



ADULTS SCRUTINY COMMITTEE 27 MAY 2015

PRESENT: COUNCILLOR C E H MARFLEET (CHAIRMAN)

Councillors R C Kirk (Vice-Chairman), W J Aron, S R Dodds, B W Keimach, J R Marriott, Mrs H N J Powell, Mrs A E Reynolds, Mrs N J Smith and Mrs S M Wray.

Councillor Mrs P A Bradwell (Executive Councillor for Adult Care and Health Services, Children's Services) attended the meeting as an observer.

Officers in attendance:-

Simon Evans (Health Scrutiny Officer), Glen Garrod (Director of Adult Care), Alina Hackney (Senior Strategic Commercial and Procurement Manager - People Services), Cheryl Hall (Democratic Services Officer), Steve Houchin (Assistant Head of Finance), Paul Jenkins (Adult Care Contributions Policy Adviser), David Laws (Adult Care Strategic Finance Adviser), Carl Miller (Commercial and Procurement Manager – People Services) and Miles Winterburn (Quality and Development Officer).

1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

No apologies were received.

The Chairman welcomed Councillor S R Dodds who was a permanent replacement member for Councillor Mrs J M Renshaw.

2 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared.

3 MINUTES OF THE PREVIOUS MEETING OF THE ADULTS SCRUTINY COMMITTEE HELD ON 1 APRIL 2015

The Chairman reported that the *County All Party Parliamentary Group Report – State of Care in the Counties* could now be sent to Lincolnshire MPs, following the general election (Minute 140 refers).

RESOLVED

That the minutes of the meeting held on 1 April 2015 be approved as a correct record and signed by the Chairman.

4 DEMONSTRATION OF MOSAIC - SOCIAL CARE IT RECORDING SYSTEM

The Committee received a demonstration on Mosaic, the social care IT recording system from Miles Winterburn, the Quality and Development Officer from Adult Care. During the demonstration, the following points were noted:

- Mosaic was a web-based system;
- It displayed all aspects of workload instantly, with no requirement for the user to drill down through different screens;
- The dash-board was user friendly and was easier for social workers to access records and information when away from the office;
- It featured a genogram function which created a client's family tree based on the information provided;
- There was a document area where external documents could be uploaded and stored;
- A key element of the system was the workflow map, which illustrated the stages that required completing during a client's journey through adult care.

The Committee were invited to ask questions and the following points were noted:

- 95% of staff in Adult Care had received training on the system. The training took two days to complete for social workers;
- The system was currently in a period of analysis prior to going live. Once a go-live date had been set, staff would be given six weeks' notice, however there was no definite date as yet. This period of time was providing an opportunity to test the system efficiently and make it more refined when rolled out across Adult Care;
- The new system would create a substantial efficiency compared to its predecessor; the cost of the delay in implementing the system was negligible compared to the amount of staff time that would be saved from its use;
- There were resources for remote working with the system; this could be from staff member's home or from a client's home. The system could be worked on off-line and then work undertaken would be uploaded onto the system centrally once back at the office;
- There was scope to use a mobile version of Mosaic on tablets or mobile phones in the future, however data security was an issue to be considered when using portable devices.

RESOLVED

That the presentation be noted.

5 THE CONTRIBUTIONS POLICY CONSULTATION

Consideration was given to a report by David Laws (Head of Finance), which invited the Committee to consider the proposed Consultation on the Non-Residential Adult Social Care Services Contributions Policy. The report was due to be considered by

the Executive Councillor for Adult Care and Health Services, Children's Services on 1 June 2015, on which the Committee was requested to give its views.

The report set out the results of a review of the Non-Residential Adult Social Care Services Contributions Policy. It identified a number of areas where it was proposed to change the policy and set out the rationale for the proposals. Approval would be sought from the Executive Councillor to proceed to public consultation on the proposed changes and delegation to the Director of Adult Care, in consultation with the Executive Councillor, to determine the final form of the consultation document.

The Director of Adult Care; Adult Care Strategic Finance Adviser and the Adult Care Contributions Policy Adviser were in attendance and provided Members with a detailed presentation, covering the following areas: -

Introduction

Members were advised that the reason why the policy required revision was to bring it in line with current practice and legislation, particularly the Care Act 2014. A study undertaken by KPMG in 2012/2013 also showed income from contributions in Lincolnshire was 10% lower on older persons' services compared to other councils. It was also noted that the 2014 Fundamental Budget Review had recommended that the policy should be reviewed to look at opportunities to increase income.

Proposed changes for consultation

Members were advised that the proposed changes for consultation would include: -

- (i) To introduce a notice period for cancelling care and describe the method for calculating refunds;
- (ii) To introduce clearer rules covering the date when people begin to pay for their care;
- (iii) To assess contributions against the full cost of services received and remove the cap on the weekly chargeable cost;
- (iv) To consider awarding Disability Related Expenses through banded levels linked to eligibility for new customers only; and
- (v) To introduce an administration fee to cover the cost of managing care for people who had savings and/or assets over the capital limits.

Impacts

Members were advised that the above proposals could have the following impacts to the Council and service users: -

Proposal (i) would have no significant financial implications;
Proposal (ii) would give additional income estimated at £42k per annum;
Proposal (iii) would result in increased income of £634k per annum to the Council;

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The impact of Proposal (iii) would be that people assessed as being able to afford to, expected to pay increased contributions, as follows: -

- 709 people with an increase of up to £10 per week;
- 276 people with an increase of over £10 and up to £25 per week;
- 13 people with an increase of over £25 and up to £50 per week;
- 12 people with an increase of over £50 and up to £100 per week;
- 16 people with an increase of over £100 per week.

Members were advised that of those expected to pay more; 91% were older people; 5% were people with a physical disability; 3% were people with a learning disability; and a further 3% were people with mental health problems.

Proposal (iv) would introduce a more efficient and consistent way of assessing Disability Related Expenses.

Proposal (v) would enable the Council to recover the cost of meeting the new duty to manage care for self-funders on request.

Risks

Members were also advised that Proposals (i) and (ii) were assessed as very low risk, with anticipated high levels of public acceptability; Proposal (iii) was assessed as medium risk, with anticipated medium to low level of public acceptability; Proposal (iv) was assessed as a medium risk, with medium levels of public acceptability; and Proposal (v) was assessed as medium risk, with a medium level of public acceptability.

Members were provided with an opportunity to ask questions, where the following points were noted: -

- The Executive Councillor for Adult Care and Health Services, Children's Services was due to take the decision on 1 June 2015 and subject to her approval, this would be following by the public consultation. The outcome of the public consultation and the proposed recommendations would then be presented to the Adults Scrutiny Committee on 28 October 2015, followed by a decision by the Executive on 3 November 2015;
- Extra time had been given in the Consultation process to allow for August, which was holiday season for most people;
- The Council's Communications Team was supporting officers in its consultation arrangements, in particular on how to engage with hard to reach groups;
- Concerns were raised that the proposed increase for the 709 people of up to £10 per week could have a detrimental effect on their wellbeing and day-to-day lives. Further to this, Members were assured that all proposed increases for individuals would be means tested;
- The Committee expressed a wish that the report on consultation responses reflect the level of responses received from each category of affected service user;

- The Committee emphasised the importance of engaging with as many people as possible and requested some clarity on the consultation pathways in the "How to Respond" section of the consultation document;
- Members were advised that any debits and credits on an individual's account would be dealt with annually, as the cost to the County Council to do this monthly would be exceptionally high and there would always be variations in need and therefore there would be variations each month on an individual's balance;
- It was possible that benefit checks could offset the cost of an increase in charges and therefore the Council would encourage all users to undergo these checks.

The Committee requested that the following issues be raised with the Executive Councillor: -

"The Committee gave detailed consideration to the report, which set out the five elements of the consultation. The Committee would like to emphasise the importance of engaging as many people as possible and requested some clarity on the consultation pathways in the "How to Respond" section of the consultation document.

In relation to the third element of the consultation [*Assessment of Contributions against the Full Cost of Services Received and the Removal of the Weekly Cap*], the Committee expressed a wish that the report on consultation responses reflect the level of responses received from each category of affected service user."

RESOLVED

- (1) That the report be noted.
- (2) That the recommendations to the Executive Councillor, as set out in the report, be supported with the addition of the comments made by the Committee as listed above.

6 HOME BASED REABLEMENT SERVICE RE-PROCUREMENT

Consideration was given to a report by Carl Miller (Commercial and Procurement Manager – People Services), which invited the Committee to consider a report on the Home Based Reablement Service. The report was due to be considered by the Executive Councillor for Adult Care and Health Services, Children's Services on 29 May 2015, on which the Committee was requested to give its views.

The Director of Adult Care; Senior Strategic Commercial and Procurement Manager – People Services; and the Commercial and Procurement Manager – People Services were in attendance and presented the report to the Committee.

Members were advised that the current home based reablement service had been in place since April 2014, delivering reablement based services for eligible people over 18 years old. Notice had been served on the current provider due to it not delivering

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the agreed volumes of activity, bringing the service to an end on 2 November 2015. By this date a new contract must be in place and new packages of reablement care would be directed exclusively to the new provider. It was stressed that the current contract was coming to an end and the County Council would have had to have gone through a further procurement exercise in any event.

The Committee discussed the proposals and requested that the following issues be raised with the Executive Councillor: -

- Whilst the current agreement was terminated on the basis of the capacity of the provider and not because of the quality of their provision, the Committee would like the future contract to give equal weight to both quality and capacity;
- The Committee was advised that arrangements would be put in place to ensure minimal disruption to service users during the transition period, if there were a change to a new provider. The Committee would like this to emphasise the importance of these transition arrangements.

RESOLVED

(1) That the report be noted.

(2) That the recommendations to the Executive Councillor, as set out in the report, be supported with the addition of the comments made by the Committee as listed above.

7 ADULT CARE OUTTURN 2014-2015

A report by David Laws (Adult Care Strategic Financial Adviser) was considered, which updated the Committee on the Adult Care Outturn for 2014/15.

Members were advised that the Adult Care outturn was £138.686 million, an under-spend of £1.108 million against a budget of £139.794 million. It was noted that Adult Care had offered to 'return' the underspend to the Council to help support the Council's overall financial pressures.

The Adult Care Strategic Financial Adviser provided Members with a detailed presentation, which covered the following areas: -

- Adult Care Budget 2014/15;
- Net Spend on Adult Care 2014/15;
- Key issues within the outturn;
- Ongoing pressures within the service;
- Changes in how Adult Care report activity from April 2015;
- Better Care Fund;
- Care Act.

Members were assured that the under-spend of £1.108 million derived from income and not through the non-delivery of service.

In response to questions, Members were advised that that the Care Quality Commission's standards of inspection would not be influenced by reduced local authority budgets; and it was confirmed that 92% of Adult Care services were outsourced.

RESOLVED

That the Budget Outturn for 2014/15 be noted.

8 CHANGES TO THE DEFERRED PAYMENT AGREEMENT SCHEME

Consideration was given to a report by Steve Houchin (Assistant Head of Finance), which invited the Committee to consider a report on the Changes to the Deferred Payment Scheme. The report was due to be considered by the Executive Councillor for Adult Care and Health Services, Children's Services on 29 May 2015, on which the Committee was requested to give its views.

The Assistant Head of Finance advised Members that the Care Act 2014 and Regulations made under it introduced an obligation for local authorities to enter into a deferred payment agreement (DPA) with an adult whose care and support plan had specified that their needs would be met through accommodation in a care home in certain circumstances. The Act and Regulation also gave the Council discretion in other circumstances to enter into a DPA with individuals whose needs would be met through supported living accommodation.

In relation to either type of DPA, the Council was given discretion to charge interest capped at a rate determined by central government monthly on a compound basis. The new law also gave authorities the discretion to collect administration fees in relation to the set-up of a DPA based on the actual cost to the Council of administering DPAs and to add the fee to the overall debt incurred by the service user.

The report to the Executive Councillor proposed that the charging of interest on all amounts deferred under a DPA entered into by the Council was at the maximum rate prescribed in the Regulations and that the charging of an administration fee of £600 was introduced.

Members were advised that a DPA scheme would terminate when an individual had passed away. Further to this, Members were assured that a property would not be taken into consideration when undertaking an assessment for a DPA if a spouse resided at that address.

The Committee discussed the proposals and requested that the following issue be raised with the Executive Councillor: -

- The Committee would like to record its concern that the deferred payment scheme would use a compound interest calculation, as this would be onerous to some participants in the scheme.

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RESOLVED

- (1) That the report be noted.
- (2) That the recommendations to the Executive Councillor, as set out in the report, be supported with the addition of the comments made by the Committee as listed above.

9 APPOINTMENT OF A LOOKED AFTER CHILDREN / CARE LEAVER REPRESENTATIVE

The Committee received a report which invited the Committee to appoint a Looked After Children/Care Leaver Representative for the Committee, following approval of the Corporate Parenting Strategy at the Council meeting on 19 December 2014.

Members were advised that the role of the Looked After Children/Care Leaver Representative would be to ensure that the Committee actively considered the potential impact of a policy, strategy or action carried out by the Committee on Looked After Children/Care Leavers and to seek further advice from relevant officers where this is unclear or unsure.

It was proposed that when the representative raises any issues at the Committee, this would be formally recorded in the minutes and passed onto the Assistant Director – Children's Safeguarding for information and any further action required. Members were advised that training for this role would be provided.

Councillor Mrs N J Smith volunteered to act as the Looked After Children/Care Leaver Representative for the Adults Scrutiny Committee.

RESOLVED

That Councillor Mrs N J Smith be appointed as the Looked After Children/Care Leaver representative for the Adults Scrutiny Committee.

10 WORK PROGRAMME

Consideration was given to a report which enabled the Committee to consider its forthcoming work programme.

RESOLVED

That the work programme be noted.

The meeting closed at 1.15 pm.