

**Adult Social Care Committee
Minutes of the Meeting Held on 9 March 2015
10:00am Edwards Room, County Hall, Norwich**

Present:

Ms S Whitaker (Chair)

Mr B Borrett
Ms J Brociek –Coulton
Mr M Chenery of Horsbrugh
Mr D Crawford
Mr J Dobson
Mr T East
Mr T Garrod

Mr C Jordan
Ms E Morgan
Mr R Parkinson-Hare
Mr J Perkins
Mr A Proctor
Mrs M Somerville
Mrs A Thomas
Mr B Watkins

- The Chair welcomed Michael Chenery of Horsbrugh to his first meeting of the Adult Social Care Committee.
- Congratulations were given to Bill Borrett on replacing Shelagh Gurney as the Conservative Spokesperson for the Adult Social Care Committee, and thanks were given to Shelagh Gurney for her contribution to the Committee.
- The Chair reminded Members of the Committee that there would be a training session on the Care Act on Monday 16 March 1pm-4.30pm and encouraged as many to attend as possible.

1. Apologies

- 1.1 Apologies for absence were received from Tim East and Deborah Gihawi (substituted by Bert Bremner).

2. Minutes

- 2.1 The minutes of the meeting held on 12th January 2015 were agreed by the Committee and signed by the Chair.

3. Declarations of Interest

- 3.1 Cllr John Dobson declared an 'other' interest in respect of item 14 as a former Member of the Armed Forces and as being in receipt of an Armed Forces pension.
- 3.2 Cllr Michael Chenery of Horsbrugh declared an 'other' interest in respect of item 14 as President of the King's Lynn Borough Council British Legion Branch.

4 Items of Urgent Business

4.1 There were no items of urgent business received.

5 Local Member Questions

5.1 There were no local Member questions.

6. Norfolk Adult Safeguarding Adults Board Strategic Plan 2015 to 2018

6.1 The annexed report by the Executive Director of Adult Social Services was received. The report outlined the Norfolk Safeguarding Adults Board Strategic Plan 2015-2018 and the Norfolk Safeguarding Board Business Plan 2015/16. Safeguarding responsibilities of Local Authorities become statutory under the Care Act from April 2015.

6.2 Elizabeth Morgan reported that she had attended a meeting of the Norfolk Adult Safeguarding Adults Board and endorsed the restructuring of the Board and the strategic plan as it would ensure that the Board was more strategically focused.

6.3 With regards to physical aggression towards carers, it was confirmed that this was an area that had been highlighted. Although this was not specifically mentioned in the business plan, it was an overall concern.

6.4 The Committee heard that their role with regards to this plan was two-fold. They had to ensure that the safeguarding process was in place and that the strategy is evident and work alongside all partners to ensure that it is deliverable. The Committee requested that the plan was reviewed yearly, but it was also to be brought to the Committee more frequently for update.

6.5 It was confirmed that training was mandatory for all staff. Training was undertaken at induction and throughout the year. It was the responsibility of the line manager to ensure this had been carried out. There was a central electronic register which would indicate when refresher training was due.

6.6 A sub group of NASB (Norfolk Adult Safeguarding Board) were focusing on training and had initialised a new contract with a training provider. A standard training package had been established which all providers would meet. From 2016, additional funding had been secured to make sure this could continue. The training strategy would be viewed by the Committee at a future meeting.

6.7 Children's and Adults Safeguarding Boards were working together for the transitional stage but were considering joint training initiatives.

6.8 Thanks were given to Ann Taylor who would be retiring at the end of March.

6.9 The Committee **RESOLVED;**

- To note and endorse the content of the Strategy and Business Plan.

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

- 7.1 Elizabeth Morgan reported that she had attended a meeting of the Norfolk Adults Safeguarding Board and an Age UK Norfolk meeting.
- 7.2 John Dobson reported that he had been appointed to the Constitutional Group as a Governor of Queen Elizabeth Hospital and had attended two meetings.
- 7.3 Julie Brociek-Coulton reported that her first meeting as a Governor of James Paget Board of Governors would be taking place shortly. A meeting of the Carers Council had been held which had set up a development group for the implications of the Care Act.
- 7.4 The Chair reported that she had attended several meetings with the Executive Director of Adult Social Care regarding the agenda. The monthly Transformation Board had been attended as well as extra meetings about various projects. She had also been part of two interview panels, attended two Norfolk and Suffolk Foundation Trust meetings, attended a reception by the High Sheriff about mental health, attended the Enterprise Development Board of Independent Matters, attended John Bolton training sessions in Norwich and Cambridge, the Norfolk Care Awards and carried out a visit to the Henderson Unit at the Julian hospital, which is the only Social Services run unit in the country specialising in reablement. Although it was part of the Norfolk and Norwich University Hospital, it was staffed by NCC reablement staff.

8 Director's Update

- 8.1 The Executive Director of Adult Social Services reported that work was being carried out on the number of residential placements being made. The department were moving towards using the Care First system to identify placements more specifically. The last 100 admissions had been identified to monitor why a residential placement had been made and why individuals had been admitted. The process needed to have a common sense approach to respond effectively and appropriately.
- 8.2 The training workshop with John Bolton had led to the department concentrating on a clear focus on independence strategies. More information would be brought to a future meeting of the Committee.
- 8.3 It was reported that Lorraine Barrett had been appointed to the joint NCC/NCH&C post of Director of Integrated Care which meant that all management posts had now been appointed to.
- 8.4 A focus continued on accident and emergency work, including regular meetings with the NHS. There was intensive and extensive work being carried out to redesign the system and to consider overall system capacity.
- 8.5 It was reported that Norfolk and Suffolk Foundation Trust was in special measures which in turn placed financial pressures on CCGs. Sir John Alden was working on an approach with the department and other agencies.
- 8.6 Considering the overall County Council budget, the Adult Social Care allocation was

the best it could be, but was still with a high degree of risk. The Chair was asked to continue asking for funds for Adult Social Services on behalf of the Committee at the regular meetings she attended with other Chairs of Committee and the Leader of the Council. This would ensure that they were continually aware of the situation and the risks that the Executive Director of Adult Social Care had outlined.

9. Performance Monitoring Report

- 9.1 The annexed report by the Executive Director of Adult Social services was received by the Committee. The performance monitoring and management information would help the Committee undertake some of their key responsibilities, informing Committee plans and providing contextual information to many of the decisions that are taken.
- 9.2 The Committee asked if the appendices could be linked to in the main papers rather than having them all printed out, as the agenda had quite weighty for the meeting.
- 9.3 The nature of the Carers Agency Partnership was questioned by the Committee. It was reported that they provided supplementary advice to NCC. Residential placements for younger people were being reviewed together with CCGs to help ensure that the right type of support was available. The Committee questioned why any individuals under 65 were being placed in residential care. They heard that the department were working hard to challenge and scrutinise any placement, and expanding the use and model of supported living environments. NCC had a duty of care in meeting everyone's needs appropriately regardless of age. It would be preferable to set a practice standard to try and find an alternative to residential placements for younger people.
- 9.4 The resources from ICT had been put in place and was being closely monitored for the implementation of the Care Act and to support the Change Programme.
- 9.5 The Committee asked for the staff sickness pattern for the County Council as a whole, so the department absence pattern could be considered in comparison. This would be circulated to the Committee.
- 9.6 The Committee asked for more detailed information about why the cost of business mileage had increased and this would be circulated.
- 9.7 The Committee noted that with the new Committee system there could be more use of task and finish groups and cross party working. There needed to be a group set up to analyse performance separately from the main Committee, with the first item being why younger people were being placed into residential care.
- 9.8 The Committee heard that the contract with Care First expires next year, and there were discussions currently being held with NCH&C and Children's Services.
- 9.9 **The Committee RESOLVED to:**

- Review and comment on the performance information.
- Consider any areas of performance that required a more in-depth analysis.
- Continue to review whether the performance indicators that form the basis of this report enabled a robust assessment of performance across the service areas covered by this Committee.

10. Adult Social Care Finance Monitoring report Period Nine (December) 2014-15

10.1 The annexed report by the Executive Director of Adult Social Services was received by the Committee. The report provided the Committee with financial monitoring information, based on information to the end of December 2014. It provided a forecast for the full year, analysis of variations from the revised budget, with recovery actions to reduce the overspend and the forecast use of Adult Social care (ASC) reserves.

10.2 It was reported that the financial pressures of the report from period 9 were still apparent although they were decreasing.

10.3 The Committee noted that there needed to be a mechanism for dealing with secured and unsecured debt. It was reported that the department had started to review the process for writing off debts.

10.4 The Committee **RESOLVED** to note;

- The forecast revenue outturn position for 2014-15 as at Period Nine of an overspend of £5.900m
- The recovery actions being taken to reduce the overspend.
- The current forecast for use of reserves.
- The forecast capital outturn position for the 2014-15 capital programme.

11. The Care Act 2014

11.1 The annexed report from the Executive Director of Adult Social Service was received. There are some requirements of the Care Act which had to be implemented in April 2015 and others in April 2016. The report asked Members to agree the Deferred Payments policy and the Debt Recovery Policy for Adult Care Charges which had to be implemented in April 2015.

11.2 It was noted that the Deferred Payments Policy should be renamed as a scheme, as it should be part of the policy framework if that was the case.

11.3 The policy would take effect from 1st April 2015.

11.4 The Committee **RESOLVED** to;

- Agree the Norfolk County Council Deferred Payments Scheme.

- Agree the Norfolk County Council Debt Recovery Scheme for Adult Social Care Charges.

12. Better Care Fund Pooled Fund Arrangements

- 12.1 The annexed report from the Executive Director of Adult Social Services was received. The Better Care Fund requires local authorities with social services responsibilities and clinical commissioning groups (CCGs) to create a pooled commissioning fund for the provision of integrated health and community care services, with a priority purpose of reducing unplanned admissions to hospital. The pooled fund must be secured through an agreement under section 75 of the National Health Service Act 2006.
- 12.2 It was noted that the pooled fund was a long term view of funding and joint investment was a positive way forward.
- 12.3 Work was progressing within the pooled fund arrangements and would make a difference to the service that was being provided. It was clarified that the Health and Wellbeing Board was overseeing the Better Care Fund for Norfolk.
- 12.4 The Committee **RESOLVED** to;
- Approve the proposed approach to the Better Care Fund pooled fund under section 75 of the NHS Act.
 - Agree to delegate to the Executive Director Adult Social Services the responsibility to finalise the individual s75 agreements with each CCG.

At this point in the meeting, the Committee took a short break for 40 minutes, and returned at 1.15pm.

13. Cost of Care and Developing the Market with the Independent care Sector

- 13.1 The annexed report from the Executive Director was received. The report explained that the Council relied primarily on a market of independent businesses for the provision of key adult social care and support services to vulnerable people. It cost the council more than £260m pa. The promotion of an effective and efficient market in such services becomes a statutory responsibility from 1 April and we must be confident that the market can continue to provide these services as commercially viable businesses within the funding available. This would require the Council to consider both the level of financial investment needed by providers and its relationship with providers so that services can be provided on a sustainable basis.
- 13.2 The providers were willing to fully participate in the review of the market as it was hoped it would clarify a number of issues. It was a fundamental review to ensure that, in the medium and longer term, there is the right bed strategy.
- 13.3 The Committee **RESOLVED** to;
- Agree the proposal to raise provider fees by 1.5% for providers of residential care for older people and 1% for other providers with effect from April 2015 to

reflect net inflationary pressures in the market, contractual obligations and the Council's financial position.

- Support the proposal to establish a Working Group to carry out a fundamental review of the costs of providing residential care bringing a report for consideration by the Adult Social Care Committee on 29 June 2015. The Working Group to be chaired by the Committee Chair and to include representatives from Norfolk Independent Care and relevant NCC functions.
- Agree to the continuation of the Market Development Fund pending further consideration at the 11 May Adult Social Care Committee of future arrangements for sector led support covering the remainder of 2015/16 and the period 2016/17 to 2018.

14. Review of the Residential and Non-Residential Charging Policy Associated with War Veterans

- 14.1 The annexed report from the Executive Director of Adult Social Services was received. The report provided the Committee with a review of the charging policy for Residential and Non-Residential care that is associated with War Veterans. The report considered the issues made by the Royal British Legion as part of the national campaign.
- 14.2 The Chair reported that there had been national publicity about the campaign and had taken legal advice from the Monitoring Officer regarding declaration of interests.
- 14.3 At this point in the meeting, Cllr John Dobson declared an interest as a former Member of the Armed Forces and as being in receipt of an Armed Forces pension. Cllr Michael Chenery of Horsburgh declared an interest as President of the King's Lynn Borough Council British Legion Branch.
- 14.4 It was acknowledged that the Council had the power to change its policy and that it was important to be seen to be doing the right thing for the military. It was iniquitous that veterans' income was treated differently depending on when your military service had occurred.
- 14.5 The following amendment to the recommendation was moved by Cllr John Dobson and duly seconded.
- "Recommend to full council that the relevant council policy be changed in this cycle to grant the request put forward by the Royal British Legion in respect of charging policies in force affecting war veterans i.e. paragraphs 2 and 3 of the introduction of the Royal British Legion submission attached to this report."
 - "Recommend, in the interim, that P&R committee officers bring forward to that committee urgently options to find within this financial year and beyond the £400,000 per annum which is estimated to be the cost of the change."

The Committee **AGREED** the amendment and it became the substantive recommendation.

- 14.6 Upon being put to the vote, with 10 votes in favour, 1 vote against and 2 abstentions

the recommendation was **CARRIED**.

14.7 The Committee **RESOLVED** to;

- Note that any change in policy around War Veterans would cost approximately £400k annually to implement.
- Note that neighbouring councils who responded to enquiries have a similar if not identical charging policies in force with respect to War Veterans and have no plans to change these policies.
- Note that any change in policy on charging is likely to lead to other groups raising similar requests.
- Recommend to full council that the relevant council policy be changed in this cycle to grant the request put forward by the Royal British Legion in respect of charging policies in force affecting war veterans i.e. paragraphs 2 and 3 of the introduction of the Royal British Legion submission attached to this report.
- Recommend, in the interim, that P&R committee officers bring forward to that committee urgently options to find within this financial year and beyond the £400,000 per annum which is estimated to be the cost of the change.

15. Exclusion of the Public

15.1 The committee is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

15.2 The committee was presented with the conclusions of the public interest tests carried out by the report author and resolved to confirm the exclusion.

16. Amendment to NorseCare Contract

16.1 The annexed report by the Executive Director of Adult Social Services was received by the Committee.

16.2 **The Committee RESOLVED to;**

- Authorise the Executive Director of Adult Social Services to enter a formal variation to the NorseCare contract on the basis set out in this report.

17. Great Yarmouth and Waveney Integrated Home Care

17.1 The annexed report by the Executive Director of Adult Social Services was received by the Committee.

17.2 The Committee RESOLVED to;

- Support the proposal to extend the contract with One to One by 11 weeks and the contract with Care UK by 24 weeks to facilitate the development of the integrated service across the Great Yarmouth and Waveney CCG area.

Meeting finished at 2.30pm.

CHAIR



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