillor Wilson proposed an amendment, seconded by Councillor Nethsingha, to add a further recommendation requesting that the General Purposes Committee consider the benefits and impacts of increasing Council Tax from 2% to 5% per annum for the period 2016/17 to 2020/21.

During discussion of the proposed amendments some Members:

- acknowledged that there were many variables that were yet unknown and the General Purposes Committee would have opportunity to discuss the matter when it was brought before them.
- expressed concern that the work of the Committee was in danger of being politicised and that the Committee was not the right forum for such a discussion.

- urged the Committee to support the proposed amendment as the impact of the proposed budget on individuals was severe. It was emphasised that the General Purposes Committee was only being asked to consider the proposal.
- expressed concern that the proposed amendment was an arbitrary figure of 5%. In response Councillor Wilson agreed that 5% was an arbitrary figure but it was the figure that was being consulted publicly on.

On being put to the vote the amendment was carried.

It was resolved that:

- a) the Committee note the overview and the context provided for the 2016/17 to 2020/21 Business Plan revenue proposals for the CFA Service.
- b) the Committee comment on the draft revenue savings proposals that were within the remit of the Adults Committee for 2016/17 to 2020/21, and pass on comments and concerns to the General Purposes Committee as part of consideration for the Council's overall Business Plan.
- c) the Committee consider the proposed approach to demography and inflation for those services that were within the remit of Adults Committee for 2016/17.
- d) the General Purposes Committee consider the benefits and impacts of increasing Council Tax from 2% to 5% per annum for the period 2016/17 to 2020/2021.

127. COMMITTEE AGENDA PLAN, APPOINTMENTS TO OUTSIDE BODIES AND COMMITTEE TRAINING PLAN

The agenda plan for the Committee was presented to Members together with the training plan. Members were informed that officers were arranging some training dates and that Democratic Services would circulate the dates to Members when they became known. **ACTION**

The Committee was also asked to appoint a Member to the Physical Disability and Sensory Impairment Partnership Board.

It was resolved to:

- a) Note the agenda plan and the oral update provided at the Committee.
- b) Appoint Councillor Hoy to the Physical Disability and Sensory Impairment Partnership Board.
- c) Note the position with regard to the development of the Committee's training plan.

Chairman