

Please click on blue text to go directly to an item



Community Services Overview and Scrutiny Panel

Date: **Tuesday 8 October 2013**
Time: **2.30 pm (Revised start time)**
Venue: **Edwards Room, County Hall, Norwich**

Persons attending the meeting are requested to turn off mobile phones.

Membership

Ms J Brociek-Coulton
Ms E Corlett
Mr D Crawford
Mr A Grey
Mrs S Gurney
Mr B Hannah
Mr H Humphrey
Mr J Law
Mr J Mooney

Mrs E Morgan
Mr W Northam
Mr W Richmond
Mr M Smith
Mrs M Somerville
Mrs A Thomas
Mr J Timewell
Mrs C Walker

Non Voting Cabinet Member for Adult Social Services

Ms S Whitaker

Non Voting Cabinet Member for Communities (Adult Education, Libraries, Museums, Customer Services)

Mrs M Wilkinson

Non Voting Cabinet Member for Public Protection

Mr D Roper

**For further details and general enquiries about this Agenda
please contact the Committee Officer:**

Tim Shaw on 01603 222948 or email committees@norfolk.gov.uk

For Public Questions and Local Member Questions please contact:
Committees Team on committees@norfolk.gov.uk or telephone 01603 222948.

Agenda

1 To Receive Apologies and Details of any Substitute Members Attending

2 Minutes

To confirm the minutes of the Community Services Overview and Scrutiny Panel held on 10 September 2013

PAGE 5

3 Members to Declare Any Interests

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter.

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects:

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

4 To Receive any Items of Business which the Chairman Decides should be Considered as a Matter of Urgency

5 Public Question Time

Fifteen minutes for questions from members of the public of which due notice has been given.

Please note that all questions must be received by the

Committee Team (committees@norfolk.gov.uk or 01603 222948) by **5pm on Thursday, 3 October 2013**. For guidance on submitting public questions, please view the Council Constitution, Appendix 10.

6 Local Member Issues/Member Questions

Fifteen minutes for local members to raise issues of concern of which due notice has been given.

Please note that all questions must be received by the Committee Team (committees@norfolk.gov.uk or 01603 222948) by 5pm on Thursday 3 October 2013.

7 Election of Vice-Chairman

8 Cabinet Member Feedback

PAGE 13

9 Changes to Adult Social Care Funding: Norfolk’s Response to the Government’s Consultation –“Caring for our future-reforming what and how people pay for their care and support”

Janice Dane

PAGE 14

10 Review of Adult Education

Jennifer Holland

PAGE 60

11 Forward Work Programme: Scrutiny

Jill Perkins

PAGE 88

Group Meetings

| | | |
|--------------------------|----------------|------------------|
| Conservative | 1.30 pm | Mezzanine |
| | | Room 1 |
| UKIP | 1.30 pm | Room 504 |
| Labour | 1.30 pm | Room 513 |
| Liberal Democrats | 1.30 pm | Room 530 |

Chris Walton
Head of Democratic Services
County Hall
Martineau Lane
Norwich NR1 2DH

Date Agenda Published: 30 September 2013



If you need this Agenda in large print, audio, Braille, alternative format or in a different language please contact Tim Shaw on 0344 8008020 or 0344 8008011 (textphone) and we will do our best to help.

Community Services Overview and Scrutiny Panel

Minutes of the Meeting

Date: Tuesday 10 September 2013

Time: 10.00am

Venue: Edwards Room, County Hall, Norwich

Present:

| | |
|-------------------------|------------------|
| Ms E Corlett | Mr W Northam |
| Mr D Crawford | Mr W Richmond |
| Mrs S Gurney (Chairman) | Mr M Smith |
| Mr B Hannah | Mrs M Somerville |
| Mr H Humphrey | Mrs A Thomas |
| Mr J Law | Mr J Timewell |
| Mr J Mooney | Mrs C Walker |
| Mrs E Morgan | |

Substitute Members Present:

Mr C Aldred for Mr A Grey
Mr T Jermy for Ms J Brociek-Coulton

Also Present:

Mr D Roper, Non-Voting Cabinet Member for Public Protection
Ms S Whitaker, Non-Voting Cabinet Member for Adult Social Services
Mrs M Wilkinson, Non-Voting Cabinet Member for Communities

Officers/Others Present:

Harold Bodmer, Director of Community Services
Janice Dane, Finance Business Partner and Transformation Manager, Community Services (Adult Social Care)
Jennifer Holland, Assistant Director of Community Services, Head of Libraries and Information
Debbie Olley, Assistant Director of Community Services, Safeguarding (Adult Social Care)
John Perrott, Business Support Manager, Community Services (Adult Social Care)
Jill Blake, Business Support Manager, Community Services (Adult Social Care)
Ann Baker, Vice-Chairman of the Norfolk Strategic Board for Older People
Catherine Underwood, Director of Integrated Commissioning, Community Services
Julie Shorten, Community Services
Karen Haywood, Scrutiny Support, Resources
Maureen Orr, Scrutiny Support, Resources
Stephen Andreassen, Strategic Risk Manager, Resources
Andrew Wiltshire, Conservative Political Assistant

Jeremy Bone, Senior Planning Performance and Partnerships Officer, Resources
Jane Walsh, Project Manager, Transformation (Remodelling of Care) Community Services
Julie Walker, Community Services
Karen O-Hara, Community Services
Susie Lockwood, Media Officer, Communications
Sarah Stock, Community Services
Niki Park, Client Services Manager, Environment, Transport and Development

1 Apologies For Absence

Apologies for absence were received from Ms J Brociek-Coulton and Mr A Grey

2 Minutes

The minutes of the previous meeting held on 9 July 2013 were confirmed by the Panel and signed by the Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Urgent Business – Home Care Provided by Care UK

The Chairman agreed to take as urgent business a verbal report from the Cabinet Member for Social Services about the standard of home care provided by Care UK in the Broadland area which had been mentioned extensively in the local media.

The Cabinet Member for Adult Social Services said that the Department had received approximately one hundred complaints about the Care UK contract to provide a service to approximately 270 customers in the Broadland area since it commenced on the 1 July 2013. She said that the previous contractor, Extra Hands, had lost the contract to Care UK following a competitive tendering process although some service users had taken on a personal budget so that they could remain with Extra Hands. She said that the contract was worth some £4.2m over three years and she assured Members that the contract had not been let to the lowest bidder. She said that there had been a three week handover between the two companies. There had been no indication that the handover had been problematic.

The Cabinet Member for Adult Social Services added that four key areas for improvement had been identified in discussions between Care UK and the Department, namely, visits must be on time; rotas for visits must be established; care staff must be recruited and supported, and the number of complaints about the standard of service had to drastically reduce. It was pointed out that a comparable contract which had been let at the same time had had three minor complaints to the Department.

In reply to questions about whether Care UK had taken on more business than it could manage, the Director said that there were no significant differences between the contract taken on by this company and those taken on by other companies elsewhere in Norfolk: Care UK was one of the largest companies of its kind in the country and they should not be experiencing capacity issues with this contract. The company was looking to improve on its work rotas for staff and had opened a branch office in

Hellesdon so as to improve its local knowledge of the area.

The Cabinet Member said that the situation with Care UK was being reviewed on a daily basis and that over the next few weeks all 270 customers in the Broadland area would be asked to comment on the standard of care that they received from Care UK. The replies would be used in deciding what action should be taken and an update would be provided at the next meeting of the Panel. The Director added that the Department was reviewing ways in which the contracts for domiciliary care could be put together differently in the future and that this matter would be reported back to the Panel when the review process was complete.

5 Public Question Time

There were no public questions.

6 Local Member Issues/Member Questions

There were no local Member issues or local Member questions.

7 Cabinet Member Feedback

The annexed report (7) by the Director of Community Services was received.

The Cabinet Member for Communities referred to the success of this year's Summer Reading Challenge which was running in all libraries including mobile libraries in Norfolk, and aimed to keep children reading in the summer holidays. She said that children who took part chose and read any six books during the summer and received stickers, trading cards and other rewards at different stages of the challenge. Those who read all six books received a medal at the end of the summer, with many being given out in special ceremonies, often attended by local elected members.

The Cabinet Member for Adult Social Services said that the Enterprise Development Board had 2 elected Members on it - the Cabinet Member for Adult Social Care and 1 other and she had asked Dan Roper as Cabinet Member for Public Protection to be the other member and he had agreed.

The Cabinet Member for Adult Social Services also reported that along with the Director, she had spent a day in Kings Lynn with Jon Rouse, Director of Social Care at the Department of Health. She said they had visited a Dementia Café and one of the day centres (which operated in less than ideal conditions) which would become part of the new Social Enterprise. She said that round table discussions had taken place with Freebridge Housing, the local Borough Council, NCHC and the local CCG. Positive feedback was received from Jon Rouse.

8 Blue Disabled Parking Badge

The annexed report (8) by the Director of Community Services was received.

The Panel received a report on progress to improve the Council's Blue Disabled Parking Badge Scheme.

The Director amended the action required of the Panel. He asked the Panel to hold

back on setting up a new Blue Badge Customer Service Monitoring Group and to ask officers to revisit with the Cabinet Member for Social Services the decision that had been taken in 2012 to carry out an in-house assessment of individual eligibility for Blue Badges.

In the course of discussion, the following key points were made:

- The County Council was keeping under review the length of time that it took to process Blue badge applications. This was currently taking up to 6-8 weeks, and had temporarily risen to 10 weeks, depending on the complexity of an individual's circumstances.
- Work continued to align the Council's Blue Badge application system with that provided by Northgate Public Services. Staffing had been increased at the County Council to deal with the problem
- It was pointed out that while there was no legal requirement to use Northgate Public Service (the preferred supplier established by the Government through a competitive procurement contract) to provide an end-to-end service for Blue Badges such an arrangement could help prevent delays in the processing time for Blue Badges.
- Approximately 48% of applications for a Blue Badge were made to the County Council online using an automated form, 27% were paper applications, 20% of applications were done on the telephone with the assistance of a customer service agent at the customer service centre and 3% were completed on a national online website.

It was agreed to ask the Cabinet Member for Social Services and officers to review the decision that had been taken in 2012 to continue to carry out an in-house assessment of individual eligibility for Blue Badges.

It was further agreed that an update on developments should be provided verbally by the Cabinet Member for Adult Social Services at the October 2013 meeting of the Panel and that a written report should be presented to the Panel in November 2013, after the matter had been considered by the Cabinet Scrutiny Committee.

9 The All-Party Working Group on Quality in Home Care (2010-12) - Review of Identified Options

The annexed report (9) by the Director of Community Services was received.

Members received an update report following the work of the All-Party Working Group on Quality in Home Care which was presented to the Panel in July 2012 and subsequently taken to Cabinet in October 2012.

In the course of discussion, the following key points were noted:

- The role of the Quality Assurance Team in Community Services was currently subject to review. The work of this team was seen by Members of the Panel as being essential in safeguarding incidents, complaints and concerns following CQC reviews.
- The Quality Assurance Team was working closely with colleagues in the NHS to share information which would prevent problems from escalating and provide an early warning of any potential difficulties.

- The Department was also working closely with all three acute hospitals in Norfolk to review the quality of service provided to service users/patients when they left hospital.
- The home care services funded by the County Council supported just over 6,000 people in their own homes each week, with approximately 44,000 hours of contact provided per week.
- It was pointed out that there were some 69 agencies providing home care services in Norfolk of different sizes and with different setup arrangements. Some of these companies provided their staff with mobile phones whereas others did not. The costs which individual companies set aside within their tenders for staff mileage, paid travel time and payment of training etc. was commercially sensitive information. Different companies had different ways of calculating these costs. The Department took this into account in assessing the level of service that each of the companies provided to the public.
- Further work was needed to review the quality of service provided to service users who had opted for a direct payment and employed a personal assistant to meet their identified support needs.
- The Harwood Care Charter was about setting expectations about what the public expected from the social care services they use and to clarify how they could raise any concerns.
- The Department was asked to provide information to explain the reasons why there was expected to be up to a 70% increase in the number of people requiring dementia care by 2025, and the likely numbers in different areas of the county, which could be included in the Member briefing note.

The Panel then:

- Noted the re-tendering exercise incorporated in the recommendations that had been made to Cabinet.
- Asked that the Department review conditions of service for carers (particularly around safeguarding arrangements for care staff) and issues surrounding the discharge of people from acute hospitals and for these matters to be reported back to the Panel in November 2013.
- Agreed to reconvene the All-Party Working Group on Home Care.
- Agreed that the Working Group should be a Cross-Party Working Group with a membership of seven members, and that this matter should be considered further at the next Party Spokesperson's meeting.
- Agreed that the Working Group should consult as appropriate with users of the service, home support staff and managers, care management staff and representatives of older people's and disability groups in Norfolk.
- Agreed that the Working Group should also assess the quality of care being provided to people in receipt of Direct Payments who were using Personal Assistants.
- It was also noted that the Working Group would report to the Panel and, if appropriate in terms of key decisions, to the Cabinet. The Working Group would be an open-ended arrangement and set its own frequency of meetings.

10 Reports Relating to Recommendations from the Remodelling of Care Working Group
(a) Remodelling of Care: Establishing the Independence Matters Social Enterprise – Customer Engagement

The annexed report (10a) by the Director of Community Services was received and noted.

The Panel received a report that explained how customers of the Council's Personal and Community Support Services had been consulted and engaged with on the transformation of the in-house service provider into a new social enterprise.

It was pointed out that the Department was looking to appoint an interim replacement for the post previously held by James Bullion, Assistant Director (Prevention), a senior management post involved in the implementation of the Social Enterprise, and that four members of staff had expressed an interest.

The Panel noted the report.

(b) Remodelling of Care: Establishing the Independence Matters Social Enterprise – Staff Engagement and Support

The annexed report (10b) by the Director of Community Services was received and noted.

The Panel received a report that explained how staff in the Council's Personal and Community Support Service had been engaged with on the establishment of the Social Enterprise – Independence Matters. The report set out how staff would be involved in setting the direction of the enterprise and advised on service developments.

The Panel noted that the Council would oversee the work of the company through a dedicated Enterprise Development Board.

It was pointed out that UNISON had said that they would be willing to accept a seat on the Enterprise Development Board.

(c) Transport and the Changing Pattern of Day Care

The annexed report (10c) by the Director of Community Services was received and noted.

The Panel received a report that set out the impact on transport of the changes in day services provision. It was noted that to date there had been no fundamental change to transport and the model of service provision had not significantly changed. There had, however, been incremental changes and associated cost savings achieved through the transport working group.

It was noted that the savings target for transport was based on an assumption that 30% of customers attending in-house day centres would not need to access transport but this had not happened. There had been no real change in the pattern of day care, with many service users staying with their existing service. The existing arrangements for transport were not expected to change significantly until fundamental change to day care provision began to take shape.

It was further noted that day care transport was being reviewed on a centre by centre

basis. In the future, day care was expected to be provided from a wider range of venues. Personal budgets contained an element of costs for transport. In order for transport to be recharged within personal budgets, transport costs were based on 5 mile zones.

The Panel asked for regular progress reports on customer and staff engagement, the use of buildings and on transport to day care centres to be brought to future meetings, including (if possible) the next meeting on 8 October 2013.

11 Community Services Integrated Performance and Finance Monitoring Report

The annexed report (11) by the Director of Community Services was received.

The Panel received the first performance, risk management and finance update report for 2013-14. The report monitored progress against Corporate Objectives set in the County Council Plan that were covered by the Panel.

In the course of discussion, the following key points were noted:

- The forecast variance total for continuing health care, mentioned at page 95 of the agenda, was corrected to read £6.854m.
- It was pointed out that the appendices to performance and risk management reports were being redesigned corporately so that they did not need in future to be printed on A3 paper and handed out at Panel meetings, but could be read easily in an electronic format.
- In reply to questions it was pointed out that the next periodic report would include a new dashboard, with a more comprehensive range of national performance targets, and information on how these were being achieved. The periodic report would also at Member's request include attendance figures for individual museums.

Members asked for information about the Department's continued limited involvement in the community safety partnership, following the establishment of the office of Police and Crime Commissioner, to be mentioned in the Member briefing note.

12 Forward Work Programme: Scrutiny

The annexed report (12) by the Director of Community Services was received.

The Panel received a report containing the draft scrutiny forward work programme for 2013. Members asked that the agenda for the meeting on 8 October 2013 include the Development of the Social Enterprise (an update on staff and customer engagement, use of buildings and transport); and for the agenda for the meeting on the 5 November 2013 to include reports on the conditions of service for carers, discharges from acute hospitals and a further update report on the development of the Social Enterprise.

The meeting concluded at 12.15pm.

Chairman



If you need this document in large print, audio, Braille, alternative format or in a different language please contact Tim Shaw on 0344 8008020 or 0344 8008011 (textphone) and we will do our best to help.

Cabinet Member Feedback

Report by the Cabinet Members for Community Services

Cabinet Members will provide a verbal update to members of Overview and Scrutiny Panel regarding any Cabinet meetings which have taken place since the last meeting of this Panel.

Report of Cabinet Decisions taken since the last Overview & Scrutiny Panel meeting- None taken

Report

Date

**Considered by
Panel**

Date

**Considered by
Cabinet**

**Cabinet
Feedback**

Cabinet resolved that:

Reason for decision:

Action Required



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jill Perkins, Tel: 0344 800 8020, Textphone 0344 800 8011, and we will do our best to help.

**Changes to Adult Social Care Funding:
Norfolk's Response to the Government's Consultation - 'Caring for our
future - reforming what and how people pay for their care and support'**

Report by the Director of Community Services

Summary

This report provides the proposed response by Norfolk County ; to the Department of Health's 'Caring for our future – Consultation on reforming what and how people pay for their care and support'.

Local authorities will have a specific and important role to play in reforming what and how people pay for their care and support as they will be accountable for delivering changes at a local level. They will need to understand, oversee and lead the changes that are needed. It is therefore important that Norfolk County Council considers any implications and responds accordingly.

Actions required

- a. Members are asked to endorse the officers' proposed responses to the consultation questions
- b. Because of the tight deadline the Panel are asked to agree that the Director of Community Services can sign off the response incorporating Members' comments at this meeting so that the response can be sent by 25 October 2013

1 Background / Current Position

- 1.1 In 2010, the Government asked economist Andrew Dilnot to look at funding for care and support. The Independent Dilnot Commission published its recommendations in July 2011. The Independent Commission's proposals included proposals to introduce a cap to the amount people will have to pay for care and financial support to people with modest wealth to help them with care home costs.
 - 1.1.1 In response to those recommendations the Government published the care and support White Paper and the progress report on funding reform in July 2012.
 - 1.1.2 In February 2013 the Government announced reforms to transform Adult Social Care funding. The proposals include introducing a cap on an individual's financial contributions towards the cost of care and a significant increase in the level of assets a person may hold and still receive some degree of support from the state.
 - 1.1.3 The reforms to how care is paid for are one part of a wider programme of transformation. Community Services have set up a project to implement the Changes in Social Care Funding reforms in Norfolk and this will be managed by, and will report to, the Adult Social Care Transformation Programme Board, and in turn to Chief Officers Group. In response to the Social Care funding reform bill and planned spending review the Department of Health has launched a consultation 'Caring for our future - reforming what and how people pay for their care and support'.
 - 1.1.4 The consultation seeks views on the practical detail of how the proposed changes to the funding system should happen and be organised locally. There are a number of

issues still to be clarified around these reforms including how the introduction of a cap on care costs should work, how the cap will affect people of different ages and how people will be able to access the extended financial support. Consultation ends on 25 October 2013.

2 The need for a Response

- 2.1 The local authority has been requested to provide a response by 25 October 2013. The responses below to each of the questions posed have been proposed by officers. Page references in this paper are to: "Caring for our future – Consultation on reforming what and how people pay for their care and support,"

3 Consultation Questions

3.1 Paying for Care Fairer and more consistent charging - the charging framework

3.1.1 Consultation Question 01:

Do you agree that the future charging framework should be based on the following principles?

The principles are to be:

1. Comprehensive
2. To reduce variation in the way people are financially assessed; be transparent, so people know what they will be charged
3. Promote wellbeing and support the vision of personalisation, independence, choice and control and enables delivery of funding reform
4. Be user-focused reflecting the variety of care journeys and the richness of options available to meet their needs
5. Encourage and enable those who wish to take up employment, or plan for the future costs of meeting their needs to do so; support carers and not place additional burdens on them, in recognition of the invaluable contribution they make to society
6. Minimise anomalies and perverse incentives in choices between care settings and be sustainable in the long term

- 3.1.2 **Response:** Yes, Norfolk County Council agrees with the principles as outlined.

3.2 Fairer cap for working age adults - varying the levels of cap

3.2.1 Consultation Question 02:

Do you agree that the decision on the level of the cap on care costs set for working age adults between the ages of 18 and state pension age should be based on the following principles? The principles are:

1. People in similar circumstances should make a similar contribution
2. Reflect people's ability to plan, prepare and build up savings
3. Be simple for people to understand and feasible to implement
4. Support integrated care and effective transitions between services
5. Help people to live independent lives

- 3.2.2 **Response:** Yes, Norfolk County Council agrees with the principles on deciding the level of the cap on care costs as outlined.

3.2.3 Consultation Question 03:

Do you agree in order to support transitions from children to adult care and support we should extend free care for eligible needs to young people up to age 25? Or are there alternatives we should consider such as through integration between child and

adult care and support and the guidance provided on how to set the level of the cap?

3.2.4 **Response:** Norfolk County Council agrees that free care for eligible needs should be extended from 18 years old to 25, subject to adequate funding being provided to local authorities to pay for this.

However the Council thinks that the age of 25 is an arbitrary cut off point.

People aged under 25 in Norfolk needing social care are the most pressing financial demand on the Council, despite the comparatively high proportion of elderly people in the county.

Norfolk County Council would like clarification on:

1. Whether 'people who turn 18 with eligible needs will receive free care and support to meet those needs for the rest of their lives' (page 20), and what funding the Government will provide to support this
2. How 'people's ability to plan, prepare and build up savings' will be interpreted (page 90)

3.3 **Aligning contributions in different care settings - daily living costs**

3.3.1 **Consultation Question 04:**

Do you agree the contribution a person makes to daily living costs should be calculated on the same basis as financial assistance with care costs, taking into account both income and assets?

3.3.2 **Response:** Norfolk County Council agrees, subject to clarification on:

- a. Payments to providers and whether this allows for deferred payments
- b. Parity between the amount of money Local Authorities should leave people living in the community with (Income Support plus 25%) compared to the 'living costs' of people in residential care
- c. Whether the person will pay their contribution to the daily living costs direct to the provider. This would mean the Council would pay the provider net of this amount. If the person does not pay the daily living costs direct to the provider, then could Councils include this amount in the deferred payment, or would the person be expected to pay this as a weekly part-payment Presently a service user can enter into the Deferred Payment Agreement but the Council expects them to make a part payment each week based on their weekly income.
- d. Whether state benefits will change, ie will Local Authorities be able to include the Severe Disability Premium and Attendance Allowance in the calculation on an ongoing basis, ie they will not cease after 28 days of permanent care. At the minute we are invoicing 4,150 service users for residential care. 2,499 have a weekly assessment of less than £230. Therefore unless benefits change, we could only charge 1,651 people a contribution towards their daily living costs.

3.4 **Who will qualify for a deferred payment?**

3.4.1 **Consultation Question 05:**

Do you agree what our criteria for determining who qualifies for a deferred payment should be? The criteria include people who would benefit from residential care and people with less than £23,250 in assets excluding their home.

Are there any examples of where greater flexibility might be necessary to ensure people do not have to sell their homes in their lifetime to pay for care?

- 3.4.2 **Response:** Norfolk County Council agrees with the criteria for determining who qualifies for a deferred payment.

Norfolk County Council (NCC) currently offers deferred payments and would plan to expand it further.

The Council would like clarification on paragraph 151: “What this would mean is that people who qualify for state support during the 12 week disregard period will also be entitled to a deferred payment, available to start from the thirteenth week”. It is unclear how this would work.

3.5 What fees can someone defer?

3.5.1 Consultation Question 06:

Do you agree with the principle that local authorities should have the discretion to introduce reasonable safeguards to ensure deferred payment agreements can be repaid? If so how can this be done in a way to support people’s choice of care home?

- 3.5.2 **Response:** Norfolk County Council agrees with the principle that local authorities should have the discretion to introduce reasonable safeguards to ensure deferred payment agreements can be repaid.

3.6 How long can the deferred payment last?

3.6.1 Consultation Question 07:

Do you agree local authorities should normally wait at least three months after someone has died before actively seeking repayment? Are there circumstances in which the Local Authority should wait longer?

- 3.6.2 **Response:** Norfolk County Council agree that local authorities should normally wait at least three months after someone has died before seeking repayment of a deferred payment.

3.7 Wider flexibility to offer deferred payments

3.7.1 Consultation Question 08:

Do you agree that local authorities should have additional flexibility to go beyond what they would normally cover and allow people to defer care charges to help them get the care they want in wider circumstances such as domiciliary care?

- 3.7.2 **Response:** Norfolk County Council agrees that local authorities should have the flexibility to allow people to defer care charges in wider circumstances. The authority does this sometimes already under HASSASSA (Health and Social Services and Social Security Adjudications Act 1983).

3.8 Calculating what counts towards the cap

3.8.1 Consultation Question 09:

Do you agree with the proposed principles for calculating the independent personal budget and personal budget? The principles are:

- a. To support the overall outcome of promoting a person’s wellbeing
- b. Be equitable to everyone who accesses local authority support, no matter whether they pay for their own care, or where they live
- c. Ensure consistency in the outcome of the calculation of the costs of meeting a person’s needs according to their individual circumstances as if the local authority was under a duty to meet them
- d. Be transparent over the calculation and the basis for it
- e. Where needs are being met by a carer, reflect the carer’s ability and

willingness to care and the impact of continuing to provide this support, and reflect what it may reasonably cost a local authority to meet a person's needs according to their particular circumstances

- 3.8.2 **Response:** Norfolk County Council agrees with the proposed principles for calculating the independent personal budget and the personal budget. This will however mean that local authorities will carry out more social care assessments and more financial assessments.

The Council would like clarification on:

- a. the expectations on how independent personal budget holders will be monitored as to whether and how they have actually spent the money in their independent personal budget
- b. whether Local Authorities will be able to charge self funders for their independent personal budget statement

3.9 Recording progress towards the cap - the care account

3.9.1 Consultation Question 10:

Do you agree that local authorities should have flexibility on providing annual updates where a person has not had care needs for many years, or they have already reached the cap? In what other circumstances should discretion be given?

- 3.9.2 **Response:** Norfolk County Council agrees. Everyone eligible for social care should have an annual review and a financial review. There could be discretion to ask for evidence from people who have an independent personal budget.

3.10 Providing redress and resolving complaints

3.10.1 Consultation Question 11:

Do you agree that the following principles should underpin dispute resolution mechanisms? The principles are:

- a. To be clear and easy to understand, be locally accountable
- b. Be fair and effective and should therefore have public confidence
- c. Resolve issues in a timely, effective and cost-effective way
- d. Have an independent element; and promote local resolution, minimising the need for more formal challenge mechanisms which could be costly and time-consuming

- 3.10.2 **Response:** Yes. It is Norfolk County Council's aim to apply the principles mentioned to all complaints. Our procedures are clear and are published on the NCC internet site. The complaints are handled within a shared service team ensuring an independent review from the servicing department and a consistency in approach. In every case the aim is to resolve issues as quickly and as efficiently as possible without the need to move to a more formal basis.

4 Call for Evidence

Staying independent for longer – planning and preventatives

4.1 Raising awareness - information and advice

4.1.1 Evidence Question 1:

How can we raise awareness of how care and support works to help people financially plan for their care needs? What should this cover and who should be involved? What are the key points in a person's life where we should seek to provide this information?

4.1.2 **Response:** Norfolk County Council signposts people to Care Aware, an independent firm who provide advice on dealing with the funding of long term care. Nationally awareness could be raised via GPs and the Department for Work and Pensions (DWP). We should be providing people with benefits advice and making sure they have access to financial planning throughout their lives. Key points are between 18 and 25 years old, as when a person reaches 25 they may have to contribute to the cost of their care and when a person reaches pension age. In our experience it is difficult to motivate people to plan financially for their future care needs.

4.2 Advice on financial planning and decisions

4.2.1 Evidence Question 2:

In what circumstances is support required to help people with their financial decisions on how to pay for care? What information and support is needed to help them? How should local authorities work with other organisations to facilitate access to this information?

4.2.2 **Response:** People particularly need advice and support on paying for care at the same time as they are thinking about what care they need. Norfolk County Council has arrangements in place including: an in house Welfare Rights Unit; advice and advocacy Service Level Agreements with the voluntary sector, eg Age UK; and a signposting arrangement to CareAware which provides independent help and information for people in dealing with the funding of long term care.

4.3 Encouraging people to plan to pay for their care and support

4.3.1 Evidence Question 3:

We welcome views on how, through implementation of funding reform, we can encourage people to take responsibility for planning and preparing for future care and support. What could prevent people from taking responsibility for paying their contribution towards care costs? What can Government, local authorities or others do to address these?

4.3.2 **Response:** People could be encouraged to contribute towards their future care costs if there was a tax incentive and it was guaranteed that if this money, ie the contributions, was held nationally it was ring-fenced for care costs. There would need to be clearer charging guidance for local authorities and financial products would have to be properly regulated. However, as with all insurance type products, individuals have to feel there is a compelling argument to purchase it and it appears that most people do not think about social care costs until they require care.

4.4 Assessment of the Care and Support you need

Accessing the cap on care costs – managing demand for assessments

4.4.1 Evidence Question 4:

What flexibility should be given to local authorities in how they provide assessments of a person's needs to accommodate the introduction of the cap and meet demands on local authority resources? How can we ensure assessments still support wider aims to signpost people to types of care and support, reflect each person's preferences, and ensure safeguarding concerns are dealt with appropriately?

4.4.2 **Response:** Norfolk County Council believes that flexibility could include Councils being given the discretion to relax the requirement for annual social care assessments and reviews for a period of time. Also Councils could initially be given a 12-18 month period to carry out the assessments of newly identified people who may be eligible for social care funding following the implementation of the legislation. As all local authorities will be introducing this at the same time there will be

workforce development issues relating to sufficient people who are trained and skilled in delivering the assessment and the wider aims, such as choice and control and safeguarding, as well as other staff eg people to carry out the financial assessments.

4.5 Removing barriers to integration of services – joint assessments

4.5.1 Evidence Question 5:

How through the implementation of the cap, deferred payments and the new charging regime can we support integrated health and care planning for both the person receiving care and carers? What potential barriers to integration could implementation of the cap or the charging framework create, and how might we reduce or overcome them?

4.5.2 Response: Councils need to build on current integration work and work more closely with Health. Councils will need to be able to identify the social care needs and costs separately under the proposed reforms, to monitor the amount of spend and for charging purposes, which could be a potential barrier.

Norfolk County Council is currently looking at the Carers RAS (Resource Allocation System) and part of that process is to look at the complete package, ie for both the user and the carer, which we need to build on.

We already operate a deferred payments scheme and we need to use this as a good foundation.

4.6 Ensuring individuals are able to access and benefit from these reforms

4.6.1 Evidence Question 6:

Do you have any evidence on how we can best ensure everyone can access and benefit from these reforms? In particular, we would like to gather evidence on the protected characteristics of:

- Disability
- Age
- Sex
- Race
- Religion or belief
- Gender reassignment
- Sexual orientation and marriage and civil partnership
- Pregnancy and maternity.

4.6.2 Response: Norfolk County Council believes that a key factor in delivering these reforms will be raising peoples' awareness of the changes and ensuring that there is adequate information widely available nationally that people can understand. The Council would carry out an Equality Impact Assessment (EqIA) for any changes to ensure equality.

Current statistics on service users with protective characteristics is mixed. Disability, Age, Sex and Ethnicity is reasonably good. However Sexual Orientation, Faith, Gender reassignment, marriage and civil partnership and Pregnancy and maternity is very patchy. This is for a number of reasons: people's right not to say, confidence in workers asking and the nature of some services means that it would be inappropriate or difficult gain this information.

People as a whole have multiple identities and this applies equally to people who access our services. This needs to be taken into account when planning and delivering services to people. The conversation you have with a white British disabled person will differ to a disabled person with a different ethnicity and/or culture, and this could translate into adjustments needed in the type of service that is offered or the type of support that is needed.

Norfolk is a rural county as well as being very diverse, with over 100 languages being spoken, a strong disability and gay pride movement and large migrant communities in some areas. Because of the rural nature of Norfolk, and as places where people's cultural and community needs can be met are often based around three or four main towns in Norfolk and Norwich city, people may be limited or have to travel further to access appropriate services and support networks that would best meet their needs. For disabled people generally and even more so for disabled people with more than one protective characteristic this is a real challenge.

4.7 Accessing support towards your care cost – the financial assessment

4.7.1 Evidence Question 7:

What flexibility should be given to Local Authorities in how they provide financial assessments to accommodate the introduction of the cap, extended access to financial support and meet demands on Local Authority resources? How can we ensure financial assessments are proportionate yet still provide an accurate valuation of a person's assets?

4.7.2 Response: Norfolk County Council would like the flexibility to determine locally how it gathers information and calculates financial assessments. Local authorities will require transitional time leading up to April 2016 in readiness for this change and will need funding for additional people to carry out this work.

4.8 Paying for Care

Fairer and more consistent charging – the charging framework

4.8.1 Evidence Question 8:

We welcome views on the potential advantages and disadvantages from a common approach to charging. In what areas could a common approach be taken in the charging rules across all care settings? In what areas would different approaches be needed to reflect the different circumstances of people who are receiving care and support in the range of care settings?

Please explain your answer illustrating with evidence on the number of people who could be affected where possible.

4.8.2 Response: Norfolk County Council would prefer a common approach to charging ie one charging policy. One issue that needs clarification is the Daily Living Expenses and whether they are same amount for both people living in the community and people in residential care.

4.9 Requesting the local authority to arrange your care – the arrangement fee

4.9.1 Evidence Question 9:

What are the administration costs associated with arrangement of care by a local authority, and which of these costs is it appropriate to pass on to the person requesting the arrangement of their care? We intend these charges should not apply where a person lacks capacity and has no one to act for them. Are there any other circumstances where local authorities should not charge an arrangement fee?

4.9.2 Response: Work is currently ongoing to calculate the administration costs associated with the arrangement of social care in Norfolk County Council. The Care Arranging Service in Community Services delivers this function unless a person chooses to take their personal budget as a direct payment and deal direct with the providers. The Council believe that it is appropriate to pass on these costs to a person where they are financially able to fund their own care, according to the criteria in place. In addition to where a person lacks capacity the Council believes

that local authorities should not charge an arrangement fee where the person is seriously ill, near to death or considered to be at high risk of abuse of any form.

4.9.3 Evidence Question 10:

What incentives could charging of an arrangement fee have on people receiving care and carers, Local Authorities or providers?

4.9.4 Response: Norfolk County Council believes that if it charged a fee for the arrangement of care this would change the relationship between the Council and people receiving care and their carers to a contractual one. It would make people receiving care and their carers more aware of the cost of this service and would also raise some people's expectations about the level of service provided and the timescales it should be delivered in.

4.10 Fairer cap for working age adults – varying the level of cap for different ages

4.10.1 Evidence Question 11:

What additional evidence can you provide on the ability of people of different ages to plan prepare and build up assets both before and after they develop eligible care needs?

4.10.2 Response: Norfolk County Council are looking into whether this information can be provided and in the timescales required.

4.10.3 Evidence Question 12:

How could new charging rules work together with options for a lower cap to address problems faced by working age adults? Please explain how this would deliver the following principles:

1. Ensure that people in similar circumstances (age, care needs, and financial assets) should make a similar contribution to their care costs. For example people who develop care needs at 44 and 46 years old should have a similar cap;
2. Reflect the ability of people of different ages' to plan, prepare and build up savings to meet their care needs;
3. Be simple for people to understand and feasible for local authorities to implement;
4. Support integrated care and effective transitions between services helping people to have their needs met in the most appropriate care setting;
5. Help people to live independent lives meeting their goals and aspirations;
6. Ensure any reforms are sustainable in the long term and ensure that the overall costs of the reforms are unchanged.

4.10.4 Response: Norfolk County Council believe that there should be more flexibility around personal injury payments: that the payment should be taken into account when assessing contribution towards care costs for longer than the current period of 12 months.

4.10.5 Evidence Question 13:

What factors should determine the age it is appropriate for people to begin to contribute towards the cost of meeting their eligible needs? What factors should determine how the cap on care costs should rise after this point?

4.10.6 Response: Norfolk County Council believe that contributions to care should be based on an individual's ability to pay rather than their age. This would take into account an individual's present circumstances, and that every person's situation and ability to plan and save will have been different.

4.10.7 **Evidence Question 14:**
How should the cap on care costs be set for people whose eligible needs are initially met by services other than adult care and support? Please explain your answer.

4.10.8 **Response:** Norfolk County Council believes that any social care service paid for by the service user should count towards the cap. We would like more clarification around what counts towards the cap: whether all eligible care is counted; or just the amount of an individual's contribution. If it is the full package of care costs, then the cap would be reached very quickly by most individuals, putting additional pressure on local authorities. Local authorities will require sufficient funding to cover the additional expenditure.

4.11 **Universal deferred payment agreements – 12 week property disregard.**

4.11.1 **Evidence Question 15:**
How could the 12 week disregard be used to better support people to make decisions and practical arrangements about their care and finances?

4.11.2 **Response:** Norfolk County Council believes that giving the person information regarding what options are available to them during this period and what the next steps are after the 12 week period could improve the use of the 12 week disregard period.

4.12 **Who will qualify for a deferred payment?**

4.12.1 **Evidence Question 16:**
What situations may make it more challenging to offer a deferred payment? How can we address such situations to ensure people have consistent access to deferred payments without putting the local authority at unfair financial risk?

4.12.2 **Response:** Norfolk County Council believes that jointly owned properties may make it more challenging to offer a deferred payment, although this could be improved with clearer guidance on how Councils should treat jointly owned properties. Current legislation is not very clear in this area and authorities have different interpretations of what can and cannot be done.

With regards to limited equity in properties, one of Norfolk County Council's criteria is that the person's interest in the property must be worth more than the upper capital threshold (currently £23,250). To ensure there is sufficient equity in a property on which to secure a charge, Councils should ask for a valuation of the property and complete checks. Norfolk County Council already does this.

4.13 **Use of disposable income**

4.13.1 **Evidence Question 17:**
Should people be free to decide the proportion of their care costs met by their income and how much is deferred? Or should they be required to pay their care costs from income (leaving only an allowance to cover personal and household costs) and defer the remaining balance?

4.13.2 **Response:** Norfolk County Council believes that people should have flexibility. However if Councils are going to wait for the debt to be settled after a much longer period of time, they would need to be mindful of their cash flow and whether, if a minimum payment is not set, this is sustainable in the future. Other factors to consider are: the housing market volatility, i.e. falling values; and this Council would not want a person to be paying to maintain a property if family members, friends etc are living there.

4.13.3 **Evidence Question 18:**

If you think people with significant disposable income should contribute some of their income towards their care fees, then what types of personal and household expense should be taken into account before determining the income contribution?

4.13.4 **Response:** Norfolk County Council believes that people should have flexibility.

4.14 **Support for homeowners**

4.14.1 **Evidence Question 19:**

How could local areas develop support for homeowners to maintain, sell or rent their home? Are there examples of good practice that already exist? How could support innovation in this area in the future? What is the likely impact of deferred payments on housing more generally?

4.14.2 **Response:** Norfolk County Council offers a full range of support for homeowners and people requiring care, including information, advice and advocacy services. Norfolk has contracts with Age UK, Equal Lives and CareAware, a not-for-profit public information and advisory service, to help provide information and advice to citizens of Norfolk funding their own care, including information leaflets and websites.

One likely impact of 'universal' deferred payments is that fewer houses may go onto the market for sale.

4.15 **Information and advice**

4.15.1 **Evidence Question 20:**

What information do people need when they take out a deferred payment?

4.15.2 **Response:** People need clear guidance on:

- a. what a deferred payment means
- b. what action they need to take
- c. what action the Council will take
- d. the next steps once the property is sold
- e. what happens if the property is not sold
- f. information about the charging of interest

4.16 **Ensuring deferred payments are financially sustainable**

4.16.1 **Evidence Question 21:**

What are the administration costs associated with offering a deferred payment, and which of these costs is it appropriate to pass on to the resident?

4.16.2 **Response:** The administration costs associated with offering a deferred payment are: legal fees, Council staff time, valuation of the property, and asset review. Norfolk County Council believes that all of the administration costs should be passed on to the resident.

4.17 **Alternative approaches to recovering local authority costs**

4.17.1 **Evidence Question 22:**

What alternative approaches would still allow authorities to recover their costs, for example based upon approaches from Islamic finance?

4.17.2 **Response:** Norfolk County Council does not have a view on this currently.

4.18 **Local Authority processes for setting up deferred payments**

4.18.1 **Evidence Question 23:**
How well do current Local Authority processes for deferred payments currently work and what could improve?

4.18.2 **Response:** Norfolk County Council feels its deferred payment process works well but this could be improved by deferred payments for non-residential care. As mentioned at paragraph 4.12.1 it would be very helpful to have clarification around the treatment of jointly owned properties.

4.19 **Wider flexibility to defer payment**

4.19.1 **Evidence Question 24:**
If you agree that local authorities should have additional flexibility to defer care charges, what situations would these powers help with? Are there any factors local authorities would need to take into account to ensure fairness and to avoid excessive costs? Please provide detail of how the deferred payment would work in practice.

4.19.2 **Response:** Please see 4.18.2.

4.20 **Improved options for those who pay for their care**

4.20.1 **Evidence Question 25:**
What financial solutions will be important in helping different groups pay for their care? What are the priorities in terms of supporting the market to develop?

4.20.2 **Response:** Norfolk County Council believes that it is important to raise awareness of what solutions are available and the role of local authorities and the government in the future. The options available as outlined in figure 11 (paragraph 197) of the consultation document seem comprehensive.

4.21 **Meeting your eligible needs** **Measuring what counts towards the cap – the personal budget**

4.21.1 **Evidence Question 26:**
What additional information should be included in a personal budget or independent personal budget to accommodate these reforms, provide greater transparency and support planning?

4.21.2 **Response:** All the information relevant to the individual will need to be included as well as sign posting.

4.22 **Calculating what counts towards the cap**

4.22.1 **Evidence Question 27:**
What sort of information does a local authority need to calculate an independent personal budget that they might not get through an assessment?

4.22.2 **Response:** A local authority needs to carry out a care assessment, use a Resource Allocation System (RAS) and ascertain what it would cost them to meet the person's social care needs, to calculate an independent personal budget.

4.22.3 **Evidence Question 28:**
How should we build on the common principles for resource allocation systems (covering five areas: equity, people with high support needs, future-proofing, unpaid care and support, needs of carers), existing good practice and guidance to ensure consistency, equity and transparency in the setting of independent personal budgets? How should this be reflected in the requirements for local authority

information systems?

4.22.4 **Response:** Norfolk County Council was part of the national pilot to develop a RAS (Resource Allocation System) and has developed a successful RAS system over a number of years. This is now automated. TLAP (Think Local Act Personal) has recognised Norfolk as a Local Authority with good practise. Further details can be provided on request.

4.23 **Reviewing needs and budgets as circumstances change**

4.23.1 **Evidence Question 29:**

How can we ensure a proportionate approach to reviews so personal budgets and independent personal budgets record the costs of meeting a person's needs as circumstances change?

4.23.2 **Response:** Local Authorities will need to have evidence to support actual spend against planned need.

4.24 **Recording progress towards the cap – the care account**

4.24.1 **Evidence Question 30:**

We welcome views on whether the annual care account statement should also include projections of when a person may reach a cap, or qualify for financial support, and how this can be provided without putting Local Authorities at risk of unfair challenge.

How would this support a person's planning? What impact would this have on the complexity of Local Authority systems needed to operate the care account? How can Local Authorities reduce the risk of challenge?

4.24.2 **Response:** Norfolk County Council supports the view that an annual care account statement should include advisory projections of when a person may reach the cap or qualify for financial support. We think that a disclaimer would mitigate the risk of unfair challenge. Norfolk currently applies a notional capital rule for those with assets over £23,250 and we believe that this would be similar. This would help the person with their financial planning. It is already going to be complicated to monitor cumulative spend on care but this element should be able to be incorporated.

4.25 **Who is responsible for your cap or deferred payment – ordinary residence**

4.25.1 **Evidence Question 31:**

We welcome views on what incentives the cap on care costs and deferred payment arrangements in combination with ordinary residence rules may create for individuals, or local authorities, and how the number of transfers between local authorities may change as a result.

4.25.2 **Response:** We think the cap on care costs and deferred payment arrangements in combination with ordinary residence rules will be much clearer for people and local authorities. It should reduce the number of disputes and encourage local authorities to be mindful of the cost of care, even when someone wishes to receive care outside an authority's boundaries.

4.25.3 **Evidence Question 32:**

We welcome views on how we can support Local Authorities understand who is responsible for the person's care account and deferred payment agreements.

4.26.4 **Response:** Norfolk County Council thinks that various examples and scenarios should be provided to authorities. The case study provided in the Consultation at

paragraph 236 is clear and helpful.

4.27 Providing redress and resolving complaints

4.27.1 Evidence Question 33:

Given the reforms to the care and support funding system do you consider that existing processes to provide redress and resolve complaints are appropriate and accessible? Please explain your answer.

4.27.2 Response: Norfolk County Council thinks that its existing processes to provide redress and resolve complaints are appropriate and accessible. The processes are already applied to similar issues relating to care and support funding and have proved successful in resolving complaints and disputes. In such cases the right of appeal is explained to service users and any information required to do this is provided. There are a few cases which progress beyond appeal and when they do, they are referred on to the Local Government Ombudsman (LGO). We fully support the LGO in their dealings and to date they have not raised any cause for concern in any of our cases. Norfolk County Council is keen to ensure any system is low cost and quick, and because of this we prefer to deal with disputes locally.

4.27.3 Evidence Question 34:

Do you agree that a tribunal system would be likely to slow down the process of resolving complaints and add significant costs, introducing a further burden on the system? Please give evidence to support your answer.

4.27.4 Response: We have no data on the tribunal system to draw a conclusion, but we are not in favour of any system that is costly and time consuming.

4.27.5 Evidence Question 35:

Are there any lessons that can usefully be drawn from complaints processes in other sectors or local areas? Please provide evidence of approaches in other sectors that you believe would be more effective.

4.27.6 Response: We are not aware of any processes in other sectors that we believe would be more effective.

4.27.7 Evidence Question 36:

Do you have a view on the strengths and weaknesses of applying a similar mechanism to the schools admissions code appeals process to adult care and support?

4.27.8 Response: A mechanism such as the schools admissions code appeals process does provide a consistency in approach and resolution for similar issues. We feel service users would benefit from the independence and speed to resolution that such a route would afford.

4.28 Transition to local support

4.28.1 Evidence Question 37:

How should the transition for people who have been arranging their own care and support be managed most effectively? How should the key requirements placed on local authorities – care and support plans, personal budgets, direct payments, right to a choice of accommodation – be used proportionately to support this process?

4.28.2 Response: A clear transition process/protocol will be important. Clear and transparent information should be provided in a timely fashion to the public and professionals. It is key that adequate funding and resources are available to local authorities. The authorities will need to build in planning into any care need

assessments.

4.29 When the cap on care costs is reached Personal choice and control over care – additional payments (“top-ups”)

4.29.1 Evidence Question 38:

The provision of financial advice on paying for care will help manage some of the risks to local authorities, care and support providers and the adult. What more could be done to manage these risks in a way that is consistent with allowing people choice over their care and support?

4.29.2 Response: Norfolk County Council agrees that people should have the choice over their care and support. However local authorities will need to work with providers to ensure that fee levels are fair. At the minute Norfolk County Council has a pre-placement agreement which the provider has to sign where NCC is commissioning the care. Under this agreement the provider is not allowed to approach the resident or a family member for additional funding, ie a top up. If we discover they have asked for a top up, we take action against them.

4.30 Transition to the introduction of the cap

4.30.1 Evidence Question 39:

We welcome examples of needs assessment practice from elsewhere and what we can learn from them to help manage the demands on local authorities from the introduction of the cap on care costs.

4.30.2 Response: No response.

4.30.3 Evidence Question 40:

We welcome views on how the Government, working in collaboration with local and national partners, can best encourage people who arrange their own care and support to come forward for an assessment prior to April 2016.

4.30.4 Response: Norfolk County Council feels that it is vital that the Government and agencies provide information to the public up to one year in advance of the changes. This should take the form of an advertising campaign, including television, radio, internet and printed format.

5 Implementation Questions: Transition to the introduction of the cap

5.1 Implementation Question 1

Do you agree local authorities should conduct assessments of people who are funding their own care and support up to 6 months before the introduction of the cap on care costs?

5.1.1 Response: Norfolk County Council agrees with the principle that local authorities should conduct assessments of people who are funding their own care up to six months before the introduction of the cap, but this does have resource implications for local authorities carrying out these assessments and there needs to be sufficient central funding for the cost of this.

5.1.2 Implementation Question 2:

How could local authorities use reviews they have planned with individuals throughout 2015 to prepare for introduction of the cap on care costs in 2016?

5.1.3 Response: It will be important to raise peoples’ awareness prior to the changes. Reviews will help with this process and they will assist local authorities and

individuals to plan and prepare for planned changes. We see this as working in a similar way to how local authorities are currently using annual and joint reviews to plan for the transfer of the Independent Living Fund, albeit on a significantly larger scale.

5.2 Workforce development

5.2.1 Implementation Question 3:

We welcome views on the implications for commissioners and workforce leads from the potential use of partners' resources to help manage the demands on local authorities from the introduction of the cap on care costs and how this should be addressed within the workforce development strand of the implementation programme.

5.2.2 Response: Norfolk County Council has initiated a project to look at the planned changes in Adult Social Care Funding. As part of this we will develop action plans around workforce development, including who should carry out the care assessments, and additional demands on resources. As already mentioned it is vital that local authorities receive sufficient funding to implement these changes.

5.3 Market shaping and oversight

5.3.1 Implementation Question 4:

We welcome views on how local authority commissioning and care and support provider provision should adapt to take advantage of the opportunities provided by the introduction of funding reform and respond to the challenges it may present.

5.3.2 Response: It will be important that providers and local authorities work together to implement changes and plan for the future. Presently many people funding their own care pay more than local authorities pay for similar care, which could be a challenge going forwards, including that for some providers local authorities paying for care for more people could result in a reduced overall income. One suggestion is that the Government could consider a national rate for the provision of care that providers and local authorities adhere to.

We think it is likely as well that more care will be required due to current unmet need where people are reluctant to use their own money to pay for care. Commissioners and providers will need to work together to ensure there is the capacity in the market to meet future need at a reasonable price.

5.3.3 Implementation Question 5:

We welcome views on how funding reform and increased transparency will affect the shape of local markets for types of care and support, and evidence to understand how the demands on local authorities to arrange care on behalf of people who arrange their own care and support may change.

5.3.4 Response: Norfolk County Council thinks that there will be the following issues:

- a. greatly increased demand for social care assessments, arrangement of care, financial assessments and monitoring of direct payments
- b. previously unmet need where people have been/would be funding their own care resulting in increased demand for care provision
- c. as indicated in 5.3.2, a higher proportion of packages of care bought at the local authority payment rates which in turn may result in providers requesting an increase in the amounts paid
- d. greater expectations around what local authorities should be providing, at a time when there is significantly less money overall to do this

6 Resource implications

- 6.1 This consultation response does not have resource implications above the officer time to consider the proposals and prepare the response but any subsequent project and reform changes would have. The resource requirements will be considered as part of the project on Changes in Social Care Funding.

7 Other Implications

7.1 Legal

- 7.2 This consultation response does not have any legal implications but any subsequent project and reform changes may have. These would be considered as part of the project.

8 Equality Impact Assessment (EqIA)

- 8.1 This consultation response does not have equality implications but any subsequent project and reform changes would have. These would be considered as part of the project.

9 Communications

- 9.1 This consultation response does not have specific communication requirements but any subsequent project and reform changes would have. Again these would be considered as part of the project.

10 Health and Safety Implications:

- 10.1 This consultation response does not have Health and Safety implications but any subsequent project and reform changes would have and these would be considered as part of the project.

11 Section 17 – Crime and Disorder Act

- 11.1 This consultation response does not have Crime and Disorder Act implications but any subsequent project and reform changes would have, which would be considered as part of the project.

12 Risk Implications/Assessment

- 12.1 This consultation response does not have specific risks but any subsequent project and reform changes would have. These would be considered as part of the project.

14 Alternative Options

- 14.1 The alternative options are that Norfolk County Council does not respond to the Consultation or that the answers to the questions are altered.

15 Conclusion

- 15.1 Local authorities will have a specific and important role to play in reforming what and how people pay for their care and support as they will be accountable for delivering changes at a local level. They will need to understand, oversee and lead the changes that are needed. It is therefore important that Norfolk County Council

considers any implications and responds accordingly.

16 Recommendation/Action Required

- 16.1
- a. Members are asked to endorse the officers' proposed responses to the consultation questions
 - b. Because of the tight deadline the Panel are asked to agree that the Director of Community Services can sign off the response incorporating Members' comments at this meeting so that the response can be sent by 25 October 2013

Background Papers

1. Caring for our future
'Consultation on reforming what and how people pay for their care and support' paper by the Department of Health
2. Synopsis, providing a summary of the consultation paper (Appendix 1)

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

| Officer Name | Tel No; | email address |
|--------------|--------------|--|
| Janice Dane | 01603 223438 | janice.dane@norfolk.gov.uk |

Finance Business Partner and Transformation Programme Manager - Community Services



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jill Perkins 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.



Department
of Health

Caring for our future

Consultation on reforming what and how people
pay for their care and support

Synopsis prepared by Norfolk County Council

Executive summary

In February 2013, the Government announced historic reforms. The Government said they would reform the funding of care and support to ensure:

- Everyone receives the care they need and more support goes to those in greatest need
- We end the unfairness of, and fear caused by, unlimited care costs
- People will be protected from having to sell their home in their lifetime to pay for care.

A fear of high costs can delay people getting the care they need. This leads to more people seeking and organising care in crisis situations. The reforms will make it clearer how much people might have to pay to meet their eligible needs, helping them feel more in control of their finances and find it easier to plan. People no longer risk losing everything they have worked and saved for during their lives.

The reforms to how care is paid for are one part of a wider transformation, and are the focus of this consultation. This document seeks views on the practical detail of how these changes to the funding system should happen and be organised locally.

Local authorities will have a specific and important role to play because they will be accountable for delivering these reforms on the ground. They will need to understand, oversee and lead the changes that are needed.

Why are we reforming care and support funding?

As we are getting older and living longer, more of us are receiving care and support

As healthcare and living standards in our society improve, we are living longer and healthier lives and the number of older people in our society is increasing. This means it is more important than ever we have a person-centred system, which is fair and delivers high quality care and support. One important aspect of the system is the way in which care and support is paid for and how costs are shared between the person and the local authority.

The current system of paying for care is unfair and unsustainable

Care and support needs are unpredictable. The independent Commission, identified that there is currently no effective way for people to protect themselves from unlimited care costs. This makes it impossible for people to plan, as a result, people who could afford to save or invest proactively towards the costs of their care have little or no incentive to do so. Furthermore, a person with modest wealth and no savings or other investments may go on to lose everything because financial support is only available to people with assets less than £23,250.

What we will change

A cap will be introduced on the costs that people have to pay to meet their eligible needs (from April 2016):

- The cap will be set at £72,000 in April 2016 for people of state pension age and over;
- The total cost to local authority of meeting a person's eligible needs – which could be paid by the person, their local authority or a combination of the two – will count towards the cap, rather than the person's financial contribution only;
- People of working age who develop care needs before retirement age will benefit from a cap that's lower than £72,000;
- People who turn 18 with eligible needs will receive free care and support to meet those needs for the rest of their lives.

Financial support will be provided to more people to help them with care costs (from April 2016):

- This will help people with their care home costs if they have assets of up to £118,000 (including the value of their home) rather than only those with up to £23,250, as happens currently;
- Where the value of someone's home is not counted, we intend to provide financial support with care costs to people who have up to around £27,000. This could help people who have a partner or dependent living in the home, and people who are receiving homecare.

We will target financial protection to those who need it most.

People in care homes will remain responsible for their living costs if they can afford to pay for them. These reflect the types of costs that people would have to meet if they were living in their own home – such as food, energy bills and accommodation. We are introducing a personal contribution to living costs of around £12,000 a year from April 2016 and this will not count towards the cap.

We will introduce a universal deferred payments scheme from April 2015. This will mean that people do not have to sell their homes in their lifetime to pay for residential care.

The benefits of the reforms

For the first time, from April 2016, people will have more certainty on how much they should have to pay for care. People will no longer face the prospect of potentially unlimited care costs.

In advance of this, from April 2015, people needing residential care will have access to deferred payment agreements in every local authority in England. This means people will no longer face the added stress of having to rush into selling their home to pay for care home fees and will have the flexibility to avoid selling their home within their lifetime.

These changes will also mean more people will involve their local authority in their care, either as a result of extended access to financial support or so as to benefit from the cap on care costs. This will provide a huge opportunity for local authorities to support people to maintain their independence, remain active and connected in their communities and stay healthier for longer.

The consultation on funding reform

We are seeking views on policy design and technical implementation of deferred payment agreements and the new charging rules from April 2015. We are also seeking opinions and suggestions regarding the cap on care costs and extended access to financial support from April 2016. <https://www.gov.uk/government/consultations/caring-for-our-futureimplementing-funding-reform> or direct to the mailbox funding-reform@dh.gsi.gov.uk before 25 October 2013

The journey through the reformed system

Staying independent for longer – planning and Prevention

The care and support system will focus on promoting people's wellbeing and independence, keeping them safe and connected to their communities, and delaying or reducing needs for care and support wherever possible.

- The Government will work with local authorities, the voluntary and community sectors and financial services industry, to help people understand how care and support works and what they are likely to need to pay for their care and support in the future.
- Local authorities will provide good information and advice at the right time to support and incentivise them to plan, and to help them postpone or prevent the need for care and support.
- Local authorities will have much greater contact with people who pay for their own care and support and use that opportunity to provide support to help them in planning, preventing and postponing their care needs.
- There will be greater clarity on the full range of care and support available in their neighbourhood, community, or from the local authority, complementing help from personal networks and family.
- Local authorities, the voluntary and community sector and the financial services sector will all play a crucial role in ensuring people have access to good quality independent financial advice.

CALL FOR EVIDENCE 1:

How can we raise awareness of how care and support works to help people financially plan for their care needs?

What should this cover and who should be involved?

What are the key points in a person's life where we should seek to provide this information?

Advice on financial planning and decisions

The Dilnot Commission highlighted the need for an information and advice service about financial planning. Ideally this would start at an early stage when there tends to be better opportunities to financially plan. This includes at retirement, which is a key moment when people consider their overall financial situation and make important decisions about their pension annuity and their home.

The Care Bill sets out clear legal duties for authorities to provide local people with information that will help them financially plan if they or a family member need care. Local authorities will also be required to facilitate access to independent financial advice when individuals require an in depth discussion about their financial options. The Government is keen to hear views on how authorities should approach this task and how they can work in partnership with others to meet this new duty on them.

CALL FOR EVIDENCE 2:

What information and support is needed to help people financially plan and make decisions about paying for their care?

What is the role for the local authority or other organisations in facilitating access to information and independent financial advice?

Encouraging people to plan to pay for their care and support

We believe that removing the risk of catastrophic care costs, giving greater clarity over what people must contribute (including responsibility for their daily living costs when receiving residential care), and ensuring the level of financial support is fairer and more consistent will change these incentives. This will make it more likely that people will plan and prepare while making it easier for people to pay for care when they need it.

CALL FOR EVIDENCE 3:

We welcome views on how, through implementation of funding reform, we can encourage people to take responsibility for planning and preparing for future care and support.

What could prevent people from taking responsibility for paying their contribution towards care costs?

What can Government, local authorities or others do to address these?

Assessment of the care and support you need

Assessments should be tailored to people's needs – and they should not be bureaucratic.

- The increased number of people needing assessments will be managed by a combination of early assessments up to six months before introduction of the cap in April 2016 and use of a range of different options for providing assessments.
- Assessments will help people identify their care and support needs, what support may be available to meet their needs, and what type of care is right for them.
- Assessments could be part of a joint assessment conducted with other organisations, such as the NHS, to provide greater clarity and consistency on the care and support people can expect from their local authority, NHS, or both, regardless of where they live. Assessments of the person needing care may be combined or aligned with carer's assessments.
- Assessments will determine whether people have eligible needs set by the national minimum eligibility criteria and therefore if their care costs count towards the cap.
- A financial assessment of a person's income and assets (savings, other assets and in some cases their property) will determine whether they qualify for financial support from the local authority towards the costs of care before reaching the cap and access to the deferred payment scheme.
- An adult can decline a financial assessment, and continue to organise their care and pay for it themselves.

The Bill includes powers to set out more detail about the assessment process in regulations. The regulations will provide detail on: carrying out the assessment in an appropriate and proportionate manner; having regard to the needs of the family when assessing the person with care needs; self-assessments; joint assessments; experts carrying out the assessment on behalf of the authority; and when a local authority should refer a person for NHS continuing healthcare. Such matters, for implementation in April 2015 are not considered in detail in this consultation.

Accessing the cap on care costs – managing demands for Assessments

At present few people who fund their own care and support make contact with their local authority. Our analysis estimates that, as a result of the reforms, around 500,000 more people with eligible care needs could make contact with their local authority in 2016. Local authorities should take a proportionate approach to assessments, they should not be burdensome and bureaucratic processes.

We have heard local authorities want to provide assessments in different ways depending on what works for them locally. This may include self-assessments, on-line assessments, or delivery by third parties. Regulations will specify which of these options will be available to whom. We intend that these should be available to all users and not only those who fund their own care. We will develop these regulations and consult on them next year.

CALL FOR EVIDENCE 4:

What flexibility should be given to local authorities in how they provide assessments of a person's needs to accommodate the introduction of the cap and meet demands on local authority resources?

How can we ensure that assessments still support wider aims to signpost people to types of care and support, reflect each person's preferences, and ensure that safeguarding concerns are dealt with appropriately?

Removing barriers to integration of services – joint assessments

The £3.8 billion pooled health and social care fund announced on the 26 June 2013 in the Spending Round for 2015/16 will make sure everyone gets a properly joined up service from whoever is best placed to deliver their care, whether that's the NHS or the local authority. Where a person is undergoing an assessment for other services we intend that regulations will specify the local authority should contact the other organisation and carry out a joint assessment. For example, where a person has health and care needs, the local authority and NHS should work together to jointly assess the individual. This will avoid the person having to go through two separate processes.

For the first time local authorities will be required to meet carers' eligible needs. Where the person receiving care and support and the carer agree, the local authority can carry out a combined assessment.

CALL FOR EVIDENCE 5:

How through the implementation of the cap, deferred payments and the new charging regime can we support integrated health and care planning for both the person receiving care and carers?

What potential barriers to integration could implementation of the cap or the charging framework create, and how might we reduce or overcome them?

Getting the protection of the cap – national minimum eligibility threshold

We are committed to introducing national minimum eligibility threshold from April 2015. From April 2016, if a person who is ordinarily resident in a local authority in England is assessed as having eligible needs according to the national minimum eligibility threshold, they will qualify for the protection provided by the cap.

We are guaranteeing a minimum eligibility threshold for access to care from the local authority and a maximum amount people should have to pay to meet their eligible needs.

Ensuring individuals are able to access and benefit from these Reforms

We want to ensure the reforms treat all individuals fairly and reflect the different circumstances they face. We would therefore welcome additional evidence about the likely impacts on different groups, including working age adults.

CALL FOR EVIDENCE 6:

Do you have any evidence on how we can best ensure everyone can access and benefit from these reforms? In particular, we would like evidence on the protected characteristics of:

Disability

Age

Sex

Race

Religion or belief

Gender reassignment, sexual orientation and marriage and civil Partnership

Pregnancy and maternity.

Accessing support towards your care costs – the financial Assessment

The local authority will conduct a financial assessment unless asked not to do so but will inform the person of their ability to decline one. If a person's circumstances or wishes change then they may request one at a later date.

It is possible the increase to the financial support provided to people receiving residential care, and wider availability of deferred payments will have implications for how authorities assess income and assets. The need for an accurate valuation of the home is likely to be more important than in the current system. We are interested in views on this issue and how financial assessments should be conducted in the new system to inform development of regulations.

CALL FOR EVIDENCE 7:

What flexibility should be given to local authorities in how they provide financial assessments to accommodate the introduction of the cap, extended access to financial support and meet demands on local authority resources?

How can we ensure financial assessments are proportionate yet still provide an accurate valuation of a person's assets?

Paying for care

- There will be greater clarity over what people must contribute towards the costs of meeting their eligible needs, and the level of financial support offered will be fairer and more consistent across England.
- People with modest wealth will qualify for financial support if their capital (including the value of their home) is less than £118,000 and they are receiving residential care.
- From April 2016, people above state pension age will have a cap on care costs set at £72,000 and those below will have a lower cap. People who have eligible needs when they turn 18 will receive free care to meet their needs. The level of the cap will be based on the age of the person at the point at which they are first assessed as having eligible needs.
- A contribution to daily living costs in residential care (set at a standard amount of around £12,000 per annum in April 2016) will not be included in a person's cap.
- We will protect people from having to sell their home to pay for their residential care in their lifetime by introducing a universal deferred payment scheme.
- Deferred payment agreements will give people more choice and control over how they pay for care, but Local Authorities will be able to introduce reasonable safeguards to ensure that fees can be repaid..

- We will set a national interest rate, chargeable by local authorities for deferred payment agreements to cover the costs to them of lending.
- We seek views on what more should be done to create the right environment for financial products to flourish and what financial services options will be important in helping different groups pay for their care.

Changes to the funding of care and support will mean many more people will receive financial support towards the costs of meeting their eligible needs, as well as everyone being protected against unlimited care costs.

Fairer and more consistent charging – the charging framework

The Care Bill enables a single overarching charging system which will give local authorities the power to charge adults for care and support where they choose to do so. In effect, this will allow a local authority to either not charge a person for a service or, where it charges, assess their ability to pay based on national regulations. Transitional provisions will ensure people receiving non-residential care and getting financial support do not lose out in cases where a local authority has previously set different non-residential charging rules.

We intend that the new charging framework be based upon the following principles:

- Be comprehensive, to reduce variation in the way people are financially assessed
- Be transparent, so people know what they will be charged
- Promote wellbeing and support the vision of personalisation, independence, choice and control and enable delivery of funding reform
- Be user-focused reflecting the variety of care journeys and richness of options available to meet their needs
- Encourage and enable those who wish to take up employment, or plan for the future costs of meeting their needs to do so □ Support carers and not place additional burdens on them, in recognition of the invaluable contribution they make to society
- Minimise anomalies between treatment in different care settings
- Be sustainable for local authorities in the long term.

Where a local authority exercises discretion to charge it must carry out a financial assessment of a person's resources. The detail of these assessments will be provided in national regulations.

CONSULTATION QUESTION 1:

Do you agree that the new charging framework should be based on these principles?

There is already some consistency in the approach to charging in different care settings, to build on this, we intend to examine existing charging rules and identify other areas where a common approach to charging in all care settings can be taken.

CALL FOR EVIDENCE 8:

We welcome views on the potential advantages and disadvantages of a common approach to charging. In what areas could a common approach be taken in the charging rules across all care settings?

In what areas would different approaches be needed to reflect the different circumstances of people who are receiving care and support in the range of care settings?

Please explain your answer illustrating with evidence on the number of people who could be affected where possible.

Supporting carers and building resilience – fairer charging

While the Care Bill provides local authorities with the power to charge for carers services it also makes clear that carers cannot be charged where their needs are met by providing a service to the adult receiving care, such as respite care.

Extra financial support to those who need it most – increase to financial limits

- We are extending the financial support people will receive from local authorities in all care settings. People receiving residential care will remain responsible for their daily living costs where they can afford to pay them. From April 2016, if a person's property is taken into account in the financial assessment of their assets, they may receive some financial support towards their residential care costs if their assets including the value of their property are worth less than £118,000.
- If their home is not included in the financial assessment, our intention is to raise this amount from £23,250 in 2015 to around £27,000 in April 2016. This lower level reflects that the value of the person's home is not being considered as part of their assets. From April 2016, we also intend to increase the lower asset limit from £14,250 to around £17,000. If a person's assets are less than this amount then they are only required to contribute towards their care costs from their income.
- People with more assets are able to make a greater contribution towards their care costs. Currently, part of the amount people are able to contribute is calculated based upon the tariff income rate. The current calculation used in residential care means people contribute £1 per week for every £250 in assets above the lower asset limit of £14,250.
- The extension of financial support to people receiving residential care with up to £118,000 in assets (including their home), together with the current tariff income rate, means financial support decreases gradually for people with higher assets. It is right that people who have assets slightly above £118,000 should contribute a similar amount towards their care as people who just qualify for financial support.
- The calculation of a person's contribution from their assets in all care settings will be set out in regulations. This will be informed by responses to this consultation and by considering interactions with disability benefits.

Requesting the local authority to arrange your care – the arrangement fee

The Care Bill includes a new right for individuals to request the support of the local authority in arranging their care and support, in circumstances where they are assessed as being able to pay the full cost of their care. At the moment, local authorities are not required to provide residential accommodation to people who can afford to pay the full cost themselves, and the new right will mean all people with eligible needs can ask the local authority for support, regardless of their finances.

As this is a new provision the Bill will also enable local authorities to charge a fee for arranging care. This fee will only apply where an adult has resources above the financial limit. This administration fee is intended to cover costs to the local authority of arranging care and support, for instance the costs of entering into and managing contracts with a care home provider. We intend to define in regulations that a charge to arrange a person's care must be limited to what it costs the local authority to do so.

Related administration fees can also be charged where an adult has a deferred payment agreement. We will want to ensure the rules for the administration fee for a deferred payment are consistent with this arrangement fee.

CALL FOR EVIDENCE 9:

What are the administration costs associated with the arrangement of care and support by a local authority, and which of these costs is it appropriate to pass on to the person requesting the arrangement of their care?

Are there any other circumstances where local authorities should not be able to charge an arrangement fee?

CALL FOR EVIDENCE 10:

What incentives could charging of an arrangement fee have on people receiving care and carers, local authorities or providers?

Protection from catastrophic costs - the cap on care costs

The cap on care costs for people of state pension age and over will be set at £72,000 in April 2016. From that point on, those who are assessed as having eligible needs will have the costs of meeting those needs count towards the cap. Costs incurred before a person is assessed, or before 1 April 2016, will not count towards the cap. This will ensure the reforms are affordable and practical, providing greater certainty around how much people will have to pay.

Fairer cap for working age adults - varying the level of the cap for different ages

The Government has committed that from April 2016, people who have eligible needs when they turn 18 will receive free lifetime care to meet their eligible needs and those who have eligible needs who are below state pension age will have a lower cap.

We believe it is appropriate for people to contribute to the cost of care if they can afford to. However, the amount people pay to meet their eligible needs should reflect their ability to plan, prepare and build up assets to cover the cost of meeting these needs.

We intend that any decisions on the level of the cap on care costs between the age of 18 and state pension age should:

- Ensure that people in similar circumstances (age, care needs, and financial assets) should make a similar contribution to their care costs. For example people who develop care needs at 44 and 46 years old should have a similar cap
- Reflect the ability of people of different ages' to plan, prepare and build up savings to meet their care needs
- Be simple for people to understand and feasible for local authorities to implement
- Support integrated care and effective transitions between services helping people to have their needs met in the most appropriate care setting
- Help people to live independent lives meeting their goals and aspirations
- Ensure any reforms are sustainable in the long term.

CONSULTATION QUESTION 2:

Do you agree that the decision on the level of the cap on care costs set for working age adults between the ages of 18 and state pension age should be based on these principles?

Some young people can continue to receive children's social care services up to the age of 25. This could lead to them choosing to have their needs met by adult care and support even if these were less appropriate to meet their needs. To remove such incentives and support a person's needs being met in the most appropriate setting we believe it is

appropriate that, as a minimum, we should extend the offer of free care for eligible needs to people up to age 25.

CONSULTATION QUESTION 3:

Do you agree that in order to support transitions from children to adult care and support we should extend free care for eligible needs to young people up to age 25?

Or are there alternatives we should consider through integration between child and adult care and support and the guidance provided on how to set the level of the cap?

This illustrates the fact that younger people have a reduced likelihood of building up substantial wealth than older people. We believe this effect is likely to be more significant for individuals with care needs and their reduced ability to build up assets should be reflected in the level of the cap. We wish to gather more evidence to improve our understanding of the income and assets of individuals needing care and support.

The decrease in wealth for each subsequent group over the age of 65 may in part be due to people spending their savings in retirement. However, it may also be due to the fact that each generation has been richer than the last. We must also consider the fact that people who develop eligible care needs at a given age may have reduced earnings before this point.

CALL FOR EVIDENCE 11:

What additional evidence can you provide on the ability of people of different ages to plan prepare and build up assets both before and after they develop eligible care needs?

We have heard from some stakeholders that some of the problems faced by working age adults might be addressed more effectively through the charging framework. Any alternatives to options based on varying the level of the cap only could not increase costs above the existing funding allocation set out in Annex A and would need to fit within the legal framework set out in the Care Bill. Increases in costs elsewhere in the system would need to be offset by a higher cap for working age adults.

CALL FOR EVIDENCE 12:

How could new charging rules and options for a lower cap work together to address problems faced by working age adults?

Please explain how this would deliver the principles above and how increases in costs could be offset to ensure that the overall costs of the reforms are unchanged.

CALL FOR EVIDENCE 13:

What factors should determine the age it is appropriate for people to begin to contribute towards the cost of meeting their needs?

What factors should determine how the cap on care costs should rise after this point?

We intend to set the level of the cap on care costs based on:

- The age of a person at the point at which they are assessed having eligible needs; or
- When they request an assessment if there is a delay in the assessment taking place.

However, we recognise in some cases individuals may have their care needs met through different services e.g. NHS. In such circumstances it might be appropriate to set the level of the cap based upon the age at which individuals first develop needs rather than when these become the responsibility of adult care and support. This might support integration and transition between different organisations and services and help ensure individuals are treated in the appropriate care setting.

CALL FOR EVIDENCE 14:

How should the cap on care costs be set for people whose eligible needs are initially met by services other than adult care and support?

Please explain your answer

Aligning contributions in different care settings - daily living costs

In line with other local authority benefits such as pensions, attendance allowance and disability living allowance / personal independence payment, we will set the contribution to daily living costs at a national level, which from 1 April 2016 will be around £12,000, or approximately £230 per week.

We recognise that not all individuals will have sufficient income to pay it. Local authorities will need to assess what people are able to contribute and financial support will be made available for those who cannot afford to pay. We believe that it is appropriate that financial support is available on the same basis as financial assistance with care costs. This would create a single unified system of financial assessment for people both before and after they reach the cap.

CONSULTATION QUESTION 4:

Do you agree the contribution a person makes to daily living costs should be calculated on the same basis as financial assistance with care costs taking into account both a person's income and assets?

We believe the benefits of a national approach of simplicity, transparency and consistency outweigh the potential disadvantages for some people.

Ensuring a sustainable system - annual adjustment to the cap and five yearly reviews

The level of the cap on care costs, contribution to daily living costs, the financial limit and care accounts will be adjusted annually in line with average earnings to reflect inflation. This will ensure the reforms remain affordable and fair, so people with a care account will not be disadvantaged. This increase in the cap on care costs and the progress towards the cap will be reported as part of the annual update of the care account.

In addition to the annual adjustment we will review how the cap on care costs is operating every five years. The results of this can be used to inform government decisions on long term affordability and spending allocations, and whether changes to the level of the cap or other parameters, such as daily living costs, may be needed. The first review must be completed within five years of the clause commencing, so subject to legislation the first report will be published by April 2021. Further reviews must take place within any five year period, so future Governments can align the reviews with future decisions on spending.

Protecting your home – universal deferred payment agreements

People's homes are often their most important asset and have both financial and emotional value to families. Selling the home is sometimes necessary to pay for residential care, but it is a major step and can be distressing and difficult to arrange. There are many practical, financial and emotional reasons why people would prefer to keep their homes for longer when they go into residential care.

12 week property disregard

Currently, when a person moves permanently into residential care and their home is not occupied by a spouse or dependent relative, the value of their home is likely to be taken into account when the authority determines what the adult should pay towards their care fees. However, the value of the home is not included in the local authority financial assessment for the first 12 weeks of their stay.

The 12 week property disregard is an important feature of the existing system and the Government is not proposing changes to how care is paid for during this period. However, we are seeking views on what local authorities and individuals could do to make best use of this period to support transition and decisions. We are interested in good practice local areas may already have developed.

CALL FOR EVIDENCE 15:

How could the 12 week disregard be used to better support people to make decisions and practical arrangements about their care and finances?

Deferred Payment Agreements

In simple terms, a deferred payment involves the local authority agreeing to pay someone's care fees on their behalf while the person agrees to repay later, generally from their estate or the sale of their home. The repayment is secured against their property by a legal charge. For the first time, regulations under the Care Bill will require all local authorities to offer deferred payment agreements to ensure people do not have to sell their homes in their lifetime to pay for residential care. The proposed criteria are described below including:

- Who will qualify for a deferred payment
- What fees they can defer
- What other support people will receive
- Their rights and responsibilities, including interest and charges.

Who will qualify for a deferred payment?

We propose that people who meet all of the following criteria should be able to qualify for a deferred payment:

- Anyone who would benefit from residential care, based on a local authority assessment of needs which takes reasonable account of the person's preferences
- Who has less than £23,250³ in assets *excluding* the value of their home (i.e. in savings and other non-housing assets)
- Whose home is not occupied by a spouse or dependent relative (i.e. whose home is not taken into account in the local authority financial assessment, and might need to be sold).

What this would mean is that people who qualify for state support during the 12 week disregard period will also be entitled to a deferred payment, available to start from the thirteenth week. More generally, we also intend that authorities should have the discretion to provide deferred payments to people in residential care who do not necessarily meet all of the mandated criteria above.

CONSULTATION QUESTION 5:

Do you agree our proposed criteria for determining who qualifies for a deferred payment?

Are there any examples of where greater flexibility might be necessary to ensure people do not have to sell their homes in their lifetime to pay for care?

People who do not have mental capacity to agree to a deferred payment will be able to qualify, although their lasting power of attorney or court-appointed deputy will be responsible for setting the deferred payment up on their behalf.

Within the criteria above, local authorities have said there may be situations where it is particularly challenging to offer a deferred payment. This may be because of difficulties securing the debt or recovering the costs later on.

CALL FOR EVIDENCE 16:

What situations may make it more challenging to offer a deferred payment?

How can we address such situations to ensure people have consistent access to deferred payments without putting the local authority at unfair financial risk?

What fees can someone defer?

People will be able to defer the full costs of their residential care and accommodation, up to the equity in their home (plus other assets). The deferred payment will cover the cost of any registered care home the person might want to choose. It is important that people are able to live in the care home of their choice providing they are willing to pay.

The cap and extended access to financial support will normally protect people with limited assets from deferring more than they can repay. However, there is an issue of how best to deal with a situation where somebody becomes unable to afford further care fees and the care home is more expensive than the local authority would normally expect to pay.

The answer might involve a combination of good information and forward planning, use of third party top ups, agreement to move to a care home within the local authority price range, or in exceptional cases a restriction on choice of initial care home.

CONSULTATION QUESTION 6:

Do you agree with the principle that local authorities should have the discretion to introduce reasonable safeguards to ensure deferred payment agreements can be repaid? If so how can this be done in a way it supports people's choice of care home?

Use of disposable income

After paying for personal and household expenses, people may have remaining income from their pension, rents from their home or other income. For most people it will make financial sense to use their remaining income to pay for care, as this will reduce the amount deferred which is subject to interest payments. We are keen to explore whether people should have the freedom to choose how much to pay out of their income, or whether people should be required to make an income contribution towards their care fees once they have met personal and household expenses.

CALL FOR EVIDENCE 17:

Should people be able to decide the proportion of their care costs met by their income and how much is deferred?

Or should they be required to make an income contribution towards their care fees (once they have met personal and household expenses) and defer the remaining balance?

CALL FOR EVIDENCE 18:

If you think people with significant disposable income should contribute some of their income towards their care fees, then what types of personal and household expense should be taken into account before determining the income contribution?

How long can the deferred payment last?

We envisage some people will defer payment for longer or shorter periods of time depending on their circumstances. For those deciding to sell their home, it will provide the time to arrange a sale and to achieve a fair price, as well as to take care of property and possessions. Others may prefer not to sell their home and the deferred payment will allow them to retain ownership during their lifetime. In many cases, this will allow people to put their home to use, people may want a friend, family member or carer to live in their home or the home could be rented out and the income used to help pay for care or to support family.

For those who do choose to repay from their estate, we intend local authorities should respectfully wait for up to three months after someone has died before actively seeking repayment, allowing everyone time to settle their affairs.

CONSULTATION QUESTION 7:

Do you agree local authorities should normally wait for up to 3 months after someone has died before actively seeking repayment?

Are there circumstances in which the local authority should wait longer?

Support for homeowners

We are consulting on how local areas can develop a programme of support for homeowners. Many housing related services already exist but may not be easy for people in care to access or tailored to their requirements. There are opportunities for local authorities, voluntary and community organisations and financial services to work together to improve and co-ordinate access to these services. We are interested learning about good practice that may exist now and how to support future developments. We also welcome comments from authorities on resource implications associated with providing this support.

CALL FOR EVIDENCE 19:

How could local areas develop support for homeowners to maintain, sell or rent their home?

Are there examples of good practice that already exist? How could local areas support innovation in this area in the future? What is the likely impact of deferred payments on housing more generally?

Information and advice

An important consideration is that people who take out deferred payments do so during a period of transition into residential care and as an alternative to having to sell their home. We want information designed around this situation to assist people with decisions, not to involve them in unnecessary cost or effort during a difficult time.

The information people receive in relation to deferred payments is one aspect of the wider need for good information and advice when people go into residential care.

CALL FOR EVIDENCE 20:

What information do people need when they take out a deferred payment?

Ensuring deferred payments are financially sustainable

The Government has announced additional funding to local authorities, for the scheme to be financially sustainable over the long-term it is important local authorities are able to recover their costs. This will be dependent on local authorities being able to charge interest and administration costs.

Local authorities will be able to charge an administration fee to cover the upfront costs of offering a deferred payment. We are seeking evidence on administration costs to inform this decision and invite local authorities to provide a breakdown of what it costs to offer a deferred payment. This should not include the costs of universal services such as the needs assessment.

CALL FOR EVIDENCE 21:

What are the administration costs associated with offering a deferred payment?

Please provide a breakdown.

Which of these costs is it appropriate to pass on to the resident?

The deferred payment will be an affordable option for people. This is partly because the local authority will not aim to make a profit and partly because the deferred payment will operate like a draw-down mortgage (whereby the care fees are deferred in regular instalments) rather than as a lump sum. The Government will consider whether additional protection is needed to ensure interest payments are affordable for the most vulnerable.

We are interested in whether our proposals for deferred payments, which include charging interest, could have implications for Islamic or other faith groups who do not agree with interest on religious grounds. We are open to considering alternative approaches, for example adopting similar approaches from Islamic finance.

CALL FOR EVIDENCE 22:

What alternative approaches would still allow authorities to recover their costs, for example based upon approaches from Islamic finance?

Local authority processes for setting up deferred payments

We want the process to be as simple as possible for both sides so that people can proceed without unnecessary cost, delay or bureaucracy. We are seeking views on how well local processes for deferred payments currently work, and on what could improve.

CALL FOR EVIDENCE 23:**How well do current local authority processes for deferred payments currently work and what could improve?**

We intend that from April 2015 all deferred payment agreements will be made using powers expressly designed for the purpose in the Care Bill. The Bill will also contain powers to recover debts but these would not be used where someone qualifies for a deferred payment agreement and is willing to take that option. This will ensure there is one approach based on principles of information, security and consent.

Wider flexibility to offer deferred payments

Some local authorities have suggested local authorities should have wider powers to offer deferred payments in a wider variety of situations. We are sympathetic to this proposal and see the value in giving authorities the flexibility to innovate. However, we think there is a need for more information on how local authorities plan to use the powers and how they would work in practice.

CONSULTATION QUESTION 8:**Do you agree that local authorities should have additional flexibility to go beyond what they would normally cover and allow people to defer care charges to help them get the care they want in wider circumstances such as domiciliary care?****CALL FOR EVIDENCE 24:****If you agree that local authorities should have additional flexibility to defer care charges, please explain in as much detail as possible:****What situations these powers would help with?****How the deferred payment would work in practice?****Are there new risks or costs associated with wider user of deferred payments:
For people in care and their families? For local authorities?****What value would specific powers add over and above the general flexibilities local authorities have under the Localism Act?****Improved options for those who pay for their care**

At the moment, there is a limited market of financial products to help people pay for their care. Products tend to be expensive or limited in how they can help because there is no limit on the fees someone might need to fund. A range of demand barriers including low awareness of care costs and difficulty finding advice has also limited the market.

As a result it is difficult to plan ahead for care costs, other than by general saving and buying a home. We expect financial services to respond in time for 2016. We think a range of solutions will develop for people at different stages of their life, including people with different levels of wealth. These will need to be affordable and work coherently with both the cap on care costs and the financial assessment. We want to see products help people pay for domiciliary as well as residential care whilst supporting families and carers as well as those who need care.

CALL FOR EVIDENCE 25:

What financial solutions will be important in helping different groups pay for their care?

What are the priorities in terms of supporting the market to develop?

Meeting your eligible needs

Everyone with eligible needs will have a personal budget or independent personal budget that will set out how much it would cost the local authority to meet a person's eligible needs and how much counts towards the cap.

- The total amount the local authority calculates it would cost to meet these eligible needs will count towards the cap, regardless of whether the individual solely pays the costs themselves, or whether payment is split between them and their local authority.
- Everyone with eligible needs will have a care account that will show their total accrued costs that count towards the cap.
- We will support people to plan and prepare by helping them to predict when they may reach the cap, even as needs or circumstances change. Local authorities will provide an update of people's care account at least annually, or at the reasonable request of the individual.
- We will ensure continuity of care over time and between local authorities. Care accounts will be updated by a local authority until requested by another local authority.
- We will ensure the arrangements for resolving disputes and providing redress are effective.

Measuring what counts towards the cap – the personal budget

People who have eligible needs for care and support will receive a statement that will show the amount that is counting towards the cap. This will take the form of a personal budget, as part of their care and support plan, for those who have chosen for the local authority to meet their needs, or an independent personal budget for people who have chosen to meet their own needs. A person will not have both a personal budget and an independent personal budget at the same time.

Budgets will show what counts towards the cap on care costs. For completeness they must show the contribution that a person has to make to daily living costs, clearly separating out what is counting towards the cap. To provide transparency and support planning a Budget must show the total amount of the cost of the package the local authority is going to provide or would provide to meet the person's eligible needs, their contribution to daily living, and where the local authority is meeting the person's needs any contribution they have been assessed to pay towards the cost.

Only the costs of meeting eligible needs for care and support will count towards the cap. Costs of meeting needs that are not eligible needs, and of other services, such as NHS services, will not be counted. Over time, people may receive different types of support from different organisations but their Budget and care account must specify the costs of meeting care and support needs. Where people receive different types of support from different organisations, it is important that they are able to bring these together to integrate their care.

Many people who receive both health and social care could benefit from a joint single budget that brings together both social care and NHS funding streams, and enables people in partnership with professionals to find ways to meet their needs in a holistic and personal way. People will be given a record of their Budget when it is prepared, or upon reasonable request

of the person, alongside a statement showing the total accrued costs that count towards the cap on care costs.

CALL FOR EVIDENCE 26:

What additional information should be included in a personal budget or independent personal budget to accommodate these reforms, support transparency and planning?

Calculating what counts towards the cap

Care and support plans will show how a person's needs are going to be met. They will be developed in partnership with the person receiving care and support, or their representatives, to ensure that they receive types of care and support that promote their wellbeing.

We believe that the principles underpinning the independent personal budget should be the same and therefore must be designed to:

- Support the overall outcome of promoting a person's wellbeing
- Be equitable to everyone who accesses local authority support, no matter whether they pay for their own care, or where they live
- Ensure consistency in the outcome of the calculation of the costs of meeting a person's needs according to their individual circumstances as if the local authority was under a duty to meet them
- Be transparent over the calculation and the basis for it
- Where needs are being met by a carer, reflect the carer's ability and willingness to care, and the impact of continuing to provide this support
- Reflect what it may reasonably cost a local authority to meet a person's needs according to their particular circumstances.

However, unlike with a personal budget, local authorities will not necessarily develop a care and support plan to arrive at an independent personal budget. We welcome views on this.

Caring for our future

What extra information local authorities might need to calculate the independent personal budget to reflect the person's needs, preferences and what support is available locally that they would not get through an assessment.

CALL FOR EVIDENCE 27:

What sort of information does a local authority need to calculate an independent personal budget that they might not get through an assessment?

There may be some scope for local authorities to take a different approach to calculating the independent personal budget to the personal budget whilst still basing the method on these principles. We intend to develop statutory guidance on the development of personal budgets and independent personal budgets. In this guidance we will seek to balance consistency with local flexibility.

CONSULTATION QUESTION 9:

Do you agree with the proposed principles for calculating the independent personal budget and personal budget?

Given the wide variation in local circumstances across the country it is unlikely a single national RAS will be implemented across England. However, we intend to define in guidance a set of common principles on which all Resource Allocations Systems should be based. Many local authorities may choose to use a RAS to determine a person's personal budget or

independent personal budget. However, we recognise that, as each local authority has freedom to determine their own policies to suit their local populations, there may be variation in the approach and tools used. However, we have heard from some local authorities who have chosen to move away from using a RAS as they have found the tools were not robust enough for their purposes.

We welcome views on experience of setting personal budgets and the use of Resource Allocation Systems and how we should build on existing work by TLAP to inform development of the statutory guidance on the general principles for resource allocation and the requirements on information systems to support delivery.

CALL FOR EVIDENCE 28:

How should we build on the common principles for resource allocation systems (covering five areas: equity, people with high support needs, future-proofing, unpaid care and support, needs of carers), existing good practice and guidance to ensure consistency, equity and transparency in the setting of independent personal budgets? How should this be reflected in the requirements for local authority information systems?

Reviewing needs and budgets as circumstances change

People will need a clear understanding of how much they might need to contribute towards the costs of their care so they can plan and prepare. People's circumstances will change over time, including:

- Their care and support needs and how best to meet them, including where these needs are met
- The support available to help them meet these needs
- Their ability to pay from their own income and assets
- The cost to meet their eligible needs
- Innovations to the type of care and support available to meet their needs.

To ensure individuals continue to receive the right support and the progress towards the cap on care costs is an accurate reflection of the costs the local authority is paying for, or would pay to meet those needs, there will need to be an on-going relationship between the local authority and the person receiving care and support. Local authorities will have a duty to keep care and support plans, personal budgets and independent personal budgets under review to ensure they are still relevant to the needs of the person. This includes ensuring they reflect any changes in the cost of care to local authorities. In addition, people will have the right to approach their local authority to request them to conduct a review of their care or support plan.

Timely reviews should ensure a smooth transition between different stages of a person's care journey and seamless and accurate reporting of the person's progress towards the cap on care costs. The Government wants to ensure a consistent and proportionate approach to reviews. We expect local authorities will develop a range of options, building on approaches used to assess people's needs. We will continue to work with local government and other partners to set out guidance on reviews to balance flexibility, local discretion and consistency.

CALL FOR EVIDENCE 29:

How can we ensure a proportionate approach to reviews so personal budgets and independent personal budget record the costs of meeting a person's needs as circumstances change?

Recording progress towards the cap – the care account

The record of a person's progress towards the cap on care costs will be captured in their care account. Government wants to ensure everyone has a clear understanding of their responsibility for their care costs and be able to predict when they may reach the cap and therefore qualify for additional support towards the costs of meeting their eligible needs. We intend local authorities to provide individuals with an update of their care account at least annually or at the reasonable request of the individual. The annual care account statement should become an equivalent to a person's annual mortgage statement or pension statement.

As the cap on care costs will be adjusted annually to reflect inflation, it is only right accrued costs should be adjusted so they do not lose their value over time. Local authorities will therefore be required to adjust care accounts annually in line with the adjustment to the cap on care costs and show this in the care account statement.

The annual statement should include the:

- Level of the cap on care costs
- Current rate of progress towards the cap on care costs – from the personal budget or independent personal budget
- Progress towards the cap to date - accrued value of personal budget or independent personal budget over time.

We think other information would support a person's planning. For example, projections of when the person could:

- Reach the cap given the current rate of progress, expected annual adjustments on the cap, and assumptions about their Budget
- Qualify for financial support because their assets fall below the new financial limits.

CALL FOR EVIDENCE 30:

We welcome views on whether the annual care account statement should include projections of when a person may reach the cap, or qualify for financial support. How can this be provided without putting the local authority at risk of challenge?

How would this support a person's planning?

What impact would this have on the complexity of local authority systems needed to operate the care account?

How can local authorities reduce the risk of challenge?

We therefore intend to give local authorities the flexibility to apply discretion in certain cases where an annual update is unnecessary, for example, where a person has not had care needs for many years or where they have already reached the cap.

CONSULTATION QUESTION 10:

Do you agree that local authorities should have flexibility on providing annual updates where a person has not had care needs for many years, or they have already reached the cap?

In what other circumstances should discretion be given?

Who is responsible for your cap or deferred payment – ordinary residence

Responsibility for the operation of the cap on care costs will rest with the local authority in whose area the person is ordinarily resident. In most cases this simply means where the person lives. Responsibility for a deferred payment agreement rests with the local authority who arranges the contract. This could theoretically be a different local authority to the one responsible for the operation of the cap in some circumstances.

When a person is placed by one local authority in residential care in the area of another local authority, the first local authority retains responsibility for their care. The new provision for cross border placements in the Care Bill means this will be extended so if a local authority in England places someone in residential care in Northern Ireland, Scotland or Wales, that person will remain the responsibility of the English local authority.

CALL FOR EVIDENCE 31:

We welcome views on what incentives the cap on care costs and deferred payment arrangements in combination with ordinary residence rules may create for individuals, or local authorities, and how the number of transfers between local authorities may change as a result.

CALL FOR EVIDENCE 32:

We welcome views on how we can support local authorities understand who is responsible for the person's care account and deferred payment agreements.

Ensuring continuity of care over time and between local authorities

Care accounts will be retained by a local authority for everyone who has had eligible needs at any time following the introduction of the cap on care costs in April 2016. If a person's care needs or circumstances change and their needs are no longer eligible, the record of their accrued costs will be retained by the local authority. If at a future point the person's needs again become eligible, then their new costs will be added to their previous care account. Local authorities will retain and update the person's care account as appropriate until it is requested by another authority.

Providing redress and resolving complaints

People who fund their own care will be able to compare the price they may pay for care with the price the local authority would pay to meet their eligible needs. They may find they are paying a different price to the local authority. This can be because people who fund their own care have chosen premium facilities or because the local authority is able to negotiate a lower price in exchange for buying care for a large number of people.

The Government believes the assessment process for determining eligible needs and the system for calculating funding contributions should be designed to minimise the need for disputes. However, there will be cases where people wish to dispute decisions about funding or entitlement that are made by local authorities. It is important there are effective mechanisms that allow them to do so. Existing complaints provision for care and support is set out in regulations.

We will look at the existing complaints arrangements as they relate to care and support funding and will assess whether there are effective means of challenging local authority decisions.

In reviewing the process, we wish to ensure the following principles underpin mechanisms for providing redress and resolving complaints. Mechanisms should:

- Be clear and easy to understand

- Be locally accountable
- Be fair and effective and should therefore have public confidence
- Resolve issues in a timely, effective and cost-effective way
- Have an independent element
- Promote local resolution, minimising the need for more formal challenge mechanisms which could be costly and time-consuming.

CONSULTATION QUESTION 11:

Do you agree that the principles above should underpin mechanisms for providing redress and resolving complaints?

Our current assumption is a tribunal process would be likely to slow down the process of resolving complaints and add significant costs, introducing a further burden on the system. We believe it is advantageous to have a flexible system that works well and efficiently at local level and in a manner that is proportionate to the type of complaint.

One model which may be relevant is that by which parents are able to appeal against the refusal of a place for their child at a school for which they have applied. In this system, appeals are heard by an independent panel of at least three people. The panel must communicate a decision and the reasons for the decision within five school days. This provides a quick, independent route to challenge the process and merits of such decisions. The panel's decision is binding and can only be overturned by a court. We would welcome views on whether the principles of such a system are appropriate for reviewing local authority assessments for care and support.

CALL FOR EVIDENCE 33:

Given the reforms to the care and support funding system do you consider that existing processes to provide redress and resolve complaints are appropriate and accessible?

Please explain your answer.

CALL FOR EVIDENCE 34:

Do you agree that a tribunal system would be likely to slow down the process of resolving complaints and add significant costs, introducing a further burden on the system?

Please give evidence to support your answer.

CALL FOR EVIDENCE 35:

Are there any lessons that can usefully be drawn from complaints processes in other sectors or local areas?

Please provide evidence of approaches in other sectors that you believe would be more effective.

CALL FOR EVIDENCE 36:

Do you have a view on the strengths and weaknesses of adapting a mechanism similar to that used in the schools admissions code appeals process for adult care and support?

When the cap on care costs is reached

- Once people have reached the cap, we want to see a smooth transition to them having their eligible care costs paid by their local authority, which avoids any unnecessary disruption to care. People will be aware of when they have reached the cap.
- People should have a clear understanding of what care and support package the local authority would provide after the cap, and what their contribution would be if they continued to receive the same services.
- We will seek to maintain continuity of care, individual choice and independence by giving people greater choice over types of care and support and the ability to top-up from their own resources if they choose to do so.
- Financial advice will help to reduce risks to local authorities, care providers and service users from greater flexibility and use of top-ups. We seek views on what more is needed to manage these risks.

Transition to local authority support

People who are progressing towards the cap on care costs will have regular contact with their local authority. To ensure people know when they have reached the cap local authorities will be under a statutory duty to inform them. The effect of this duty will be to put the person in the same position as people for whom the local authority is already arranging care and support; this means that the local authority must prepare a care and support plan (including a personal budget), and will be subject to on-going duties to keep this plan under review.

As people near the cap on care costs, we would expect the local authority to understand a person's preferences for how their eligible needs are met, including for different types of care and support. People who reach the cap on care costs should have a clear understanding of what the local authority would pay towards their care after the cap and what their continued contribution would be if they continued to receive the same care and support.

We would be grateful for views on how this transition can be managed more effectively for people who have been arranging their own care and support. In particular, we would like to receive advice on how the key requirements placed on local authorities by the duty to meet needs - care and support plans, personal budgets, direct payments, right to a choice of accommodation - could be used proportionately to support this process.

CALL FOR EVIDENCE 37:

How should the transition for people who have been arranging their own care and support be managed most effectively?

How should the key requirements placed on local authorities - care and support plans, personal budgets, direct payments, right to a choice of accommodation – be used proportionately to support this process?

Personal choice and control over care – direct payments in residential care

The ability to make direct payments in residential care would ensure people have a choice in whether to take up a local authority provided service or a direct payment. This would ensure everyone can exercise choice and control in the new system. Direct payments in residential care will be rolled out in April 2016 alongside the introduction of the cap.

Personal choice and control over care – additional payments ('topups')

People should be able to spend their own money as they see fit including purchasing more expensive care and support for themselves, if they wish to do so. Currently, a person who arranges and pays for their own care can spend as much as they wish on their care. However, where a person receives local authority support they face restrictions on their ability to top up their care fees. This means that in most cases, top-ups will be made by a third party, because the adult's personal financial circumstances should already have been taken into account in deciding what charges they must pay for their care.

We are seeking to better understand the impact of such a relaxation in the restrictions on top ups. There may be some concerns that vulnerable adults who are receiving care and support could feel forced to top-up, and that some local authorities might seek to use topups as a way to keep down costs . Equally there are potential risks to local authority finances, care and support providers or to an adult's continuity of care if top ups are used inappropriately. We are keen to hear views on what more should be done to manage these risks in a way that is consistent with giving people greater choice over their care and support.

CALL FOR EVIDENCE 38:

The provision of financial advice on paying for care will help manage some of the potential risks to local authorities, care and support providers and the adult from greater flexibility over the use of top-ups to pay for types of care and support.

What more can be done to support people and local authorities to help ensure top-ups are used appropriately and to manage these risks in a way that is consistent with allowing people choice over their care and support?

Making it happen

We will continue to engage throughout the implementation process, up to April 2016 and beyond. We will bring together key representatives from organisations with either a specific responsibility to deliver the transformation in how care is paid for, a significant role in the leadership of the system, or which represent people who are receiving care and support, carers and care and support providers who will be affected.

The roadmap for implementation of funding reform below provides a high level summary of some of the key work streams and major activities that together will support implementation of these reforms. The Department of Health, LGA and ADASS will work together on detailed implementation plans to ensure effective preparation for implementation of reform over the summer and into autumn.

Transition to the introduction of the cap

From April 2015, subject to the passage of the Care Bill, local authorities will have to ensure they meet the requirements set out in the Bill for people already receiving care and support. This will require all people to have a care and support plan which includes a personal budget. We expect local authorities to use the review they have planned with individuals throughout 2015 to make sure they meet these requirements. This will also ensure these individuals will have their personal budget calculated in advance of April 2016. This will ensure local authorities have the information they need to create a care account from 1 April 2016.

A combination of early assessments before introduction of the cap on care costs and use of a range of options to meet the demand for assessments may be needed by some local authorities to meet this demand. We believe local authorities should consider beginning assessing people who arrange their own care and support from November 2015, six months before the implementation of these reforms. The Spending Round settlement announced on 26 June includes £285m of Local Government DEL and £50m of capital funding for local

authorities in 2015/16 to cover the costs of implementation of the cap and the requirement to offer deferred payments for residential care.

IMPLEMENTATION QUESTION 1

Do you agree local authorities should conduct assessments of people who are funding their own care and support up to 6 months before the introduction of the cap on care costs?

IMPLEMENTATION QUESTION 2

How could local authorities use reviews they have planned with individuals throughout 2015 to prepare for introduction of the cap on care costs in 2016?

CALL FOR EVIDENCE 39:

We welcome examples of needs assessment practice and what we can learn from them to help manage the demands on local authorities from the introduction of the cap on care costs.

CALL FOR EVIDENCE 40:

We welcome views on how the Government, working in collaboration with local and national partners, can best encourage people who arrange their own care and support to come forward for an assessment prior to April 2016.

Transition to new charging arrangements

2014/15 Annual update of residential care charging regulations and statutory guidance for non-residential and residential care settings.

2015/16 New charging regulations for non-residential care settings and update of residential care settings to reflect new legal framework and deferred payments, and roll out of universal credit. Subject to decisions on annual adjustments, the existing financial limit will continue to apply but new consistent, transparent approach to charging in all care settings will apply.

2016/17 Amendment of regulations in all care settings to reflect introduction of the cap, contribution to daily living costs when in residential care and the extension of financial limit in residential and non-residential care.

2017/18 onwards Update to reflect welfare reform which is not due for completion until around 2018.

Distribution of funding

The Government recognises the fiscal commitment that implementing funding reform entails. The Department of Health has commissioned independent experts to produce new funding formulae to allocate funding to local authorities for care and support. LG Futures have recruited the LGA, ADASS and some of the local authority associations onto an external advisory group - together with some leading academics to ensure the research addresses the challenges facing care and support in 2015 and beyond.

Data collection from local authorities is planned, including details of people who arrange their own care and support. This could be available from autumn 2013 with a view to analysis and production of new formulae by spring 2014 and provisionally, a consultation on new formulae in summer 2014.

The new formulae could be used for deferred payments and other White Paper and Care Bill commitments, and in 2016/17, for the cap on care costs and extension of financial support. No decisions have been taken on the use of the new formulae in this funding.

Workforce development

The introduction of funding reform will add further to this workforce challenge. The increase in demands on local authority resources, together with the different needs, expectations and characteristics of the people that will come into contact with local authority systems from 2015 will present a capacity and capability challenge local authorities need to respond to.

This may require new approaches, systems and tools, and the extension of the workforce to include partners who work with local authority resources to deliver the desired outcomes. This could have implications for both the existing workforce, but also in terms of preparation and guidance needed by commissioners and workforce leads to make decisions about what may fill this 'gap'.

We are working with the ADASS Workforce Development Network and Skills for Care as part of their workforce development role. Together they have access to the knowledge and experience of local workforce issues across all local authorities, and good practice in workforce development. Through them, we will provide the sense of direction for local government on workforce development issues, and will support the definition of the professional standards and training needed to meet these challenges.

IMPLEMENTATION QUESTION 3

We welcome views on the implications for commissioners and workforce leads from the potential use of partners' resources to help manage the demands on local authorities from the introduction of the cap on care costs and how this should be addressed within the workforce development strand of the implementation programme.

Information system development

Information systems vary considerably across the 152 local authorities in England. New functionality has to fit within the existing development roadmap for the supplier and the local authority upgrade plans.

The Government will work with ADASS and other interested parties to explore the opportunity this change brings to support integration with health and other organisations' IT systems, through greater and more consistent use of the NHS number as a person's unique identifier. It is important this supports wider developments around ADASS' vision for a web of support.

At this stage, we are focusing mainly on developing a cohesive approach across the sector including establishing key requirements for the systems. Publications or advice documents may be developed at a later date. We welcome views on likely reaction and appetite for possible solutions, including the extent to which we should seek to specify requirements at the national level to guide development of individual software solutions.

Market shaping and oversight

Greater transparency over the prices of types of care and support could provide consumers of care and support with improved market information assisting them in their choices and decisions over the care they purchase. Local authorities should have better data on the needs of people in their area and how these needs are being met in domiciliary through to residential care settings. They will therefore have a clearer oversight of the shape of local demand and supply. This should help them to develop their strategy for the development of a local market that meets people's needs effectively, and to work with care and support providers to achieve this vision.

With the introduction of the cap, a person who is receiving care and support and paying the costs themselves will increasingly have contact with their local authority to establish their eligible needs and get their care account switched on. They will therefore become aware of the costs local authorities could secure their care provision for (as this will be the rate at which they progress toward the cap on care costs), and could ask the local authority to meet the needs – although the local authority can charge a fee to cover the costs of arranging this service

This could present both local authority commissioners and care and support providers with new challenges and opportunities. It is likely this greater transparency in the prices paid by the local authority will change the care and support market, although it is not clear whether pressure may fall on commissioners, care and support providers or both. We are seeking evidence to help us better understand how the market may change in response to these reforms with a view to developing a programme of work to address them.

IMPLEMENTATION QUESTION 4

We welcome views on how local authority commissioning and care and support provider provision should adapt to take advantage of the opportunities provided by the introduction of funding reform and respond to the challenges it may present.

IMPLEMENTATION QUESTION 5

We welcome views on how funding reform and increased transparency will affect the shape of local markets for types of care and support, and evidence to understand how the demands on local authorities to arrange care on behalf of people who arrange their own care and support may change.

Direct payments in residential care

The scope of the direct payments in residential care programme has been changed to reflect the commitment to roll out direct payments to adults receiving residential care in April 2016 alongside the introduction of the cap. The trailblazers consist of a variety of local authority type, and differ by geographic location, local population and care home providers. We are working on proposals for an independent evaluation that will report on the methods used to implement the policy, and help to inform future guidance on implementation. Regulations currently restrict direct payments from being provided for long-term residential care, so we will introduce an amendment to allow the trailblazers to legally provide direct payments. The trailblazers are establishing their internal processes over the summer, with the plan to go live with direct payments in residential care from autumn 2013.

Review of Adult Education

Report by the Director of Community Services

Summary

At the 9 July 2013 meeting of this Panel it was agreed that the Cabinet Member for Communities would be the sponsor for a review of the Adult Education Service and that an interim report should be brought to a future meeting in September or October 2013.

This report summarises a desk-based review of the Adult Education Service.

The review has addressed the following areas:

1. The contribution of the service to the skills agenda for Norfolk

1.1 The service makes a significant contribution to the skills agenda for Norfolk on many fronts through directly delivered programmes and through its commissioned work. It offers a range of vocational programmes, concentrating in particular on lower level vocational courses that prepare people for further training in the service and in other institutions (University and FE Colleges) and/or work. In the 2012/13 academic year, these programmes were delivered to 14,000 learners.

1.2 There are some key differences between the council's service and that of the colleges:

- a. the majority of the service's learners are adults, although there is a significant programme for young people
- b. the service delivers across the county in a wide range of urban and rural locations
- c. the service is more sharply focused on basic level courses for people whose first experience of education was poor
- d. the council service is unique in delivering a large programme of Community Learning throughout the county worth £1.6m

2. Current funding arrangements and any additional costs met by the council

2.1 The council's service is funded by the same central government department agencies (the Skills Funding Agency and the Education Funding Agency) as private training providers and the four Norfolk General FE Colleges – City College Norwich, Great Yarmouth College, the College of West Anglia and Easton and Otley College.

2.2 The budget for the 2013/14 academic year is £6,527,931. This is a reduction on previous years. The service's management is currently consulting its staff about the removal of some posts that will enable it to live within budget. This, together with the shift over time to delivering some sub-contracted provision, means that a reduction of just over £500,000 needs to be made.

2.3 This funding comes to the council in the form of grants from central government agencies and fee income. The service already uses it to deliver skills provision but it could be used more strategically by the council to lead and drive economic growth in the county in closer partnership with the FE colleges and private training providers.

2.4 The council's ongoing bid with the Greater Anglia Local Enterprise Partnership (LEP) to secure City Deal status provides a platform for the council's strategic leadership role on skills development and economic growth in which the service's funding would play a central role.

3. Current performance of the service

3.1 The council's Ofsted inspection report compares very favourably against comparisons with the four Norfolk FE colleges.

3.2 In terms of learner success rates, which are the key performance measure of the Skills Funding Agency, the service generally performs above national benchmarks. Performance is less strong in the area of apprenticeships where the council service is several percentage points below the national picture.

4. Service budget Issues

4.1 The service is in the process of reducing its management and administrative costs by around £500,000 in order to balance its budget for the 2013/14 academic year. These adjustments are necessary as reductions in grant funding together with the impact of commissioning means service overheads are higher in proportion than in previous years, noting that 68% of the service's income (£6.5m for 2013/14) is spent on staffing.

4.2 The non-teaching staffing costs for this type of work are high compared to some other council services, although there is anecdotal evidence that they are not out of line with other government funded training providers.

5. Property issues including Wensum Lodge

5.1 The service delivers learning from around 390 sites that are hired on a sessional basis. In addition the service has three main permanent sites - Wensum Lodge in Norwich, Thorpe Adult Education Centre and the Learning and Community Centre in Attleborough.

5.2 Neither Wensum Lodge nor Attleborough properties are efficient to run, although the Thorpe site covers its costs and measures are in place to increase occupancy and income levels at Attleborough. Wensum Lodge has for many years been a key learning venue, for Community Learning in particular, and is much loved by residents of the county as well as the city.

6. Accessibility

6.1 An analysis of the geographical distribution of courses (table at 7.1 of the report) shows that 50% of the vocational qualification courses and 62% of the Community Learning courses are held in Norwich. The main inhibitor of providing more extensively to rural areas is the cost as courses in rural locations do not always attract people in large enough numbers to make the course financially viable.

6.2 The service provides its own crèche provision alongside its Family Learning programme where there is greatest need. This is free to service users and funded from the council's government grant. In 2012/13 there were 200 crèches running in all parts of the county.

6.3 The service is funded to offer additional financial support to help learners on low incomes with the cost of tuition fees, books, equipment and childcare. Last year it helped nearly 400 people with funding of £75,000 in total.

7. Options for delivery of the service

7.1 Four options for delivery are considered:

- a. move provision to the colleges and cease direct delivery
- b. commission provision from a social enterprise and/or private training providers
- c. status quo with efficiency improvements
- d. merge with the Library and Information service

Action required

Panel Members are asked to:

- a. discuss the information provided in this review
- b. consider whether there are further issues that they would like reviewed
- c. consider the conclusion that the service should merge with the Library and Information Service

1 Introduction

- 1.1 This paper reports on a desk-based review of the Adult Education Service conducted by officers and sponsored by the Cabinet Member for Communities and the local member for Thorpe Hamlet Division.
- 1.2 It also draws on several submissions received from community groups, learners and the service's subcontractors.
- 1.3 The review has addressed the areas requested by the Council Leader which are:
 - a. The contribution of the service to the skills agenda for Norfolk
 - b. Current funding arrangements, from the Skills Funding Agency and the Education Funding Agency, and any additional costs met by the council
 - c. Current performance of the service
 - d. Management and overhead costs of the current service
 - e. Property issues including Wensum Lodge
 - f. Options for delivery of the service
- 1.4 The scope of the review was agreed at the Community Services overview and Scrutiny Panel on 9 July 2013. This paper includes an analysis of the current position and areas that might be improved. A separate section reviews some options and the pros and cons of more significant change. In addition, following comments at the Community Services Overview and Scrutiny Panel meeting on 9 July, there is a section on accessibility covering the location of venues in relation to public transport routes and the availability of crèche facilities.

2 Background

2.1 The contribution of the service to the skills agenda for Norfolk

- 2.1.1 One of the service's key objectives, in line with the expectations of the council and the Skills Funding Agency and the Education Funding Agency, is to help improve people's economic and social well being.
- 2.1.2 In terms of the skills of its workforce, Norfolk lags behind the regional and national position with a higher percentage of people with poor basic and low level vocational skills and qualifications. The service makes a significant contribution to the skills agenda for Norfolk on many fronts through directly delivered programmes and through its commissioned work.
- 2.1.3 It offers a range of vocational skills and qualification programmes, concentrating in particular on lower level vocational courses that prepare people for further training in the service and in other institutions (University and FE Colleges) and/or work. In the 2012/13 academic year, these programmes were delivered to 14,000 learners, of which:
 - a. 306 were apprentices
 - b. 5,562 adult learners were on classroom-based skills and qualification programmes
 - c. 2,500 adult learners and 3,004 children from 1,330 families were on family learning programmes
 - d. 7,229 adult learners were on leisure courses and non-qualification courses for disadvantaged and hard-to-reach learners
 - e. 120 NEET (Not in Employment, Education or Training) young people aged 16-18 attending the Step Programme

2.1.4 The key subject areas were:

- 1,638 learners on health and social care and childcare courses
- 477 learners on science and mathematics GCSE courses
- 823 learners on ICT courses
- 148 learners on customer service retail programmes
- 2,528 learners on fitness, sport and leisure provision
- 1,830 learners on creative arts, media and publishing courses
- 1,586 learners on modern language, British sign language, lipreading, Braille and creative writing courses
- Vocational qualifications for 655 teaching assistants
- 2,382 learners on basic English and maths, functional skills, ESOL (English for Speakers of other Languages) courses including GCSEs and bespoke programmes for people with learning difficulties and disabilities
- 229 learners taking accountancy, secretarial, customer service and business administration qualifications

2.1.5 The Adult Education Service is the main provider of Community Learning in the county. This type of learning plays a key role in re-engaging and re-motivating adults who are some distance removed from learning. The learning goals are often to develop basic skills in a wide range of subjects and personal confidence. The service seeks to support people on these programmes to progress onto further skills-based learning in-house or in colleges and private training providers and/or into work. Community Learning is therefore a key part of a continuum of learning that contributes to the skills agenda. In addition, the service delivers a wide range of leisure programmes.

2.1.6 The service's 2012 Ofsted report included the following comments:

- *The overall quality of workplace learning, including apprenticeships, (is outstanding)*
- *the Service has 'an exceptionally detailed knowledge of local and national needs, with a strong focus on helping learners gain employment or additional work skills'*
- *Learners' achievement of economic and social wellbeing (is outstanding)*
- *The Service's responsiveness to employer and community needs (is outstanding) where 'efforts to widen participation are extensive and successful'*

2.1.7 In addition to the general vocational courses described above, the service offers specific courses that support people who have particular needs that might be barriers to finding employment.

2.2 Provision of courses in Basic English and Maths

2.2.1 The service delivers courses in basic English, Maths and English for Speakers of Other Languages (ESOL) to over 2,000 people a year in community based venues throughout the county. The Council's provision in this area is by far the biggest in the county. From these courses, learners are able to progress to work or other training.

2.3 Support to Unemployed People

2.3.1 The council's service offers specific provision for unemployed people in job search and internet skills in partnership with Jobcentre Plus in Cromer, Norwich and Gt Yarmouth, with a new partnership this coming year in Thetford. Unemployed people learn how to prepare CVs and upload them so that they can search for work on-line. They also learn skills in reception, ICT and administration and progress onto ICT

accredited qualifications. The service has received excellent feedback from both the unemployed people and Jobcentre Plus resulting in the decision to extend the programme to Thetford. Last year we had:

- a. 117 Job Seekers engaging on our Internet Job Seekers workshops with 100% achievement
- b. 87 learners progressing to our E3/L1 Beginners ICT qualification courses with 88% achievement
- c. 88 learners engaging on Modern Office Skills qualification with 85% achievement
- d. 120 NEET (Not in Employment, Education or Training) young people aged 16-18 attending the Step Programme

2.3.2 37% of learners on the service's main classroom-based qualification programmes for adults are unemployed. There is no published information about how the colleges and other training providers perform on this measure, though the Skills Funding Agency has said that the council's service compares well.

2.4 Support for People with Learning Difficulties and Disabilities

2.4.1 The service's Personal Learning and Development (PLD) programme offers training and qualifications for adult learners with a range of learning difficulties and disabilities. PLD caters to the educational needs of adults deemed as "vulnerable" for various reasons i.e. on-going health issues, head injuries, strokes etc., who may not feel confident or ready to access large group/mainstream provision.

2.4.2 Courses are delivered across the county to develop core skills such as confidence, communication, social skills and skills for work, working with local employers, support agencies, care homes and Jobcentre Plus to ensure courses meet individual and local needs. In the academic year 2012-13 there were around 200 learners at any given time on the programme.

2.4.3 The programme includes:

- a. "The Future Factor" – an 11-36 week Adult Education programme for learners who are seeking to improve their Employability skills – Explore, Develop and Apply Individual and Group Skills which can be used in a working environment and in 2013-14 a Future Factor Plus course for progression, and an Everyday Talents course which will focus on pre-Entry English and maths
- b. "You've Got Talents" – an 11-36 week Adult Education programme for learners who are seeking to improve their Independent Living skills – Explore, Develop and Apply Individual and Group Skills which can be used in an Independent Living environment

2.4.4 Support into Employment is a countywide service to support people with learning disabilities to find and retain employment offering on job coaching, travel-training and on-site support to make sure the person is able to perform the job to the employer's standards.

2.4.5 The service is currently working with 128 people. This year the service's Support into Employment and PLD teams were runners-up in a national awards scheme run by the British Association for Supported Employment for outstanding practice in support into employment.

2.4.6 The service is commissioned by Norfolk and Suffolk Foundation Trust to deliver learning and learning support to the patients of the Secure Service in Norwich at the Norvic Clinic High Secure Unit. Programmes include English, Maths and a progressions course, all of which aim to rebuild confidence, develop skills and move

patients on to construct successful, meaningful lives in the community. The service also provides training for Occupational Therapists to incorporate learning and assessment learning in their work.

2.5 Skills training for 16-18 year olds

2.5.1 With funding from the Department for Education, the service delivers training to about 160 16-18 year olds annually. There are two main full time programmes.

2.6 Art Foundation Diploma

2.6.1 There are 40 students on the Art Foundation Diploma, which leads to University entry. Past students have gone on to study at Higher Education establishments including Glasgow School of Art, Central St Martins and Norwich University of the Arts. The service will need to review whether to continue to deliver this programme as the Norwich University of the Arts has just re-introduced its own diploma. It was developed by the service several years ago because the (then) Norwich Art College withdrew its own programme.

2.7 Step Learning Programme

2.7.1 This programme delivers vocational training and basic skills to about 120 young people per year who are NEET (Not in Employment, Education or Training). It was judged 'Outstanding' in all aspects by Ofsted. The programme appeals to those young people who are particularly remote from education and employment. Participants have often had a poor experience of school and hold a negative attitude towards formal education. They have often left school with few or no qualifications and poor literacy and numeracy skills. The programme offers small class sizes using a variety of small 'niche' vocational training providers in 'workshop' settings and a nurturing learning environment. By contrast, the FE college environment suits those learners who are able to cope with the larger scale facilities on offer. In a recent survey completed by 51 learners on the programme:

- a. 30 had been to college and left without any qualifications
- b. 28 said they left because they were either asked to leave or didn't like the college
- c. When asked if they would attend an FE college, 44 said no, one said yes and six were unsure
- d. All 51 said that felt that the Step Learning Programme was their college

Typical quotes from the survey:

"If I had to go to normal college then I wouldn't come as the groups are too big and I would get left behind again"

"When I was at school my attendance was really bad – the lowest in the school and I failed all my GCSEs. But since joining the Step Learning programme, I've hardly missed a day. "

2.7.2 Courses are currently delivered in Norwich and Great Yarmouth in partnership with a range of other organisations. The programme is expensive to run because the young people need a lot of extra support and specific pastoral care. From this month, the Norwich programme is being run from The Garage, a performing arts centre partly funded by the council. This suits the delivery of the programme well and provides opportunities for participants to join in a wider range of arts activities on offer.

2.7.3 Proposals for improvement would be to extend the programme to other areas of the county e.g. Thetford, and King's Lynn. It is possible that more could be done to work

collaboratively with the FE colleges who offer some short vocational programmes to young people who are NEET with the expectation that they will quickly join the college's mainstream programmes.

2.8 Contracted-out provision

2.8.1 In response to a steer from Cabinet Members at the time, in the 2011/12 academic year, the service piloted an approach that involved the contracting out to private training providers as a means of broadening its reach to include vocational programmes it was not itself equipped to deliver. This approach has the advantage of positioning the service to offer a more dynamic training offer that is responsive to the changing needs of the local economy. In the last academic year (2012/13) the service contracted out provision to the value of £890,000 reaching nearly 3,000 learners on programmes with a wide range of niche providers including construction, motor vehicle maintenance, sports coaching, fashion and retail. Some of this provision is for younger learners on the Step Learning programme and is co-delivered with partner providers and some for discrete programmes wholly delivered by partner providers. A programme of some £600,000 is planned for 2013/14.

2.9 The contribution of the service to wellbeing, social and community development

2.9.1 In addition to contributing to the skills agenda for Norfolk the service is particularly effective in promoting wellbeing and social and community development through the courses it offers under the broad heading of Community Learning, reaching over 9,000 people a year. This comprises courses in arts, crafts, languages etc which people generally undertake for leisure and social engagement and which promote wellbeing and community development. This programme also includes 'first rung' engagement activities for people for whom learning has not played a big part in life and who are likely to have had a poor experience of school.

2.9.2 The council is the only organisation offering Family Learning that encourages parents and other adult family members to be actively involved in children's learning and helps adults to improve their basic skills while helping their children to learn theirs.

2.9.3 The council's service receives the vast majority of the government funding available in Norfolk for this work. Very little Community Learning is available in the county through colleges or other public bodies. In delivering the programme the service is able to provide free or heavily subsidised support to disadvantaged people while charging others who can afford to pay.

2.9.4 The Community Learning programme is aligned to the Government's strategy which aims to:

- a. Maximise access to community learning for adults. bringing new opportunities and improving lives, whatever people's circumstances*
- b. Promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement*
- c. Maximise the impact of community learning on the social and economic well-being of individuals, families and communities*

(The service's Community Learning Strategy and Plan for the 2013/14 academic year at **Appendix 1** describes this in more detail.)

2.10 Unique features of the Council's Provision

2.10.1 The breadth of programme delivery is possible because some of the programmes that are resource intensive, e.g. the Step Learning programme, are cross-subsidised

by other programmes that are less expensive to deliver.

- 2.10.2 The council's service is funded by the same central government departments as private training providers and the four Norfolk General FE Colleges – City College Norwich, Great Yarmouth College, the College of West Anglia and Easton and Otley College, which is a specialist agricultural college with some general provision. There are some key differences between the council's service and that of the colleges.
- a. The typical age range of learners. FE college learners are mainly (though not exclusively) young people from age 16. The council also has a significant programme for younger learners who are disengaged from mainstream provision - over £700,000 in 2103/14 - but the majority of the council's learners are adults. Many have said that they would be reluctant to attend a college but find the adult learning environment improves their experience of learning
 - b. The location of the offer. The service delivers in a wide variety of urban and rural locations across Norfolk **as shown in Appendix 3**. The colleges are site-based in Norwich, Great Yarmouth and King's Lynn. Easton College, though Norwich based, attracts learners from a wide area because of its specialism in agricultural studies
 - c. The council's service is more sharply focused on basic level courses for people whose first experience of education was poor and who are furthest from the labour market
 - d. The council service is unique in delivering a large programme of Community Learning throughout the county worth £1.6m

2.11 City Deal

- 2.11.1 As this analysis shows, the service already delivers a significant range of skills provision but its funding could be used more strategically by the council to lead a coherent skills strategy in the county in closer partnership with the FE colleges and private training providers. The council's ongoing bid with the Greater Anglia Local Enterprise Partnership (LEP) to secure City Deal status provides a platform for the council's strategic leadership role on skills development in which the service's funding would play a central role.
- 2.11.2 City Deal is a government initiative that aims to give localities new powers in return for the responsibility to stimulate and support economic growth locally. The council, through its membership of the LEP, could lead skills planning in Norfolk, ensuring that training provision better meets both the current and future needs of local employers, and thereby drive economic growth. The Greater Norwich City Deal bid also focuses on providing business support and development, and improved infrastructure to meet the needs of an expanding economy initially focused on the opportunities presented in the Norwich Research Park.
- 2.11.3 City Deal status would enable the council to create stronger links between the provision of skills to meet the county's economic needs. Under the options for the future of the service which are explored in section 8 below, this leadership role for the council would be enhanced under options 3 and 4 and would be diminished under options 1 and 2.

3 Current funding arrangements

- 3.1 The service is funded from two central government agencies and from tuition fees. It receives no cash funding from the council, though it occupies premises that are maintained by the council's Building Maintenance Fund. From its grants, the service

makes direct payments to the council to cover the cost of shared support services.

Sources of Income for Academic Year August 2013 to July 2014

| Funding Source | Funding Stream | Description | Income (£) |
|--------------------------|--------------------------------|---|-------------------|
| Skills Funding Agency | Adult Skills Budget | General qualifications and apprenticeships for adults | 3,373,531 |
| Skills Funding Agency | 16-18 Apprenticeships | Apprenticeships for young people | 28,681 |
| Education Funding Agency | 16-18 Classroom Qualifications | Step Programme for NEET young people and Art Foundation Diploma | 753,069 |
| Skills Funding Agency | Adult Community Learning | Leisure courses, non-qualification courses for disadvantaged and hard-to-reach learners, family learning and neighbourhood learning in deprived communities | 1,658,650 |
| Learners & Employers | Tuition Fees | Collected from learners who are not eligible for fee concessions or loans | 714,000 |
| Total | | | 6,527,931 |

3.2 The main points to note are:

- a. The funding is subject to tight specific controls by the funding agencies and is 'earned' according to the number and type of learners recruited and 'clawed back' if the service is not successful in recruiting learners
- b. The council would need the agreement of the funding agencies if it wishes to transfer funding to other organisations e.g. the FE colleges
- c. Funding has reduced in line with all government funding over the last few years, though the service has also had specific reductions related to a failure to recruit enough adult apprenticeships
- d. In the 2012/13 academic year the service would not expect any claw back of funding because it has achieved all of its recruitment targets

3.3 In 2012/13, the service had an in-year reduction in its funding of £700,000 which it met through stopping some provision, leaving vacancies unfilled and involving some staff redundancy.

3.4 The budget for the 2013/14 academic year is £6,527,931. This is a reduction on previous years. The service's management is currently consulting its staff about the removal of some posts that will enable it to live within budget.

3.5 This, together with the shift over time to delivering some sub-contracted provision, means that a reduction of just over £500,000 needs to be made urgently.

4 Current performance of the service

4.1 Ofsted assessment

4.1.1 As with all schools and FE colleges, the service is inspected by Ofsted every four to six years. As reported to this Panel in March 2012, the service's latest Ofsted report (January 2012) found the service to be overall 'Good' with a number of 'Outstanding' features.

4.1.2 The council's Ofsted report compares favourably against comparisons with the four Norfolk FE colleges as shown in **Appendix 2**.

4.2 Learner success rates

4.2.1 In terms of learner success rates, which are the key performance measure of the Skills Funding Agency, the service generally performs on a par with the national benchmark. Performance is lower in the area of apprenticeships where the council service is several percentage points below the national picture.

4.2.2 The mediocre success of the apprenticeship programmes is due, in large part, to some significant late changes in the design of the apprenticeship model as prescribed by the Skills Funding Agency. Most of the service's apprenticeship programmes are delivered to school teaching assistants and childcare staff in schools and childcare settings. The main change required employers to release staff for training within their core contracted hours, which these organisations were not able to do. The Apprenticeship model is a top priority for the government and the service tried hard to make it work but was not wholly successful. The service continues to provide suitable courses in these areas that lead to certificates and diplomas.

4.2.3 The success rates for 16-18 students are slightly below the national average for this age group. The success rates are still an achievement given that most of the service's learners' "starting points are low" (Ofsted, 2012) i.e. those on the Step Learning programme who were previously NEET.

4.3 Learner Feedback

4.3.1 The service collects feedback in a number of ways which is used to improve and develop provision and respond to community and employer needs.

4.3.2 Following the Ofsted inspection in 2012, when learner involvement work was praised, the council was asked by the National Learning and Skills Improvement Service to contribute to their Excellence Gateway. This is a website with examples of excellent practice that other organisations can pick up on and use to build their own capacity to improve. The website is available at the following link:
<http://www.excellencegateway.org.uk/node/26075>.

4.3.3 Learner feedback is secured and used to improve the service in a number of ways including:

- a. Feedback 'trees' – 6 foot boards displayed in reception areas and a set of colourful post it notes asking learners to comment on the question "How is your course so far?"
- b. Attending exhibitions of learners work and engaging with them
- c. Engaging with members of the public at large events such as the Norfolk Show
- d. Ad hoc Learner Forums
- e. A Student Council for young learners
- f. Online surveys
- g. Case Studies
- h. Verbal feedback
- i. Suggestion boxes where courses are being held
- j. Skills Funding Agency Annual Learner and Employer Surveys
- k. Every learner is asked to complete a Course Evaluation Questionnaire.

- I. Learners are surveyed using 'Survey Monkey'

4.3.4 Future plans include:

- a. engaging with the Consultation and Involvement team at County Hall on Your Voice project to reach non learners
- b. New style on line evaluation forms to be piloted to include 'trip advisor' type feed back on courses which will be incorporated into future marketing initiatives

5 Management and overhead costs of the current service

5.1 A large part (68%) of the service's income (£6.5m for 2013/14) is spent on staffing. Of this:

- a. 54% goes on staff who teach or provide other classroom based support to learners. In the main, the 400 or so teachers employed at any one time are very part-time or sessional and are recruited to a pool of staff which is drawn on to offer courses that best meet demand in the appropriate locations
- b. 14% goes on specialist staff with a teaching background who manage this large pool of teachers, and assure the quality of teaching and learning to the standards required of Ofsted and the Skills Funding Agency
- c. 6% is spent on supporting premises (reception, caretaking etc) and securing appropriate teaching venues
- d. 11% goes on a range of activities from officers who assess and provide financial support to learners, officers seeking learner views, promoting the service, monitoring performance etc
- e. 6% is the cost of the management team
- f. 9% is spent on administration costs

5.2 The service is in the process of reducing its management and administrative costs in order to balance its budget for the 2013/14 academic year.

5.3 The non- teaching staffing costs for this type of work are high compared to some other council services though there is anecdotal evidence that they are not out of line with other government funded training providers. The contracts are very tightly managed by the government agencies, which require extensive quality assurance and performance monitoring. The cost of administration is high. Greater efficiency could be realised and costs reduced through the use of more advanced technology though there would need to be investment before staff savings could be realised.

5.4 The service budget for building rental and maintenance is some £620,000 and the ICT budget is £190,000.

5.5 The council makes charges to the service for support services including finance and HR of £277,620.

6 Property

6.1 The service delivers learning from around 390 sites that are hired on a sessional basis. This is more efficient and effective than having fixed premises as venues are hired according to need.

6.2 In addition the service has three main permanent sites - Wensum Lodge in Norwich, Thorpe Adult Education Centre and a Learning and Community Centre in Attleborough. There are different issues at each of these sites that make each of them inefficient to run.

- 6.3 **Wensum Lodge** has been a learning centre since the 1960s. With 23 teaching rooms, it is (apart from the FE colleges) the biggest dedicated teaching centre for adults in Norfolk. These rooms are used for three or four sessions each week day and some on Saturdays. This accounts for part of the Norwich provision as there are also about 50 other school and external venues in use in Norwich. The site is also the base for most of the service's staff and has 85 work stations, some of which are teacher 'hot desks'.
- 6.3.1 The site is close to the city centre and although there is no longer any free car parking available, apart from limited parking for disabled people, there are paying car parks and bus stops within easy reach. Parts of the site are Grade 1 and Grade 2 listed which makes it challenging to maintain. It has had some adaptations to make it more accessible but there are areas that cannot be used by people with limited mobility. The site is well loved and there have been public protests through the media when change has been mooted in the past. The suggestion recently that the council's service might no longer be run from the site generated two public petitions amounting to 2,500 signatures.
- 6.3.2 Earlier in the year the Council requested a feasibility study be done on how this and adjacent sites could be developed to generate income for the Council. This is now being considered by the Cabinet Member for Finance, Corporate and Personnel.
- 6.4 **Thorpe Adult Education Centre** is a former Youth and Community Centre located in the grounds of Thorpe St Andrew High School. It was extensively upgraded and improved in 2005 using ESF (European Social Fund) grants and provides excellent accessible teaching and office accommodation while also providing a base for local community groups. Thorpe is well used for teaching and pays for itself.
- 6.5 **The Attleborough Centre** was built with mostly European funds on the site of an NCC Youth and Community Centre in 2005. Unlike Wensum Lodge, it is economic to run although it is not efficient for the service as it has more teaching space than is needed in the town. Parts of the building are leased to a nursery, a Children's Centre and Breckland District Council and further tenants are being sought to increase income.

7 Accessibility of provision

7.1 Geographical spread

- 7.1.1 The service delivers provision in all parts of the county in 390 sites, which are mainly schools and community venues. The pie charts at **Appendix 3** illustrate the location of provision. The table below shows the distribution of courses in the five broad areas of the county for the 2012/13 academic year.

| | Vocational qualification-based courses (excluding apprenticeships) | | Community Learning courses | |
|---------------|---|----|----------------------------|----|
| | no | % | no | % |
| Norwich | 339 | 49 | 536 | 62 |
| North Norfolk | 115 | 17 | 96 | 11 |
| West Norfolk | 96 | 14 | 82 | 10 |
| South Norfolk | 77 | 11 | 80 | 9 |
| East Norfolk | 63 | 9 | 70 | 8 |
| Total | 690 | | 864 | |

- 7.1.2 There is a concentration of provision in Norwich. The main inhibitor of providing more extensively to rural areas is cost as courses in rural locations do not always attract people in large enough numbers to make the course financially viable. Also, tighter funding means that there are fewer staff working at local level to arrange activity.

7.2 Planning the location of venues

- 7.2.1 Decisions about where to locate courses are influenced by a range of factors including the accessibility of the venue for the target audience. Venues are usually sought in town and/or village centres.
- 7.2.2 Wensum Lodge has ready access by public transport routes and is close to car parking, as described above. It has seven designated car parking bays providing limited parking for people with restricted mobility. As described in 6.1 above, the site has had some adaptations to make it more accessible but there are areas that can not be used by people with limited mobility.

7.3 Crèche provision

- 7.3.1 The service provides its own crèche provision alongside its Family Learning programme where there is greatest need. This is free to service users and is funded from the government grant. In 2012/13 there were 200 crèches running in all parts of the county, for a total of almost 3,000 hours, supporting 1,300 families and 3,000 children.

7.4 Additional financial support

- 7.4.1 The service is funded to offer additional financial support to help learners on low incomes with the cost of tuition fees, books, equipment and childcare. Last year it helped nearly 400 people with funding of £75,000 in total. It pays for Classroom Learning Assistants where people with learning difficulties and/or disabilities need extra support and a wide range of assessment and support, last year amounting to £175,000.

8 Options for delivery of the service

8.1 Option 1 - Move provision to FE colleges

- 8.1.1 Up until May 2013, at the request of the then Cabinet Members, officers were in early discussions with the four Norfolk Further Education Colleges to consider the transfer of NCC's provision to them. The rationale for the transfer was that the council did not need to deliver a service that the colleges were specifically set up to provide. Also, more funding would be available to be spent on the direct delivery of training rather than service overheads if the council's funding were distributed to the four colleges, thus ensuring a more efficient use of the government funding.
- 8.1.2 The Skills Funding Agency would need to be fully involved in any discussion to transfer provision to other organisations and their formal approval would be needed at the highest level in the organisation to make such a transfer. The Agency's formal procedure when a provider withdraws from delivery is for the funding to be returned to the Agency centrally for redistribution to providers across the country. This would mean that there would be no guarantee that any funding surrendered by the council would be returned in full to the Norfolk providers. As discussed above, a move of this sort would also put at risk the influence that the council could bring to bear on driving up economic growth locally through the proposals in the City Deal bid.

8.1.3 Under this option the unique features of the Council's service described above, including the wide range of Community Learning, could diminish.

8.1.4 **Option 1**

| Strengths | Weaknesses |
|--|---|
| <ul style="list-style-type: none"> • Potential to increase funding to the front line delivery by reducing overheads costs from five to four providers • Potential to remove competition for provision • Could maximise the use of the specialist facilities, staffing, services and resources of the colleges | <ul style="list-style-type: none"> • NEET and adult learners might be resistant to college environment • Potentially complex TUPE • Additional costs of redundancy • Public concern at removal of service in its current form • Uncertainty about future Community Learning provision • reduced income to NCC for reduction in support services • Would inhibit the potential for the council to lead economic growth agenda under the City Deal |
| Opportunities | Threats |
| <ul style="list-style-type: none"> • Current premises e.g. Wensum Lodge available to NCC for alternative use | <ul style="list-style-type: none"> • Authority loses control over the delivery of general skills training and learning to vulnerable groups • Learning for vulnerable groups could diminish • Uncertainty over continuation of range of provision in local venues |

8.2 **Option 2 – commission provision from social enterprise and/or private training providers**

8.2.1 A proportion of the service's work is subcontracted to private training providers. In a report to the Community Services Overview and Scrutiny Panel in March 2012, it was noted that:

“the service already focuses well on the needs of the local economy but that it needs to continue to focus very sharply on this to ensure that government funding is used to offer skills training that gets people into work in the best interests of the Norfolk economy”.

8.2.2 The service has therefore subcontracted provision to the value of £890,000 in the academic year 2012/13 and is aiming to subcontract some £600,000 in 2013/14.

8.2.3 The possibility of commissioning or contracting out all of the service's budgets has been discussed with the Skills Funding Agency (SFA). This would be a means of using the available budgets flexibly by introducing dynamic contracting arrangements that secured skills training in the areas of greatest need as needs changed. The SFA has not ruled this out as an option though it questions the value that the council would bring to such arrangements.

8.2.4 The SFA are not convinced that any value would be added if the council's role was no more than a manager of contracts. The FE colleges too have expressed the view that they would not bid to NCC to run provision under sub-contracting arrangements.

8.2.5 The council has received several expressions of interest in running part of the service as a social enterprise. The rationale is that this model could bring greater flexibility, efficiency and innovation although officers are exploring what flexibilities could be secured while the service remained entirely within the council. If the council were to endorse a social enterprise proposal for part of the service, further decisions would be needed on the delivery of the remaining provision and consideration would need to be given to how some of the resource intensive provision could continue if the opportunity for cross-subsidy were lost.

8.2.6 Option 2

| Strengths | Weaknesses |
|---|---|
| <ul style="list-style-type: none"> • Diverse range of providers could be selected to best meet Norfolk's skills needs • Small strategic commissioning team instead of large service | <ul style="list-style-type: none"> • Council would retain accountability to Skills Funding Agency and to Ofsted • Contracting out is higher risk and so council's reputation would be at stake • SFA approval might not be forthcoming • Would inhibit the potential for the council to lead economic growth agenda under the City Deal • Complications if accepted in part i.e. social enterprise • Cost of redundancy |
| Opportunities | Threats |
| <ul style="list-style-type: none"> • Introduce new vocational programmes for the benefit of learners | <ul style="list-style-type: none"> • Skills Funding Agency might withdraw contracts • Complex to administer, especially if part and part with social enterprise |

8.3 Option 3 - Status quo with efficiency improvements

8.3.1 Over recent years, the service has not had strong strategic oversight from the council and this was flagged up as a weakness in the 2012 Ofsted report. In spite of this, it has performed well, developed and maintained a strong reputation with its funders and it is highly valued by users. It has a unique place in the provision of further education in Norfolk in reaching out to many locations across the county. Among its learners are many people who have low skill levels, are unemployed, and whose previous experience of learning was poor. There is a case, therefore, for broadly endorsing the current arrangements, requiring the service to further sharpen its focus on providing the most appropriate skills training and making efficiency savings to leave more funding available for front line delivery.

8.3.2 In the last two years, through contracting with some private training providers the service has extended the breadth of subjects it offers in line with labour market demands to the benefit of local people and businesses. There is a new government

programme 'Traineeships' available from August 2013 to Good and Outstanding providers only. It is aimed at young adults who are not yet ready to take up an apprenticeship. It is made up of lower level vocational training and basic English and Maths, in which areas the service is strong. Participants are required to have a job placement where they can get experience of work but not a guaranteed job. The progression is expected to be an Apprenticeship or employment.

- 8.3.3 Using these strengths, officers can see the potential to refresh the service under a revised aim and objectives, as a county-wide provider that offers training to those most in need and supports the higher level training available in colleges and other training providers.
- 8.3.4 Neither option 1 nor option 2 would secure any financial savings for the council but would incur costs in redundancy and involve extensive resource and intensive work in arranging TUPE transfers. Option 3 would be cost neutral to the Council.
- 8.3.5 This option would enable the council to use the government grants in a more strategic way, improving targeting on current and future skills needs that promote economic growth, compatible with proposals in the City Deal bid.
- 8.3.6 **Option 3**

| Strengths | Weaknesses |
|---|---|
| <ul style="list-style-type: none"> • Service remains directly accountable to the council bringing £6m government funding • Continued opportunity for some contracted out provision where this adds value • High quality provision validated by Ofsted • Wide breadth of programme offer throughout Norfolk • Good vocational offer • Supports unemployed people • Good first step introduction to learning for people whose experience of education has been poor • Minimum disruption to service • Low risk of adverse impact on learners | <ul style="list-style-type: none"> • Curriculum not well suited to apprenticeship delivery (though is well suited to the new entry-level Traineeship programme) • Separate overhead costs may not make best use of training funds for Norfolk |
| Opportunities | Threats |
| <ul style="list-style-type: none"> • Opportunity to build on high quality performance • Develop Traineeship provision • Strengthen the unique training offer to first rung/basic skills • Funding available for use in support of the City Deal bid | <ul style="list-style-type: none"> • Reductions in funding risk impact on quality of provision |

8.4 Option 4 – Merge with the Library and Information service (Recommended option)

- 8.4.1 The service is managed in a way that is cost neutral to the council, though at the moment it needs to make efficiency savings to enable it to continue to do this.
- 8.4.2 There is an option to make efficiencies in the service by bringing it together with the Library and Information service under a single strategic leadership. This would also enable efficiency savings to be secured in the management of the Library and Information service at the same time and would help to achieve the budget savings that are needed in this service area in order to contribute to overall council savings for the coming three years. Savings in senior leadership posts would leave greater resource available for front line service delivery. Premises savings could be realised for adult education by greater use of library premises for adult education courses though it would still be necessary to hire additional premises.
- 8.4.3 The rationale for such a merger is strong:
- a. Both services sit within the Cultural Services department and have common objectives to encourage and promote learning and literacy. Both deliver programmes specifically directed at families and both are involved in supporting unemployed people
 - b. There would be clear advantages to service users. There is already some joint working between the services but under a joint service more use would be made of the existing 47 libraries for the provision of adult education courses, with students having easy access to books, IT access and other study materials
 - c. The new service would have a strong learning offer for people of all ages and stages
 - d. The services are organised in this way in several other councils
 - e. Day-time adult education courses arranged to take place in libraries would avert some of the risk of lone working in small libraries and would maximise the use of libraries when they are closed
 - f. Provides a shop window for adult education in 47 locations across Norfolk
 - g. As with Option 3, this option would enable the council to use the government grants in a more strategic way, improving targeting on current and future skills needs that promote economic growth, compatible with proposals in the City Deal bid
- 8.4.4 This arrangement is currently being explored as an interim management arrangement to achieve the in-year savings for the Adult Education Service.
- 8.4.5 Subject to Members' views, officers would work up a possible structure that would be led by a single head of a libraries, information and learning service.
- 8.4.5 **Option 4**

| Strengths | Weaknesses |
|--|---|
| <ul style="list-style-type: none"> • clear advantages for customers in terms of service delivery • locates adult education at the heart of local communities • reduction in the cost of senior management | <ul style="list-style-type: none"> • loss of discrete service focus • investment needed in staff training to realise the customer benefits • need to address differences in organisational 'culture' |

| | |
|---|---|
| <ul style="list-style-type: none"> • makes more effective use of the council's existing premises • secures efficiency savings in both areas though staff reductions, reduced costs on premises, marketing etc • potential to avert lone working in some libraries | |
| Opportunities | Threats |
| <ul style="list-style-type: none"> • more resource focused on front line delivery • more efficient coordination of common services e.g. work with families and unemployed people • chance to learn from other authorities who are organised in this way • opportunity to promote the benefits of improved new merged service rather than service reduction • opportunities to secure a better geographical spread of provision in rural parts of the county • Funding available for use in support of the City Deal bid | <ul style="list-style-type: none"> • The merged service would need to maintain a sharp focus on qualification outcomes alongside less formal community learning delivered by libraries |

9 Conclusion

- 9.1 The Adult Education Service is rated by Ofsted as good with a number of outstanding features. It delivers learning primarily, although not exclusively, to adults, from a wide range of venues in Norfolk.
- 9.2 The service delivers learning from around 390 sites that are hired on a sessional basis. In addition the service has three main permanent sites - Wensum Lodge in Norwich, Thorpe Adult Education Centre in Thorpe St Andrew and a Learning and Community Centre in Attleborough.
- 9.3 Significant in-year budget reductions in December 2012 and the need to save a further £500k in 2013/14 mean that there need to be some immediate management and staff reductions.
- 9.4 The analyses of options for the future of the service reveal that there are more strengths and opportunities associated with the options in which the service remains part of the Council i.e. options three and four. Option four has the additional strength of securing advantages to service users of a streamlined service as well as greater potential for efficiency savings in both the library service as well as the adult education service.

10 Resource Implications

- 10.1 The recommended option (4) offers an opportunity to make reductions in the cost of both services that would support the council's policies to drive down costs, share

assets and collaborate across service to achieve the most effective use of public monies and better outcomes for Norfolk people.

- 10.2 Subject to the Panel's views, further work would be done to clarify the resource implications.

11 Other Implications

11.1 Equality Impact Assessment (EqIA)

- 11.1.1 Subject to Members' views, impact assessments would be carried out prior to any changes being implemented. The recommended proposal has the potential to improve access to services in rural parts of the County.

12 Any other implications

- 12.1 Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

13 Section 17 – Crime and Disorder Act

- 13.1 Through the engagement of a wide range of people in structured mindful activity both the Adult Education Service and the library service contribute to the prevention of crime and disorder.

14 Action Required

- 14.1 Members of the Panel are asked to:
- a. discuss the information provided in this review
 - b. consider whether there are further issues that they would like reviewed
 - c. consider the conclusion that the service should merge with the Library and Information Service

Background Papers

[Adult Education and Guidance Service Ofsted Report – a report to Community Services Scrutiny Panel 6 March 2012](#)

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

| | | |
|------------------|--------------|---|
| Harold Bodmer | 01603 223175 | <u>harold.bodmer@norfolk.gov.uk</u> |
| Jennifer Holland | 01603 222272 | <u>jennifer.holland@norfolk.gov.uk</u> |
| Beverley Evans | 01603 306583 | <u>beverley.evans@norfolk.gov.uk</u> |



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jill Perkins on 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

**Norfolk Adult Education and Guidance Services
Community Learning Strategy - Academic Year 2013 – 2014**

Aims

- To maximise access to community learning for adults, bringing new opportunities and improving lives, whatever people's circumstances
- To promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement
- To maximise the impact of community learning on the social and economic well-being of individuals, families and communities

Objectives

Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills

- a. Continue to offer a range of Family Learning programmes:
 - 1,500 through Wider Family Learning
 - 1,000 through Family Literacy, Language and Numeracy
- b. Community Development Workers to work closely with partners in the community across the County to offer a wide range of free provision for the hardest to reach learners, including those living in areas of rural deprivation
 - Making a Difference target 1,050 learners
- c. Reduced fees for 250 learners in receipt of benefits
- d. Range of Reminiscence courses offered to elderly learners suffering from dementia
 - Free provision for 100 learners
- e. Lip Reading, Braille classes and support to NNAB to be offered free-of-charge to a total of 300 learners
- f. Provide a bursary to specifically assist BSL learners who are themselves deaf or who are parents supporting their children who are deaf
- g. Total number of 50 LLDD learners to be supported in the community in partnership with Day Centres
- h. Provide activities leading to ESOL provision for 75 learners

Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot

- a. Maintain our current fees for the majority of mainstream PCDL courses
 - Target 2,600 learners
- b. Commissioned work via Active Norfolk and Norfolk FA based on assumed fee income
- c. Pilot a small range of 'premium' courses/workshops where we know there will be a waiting list. These to be run at a higher cost with reduced paperwork and taken out of scope for any future Ofsted inspection.
 - Target number of learners – 250

Widen participation and transform people's destinies by supporting progression relevant to personal circumstances

- a. Encourage progression for 100 Making a Difference learners into Family Learning programmes
- b. Ringfence funding to enable progression for 150 Making a Difference learners into 'mainstream' PCDL courses at a reduced fee or on a free basis
- c. Encourage progression for 50 Reminiscence learners into Wider Family Learning courses
- d. Establish a programme of intergenerational activities with 50 NEET learners and older people
- e. Continue to encourage Family Learning learners (target 750) to progress from Wider Family learning courses to FLLN programmes offered through:
 - Detailed programme planning
 - IAG availability – via Guidance team through Next Step contract
- f. Ring fence £2,500 funding for Additional Learning Support for Community Learning learners
- g. Ring fence funding to provide IAG session to 300 LLDD learners at the end of each of their courses
- h. Actively encourage all Making a Difference, Family Learning and NLDC learners (target 250 learners) to progress on to functional skills programmes, through:
 - IAG availability
 - CDW / NDW targets – to be agreed
- i. Identify progression routes for 10% of learners attending free courses

Develop stronger communities, with more self-sufficient, connected and pro-active citizens

- a. Targeted Family Learning provision supporting the most troubled families
- b. CDW and NDW activity supporting and working in partnership with voluntary sector to encourage civic engagement and social integration –
 - Target 150 learners

Commission, deliver and support learning in ways that contribute directly to these objectives:

- a. Commission Active Norfolk and Norfolk FA to deliver a range of sport activities to a total number of
 - 2,000 learners, including 100 volunteers
- b. CDWs tasked to work effectively with partners and other key providers, agencies, employers and services to promote Adult Education offer and support the needs of local communities across the County
- c. CDWs tasked with supporting 10 self-organised learning groups within local communities
- d. 10 existing PCDL courses to be identified and supported into learning clubs
- e. 'Project North' established in June 2013 to:
 - To map the range existing Creative Arts provision in the north of the county
 - To identify gaps in provision

- To identify possible partnership arrangements with communities, organisations or individuals that would:
 - i. Maximise access to Creative Arts activities
 - ii. Bring new Creative Arts opportunities to adult residents and families in the North of the County
 - To develop ideas for alternative delivery models
 - To consider offering more flexible payment methods for learners
 - To identify 'profit making' opportunities, collecting income from people who can afford to pay to use, where possible, to extend provision to those who cannot
 - To consider and develop the principles of 'Pound Plus' for Norfolk (i.e. other ways of generating additional income)
 - i. Financial sponsorship
 - ii. Access to new learning spaces made available at no reduced cost
 - iii. Use of volunteer workers
 - iv. Donations of equipment or consumable items
 - v. Access to other funding sources or grants
 - To meet the aims and objectives as set out in the Department for Business, Innovation and Skills 'New Challenges, New Chances Further Education and Skills System Reform Plan'
- f. Findings from Project North to be rolled out across the county during 2013/14, as appropriate

Notes

| | 11/12 targets | 12/13 targets | 13/14 targets |
|-------------------------------------|---------------|---------------|---------------|
| Leisure and Pleasure PCDL learners: | 4,750 | 5,000 | 5,000 |
| Making a Difference learners: | 1,250 | 1,350 | 1,700 |
| NLDC learners: | 180 | 180 | |
| Wider Family Learning learners: | 1,347 | 1,400 | 1,500 |
| FLLN learners: | 973 | 975 | 1,000 |
| TOTAL | 8,500 | 8,905 | 9,200 |

Ofsted inspection outcomes - comparison of Norfolk County Council Adult Education Service with colleges

| Headline grades from most recent inspection | | | | |
|--|------------------------------|---|---|------------------------------|
| Provider | Outcomes for learners | Quality of teaching, learning and assessment | Effectiveness of leadership and management | Overall effectiveness |
| NCC Adult Education Service | Good | Outstanding | Good | Good |
| College of West Anglia (COWA) | Good | Good | Good | Good |
| Easton and Otley College | Good | Good | Good | Good |
| Gt Yarmouth College | Requires improvement | Requires improvement | Requires improvement | Requires improvement |
| Norwich City College | Requires improvement | Good | Good | Good |

Data taken from each organisation's most recent Ofsted inspection report. Reports sourced from: <http://www.ofsted.gov.uk/inspection-reports/find-inspection-report> (accessed July 2013)

Ofsted inspection outcomes - comparison of Norfolk County Council Adult Education Service with colleges

| Inspection grades, by Provider and Aspect of Provision | | | | |
|--|-----------------------|--|--|-----------------------|
| Provider and Aspect of Provision | Outcomes for learners | Quality of teaching, learning and assessment | Effectiveness of leadership and management | Overall effectiveness |
| NCC Adult Education Service: programmes for 16-18 year olds | Outstanding | Outstanding | Outstanding | Outstanding |
| College of West Anglia (COWA): programmes for 16-18 year olds | Good | Good | Good | Good |
| Easton and Otley College: programmes for 16-18 year olds | Good | Good | Good | Good |
| Gt Yarmouth: programmes for 16-18 year olds | Requires improvement | Requires improvement | Requires improvement | Requires improvement |
| Norwich City College: programmes for 16-18 year olds | Requires improvement | Good | Good | Good |
| NCC Adult Education Service: programmes for 19+ year olds | Good | Good | Good | Good |
| College of West Anglia (COWA): programmes for 19+ year olds | Good | Good | Good | Good |
| Easton and Otley College: programmes for 19+ year olds | Requires improvement | Good | Good | Good |
| Gt Yarmouth: programmes for 19+ year olds | Inadequate | Requires improvement | Requires improvement | Requires improvement |
| Norwich City College: programmes for 19+ year olds | Requires improvement | Good | Good | Good |
| NCC Adult Education Service: Apprenticeships | Good | Outstanding | Good | Good |
| College of West Anglia (COWA): Apprenticeships | Good | Good | Good | Good |
| Easton and Otley College: Apprenticeships | Good | Good | Good | Good |
| Gt Yarmouth: Apprenticeships | Inadequate | n/a | n/a | n/a |
| Norwich City College: Apprenticeships | Inadequate | Requires improvement | Requires improvement | Requires improvement |
| NCC Adult Education Service: Community Learning | Good | Outstanding | Good | Good |
| College of West Anglia (COWA): Community Learning | n/a | n/a | n/a | n/a |
| Easton and Otley College: Community Learning | n/a | n/a | n/a | n/a |
| Gt Yarmouth: Community Learning | n/a | n/a | n/a | n/a |
| Norwich City College: Community Learning | n/a | n/a | n/a | n/a |

Data taken from each organisation's most recent Ofsted inspection report. Reports sourced from: <http://www.ofsted.gov.uk/inspection-reports/find-inspection-report> (accessed July 2013)

Skills Funding Agency annual "FE choices" survey - comparison of Norfolk County Council Adult Education Service with colleges

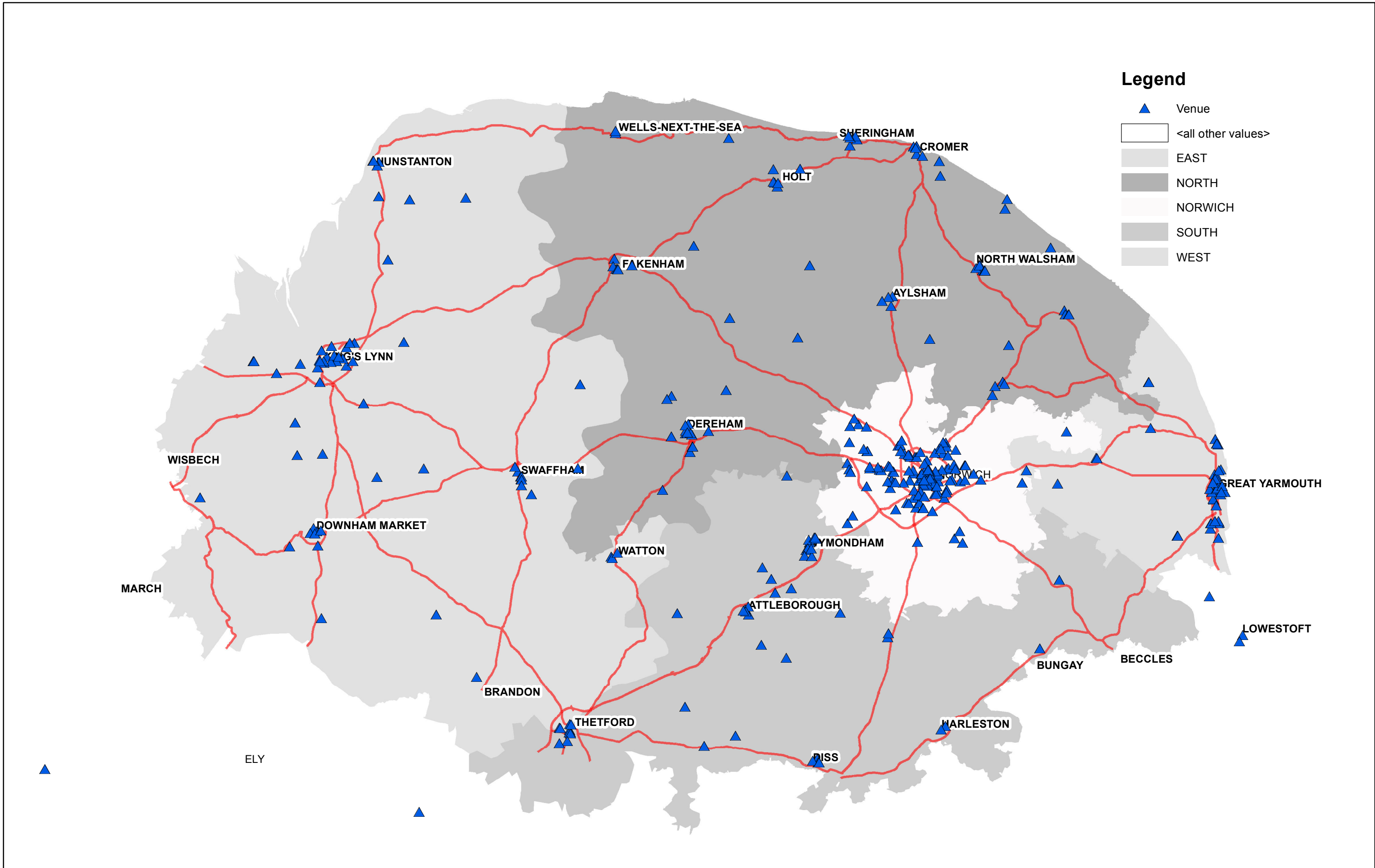
How learners rated these organisations during 2011/12

| Organisation Name | Learner Satisfaction |
|--|-----------------------------|
| Norfolk Adult Education Service (NAES) | 8.6 out of 10 |
| Norwich City College | 7.5 out of 10 |
| Great Yarmouth College | 7.8 out of 10 |
| Easton and Otley College | No data available |
| College of West Anglia (COWA) | 7.7 out of 10 |

How employers rated these organisations during 2011/12

| Organisation Name | Employer Satisfaction |
|--|------------------------------|
| Norfolk Adult Education Service (NAES) | 7.8 out of 10 |
| Norwich City College | 7.3 out of 10 |
| Great Yarmouth College | 8.1 out of 10 |
| Easton and Otley College | No data available |
| College of West Anglia (COWA) | 8.4 out of 10 |

Data from Skills Funding Agency FE Choices website (accessed July 2013)

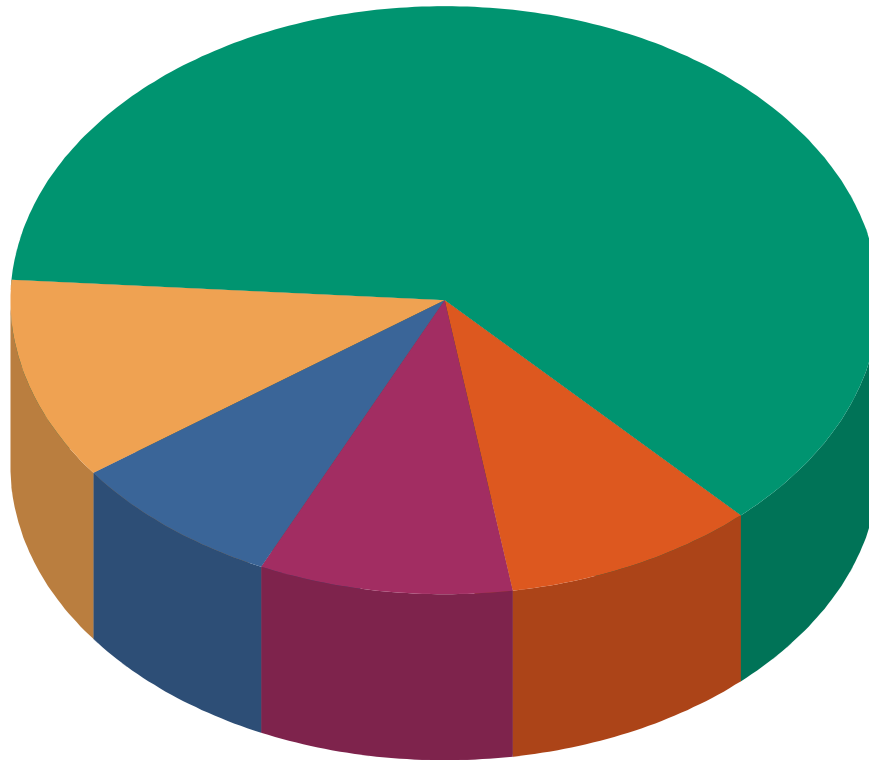


© Crown copyright and database rights 2013 Ordnance Survey 100019340

Community Learning Course Delivery by NCC District 2012-13

Compiled on; 12/08/2013 at; 12:47:50

Number of courses run within each District in the 2012/13 Academic Year

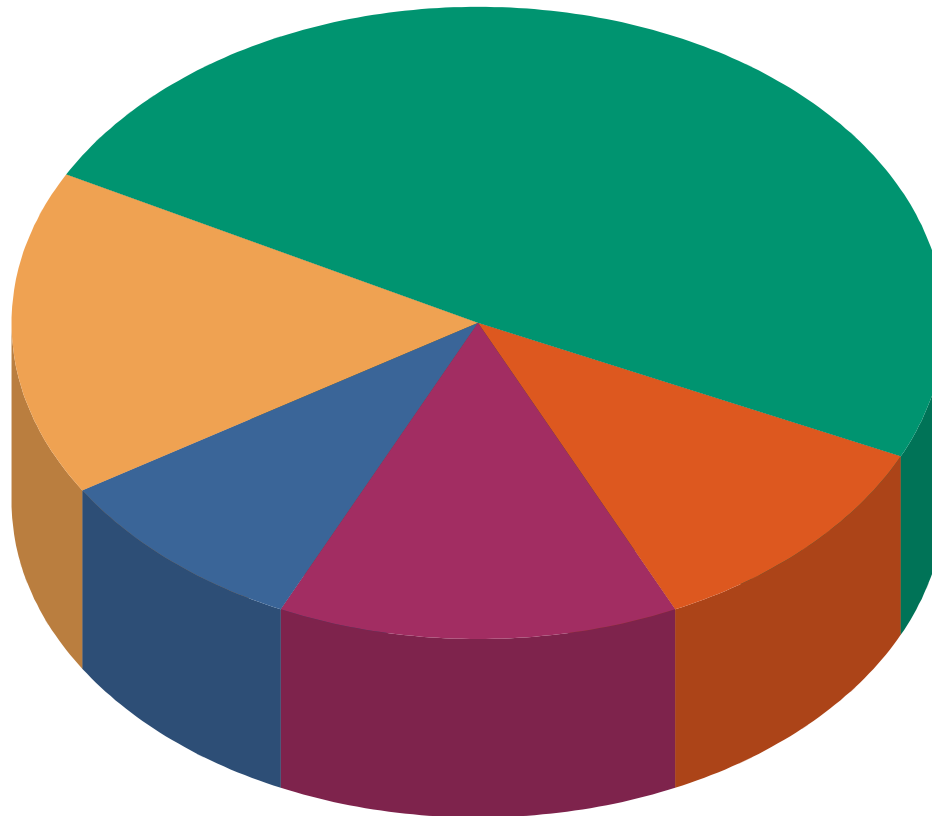


| | | |
|---------|-----|--------|
| East | 70 | 8.1% |
| North | 96 | 11.1% |
| Norwich | 536 | 62.0% |
| South | 80 | 9.3% |
| West | 82 | 9.5% |
| Total: | 864 | 100.0% |

Adult Skills Budget - Classroom Based Provision Course Delivery by NCC District 2012-13

Compiled on; 12/08/2013 at; 12:45:33

Number of courses run within each District in the 2012/13 Academic Year



| | | |
|---------|-----|--------|
| East | 63 | 9.1% |
| North | 115 | 16.7% |
| Norwich | 339 | 49.1% |
| South | 77 | 11.2% |
| West | 96 | 13.9% |
| Total: | 690 | 100.0% |

Forward Work Programme: Scrutiny

Report by the Director of Community Services

Summary

This report asks Members to review and develop the programme for scrutiny.

Action Required

The Overview and Scrutiny Panel is asked to consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates.

The Overview and Scrutiny Panel is invited to consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2.

1 The Scrutiny Programme

1.1 The Outline Programme for Scrutiny (Appendix A) has been updated to show progress since the September 2013 Overview and Scrutiny Panel.

1.2 Members of the Overview and Scrutiny Panel can add new topics to the scrutiny programme in line with the criteria below: -

(i) High **profile** – as identified by:

- a. Members (through constituents, surgeries, etc)
- b. Public (through surveys, Citizen's Panel, etc)
- c. Media
- d. External inspection (Audit Commission, Ombudsman, Internal Audit, Inspection Bodies)

(ii) Impact – this might be significant because of:

- a. The scale of the issue
- b. The budget that it has
- c. The impact that it has on members of the public (this could be either a small issue that affects a large number of people or a big issue that affects a small number of people)

(iii) Quality – for instance, is it:

- a. Significantly under performing
- b. An example of good practice
- c. Overspending

(iv) It is a Corporate Priority

2 Section 17 – Crime and Disorder Act

2.2 The crime and disorder implications of the various scrutiny topics will be considered when the scrutiny takes place

3 Equality Impact Assessment

3.1 The scrutiny report is not directly relevant to equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.

4 Action Required

4.1 The Overview and Scrutiny Panel is asked to consider the attached Outline Programme (Appendix A) and agree the scrutiny topics listed and reporting dates.

4.2 The Overview and Scrutiny Panel is invited to consider new topics for inclusion on the scrutiny programme in line with the criteria at para 1.2.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

Jill Perkins

01603 638129

Jill.perkins@norfolk.gov.uk



If you need this report in large print, audio, Braille, alternative format or in a different language please contact Jill Perkins on 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Outline Programme for Scrutiny

Standing Item for Community Services O & S Panel: Update for October 2013

This is only an outline programme and will be amended as issues arise or priorities change

Scrutiny is normally a two-stage process:

- Stage 1 of the process is the scoping stage. Draft terms of reference and intended outcomes will be developed as part of this stage.
- The Overview and Scrutiny (O&S) Panel or a Member Group will carry out the detailed scrutiny but other approaches can be considered, as appropriate (e.g. 'select committee' style by whole O&S Panel).
- On the basis that the detailed scrutiny is carried out by a Member Group, Stage 2 is reporting back to the O&S Panel by the Group.

This Panel welcomes the strategic ambitions for Norfolk. These are:

- A vibrant, strong and sustainable economy
- Aspirational people with high levels of achievement and skills
- An inspirational place with a clear sense of identity

These ambitions inform the NCC Objectives from which scrutiny topics for this Panel will develop, as well as using the outlined criteria at para 1.2 above.

Changes to Programme from that previously submitted to the Panel in September 2013

Added – Carers conditions of service; Discharges from acute hospitals;

Deleted – Blue Badges; Community Transport; Home Care Working Group;

Community Services Overview & Scrutiny Panel

Action Required

Members are asked to suggest issues for the forward work programme that they would like to bring to the committee's attention. Members are also asked to consider the current forward work programme:-

- a. whether there are topics to be added or deleted, postponed or brought forward
- b. to agree the briefings, scrutiny topics and dates below.

| Meeting dates | Briefings/Main scrutiny topic/ initial review of topics/follow ups | Administrative business |
|---|--|---|
| | 2013 | |
| Today's meeting-8 October 2013 | <p><u>Adult Education-</u> report on the review</p> <p><u>Development of the social enterprise-</u> update on staff and customer engagement, use of buildings, transport</p> | <p>(Requested at O&S Panel July 2013)</p> <p>(Requested at O&S Panel September 2013)</p> |
| 5 November 2013 | <p><u>ICES Contract-</u> update on implementation</p> <p><u>Carers conditions of service-</u></p> <p><u>Discharges from acute hospitals-</u></p> <p><u>Warm and Well- final report</u></p> <p><u>Development of the social enterprise-</u> update on staff and customer engagement, use of buildings, transport</p> | <p>(RoC recommendation 16)</p> <p>(Requested at O&S Panel September 2013)</p> <p>(Requested at O&S Panel September 2013)</p> <p>(Requested at O&S Panel July 2013)</p> <p>(Requested at O&S Panel September 2013)</p> |

Note: These items are provisional only. The OSC reserves the right to reschedule this draft timetable.

Members Seminars

Provisional dates for update / briefing reports to the Committee 2012/13.

The impact of the budget cuts on the voluntary sector- To examine the impact on the voluntary sector of the current changes within Adult Social Services Prevention services, specifically looking at contracts valued greater than £5000 and to summarise the current position. (Ongoing monitoring and reporting requested at 6 monthly intervals) – Next update due approx.. Dec 2013

Building a better future-Ongoing reporting regarding the project is required every 6 months along with an annual report – Next update due approx. Dec 2013

Key challenges for SDS-updates every 6 months (requested at O&S Panel meeting 4 September 2012)-Next update due approx. Dec 2013

Working groups of Community Services O&S panel.

| Fuel Poverty Task and Finish Group | |
|---|---|
| Membership | Shelagh Gurney, Julie Brociek-Coulton, Emma Corlett, Denis Crawford, Elizabeth Morgan, Ian Mackie, Matthew Smith. |
| Meeting held 9 Aug 2013 | <ul style="list-style-type: none">• Cllr Crawford nominated to attend the National Energy Action conference in Harrogate from 16-18 Sept.• Work programme from 6 Sept onwards agreed.• Group to report back to O&S Panel in January 2014. |

Working groups of Cabinet of interest to Community Services O&S Panel

| | |
|------------|--|
| Membership | |
|------------|--|