

SOCIAL CARE AND INCLUSION SCRUTINY & PERFORMANCE PANEL

THURSDAY 8 MAY 2014 AT 6.00 P.M.

Panel Members Present: Councillor B. Douglas-Maul (Chair)
Councillor D. Coughlan
Councillor L. Rattigan
Councillor D. Barker
Councillor D. James

Officers Present: Keith Skerman, Interim Executive Director
Suzanne Joyner, Head of Community Care
Andy Rust, Head of Joint Commissioning Unit
Matt Underhill, Committee Governance & Business Manager

343/13 APOLOGIES

Apologies were received for the duration of the meeting from Councillor T. Oliver and Peter Davis.

344/13 SUBSTITUTIONS

There were no substitutions for the duration of the meeting.

345/13 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip identified at this meeting.

346/13 MINUTES

The Panel considered the minutes of the meeting held on 27 March 2014. A Member reported that she had visited Hollybank Intermediate Care Unit and she continued to have a high opinion of the facility and its staff.

Resolved:

That the minutes of the meeting held on 27 March 2014, copies having previously been circulated, be approved as a true and accurate record.

347/13 CARE AND SUPPORT BILL

The Head of Community Care introduced the report. The following is a summary of the briefing and subsequent discussion:

- It was explained that the Bill would incorporate all current legislation into a single statute. It was also explained that a key element of the Bill was a new overall principle to promote individual well being. This is the first time that a statutory requirement has been placed on councils to support the well being of all residents. This includes preventing the need for care and support, promoting integration, providing information and advice and undertaking assessments of both users and carers. In response to a query from the Chair officers explained that the duty to promote individual well being would mean that the council would

have to relate to individuals in a different way. In particular, this will shape the way in which the social work team work;

- The Interim Executive Director explained that under the Local Authority Act 2000 the council already had a duty to promote well being. It was hoped that within Adult Social Care it would be possible to continue to build on the good practice and the developing holistic approach in order to meet the new statutory duty. Officers and Members agreed that the duty to promote well being was a council-wide responsibility for all service areas and statutory partners. This included the reablement service, NHS Trust and community care. It was also explained that Prevention was another key element of the Bill. It requires councils to contribute towards preventing or delaying user need for care and support, as well as to reduce the need for care and support for carers. In relation to Integration it was explained that the Bill requires the council to ensure the integration of care and support where it would: promote wellbeing of users and carers; contribute to prevention or delay for care and support by users and carers; improve quality of care and support for users and carers. It was also pointed out that the new Better Care Fund will provide the funding and delivery mechanism to drive integration;
- In relation to Information and Advice it was explained that the key requirement was for the council to establish and maintain a service to provide information and advice. This includes that the advice available must serve the whole population and support self-funders to make a range of choices. In addition, information must be made available in relation to a number of areas including: the choice of types of care and choice of providers available; how to access care and support; and how to raise concerns about the safety or wellbeing of a person needing care. Officers explained that it would be important to ensure that the council is able to reach people and enable them to access information. A key element of this work will be ensuring the effective use of the council's web pages in providing up- to-date information. In response to a Panel query it was explained that service users would not be restricted to particular providers. In addition, significant work was underway to open up and develop the care market to offer greater choice to service users. In response to a further Panel query it was explained that in terms of how individuals access care and support first contact is made by telephone to Streets Corner, the initial response centre. Referrals were also received from a range of other sources regarding those who may require care. This might be family, neighbours, schools or internally from social care or other service areas. Officers agreed that it would be important to deliver a coordinated response to ensure appropriate support and care is provided. Officers also explained that work has been done to improve the front end of the service to ensure it is fully accessible. In response to an additional Panel question it was confirmed that those who self-fund care are entitled to a care assessment, although currently the council is not required to follow up on the well being of those self-funding their care. However, the planned introduction of a replacement electronic social care case recording system would enable all individuals to build up a care account which would assist in supporting well being;
- In relation to Assessment and Eligibility it was explained that eligibility for care and support will be established through a National Framework to ensure consistent minimum criteria throughout England. At present there are four levels of assessed care in Walsall. However, it is anticipated that the new Fair Access to Care Services (FACS) national criteria will be set at "substantial" and "critical" care needs. It was further explained that an initial assessment will be carried out to establish if an individual has eligible needs. It was also explained that a new funding assessment will be used to determine if needs can be met by the council

or if the individual can pay for their own care, which includes a new cap on costs. Other key elements of this aspect of the Bill include that all individuals have the right to ask the council to arrange their care, irrespective of who is funding it and that the council has a legal responsibility to provide care and support for both the service user and carer following an assessment of need. In relation to Assessing and Supporting Carers it was explained that carers will have the same rights to assessment services as users. New duties include a requirement to carry out carer assessment regardless of level of carer need or financial resources of carer/ user, together with a new duty to meet identified needs.;

- It was also explained that young carers will automatically be treated as children in need. In relation to Safeguarding it was explained that a duty of cooperation between the council, NHS and Police was one of the new requirements of the Bill. However, officers explained that the council has already established a good working relationship with these and other statutory bodies. In addition, there was a requirement for clear plans to be published which should be reviewed annually and progress reported;
- In relation to Financial Assessment and Cap on Costs it was explained that there will be a cap on care costs that the service user must meet the first £72k from 2016. In response to Panel queries it was explained that the care account created for each person assessed will show the level of the council contribution to the care package and the rate the user is progressing towards the cap. However, the service user will continue to be responsible for paying general living costs in residential/ nursing care. In relation to Market Shaping it was explained that the council must promote the efficient and effective operation of care and support;
- In terms of Key Milestones it was explained that elements including deferred payments, together with information and advice were anticipated to be introduced by April 2015, with the cap on care costs set to be introduced by April 2016. In relation to Preparation and Implementation of the Bill it was explained that a Programme Board has been established with cross council representation and work to align the approach with local councils and the Local Government Association (LGA) to ensure shared learning and effective use of resources. Officers explained that it was intended to split up some of the work involved in implementation across the region through a range of networks. The Interim Executive Director noted that his predecessor had put in place a good foundation with the Operating Model upon which it would be possible to build.

Resolved:

That the report be noted.

348/13 BRIEFING RE: REPLACEMENT ELECTRONIC SOCIAL CARE CASE RECORDING SYSTEM

The Interim Executive Director introduced the briefing. The following is a summary of the briefing and subsequent discussion:

- It was explained that officers had made some rapid decisions recently regarding the requirements of the Care and Support Bill and in relation to internal procedures, including case management. At the same time Children's Services

must meet the requirements of the recent OFSTED inspection in ensuring its case management system delivers against current and longer term operational demands. It had been determined that it would be both costly and complex to adapt the current PARIS system to meet the council's social care requirements. As a consequence Cabinet had agreed to the procurement of a new IT system which offered a more straightforward solution. The procurement was likely to result in the purchase of an existing off the shelf product which would then be adapted to meet the council's needs. It was anticipated that the new system will cost a minimum of £2.5m. In response to a Panel query it was also explained that, subject to a successful procurement process, it was intended for Children's Services to have completed the introduction of the new system to their services by the end of 2014 as a priority. At that stage Adult Social Care would begin the process of introducing the system to their areas of work. It was anticipated that this would be completed by the end of April 2015. It was further explained that amongst the benefits that the new system will offer will be web-enabled access for service users to their care accounts. The new system will offer future proofing enabling the council to respond to changing and increased requirements going forward;

- In response to further Panel queries in relation to the management and governance of the introduction of the new system it was explained that a joint Children's and Adult Social Care Programme Board will be established. In response to an additional Panel query it was explained that the system would automatically generate a support plan. It will also automatically generate an invoice and direct payment. Officers acknowledged the importance of avoiding the use of the council tax billing system which had previously resulted in council demand type letters being sent to those who received a charge under benefits based charging as this had caused distress to the users;
- A Member noted the importance of sufficient risk assessment and highlighted the importance of piloting the system prior to full implementation, as well as the identification of an alternative system should problems emerge with the selected system. The Interim Executive Director explained that he felt that there was sufficient programme management in place which included the intended appointment of a Programme Director. The Member requested that details of the risk assessment and planning work would be shared with the Panel. The Member also suggested that the issues of accountability, integration and learning be considered by the Panel and that the replacement project be a standing item on the Panel's agenda.

Resolved:

That the report be noted.

349/13 FEE LEVELS FOR SUPPORT FOR LIVING AT HOME SERVICES

The Head of the Joint Commissioning Unit introduced the briefing. The following is a summary of the briefing and subsequent discussion:

- It was explained that there had been shared concerns regarding existing fee levels and the level of care quality sought in Walsall. This includes that the current fee levels set as part of contractual arrangements agreed in 2008 did not reflect cost pressures such as the rise in the minimum wage. A number of the companies

responsible for delivering these services have advised the council of the difficulties this had created for them. In response to this work has been undertaken towards a re-procurement of the contract arrangements which will harmonise historical and existing terms, including fee levels, within a sustainable and affordable range. However, the need to reflect the potential impact of the Care Act and Children and Families' Act has delayed the immediate implementation of the procurement process from the intended September 2014 to April 2015. However, the need to agree to fee levels to take effect from April 2014 remains, particularly in relation to addressing pressures on the health and social care system and shortages in homecare agency staff. It was also explained that the fee level will be increased to a minimum of £11.50 for providers with an annual increased spend to the directorate of £479K. In response to a Panel query it was explained that the transitional contract arrangements will end once the new framework agreement is in place.

Resolved:

That the report be noted.

350/13 WORK PROGRAMME AND FORWARD PLAN 2013/14

- In relation to aids and adaptations officers explained that the service has continued to build on its earlier success which has seen waiting times for aids and adaptations reduced from up to two and a half years to six weeks. A Member talked of a very positive experience of the service whereby a minor aid had been received the day after the assessment had been undertaken;
- In relation to Housing21 extra care schemes it was explained that following a consultation exercise the day care schemes were decommissioned and the number of respite care units reduced. However, some sites previously used as day care centres were making their facilities available for community activities;
- In relation to the Independent Living Fund it was confirmed that the Fund's proposed closure had been suspended at national level following a judicial challenge. As a result the current arrangements will continue for the foreseeable time. The Interim Executive Director also noted that the Welfare Rights team was doing an excellent job and was now part of Money Home Job.

Resolved:

That the work programme and forward plan be noted.

351/13 DATE OF NEXT MEETING

The Chair informed Members that the date of the next Panel meeting would be set an Annual Council in June 2014.

The meeting terminated at 7:36p.m.

Chair:

Date: