

Adult Social Care Committee

**Minutes of the Meeting Held on 29 April 2016
2:30pm in Edwards Room, County Hall, Norwich**

Present:

Ms S Whitaker (Chair)

Mr B Borrett

Ms J Brociek –Coulton

Mrs J Chamberlin

M Chenery of Horsbrugh

Mr D Crawford

Mr T Garrod

Mr B Hannah

Ms E Morgan

Mr J Perkins

Mr W Richmond

Mr M Sands

Mr E Seward

Mr B Spratt

Mrs M Stone

Mr M Storey

Chair's Announcements:

1. Apologies

- 1.1 Apologies were received and accepted from Mr A Grey, Mrs S Gurney (substituted by Mrs J Chamberlin), Mrs A Thomas (substituted by Mr M Storey), Mr A Proctor (substituted by Michael Chenery of Horsbrugh) and Mr B Watkins (substituted by Mr B Hannah).

2. Members to Declare Any Interests

- 2.1 There were no interests declared.

3. Usual Price of Residential and Nursing Care in Norfolk

- 3.1 The Committee received the annexed report (3) which updated them on the settlement of the judicial review application and set out the steps that had been taken following the legal challenge and within the legal framework to enable the Committee to decide its usual prices for 2015/16 in respect of older people. The report also enabled the Committee to note and agree proposals for fee uplift of usual prices for older people in 2016/17 and the approach to settling usual prices for older people through a phased programme covering the period 2016/17, 2017/18

- and 2018/19. The report proposed that the Committee consider and agree to proposed approach for concluding the cost of care exercise in respect of working age adults for 2015/16 and for settling usual prices for 2016/17 for working age adults. The report proposed that with the exception of usual prices for older people for 2015/16 these processes were concluded through the use of delegated powers to be exercised by the Executive Director of Adult Social Care in consultation with the Committee Chair and Group Spokespersons.
- 3.2 The Committee heard that the needs of the older residents in Norfolk were higher when they entered care than some years ago. This was reflected in the work that had been carried out in the report to understand levels of staffing and the number of staffed hours.
- 3.3 The original proposals for setting the cost of care included assumptions which were tested in consultation and some adjusted as a consequence.
- 3.4 It was clarified that the 2% increase in Council Tax prevented the need for some budget savings to be implemented and that the paper set out where the additional funds would have to be taken from for the increase in the cost of care. There was some concern that some funds would have to be taken from reserves and that this was an additional cost to the Council which would have to be found long term.
- 3.5 The 25% response rate was broadly reflective of the market, although it would have been useful to receive more responses overall.
- 3.6 It was clarified that the projected overspend for 2015/16 at the end of period 12 is £3.3m which slightly differed from the figures in the report as period 10 figures had been used.
- 3.7 The Committee wished to thank the Officers that had been involved in the project for all their hard work.
- 3.8 The Committee **RESOLVED** to;
- a) Consider and note the terms of the agreement to settle the cost of care judicial review
 - b) Consider and agree to the proposed usual process for residential and nursing care for older people in Norfolk for the year 2015/16
 - c) Consider and agree to the simplification of the residential care banding system for older people that has been in operation during the 2015/16 financial year by moving from five usual price bands to four usual price bands
 - d) Consider and agree to the proposed approach to back date payments due to providers where the new usual prices for care provided between 6 April 2015 and 31 March 2016 are greater than the prices actually paid for the relevant bands
 - e) Consider and agree the proposed approach to concluding the cost of care process and the settling of usual process for working age adults in Norfolk for 2015/16 through the exercise of delegated powers.
 - f) Consider and agree to the phased approach for setting usual prices for residential and nursing care in Norfolk for older people and working age adults for the period 2016/17 to 2018/19 through the exercise of delegated

powers.

- g) Consider and agree the proposed approach to applying a fee uplift to the 2016/17 usual prices for older people and working age adults in Norfolk through the exercise of delegated powers.
- h) Consider and note the proposed approach for engaging with and consulting providers on fee rates, uplifts and related matters.
- i) Consider and agree to the proposal that the exercise of delegated powers in respect of recommendations e, f and g is carried out by the Executive Director of Adult Social Care in consultation with the Chair of the Adult Social Care Committee and Group Spokespersons.

4. Review of 9 March 2015 Adult Social Care Committee Decision

- 4.1 The Committee received the annexed report (4) which informed the Committee of the findings and recommendations from the investigation into the circumstances giving rise to the Judicial Review.
- 4.2 The Committee were assured that the process of testing for legal challenge had been tightened and lessons learned would be shared with members of the County Leadership Group at NCC.
- 4.3 The Executive Director of Adult Social Services reported that he fully accepted the findings and recommendations of the independent report and there would be work carried out to improve the negative perceptions of the relationship with NorseCare.
- 4.4 The Committee **RESOLVED** to;
 - Agree that it is important to assess all risks comprehensively, ensure that this assessment is clearly set out in the committee report and then flagged to Members when the report is being considered.
 - Agree that the County Council needs to develop improved mechanisms for meaningful consultation with the care home sector.
 - Agree that the County Council needs to work with NorseCare to overcome the negative perceptions that exist in the wider care sector around our relationship.

Meeting finished at 3.20pm.

CHAIR



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