

ADULTS COMMITTEE: MINUTES

Date: Thursday 16 January 2020

Time: 2.00 pm to 3.50pm

Present: Councillors A Bailey (Chairwoman), S Crawford, D Connor, D Giles, M Goldsack, N Harrison, M Howell (Vice -Chairman), B Hunt and D Wells.

Apologies: Councillor A Costello, J French and G Wilson.

246. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies received from Councillor A Costello (substituted by Councillor D Connor), Councillor J French (substituted by Councillor B Hunt) and Councillor G Wilson.

No declarations of interest were received.

247. MINUTES AND ACTION LOG – 18 DECEMBER 2019

The minutes of the meeting held on 18 December 2019 were agreed as a correct record and signed by the Chairwoman. Members noted the completed actions on the action log.

248. PETITIONS AND PUBLIC QUESTIONS

The Chairwoman explained that a public question had been received in relation to item 4 on the agenda 'Adult Social Care Charging Policy Review'. She explained that the question would be taken as part of the item.

249. ADULT SOCIAL CARE CHARGING POLICY REVIEW

The Committee received a report that provided information for consideration on a number of proposed changes to the Council's adult social care charging policy following an extensive consultation exercise, summarised the comments and feedback received from the consultation exercise and sought approval of the recommended changes to the charging policy and the method of implementation.

In introducing the report officers explained the rationale for undertaking the review in light of the difficult financial context that the Council faced in terms of closing the current £4 million gap in the business plan and recognising that the Council had work to do in terms of aligning its charging policies with other authorities. Officers explained that there had been an extensive 12 week consultation and the key concerns highlighted throughout the consultation had been taken into account and the original

proposals revised as well as one of the proposals being withdrawn. Officers explained that the five proposals that had been consulted on were set out in section 1.5 of the report and any changes to the original proposals were set out in section 2 of the report as well as a summary of the responses to the consultation which were set out in appendix 2 of the report. Officers clarified that there had been some concerns raised in the responses to the consultation about the effectiveness of the Council's Financial Assessment team. In response to these concerns, the Council had included a recommendation to the Committee that they recommend to the Council's General Purpose Committee that they approved an outline transformation funding bid to increase the staffing complement and capacity of the Financial Assessment service for a period of up to 18 months and a commitment to review and improve service quality and customer satisfaction levels. Officers highlighted that the impacts of not approving the recommended changes had been set out in section 4 of the report. Officers confirmed that implementation of the charges, if they were approved, would be applied to all new service users from the start of the 2020 financial year and for existing service users this would be applied individually on a phased, rolling basis starting from April 2020 and continuing throughout the 2020-21 financial year.

The Chairwoman welcomed Mr Pitts to the meeting and invited him to address the Committee. Mr Pitts explained that he was addressing the Committee on behalf of his friend and her son xxxx who was severely disabled both mentally and physically, and that he was speaking her words. He explained to the Committee that xxxx lived with his mother as his main carer and had employed carers that supported him when she was at work. He had residential respite care on 57 days a year which was paid for from his benefits which were his only income, from which he also paid a share of household expenses including clothes as he required changes 7 times a day. He also contributed to the cost of his carers. His friend was 69 and still worked and her modest income and her son's benefits along with his care package allowed them to live modestly and for her to care for her son at home. She had calculated that the increase could result in his contributions increasing to something approaching £2,500. Her son had already suffered cuts in his care and she felt that further pressure on his care package would put further pressures on her ability to look after him at home. In her son's case it impacted on an extremely vulnerable individual with very high needs. She had reservations as to how the need for these proposals had come about, partly due to central government cuts and the way they impacted on the most vulnerable in society. She also felt they could have a greater impact on Council finances in the future.

The Chairwoman thanked Mr Pitts for addressing the Committee and asked members if they had any questions of clarification from Mr Pitts.

A Member sought clarification on how the approximate figure of £2,500 had been arrived at. Mr Pitts explained that that the figures were based on the figures included in the consultation exercise around proposals 2 and 3.

The biggest impact would have been in the respite care area which he acknowledged had been removed from the proposals.

In discussing the report:

- Members requested that officers supported Mr Pitts and his friend to review how the changes would affect her son's payments.

ACTION

- A Member sought clarification from officers that the maximum impact on any individual would be a maximum weekly increase of £34.45. Officers clarified that this was the case in terms of standard care contributions as set out in the original proposals. Officers explained that due to the feedback they had received during the consultation there was a recommendation to include the higher rate of Attendance Allowance, Disability Living Allowance (care component) and Personal Independence Payment (daily living part), and increase the standard disability related expenditure allowance used in the financial assessment calculation for people receiving these higher rates of disability benefits from £20 per week to £28 per week. This was in line with the figures used in neighbouring authorities. As a result of this change the revised maximum weekly increase was reduced to £26.45.
- Members welcomed the recommendation not to adopt the original proposal to charge for respite care using residential care charging rules.
- A Member queried the figure of 2,100 individuals who would be affected by both recommendation i and ii in the report. Officers explained that this was two separate cohorts of people but that there was a pool of approximately 600 people who could be affected by both changes. Officers explained that based on experience of understanding the costs and comparison with other councils the figures proposed for recommendation ii were at an average level.
- Members expressed their concerns in relation to the feedback received regarding the delivery of the Financial Assessment service and sought assurance that improvements would be addressed through the recommendation to increase the staffing complement and the capacity of the service. Officers assured Members that work had already begun to implement improvements including the refresh of guidance to staff. Officers explained that they would be seeking best practice from other authorities and that the service needed to be a more personal and responsive.
- Members questioned how the council would offer a level of discretion in terms of individual hardship and exceptional circumstances in setting a person's care charge. Officers clarified

that each person would receive an individual financial assessment that looked at their finances and would ensure that the care charge they were assessed to pay was individually affordable, taking into account any individual circumstances or needs related to their condition or needs. Officers explained that this process would be used fairly and there is a process for people to challenge the process or decision and that discretion needed to be applied fairly, appropriately and consistently.

- A Member queried whether the care arrangement fee increase for people who were charged the full cost of their care (proposal v) was subject to means testing. Officers clarified that an individual had capital above the national £23,250 care funding assistance level then they were deemed to be able to meet the full cost of their care themselves (known as self-funders), but their incomes were not taken into account in any other means-test that related to care costs.
- A Member questioned what would happen if an individual had an emergency that ate into their capital. Officers explained that the financial assessment process was ongoing and would be flexible so that situations could be reviewed at any point in time.
- A Member commented that most people who qualify for social care support received disability benefits but most not at the higher rate. He queried whether the minority that did not receive benefits were encouraged to do so. Officers clarified that helping individuals to look at all financial assistance was part of the financial assessment process.
- Members queried whether the maximum fee of £400 for the care arrangement fee was comparable with other authorities and how it was arrived at. Officers explained that the fee was comparable with other authorities and was mid-range and represented the cost to the authority for providing the service. Officers clarified that the council could only recover the costs to it of that service. A Member questioned whether this service should be promoted more widely as there were people that did not have support. Officers clarified that this was offered to individuals if it was felt it was in their best interests and that many individuals did not want to engage with Adult Social Care services. Officers explained that individuals who fund their own care and wanted to choose their own care provider generally want the flexibility to look beyond the providers and services the local authority commissions.
- A Member commented that out of 4,000 consultees there had only been a 20% return on information and that this felt like a low return. Officers explained that they felt that the feedback from the consultation had been good with a total of 517 online and paper surveys completed and 649 comments made. Officers explained

that there also had been some well attended public meetings and that in a difficult situation the authority has learnt an awful lot and had received some significant and valuable feedback.

- A Member commented that he hoped that the issues raised in the consultation responses in relation to the Minimum Income Guarantee figure would be raised further with Central Government. The Chairwoman explained that the figure had not been increased in a long time and that as part of the recommendations in the report she had made a commitment to write to the Secretary of State for Health and Social Care asking for the level of Minimum Income Guarantee to be reviewed and increased with inflation annually. Officers commented that this issue had also been raised with the Association of Directors for Adult Social Care Services (ADASS) so that they could lobby through the national ADASS route.
- A Member commented that she would be abstaining from the vote as her group would be taking these changes as part of the overall budget planning process.

In bringing the debate to a close the Chairwoman reiterated that this was a difficult decision for Members. She highlighted that with a budget gap of £4 million still to be identified and £69 million of savings to find over the next 5 years, there was a need to continue to lobby Government for Fairer Funding for Cambridgeshire and Peterborough. She explained that she was confident that the authority were running efficient adult social care services and that if the decision was to be taken not to go ahead with the recommendations, this would lead to many difficulties including having to consider changes to frontline care budgets and prevention services. She thanked everyone that took part in the consultation and all of the staff involved.

It was resolved by majority to

- a) consider and approve the following recommended changes to the charging policy:
 - i. Change the standard Minimum Income Guarantee (MIG) figure used in the financial assessment for those over state pension age to the level permitted by the Department of Health & Social Care (currently £189.00 in 2019/20).
 - ii. Include in the financial assessment the higher rates of Attendance Allowance, Disability Living Allowance (care component) and Personal Independence Payment (daily living part) and increase the standard disability related expenditure allowance used in the calculation for people receiving the higher rates of these benefits from £20 per week to £28 per week in line with the figures used in neighbouring Authorities.

- iii. Not to adopt the original proposal to charge for respite care using residential care charging rules.
 - iv. Introduce a flat-rate weekly charge for the Council-provided appointee service for clients with capital in excess of £2,000 of £10 for residential clients and £12.50 for clients living in the community - to be increased annually in line with inflation.
 - v. Increase the arrangement fee for self-funders living in the community who opt for the Council to arrange and administer their care to an annually recurring charge of £400.
- b) Request the Chairman of the Committee to write to the Secretary of State for Health and Social Care asking for the level of Minimum Income Guarantee to be reviewed and increased, and for it to rise with inflation each year.
 - c) Approve the implementation of these changes for existing clients over a phased period throughout the 20/21 financial year - to be undertaken by personalised financial assessment at a home visit where appropriate or requested by the client.
 - d) Recommend that the Council's General Purposes Committee approve an outline transformation funding bid for up to £230k to increase the staffing complement and capacity of the financial assessment service for a period of up to 18 months and improve quality and customer satisfaction levels - and also, if approved, implement the charging policy changes.

250. PROCUREMENT OF CARE AND SUPPORT SERVICES IN EXTRA CARE SCHEMES – JUBILEE COURT, PARK VIEW, NICHOLS COURT AND DODDINGTON COURT.

The Committee considered a report that outlined the case for tendering the care and support contracts in four extra care housing schemes at Jubilee Court, Park View, Nichols Court and Doddington Court.

In presenting the report officer highlighted that the recommendation was to extend the contracts for three years with the option of a further year. Extension.

A Member queried how this option had been decided upon. Officers confirmed that this was standard practice.

It was resolved unanimously to:

- a) Agree to tender the care and support services in the following extra care schemes:

- (i) Jubilee Court
- (ii) Park View
- (iii) Nichols Court
- (iv) Doddington Court.

- b) Delegate award of the contracts to the Executive Director for People and Communities for decision.

251. OLDER PEOPLE'S ACCOMMODATION APPROACH AND RE-TENDER OF CURRENT BLOCK CONTRACT RESIDENTIAL AND NURSING CARE

The Committee received a report that requested approval of the Older People's Accommodation Commissioning Approach and approval to re-tender the current Residential and Nursing block contracts.

In discussing the report:

- A Member queried what would happen if the standard of the service fell below good. Officers explained that the contracts team would put in place necessary arrangements with the Care Quality Commission to raise the level of performance through the normal contract monitoring processes. Officers clarified that if these interventions were not successful then there was a termination clause in the contracts.

It was resolved unanimously to:

- a) Approve the Cambridgeshire Older People's Accommodation Approach.
- b) Approve the re-tender of the current Residential and Nursing block contracts.
- c) Delegate authority of the award of contract(s) to the Executive Director of People and Communities.

252. EAST CAMBRIDGESHIRE ADULT SOCIAL CARE SERVICE DEVELOPMENT

The Committee considered a report that requested approval for the development of a Specialist Supported Living Service for people with learning disabilities and/or autism in East Cambridgeshire.

In presenting the report officers explained that the proposed development of a specialist service was part of a broader strategy to build capacity in Cambridgeshire to enable the County Council to repatriate people with learning disabilities and/or autism from Out of Area (OOA) provision, and

provide suitable provision within the County for younger people moving into adulthood. Officers clarified that the proposal was to use County Council land and capital funds from both NHS England and the County Council to build six units of accommodation that met the needs of service users with complex environmental requirements. Officers explained that individuals would have tenancies with the housing provider.

In discussing the report Members:

- Queried whether the capital funding had been confirmed. Officers explained that the capital funding for the project needed to be approved by the General Purposes Committee and that currently there was an expression of interest with the NHS and that the process for seeking approval for the funding could not be put in place until a site had been confirmed.
- Sought clarity on whether this would be a countywide service going forwards. Officers explained that if this site was successful then the aim was to have other sites in the County.

In closing the debate the Chairwoman thanked officers for their work on the project and acknowledged that there had been a lot of work put into the project over a long period of time.

It was resolved unanimously to:

Approve the development of the service.

253. HOUSING RELATED SUPPORT SERVICES

The Committee received a report that gave an update on the Housing Related Support Review, and sought engagement in a Members Reference Group and agreement of contract extensions.

In presenting the report officers explained that to enable a larger scale of transformation there was a requirement for a needs assessment to be undertaken. This assessment would then shape the vision and strategy. Officers clarified that Arc4 had been commissioned to undertake the assessment. Officers explained that they were looking to establish a Members Reference Group, and this would be one of two engagement and shaping groups that would support the re-commissioning and transformation of the Housing Related Support Services. Officers highlighted that as the timescales for the review had been extended in order to undertake the research there was a need to further extend three contracts until the end of September 2020.

In discussing the report:

- A Member explained that she welcomed the review particularly in relation to Housing First becoming a mainstream idea. She raised

her concerns in relation to current speed of homelessness provision and hoped that the council would be pressing hard for the changes. She highlighted that there would be people that would never be suited to these approaches and that there was a need for high needs hostel accommodation.

- A Member queried where the funding for homelessness in Huntingdonshire was. Officers explained that currently there was no provision and that the needs assessment had been commissioned in order that this could be reviewed countywide.
- The Chairwoman commented that it had been a long process and there were grey areas in relation to District and County responsibilities for homelessness. A Member commented that he had also seen the increase of homelessness over the past few years in the Fenland area.
- A Member highlighted that for many people local provision would be better but that this would not suit some individuals who would prefer to move away from their home area for personal reasons.

In bringing the debate to a close the Chairwoman sought nominations for the Members reference group. The following Members were selected to join the group:

- Cllr Harrison
- Cllr Wells
- Cllr Goldsack
- Cllr Howell
- Cllr Connor

It was resolved unanimously to;

- 1) Note the content of this report.
- 2) Agree to the requested contract extension (2.3.3).

254. FINANCE MONITORING REPORT – NOVEMBER 2019

The Committee received the November 2019/20 Finance Monitoring report for People and Communities and highlighted the financial position of services that were under the Committee's responsibility. Officers clarified that at the end of November 2019, Adults Services were forecast to overspend by £1,852k, around 1.1 % of the budget. This was £443k more than in October. Within that, budgets relating to care provision were forecast to overspend by £6.8m, mitigated by around £4.7 million additional funding.

In discussing the report Members:

- Queried if there had been any further announcements in relation to grant funding. Officers clarified that there had been no further announcements.
- Commented that they found the key activity data tables in the report useful.

It was resolved unanimously to review and comment on the report.

255. DELAYED TRANSFERS OF CARE (DTOC) UPDATE

The Committee received a report that provided an update on progress related to Delayed Transfers of Care (DTOC).

In presenting the report officers explained that whilst performance to date in 2019/20 had seen a significant improvement on previous years, Cambridgeshire was still underperforming against the 3.5% national target. Officers clarified that during September 88% of delayed days were within acute settings, 63% of all delayed days were attributed to the NHS, 36.3% to Social Care and 0.6% to both NHS and Social Care. Officers highlighted that Addenbrookes Hospital had seen its largest ever number of referrals in November - December 2019. Officers explained that the local authority continued to address domiciliary care capacity via block bed capacity, placement prioritisation, via the Provider Capacity Project, via the Homecare review and through the reablement service. Officers clarified that the DTOC Programme Board had a detailed work plan and that a Discharge Operations Board had been established to support delivery of the work programme and met on a weekly basis.

In discussing the report:

- Members sought clarity on the level of impact the Brokerage Office and Programme Board had made. Officers explained that the Brokerage Office had resulted in delays coming down from 8 weeks to an average of 2 weeks and the Board had helped to improve the relationships with key partners. Officers acknowledged that overall performance still needed to improve but that performance would have been much worse without these key interventions.
- A Member explained that he had recently spoken to an Occupational Therapist in West Suffolk who explained that they had looked to Cambridgeshire for advice and guidance on DTOCs.
- The Chairwoman commented that that there was a lot more that sat behind the statistics and that officers needed to get the reality of what was actually happening on the wards. Officers explained that they did receive feedback through Social Workers as well as patients themselves. She explained that the joint co-location of the brokerage service had changed again with the NHS moving back to

a centralised location and that this was a great regret. Officers clarified that the intention was to work towards integrated brokerage.

It was resolved unanimously to read and note the contents of this report.

256. SERVICE DIRECTORS REPORT -ADULT SAFEGUARDING AND COMMISSIONING, INCLUDING OUTCOMES OF ADASS REGIONAL SELF-ASSESSMENT

The Committee considered a report that provided an update on progress on Adult Social Care across commissioning and operational delivery, including the outcomes of the self-assessment of Adult Social Care in Cambridgeshire.

The Chairwoman acknowledged that the report was a comprehensive document that gave a clear overview of Adult Social Care. She queried whether the self-assessment document attached to the report was the final document as there were a number of errors. Officers agreed to review the document and ensure that the final version was uploaded to the Council's website.

It was resolved unanimously to:

- a) Note and comment on the contents of this report.
- b) Consider the self-assessment for Cambridgeshire Adult Social Care and agree a public facing summary for inclusion on the Council website.

257. AGENDA PLAN, APPOINTMENTS AND TRAINING PLAN

It was resolved unanimously to:

note the Agenda Plan and the Training Plan.

258. DATE OF NEXT MEETING

It was resolved to note the date of the next meeting as Thursday 12 March 2020.

Chairwoman