

## **Adult Social Care Committee**

**Minutes of the Meeting Held on 25 January 2016  
10:00am Edwards Room, County Hall, Norwich**

### **Present:**

Ms S Whitaker (Chair)

Mr B Borrett

Ms J Brociek –Coulton

M Chenery of Horsbrugh

Mr D Crawford

Mr T Garrod

Mr A Grey

Mrs S Gurney

Ms E Morgan

Mr J Perkins

Mr A Proctor

Mr W Richmond

Mr M Sands

Mr E Seward

Mrs M Stone

Mr B Watkins

**Also present:** Mr R Bearman, Mr J Joyce, Mr D Roper

**Chair's Announcements:** The Chair welcomed Susanne Baldwin, Finance Business Partner for Adult Social Services to her first meeting, Bill Borrett to his first meeting as Vice-Chairman and Shelagh Gurney on her return to the Committee.

### **1. Apologies**

1.1 Apologies were received and accepted from Mrs A Thomas

### **2. To agree the minutes from the meeting held on 9<sup>th</sup> November 2015**

2.1 The minutes from the meeting held on 9<sup>th</sup> November 2015 were agreed as an accurate record and signed by the Chair.

### **2a. Matters Arising**

2ai. Mr E Seward moved the following proposal, which was seconded by Mr B Borrett;

‘The ASC Committee should re-submit the following request to Policy and Resources Committee; The Adult Social Care Committee is of the view that sufficient funding is essential for the transformation programme in Adult Social Care in order to successfully achieve budget savings. The Policy and Resources Committee are asked to ensure that sufficient resources are available to make this

happen.'

- 2a.ii. The proposal was **CARRIED** unanimously.

### **3. Members to Declare Any Interests**

- 3.1 Mr A Grey declared that a relative lived in a NorseCare residential home.
- 3.2 Mrs S Gurney declared her son worked for Norse.
- 3.3 Mr T Garrod declared he was a Trustee for NANSA (Norfolk and Norwich Scope Association).
- 3.4 Mr E Seward declared his daughter worked for 'About with Friends'.

### **4. To receive any items of urgent business**

- 4.1 No items of urgent business were received.

### **5. Local Member Issues**

- 5.1 There were no local members issues or questions.

### **6. Update from Members of the Committee regarding any internal and external bodies that they sit on**

- 6.1 Mr J Perkins reported that he had attended one meeting of Queen Elizabeth Hospital.
- 6.2 Ms E Morgan had attended a meeting of the NSAB where they had launched their self neglect housing strategy.
- 6.3 Mrs J Brockiek-Coulton had attended a Carer's Council meeting from which she reported a number of points including the following;
- i. Care Agency Partnership had started to offer a bereavement service for CAP clients.
  - ii. Community Clinics were being set up to enhance community work that was already on offer.
  - iii. 'Forget Me Not' grants were being offered to those diagnosed with Dementia.
  - iv. Short breaks would happen again in July and it was hoped that more people would take up this offer.
- 6.4 The Chair reported that she had attended a Norfolk and Suffolk NHS Foundation Trust (NSFT) Education sub-committee and an NSFT Board of Governors meeting.

### **7. Executive Director's Update**

- 7.1 The Executive Director reported that the main focus had been the management of the in house financial pressures and the balance between continuing to meet service need while reducing the financial pressure.

- 7.2 There were risks around the delivery of the home care service, especially in North Norfolk and Great Yarmouth and Waveney. There were concerns about the service but it was identified that it was difficult to provide homecare in such a large rural County. However, it was important to note that there was a robust market for homecare.
- 7.3 There had been work carried out around the whole system engaging NHS organisations, NCHC and NCC in a session facilitated by Sir John Oldham. There had been agreement made with the three acute trusts and NCHC to oversee a whole system approach.
- 7.4 It was reported that there were risks around the Better Care Fund as three CCG's had indicated that they wish to consider the amount of support they would input in the next period of the BCF. The Executive Director confirmed that as part of the process the whole system was being reviewed for health and social care funding and analysis of the areas where all the partners could make efficiencies.
- 7.5 Acute hospitals were focusing on the delayed transfer of care and NCC were engaged with this review.
- 7.6 It was reported that NCC had agreed and sent a consent order to the court with regards to the Judicial Review. The estimated costs were £25k plus VAT. The consultation on the cost of care had now closed. The results would be analysed and legal advice would be taken before continuing. More detail would be discussed at the extra meeting of the Committee on Monday 15<sup>th</sup> February 2016.

## **8. Chair's Update**

- 8.1 The Chair reported that in her capacity as the Chair, she had attended;
- Norse Liaison Board
  - Launch of Cromer and Sheringham Dementia Friendly Community
  - Three Managing Director's briefings
  - Norfolk Care Awards Judging Panel
  - Healthwatch
  - Promoting Independence Board

## **9. Adult Social Care Finance Monitoring report Period 8 (November) 2015-16**

- 9.1 The Committee received the annexed report (9) from the Executive Director of Adult Social Services which provided the Committee with financial monitoring information, based on information to the end of November 2015. It provided an analysis of variations from the revised budget and recovery actions in year to reduce the overspend.
- 9.2 The Committee were informed of an update since the report had been written. Period 9 was showing a reduced overspend. There had been a reduction of £660k which was reducing the outturn position to just under £3.1million. The Committee asked for information relating to this update to be circulated in the next week.

- 9.3 There were concerns expressed about the contracts with the day care services but the Committee were assured that the cost of care exercise would be based on the contractual requirements from providers.
- 9.4 It was essential that the day services needed to be person centred and not cost driven as a residential location providing a day service might not be suitable for everyone.
- 9.5 It was confirmed by the Executive Director that learning difficulties and hired transport were the biggest areas of financial risk. Significant changes were happening over time but it was taking longer than anticipated for the changes to realise the proposed savings. There was movement in the right direction when compared year on year. The Committee suggested that it was important that the action plan reflected the risk of the learning disabilities spend and this would be added.
- 9.6 It would be helpful for the Committee to receive an update about the longer term project planned for learning difficulties especially the accommodation and this was scheduled to be brought to the Committee for the following meeting.
- 9.7 The Committee were reassured by the Executive Director that no reserves had been used to fund the revenue spend and they were only being used for what they were intended to be used for.
- 9.8 The Committee **RESOLVED** to;
- Note the planned outturn position at period 8 for 2015-16 Revenue Budget of an overspend of £3.737m.
  - Note the planned recovery actions being taken in year to reduce the overspend.
  - Note the planned use of reserves.
  - Note the forecast outturn position at period 8 for the 2015-16 Capital Programme.
  - Note the overspend action plan at 2.8 subject to amendments accordingly.

## **10. Strategic and Financial Planning 2016-17 to 2018-19**

- 10.1 The Committee received the annexed report (10) from the Executive Director of Adult Social Services. The proposals in the report would contribute towards the County Council setting a legal budget for 2016-17 which would see its total resources of £1.4billion focused on meeting the needs of the residents.
- 10.2 The Committee received a presentation from the Delivery Manager, Business Intelligence and Performance Service detailing the outcomes from the budget consultation and the outcome of the Equality and Rural Assessments.
- 10.2.1 Following the presentation, Members asked how the numbers of the respondents were represented and if the 3000 responses received was a good turnout. The delivery Manager confirmed that compared to other similar Council's consultations 3000 responses was a good outcome. However the responses were not very

representative as people tended to respond to consultation that would directly affect them and in this case it would affect the older generations.

- 10.2.2 It was also clarified for Members that along with the question consultation there were also consultation events that took place and were well attended. Groups and individuals who used the service affected had asked for more consultation events and this was taken up.
- 10.2.3 Members expressed concern that the report had no mention of the risk of a judicial review against equality legislation yet it had been reported that 9000 people would be affected by the proposed savings. It was clarified by the Corporate Planning and Partnerships Manager that the EIA (Equality Impact Assessments) measured every conceivable risk possible and these were available in the appendix to the report.
- 10.2.4 There was a general feeling that more responses would have given the Committee a better overview of the views of Norfolk residents. However the consultation had not provided any surprises considering it was proposing a 25% reduction. Some Members felt that by the Council consulting on a 25% reduction, it was misleading the County and causing extra alarm to residents as the Committee had heard in previous meetings from Officers that a 25% reduction in service was undeliverable.
- 10.3 In discussing the proposed savings, the Committee expressed support for a rise in the Council tax precept in order to save services for Adult Social services. It was clarified by the Executive Director of Adult Social Services that the proposed reductions titled 'Reduce the Council's funding for Supporting People services' and 'Stop all transport funded by Adult Social Care Services by 2019' would be removed from the savings list if a 2% rise in Council Tax precept was agreed.
- 10.4 There was concern expressed about the reinstating of savings proposal which had a direct impact on promoting independence and learning disabilities as this was the area that would be making the service more cost-effective in the future. The £1.5million worth of savings in question related to personal budgets. However, Members did not feel that more savings could be squeezed from personal budgets as they did not adequately cover transport costs and therefore adversely impacted on an individual's quality of life. It was clarified that decisions around personal budgets would be taken in conjunction with service users.
- 10.5 The Committee queried whether the proposed savings were too reliant on promoting independence and if this could be a risk if the savings were not realised.
- 10.6 An increase in the Council tax precept would not fix the overall problem and there were other risks to be concerned about. The Executive Director of Adult Social Services confirmed that £7.1million could be at risk from the Better Care Fund re-negotiations but there would be ongoing meetings and it would be signed off by the Health and Wellbeing Board.
- 10.7 The Committee were assured by the Executive Director that all of the proposed savings assumed that the transformation programme would be continued.
- 10.8 Members asked if there would be a tender for day services for the newly refurbished Elm Road. The Executive Director explained that they were still in the process of

securing the premises and therefore had not proceeded that far in the process.

- 10.9.1 In discussing recommendation 1b), Mr D Crawford proposed, seconded by Mr M Sands that the Committee should recommend to Policy and Resources Committee that the 1.99% increase in general level of Council Tax is accepted.
- 10.9.2 With 8 votes in favour, 1 against and 6 abstentions, the proposal was **CARRIED**.
- 10.10.1 In discussing recommendation 1c), Mr B Borrett proposed, seconded by Mr A Proctor, that the Committee should recommend to Policy and Resources Committee that the Council adopts a 2% Council Tax precept rise for Adult Social Care.
- 10.10.2 The proposal was **CARRIED** unanimously.
- 10.11.1 In discussing recommendation 7, Ms E Morgan proposed, seconded by Mrs J Brociek-Coulton that the Committee should recommend to Policy and Resources that the £3million saving COM033 is removed or mitigated to whatever extent possible and fund this from an increase in general Council Tax of up to 1.99%.
- 10.11.2 With 8 votes in favour, 0 against and 7 abstentions, the proposal was **CARRIED**.
- 10.12 The Committee **RESOLVED** to;
  - 1) Consider and comment on the Committee's specific budget proposals for 2016-17 to 2018-19, including the findings of public consultation in respect of:
    - a) The budget proposals set out in Appendix 4; and
    - b) The scope for a Council Tax increase of up to 1.99% within the Council Tax referendum limit of 2% for 2016-17, noting that in contrast to previous years, there is no Council Tax Freeze Grant being offered in respect of 2016-17, and that central government's assumption in the Spending review is that Councils will increase Council tax by CPI every year (forecast 1.2% in 2016-17).
    - c) The scope for a specific Adult Social Care Council tax precept of 2%:
      - i. In 2016-17; and
      - ii. In the subsequent years of the Medium Term Financial Strategy, 2017-18, 2018-19 and 2019-20.
  - 2) Recommend to Policy and Resources that the 1.99% increase in general level of Council Tax is accepted.
  - 3) Recommend to Policy and Resources that the Council adopts a 2% Council Tax precept for Adult Social Care.
  - 4) Consider and comment on the findings of equality and rural assessment, and in doing so, note the Council's duty under the Equality Act 2010 to have due regard to the need to;
    - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
    - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
    - c) Foster good relations between persons who share a protected characteristic and persons who do not share it

- 5) Consider and agree any mitigating actions proposed in the equality and rural impact assessments.
- 6) Note;
  - a) The removal of the £5.1m Supporting People saving (ASC012 – Refocus Supporting People provision to support Promoting Independence Phase 1) on the assumption that council passes the 2% ASC precept.
  - b) The removal of the Adults Transport saving (ASC014 – Phase out all transport provision to service users) from 2017-18 and 2018-19 on the assumption that council passes the 2% ASC precept for 2017-18 to 2019-2020 from the savings approved for consultation at the October P&R committee.
- 7) Agree and recommend for Policy and Resources Committee the draft Revenue Budget as set out in Appendix 4 removing any savings unacceptable to the Committee and recommending a commensurate increase in Council Tax, within the referendum limits to meet the shortfall for consideration by Policy and Resources Committee on 8<sup>th</sup> February 2016, to enable Policy and Resources Committee to recommend a sound, whole-Council budget to Full Council on 22 February 2016.
- 8) Recommend to Policy and Resources that the £3million saving COM033 is removed or mitigated to whatever extent possible and fund this from an increase in general Council Tax of up to 1.99%.
- 9) Agree and recommend the Capital Programmes and scheme relevant to this Committee as set out in Appendix 5 to Policy and Resources Committee for consideration on 8<sup>th</sup> February 2016, to enable Policy and Resources Committee to recommend a Capital Programme to Full Council on 22 February 2016.

The Committee took a break at 12.55 and reconvened at 1.25pm.

## **11. Re-Imagining Norfolk – The County Council Plan**

- 11.1 The Committee received the annexed report (11) from the Managing Director and the Executive Director of Adult Social Services which provide strategic direction for the Council to guide and shape choices about investments and priorities for the coming medium term period 2016-2019.
- 11.2 The ‘real jobs’ as a County Council priority referred to jobs which were not seasonal or temporary. It was the intention to have more permanent jobs which paid more.
- 11.3 It was confirmed that reducing the number of assessments would not contravene NCC’s duty under the Care Act, as long as the assessment was carried out when it was needed. If, as part of the initial conversations with individuals assessments were not carried out when needed, then challenge could occur.

- 11.4 The Committee would receive a set of high level measures which cut across all Committees to review every six months. Other measures for the service would be reviewed more regularly.
- 11.5 The Committee **RESOLVED** to;
- Consider the overall strategy for the County Council as set out in the report.
  - Consider the priority targets for the whole Council as illustrated in the County Plan Tracker Appendix One
  - Consider the service strategy for the areas which are the responsibility of this Committee as set out in section 10.
  - Agree to feedback to Officers by 8<sup>th</sup> February with any views.

## **12. Risk Management**

- 12.1 The Committee received the annexed report (12) from the Executive Director of Adult Social Services which provided contextual information for many of the decisions taken. The report included the departmental risk summary with an update on progress since the last Committee meeting on 9 November 2015.
- 12.2 The Committee asked for more information relating to the removal of the risks from the Corporate Risk Register and expressed reluctance at agreeing this until the further information was sought.
- 12.3 It was also noted that although the initial set up of the Better Care Fund was complete there was an ongoing risk in delivering it. This was acknowledged and the risk register would be updated accordingly.
- 12.4 The Committee **RESOLVED** to;
- Note and comment on progress with departmental risks since 9 November 2015
  - Note the addition to the Corporate Risk Register of RM014b (inability to reduce the amount spent on adult social care transport)
  - Consider to;
    - Accept the delegation of risk RM012 from the Corporate Risk Register to the ASC Committee
    - Temporarily retain risk RM14149 Impact of the Care Act until 2019/20,
    - Remove of the portal element from DNA risk RM14150

## **13. Social Care System Reprocedurement**

- 13.1 The Committee received the annexed report (13) from the Executive Director of Adult Social Services setting out the proposal to replace the current CareFirst social care system through a re-procurement process to be in place by April 2018.
- 13.2 The costs in appendix 2 were clarified to be the full employment costs of the project. The costs associated with the trainers reflected intense and complex training which was being carried out to bring the service up to speed as quickly as possible.
- 13.3 The Executive Director confirmed that the system initially was a hybrid system, however after engagement with providers it could be altered.

- 13.4 There had been a preliminary risk analysis on the project which would be developed as the project went on.
- 13.5 The Committee expressed concern that the system was providing value for money and wanted assurance that it would be the best value for money by comparing it against other local authorities.
- 13.6 The Committee **RESOLVED** to;
- Agree to the procurement of a replacement social care recording system that meets current and future business requirements effectively
  - Agrees the associated capital funding bid
  - Recommends to Policy and Resources Committee for the £0.478m revenue funding for 2016/17 for the corporate social care system re-procurement, and £1.793m in future years, as part of the overall NCC budget.
  - Adds the risks associated with the transition to the Corporate Risk Register
  - Allow an exemption to Contract Standing Orders to extend the contract for the current CareFirst system to March 2018, to permit a phased transition.
  - Receive further information on the financial risks of the project including value for money and benchmarking data,

The Committee were reminded that there was an additional meeting scheduled for Monday 15<sup>th</sup> February 2016 at 2.30pm.

Meeting finished at 3.05pm.

#### CHAIR



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