

**ADULTS SCRUTINY COMMITTEE
 11 JANUARY 2017**

PRESENT: COUNCILLOR C E H MARFLEET (CHAIRMAN)

Councillors W J Aron, S R Dodds, B W Keimach, J R Marriott, Mrs H N J Powell, Mrs N J Smith, M A Whittington and Mrs J M Renshaw.

Officers in attendance:-

Katrina Cope (Senior Democratic Services Officer), Simon Evans (Health Scrutiny Officer), Glen Garrod (Executive Director of Adult Care and Community Wellbeing), Justin Hackney (Joint Commissioning Specialist Services), Steve Houchin (Head of Finance, Adult Care) and David Laws (Adult Care Strategic Financial Adviser).

50 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors R C Kirk and Mrs S M Wray.

The Chief Executive reported that having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, the Committee was advised that Councillor Mrs J Renshaw had been appointed as replacement member on the Committee for Councillor R C Kirk for this meeting only.

An apology for absence had also been received from Executive Councillor Mrs P A Bradwell, Executive Councillor Adult Care, Health and Children's Services.

51 DECLARATIONS OF MEMBERS' INTEREST

No members' interests were declared at this stage of the proceedings.

52 MINUTES OF THE MEETING OF THE ADULTS SCRUTINY COMMITTEE HELD ON 30 NOVEMBER 2016

RESOLVED

That the minutes of the Adults Scrutiny Committee meeting held on 30 November 2016 be agreed and signed by the Chairman as a correct record.

53 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that a meeting of the Delayed Transfers of Care Working Group would be taking place on Thursday 2 February at 10.00am. It was noted that the purpose of the initial meeting was to consider the scope of the topic, including definitions and the availability of various data.

54 ADULT CARE 2016/17 OUTTURN PROJECTION

Pursuant to Minute Number 47 from the meeting held on 30 November 2016, the Committee gave consideration to a report from Glen Garrod, Executive Director of Adult Care and Community Wellbeing, deferred from the previous meeting, which provided details of the budget outturn projection for Adult Care for 2016/17.

Steve Houchin, Head of Finance, Adult Care presented the comprehensive report, from which the Committee raised the following issues:-

- A question was asked as to what would be happening to the projected £800,000 underspend. The Committee noted that any underspend up to 1% could be kept by the directorate concerned, subject to Executive approval. Other concerns raised included that an explanation needed to be made readily available as to why there was an under-spend, bearing in mind the pressures nationally. The Committee was reassured that the Council supported Adult Care through its budget allocation, and it was highlighted that the budget had grown from £134m to £150m over the last four years. Savings had been made, and more efficient and cost effective measures/services had been achieved as a result of the successful implementation of a commissioning model. It was further highlighted that 74% of Councils nationally had reported overspends relating to adult care prior to December 2016, but Lincolnshire had managed to have a balanced budget; and Lincolnshire had a lower rate of delayed transfers of care, compared to many other health and care systems.

The Committee was advised that if the carry forward underspend, was to be approved, some of it would be spent on 'Deprivation of Liberty' to help reduce the backlog of some 1,500 cases, which would reduce risks to the Council of legal challenge; and the remainder would be used to reduce the potential pressure of 'Sleep in' night-time cover, if the government was not minded to change the regulations pertaining to 'Sleep in' allowances. Both areas would benefit from any additional funds arising from the projected underspend;

- Issues surrounding Agresso – The Committee was advised that there had been an upgrade made to the Agresso system, which had improved functionality in a number of areas. It was highlighted that there were still some issues associated with payroll and budget monitoring. The Committee was reassured that overall things had improved since the previous year;
- A new contract was in place with Lincolnshire Community Health Services NHS Trust to block book beds in a number of care homes across the County, notably in the south where it had been highlighted that there had been limited capacity. The arrangements enabled the Council and Lincolnshire Community Health Services NHS Trust to reserve a portion of capacity in the market at a reduced rate. It was noted that this was the first time block booking beds together with NHS had been arranged, and this had enabled a cheaper rate to be negotiated, and it had also provided guaranteed income streams to the providers;
- The Committee noted that the Physical Disability Services had seen growth in home support and direct payments due to the number of transition cases from

Children's Services. It was also highlighted that the service had also seen an increase in direct payments expenditure, which was partly due to cases that used to be part funded via the Independent Living Fund, but also, as a result of a number of high cost transition cases. The Committee was advised that needs of young people transitioning to adult care were becoming more complex and challenging. This was an issue nationally and it was confirmed that the needs of young adults was beginning to outstrip the needs of older people. The Committee noted that there was still a lot of work to be done with health colleagues to improve young adult provision. The reason for the increase in numbers/cost was as a result of medical advances; and the high level of expectations. It was highlighted that there needed to be continued integration to ensure that the service to young people transitioning into adults was operating at an optimum level. A question was asked as to whether there was any financial risk associated with the Better Care Fund. The Committee was reassured that as had been done in the previous year, any difference in funding would be corporately funded;

- Some concern was expressed with regarding to underspend relating to direct payments. Officers explained that refunds arose when the recipient was able to purchase the required service at a cheaper rate, or they had brought the service in a different way. Reassurance was given that the needs of individuals were paramount, and every effort was made to ensure they were met in accordance with the legislation. It was highlighted that the Council however did not have the ability to purchase care from a relative for an individual, but the individual did. It was highlighted that officers regularly audited assessments on what the state provided, and in circumstances where the individual had been creative, and had met their needs but had not spent the full amount, in these circumstances the excess would be reclaimed;
- A question was asked as to how the Council knew there were no delayed transfers of care as of the previous evening. The Committee was advised that the Executive Director received updates on a daily basis as to what the situation was at the three major hospitals in Lincolnshire. It was highlighted that Lincolnshire unlike some other councils was doing well as a result of added resources being provided; tribute was paid to all staff who had worked over the Christmas period. It was highlighted that the biggest issue moving forward was being able to secure workforce capacity;
- Some concern was expressed with regard to the underspend for mental health services as part of the section 75 agreement; and to the fact that there had been an increase in demand for the service. The Committee was advised that within the contract with Lincolnshire Partnership NHS Foundation Trust (LPFT) there was a 10% risk margin, if the amount went above 10% then the risk lay with LPFT; and similarly if there was an underspend up to 10%, it would be able to be carried forward by LPFT. Anything over 10% would involve the Council. The Committee noted that work was being carried out on a mental health strategy with NHS colleagues, a copy of which would be considered by the Committee at a future meeting;
- Some concern was expressed with regard to some staffing issues within the reablement service and the quality of the service being provided. Officers suggested a report being presented to a future meeting concerning the Allied Contract; and

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- The Committee was advised that the Lincolnshire Care Awards Ceremony would be taking place in February 2017, to recognise staff for all good the work they do.

The Committee noted that the term 'underspend' was an accountancy term extensively used in the public sector, and sanctioned by the Chartered Institute of Public Finance Accounts.

RESOLVED

That the budget outturn projection for 2016/17 be noted.

55 ADULT CARE BUDGET 2017/18

The Committee gave consideration to a report from Steve Houchin, Head of Finance, Adult Care, which provided members with the opportunity to comment on the budget proposals.

It was highlighted that the Executive were currently consulting on a one year financial plan for revenue and capital budgets. It was highlighted further that this was the third year running the Council had only been able to set a one year budget.

The Head of Finance, Adult Care presented the report, from which the following matters were raised:-

- One member enquired as to whether Telecare/Telehealth had combined. Officers advised that from a customer perspective they were integrated; and
- A question was asked as to how much of the Disabled Facility Grant (DFG) for 2016/17 had been allocated to the district councils. Officers advised that for 2016/17 the amount of DFG received had been £4.8m, £2.7m had been allocated and £2.1m had been retained to develop MOSAIC etc. It was highlighted that this would not be happening from 2017/18 onwards, as the total amount received would be passported onto the districts, in accordance with national guidance.

In conclusion, the Committee congratulated officers for all their hard work in achieving a balanced budget.

RESOLVED

That the Adult Scrutiny Committee supported the Adult Care Budget for 2017/18; and congratulations should be extended to officers for all their hard work in achieving a balanced budget.

56 BETTER CARE FUND (BCF) NARRATIVE PLAN 2017/18 AND 2018/19

Consideration was given to a report from Glen Garrod, Executive Director of Adult Care and Community Wellbeing, which invited the Committee to comment on the Better Care Fund (BCF) Plans for 2017/18 and 2018/19. The Committee noted that the report had been considered by the Executive on 4 January 2017. A copy of the

Decision Notice relating to the 'Better Care Fund Narrative Plan 2017/18 – 2018/19' was circulated at the meeting for the Committee's information.

The Committee was advised that the BCF Plans were to be submitted to NHS England in two stages. The first draft submission was due to be submitted by 26 January 2017, with a final submission date of 10 March 2017.

The Executive Director of Adult Care and Community Wellbeing presented the report; and invited comments from the Committee.

The Committee raised the following issues:-

- Assurance was given that the requirements within the BCF relating to acute hospitals had been agreed by the United Lincolnshire Hospital NHS Trust. It was noted that as a minimum the BCF must be used to address a number of areas of performance, most notably non-elective admissions and delayed transfers of care from hospital. The Committee was advised that the bulk of the delays were health related delays;
- Concern was expressed with regard to Disabled Facilities Grant (DFG). The Committee was advised that when the Executive considered the report in January, it had agreed to two further recommendations, relating to DFGs, one was that a performance mechanism to enable the release of DFG allocations to the District Councils to reflect the national guidance when published and the County Council's status as Accountable Body. The second recommendation requested that a regular performance reporting mechanism was produced for both the Adults Scrutiny Committee and the Lincolnshire Health and Wellbeing Board through 2017/18, which should detail both BCF national metrics and those relating to DFG spend and activity by the districts. It was highlighted that the districts had the legislative powers in relation to DFG's; all the County Council had was guidance on the BCF. Work was ongoing with districts to get collective agreement to improve the efficiency of the service provided to Lincolnshire residents. Appendix A to the report provided the Committee with a proposed approach for the modernisation and maintenance of existing arrangements. The Committee noted that a Memorandum of Understanding was in the process of being drawn up. Some concern was expressed regarding the monitoring of DFGs. The Committee was advised that districts were only required to report performance to the Department for Communities and Local Government (DCLG); however, agreement had been reached with Districts to report activity and performance through the Memorandum of Understanding. Some discussion was also had regarding the need for implementing new build design standards to take into consideration the needs of disabled, i.e wider doors; and that this should be looked into by the District Councils, as Planning Authorities. Reference was also made to closer working with health colleagues regarding equipment available, which in some cases might prevent the need for permanent adaptations;
- Graduation Plans – The Committee was advised that the new language for integration was 'graduation'; and that the Government was seeking a small number of local systems to become pilot graduation areas. It was highlighted that financial incentives to become a pilot were not significant, but there was

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the opportunity to influence national policy making; and as such the Executive had approved the submission of a Lincolnshire application for 'pilot graduation status'; and

- Concern was expressed regarding NHS local provision; and delays encountered. Officers were advised that nationally there were capacity issues for the NHS.

Overall, the Committee was supportive of the approach in the report presented.

RESOLVED

That the Adults Scrutiny Committee record its support for the recommendations agreed by the Executive at its meeting on 4 January 2017 relating to the Better Care Fund Narrative Plan 2017/18 – 2018/19. (As detailed in the Decision Notice circulated).

57 SERVICE USERS WITH LEARNING DISABILITIES

The Committee gave consideration to a report from Justin Hackney, Assistant Director, Specialist Adult Services, which provided an update on a Regional Improvement Programme in relation to support for people with Learning Disabilities; and to advise of the additional work being taken forward to deliver further local, regional and national improvement.

The report highlighted that Lincolnshire continued to demonstrate a range of strengths in supporting people with Learning Disabilities to achieve improved outcomes.

Officers highlighted that the projected increases in demand, complexity of need and changes in market conditions were likely to increase pressures on existing resources and increase difficulty in sustaining existing performance.

It was highlighted further that the Council was continuing to work with other Authorities to identify common standards, and to drive forward opportunities for further development and improvement which will help mitigate the identified pressures.

During consideration of the report, the Committee raised the following points:-

- Transitional arrangements – The Committee was advised that progress was being made to meet the needs of young people and their transition into adults, but there was still more work to be done. Some members of the Committee highlighted that it was important that young people had the opportunity to integrate in the local community. Officers advised that most young people ended up being within a local community, a few however did require residential care due to the complexity of their needs;
- The need for more integrated working with District colleagues to support young people to get a job, and develop new skills and knowledge, friendship which help with general improved health and wellbeing. Officers advised that

the Learning Disability Project Board looked at the opportunities for work experience; and

- A question was asked as to the number of individual with learning disabilities. Officers advised based on national prevalence information of the local population, around 15,000 people had learning disabilities; the latest recorded GP information indicated that there were 3,000/4,000 people locally with learning disabilities. The Committee was advised that there was more work to be done, and this would be included with the strategy.

RESOLVED

That the report concerning Service Users with Learning Disabilities be noted.

58 ADULTS SCRUTINY COMMITTEE WORK PROGRAMME

Consideration was given to a report from Simon Evans, Health Scrutiny Officer, which gave the Committee the opportunity to review its programme of work for the coming months.

The Committee noted that a further report concerning the Better Care Fund would be added to the February meeting; and that Extra Care Housing would be included in a future meeting.

RESOLVED

That the work programme for the Adults Scrutiny Committee as presented be received subject to the above said changes.

The meeting closed at 12.45 pm.