



Leicester  
City Council

Minutes of the Meeting of the  
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 7 OCTOBER 2021 at 5:30 pm

P R E S E N T :

Councillor Joshi (Chair)  
Councillor March (Vice Chair)

Councillor Broadwell  
Councillor Kaur Saini

Councillor Kitterick  
Councillor Dr Moore

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**26. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Govind.

**27. DECLARATIONS OF INTEREST**

The Chair noted that he had an ongoing declaration in which that his wife worked for the Reablement Team.

**28. MINUTES OF THE PREVIOUS MEETING**

The Chair noted that in terms of progress on actions recorded in the previous meeting, reports from Healthwatch Leicester and Leicestershire requested from Members had been circulated and the item had been added to the work programme to be considered early in the new year.

The item Domiciliary Care was an ongoing item on the Commissions work programme and was also included within the Task Group review. Additionally, the Carers Technology topic would be added to the work programme.

The Item on the Procurement Plan was on this evening's agenda for consideration by the Commission.

**AGREED:**

That the minutes of the meeting of the Adult Social Care Scrutiny Commission on 26 August 2021 be confirmed as a correct record.

## **29. PETITIONS**

The Monitoring Officer noted that none had been received.

## **30. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE**

The Monitoring Officer noted that none had been received

## **31. COVID19 UPDATE**

The Strategic Director for Social Care and Education provided the Commission with the latest updates.

It was noted that:

- The National Dashboard provided information on the infection rates and the number of positive cases in care homes.
- In the week commencing 25 September 2021 there were 18 positive cases, of which 11 were staff members and 7 residents. Most of these were associated with an outbreak in one care home and things were in place for providing the necessary support to the care home at concern.
- Positive cases in care homes had fallen, and Leicester was currently second lowest positive rate in the region. Over last couple weeks community infections had fallen incredibly one of the best regionally.

It was noted that there remained a significant burden to providers around testing and infection control in care homes and that the DHSC had been supplying additional funding for care providers on a formula basis to cover cost of associated activities.

Although the funding had been due to expire on 30 September, the scheme had at the last minute been extended until the end of March, though the Service were yet to be informed on what would be allocated. Estimates of what could be made available were based on previous rounds of funding. Additionally, guidance on what the funding could be spent on was also not yet available.

### VACCINATIONS

Following a national public consultation, the Department for Health and Social Care had laid regulations for full mandatory vaccination for anyone that entered the care home environment in a professional capacity. The change in regulation affected some 500 council staff and the requirement comes into effect on 11 November 2021. It was the legal duty on care homes to check staff vaccination status and the CQC would monitor this as part of their inspections.

The NHS were maintaining a 12-week gap between the two doses, over 90% staff have had their first dose and 85% have had both doses. The department were working extremely closely with care homes to monitor the number of vaccinated staff and looking at any operational issues and contingency plans

that may need to be put in place. This would include working with staff who have not been vaccinated and looking at staff rotas and recruiting new staff where required. The department were concerned with a small number of staff but, Officers were hopeful that, come the deadline date there would be no disruption to the delivery of service.

It was also noted that the Government were considering mandatory vaccination to all staff who work within health and social care and Officers felt that it was likely that this would be announced in the near future. There had been some reports of staff resigning from care homes roles to go to work in the NHS, so this new plan could unravel more problems.

It was suggested that, there were a variety of people who the vaccines were not suitable for and information on clinical exemptions had not yet been published. The DHSC had published guidance for self-certification and they had now issued clinical guidance on whether staff were suitable for vaccines. Those staff who had self-certified would remain exempt until 24 December 2021 or until they had been reviewed by a clinician, whichever was sooner.

As part of the discussions it was noted that:

- Members of the Commission had concerns with the self-certification and its ambiguity.
- Hopeful that no one will need to be dismissed as a result of the new guidance.
- The service had an approach in place where staff would be redeployed when they are not willing to be vaccinated. Support was in place for staff and the service were hopeful these numbers would be small percentage of the workforce.
- Social care staff vaccination must be a positive and a good thing although some staff had worries and concerns.
- Confident that the introduction of mandatory vaccinations would not be a major factor in service delivery

Further into the discussions Members of the Commission suggested that the condition of the sector currently was unsurprising, and this was a result of disregard from central government towards Adult Social Care staff. It was suggested that the unfair treatment of care-workers over the years had played a part in workers leaving and finding alternative employment.

Members of the Commission welcomed the 95% of staff who had had their 1<sup>st</sup> dose and queried how the service compared to other authorities. It was suggested that, the vaccination rates were broadly lower than the national average and this impacts on the workforce but in comparison with neighbouring authorities the vaccination rates were similar.

Support was in place for staff for meeting target date and a very small number of staff members had refused the vaccination completely with fertility as the main issue. In general suspicion on the quickly produced vaccination and a lot of misinformation on Social Media also played its role in staff concerns. It was noted that the service had strategies in place to promote staff vaccination, and also to keep those that were exempt safe. There were a number of communications on the web page and provider forums had a constant stream of information that went out. Additionally, the service were facilitating clinical conversations with staff.

Following the query on impact planning from the Healthwatch Leicester representative, it was noted that the service were satisfied with the work that was being done during these challenging times and that the service were working with partners locally and beyond on impact analysis for care homes that could be affected with the potential of reduced staff or care home closures. Following the Chair's request for an update on the care homes on the red list, it was noted that, there were 11 care homes at the last meeting, the Head of Commissioning had worked with the care homes to bring this number down to 4 care homes on the red list and the department were working with every care home to bring this number down further by the deadline day. Contingency plans were in place should any care home not meet the requirements by the 11 November 2021 to ensure that the service delivery continued as usual. Officers were hopeful that no service will face major issues and arrangements were in place to ensure all care services were maintained.

AGREED:

- 1) That Officers be thanked for their update to the Commission;
- 2) That the Members of the Commission be requested to note the information provided; and
- 3) That the Covid 19 update remain on the agenda to keep Members of the Commission updated on the latest information in the area.

## **32. PROCUREMENT PLAN**

The Head of Commissioning introduced the reordered procurement plan 21/23 adults and children's services.

It was noted that not all procurement is guaranteed, as there is a review process which could deem it unnecessary to go to market. The plan also showed the reviewed status of procurement activity, the status of contracts out for procurement and items at pre procurement stage which could be discussed further.

As part of the discussions Members thanked Officers for the new format and queried with officers whether Domestic Violence could be brought to Scrutiny. It was noted that Domestic Violence did not fit into the Strategic Director for

Social Care and Education's portfolio and it was a topic that went to the Neighbourhood Services Scrutiny Commission. Members suggested that they were happy if the Neighbourhoods Services Scrutiny covered the item but would add it to the Adult Social Care Scrutiny Commission's work programme if it was appropriate to be covered at this Commission.

Members of the Commission queried contract extensions and the impact of these contracts on the delivery of service. It was noted that in many cases the service were able to extend the duration of contracts within the terms of the original contracts, subject to them still meeting the needs of the people drawing on those services. It was further noted that there had been times where the service had to go beyond the terms of the contracts although this was in very few cases. Over the past 18 months there had been issues with the market's ability to respond to a tender.

Members suggested that the Commission should consider looking into Extra Care Development contracts at a future meeting. Members were aware and appreciated commercial confidentiality but suggested that these contracts could be considered in a private session and the Director for Adult Social Care and Commissioning welcomed a discussion with Members on Extra Care Developments in terms of future procurement and an early conversations with Members would be beneficial.

Members raised their concerns with the Vulnerable Passenger Transport Service contracts and whether this service would be better value for money if it was delivered inhouse rather than delivery through private companies. It was noted that there were currently in the region of 700-800 school children using this service delivered both by an inhouse fleet which supported the provision of transport for children and taxi providers as a last resort. Officers echoed their concerns on the price of the contracts and would also like this addressed with the procurement in process for change in approach where the service had moved to a dynamic purchasing system to drive up competition and in turn drives down the price. The Strategic Director for Social Care and Education noted that about 90% of the children using this service were attending one or other of the special needs schools and a regular update on this was provided at the Children, Young People and Education Scrutiny Commission.

Members of the Commission shared their concerns with the risk rating column on the plan and highlighted where there had been 13 instances where a commissioning review was in progress. Members queried how long the review process was and how it was managed. The Head of Commissioning noted that this was an 18-month process, leading time from the commencement of a review until the contract went live. This allowed for a thorough process and emphasised on co-production with those who receive the service. The Head of Commissioning's team dealt with the process, but it was noted that this process also overlapped with Children's Services.

It was suggested that this was the normal process to ensure no key aspects were missed and the service were delivered efficiently on the goals the team were commissioning. It was noted that there were dedicated Commissioning

and Procurement Teams. Risk factors were rated on things including price, volume, the vulnerability of people and the impact on the reputation of the Council.

**AGREED:**

- 1) That the Strategic Director for Social Care and Education be requested to provide an update to the Adult Social Care Scrutiny Commission on the Transport of Vulnerable Persons when further progress is made following the commissioning review;
- 2) That the item on Domestic Violence be considered jointly with the Neighbourhood Services Scrutiny Commission;
- 3) That the Strategic Director for Social Care and Education be requested to submit a report to the Adult Social Care Scrutiny Commission on the Liberty Protection Safeguarding – under Adult Social Care once further clarity and guidance is received from the Department of Health & Social Care and that this also include the associated Advocacy contracts;
- 4) That the Strategic Director for Social Care and Education be requested to further update Members of the Commission on Extra Care Development – under Adult Social Care following the Commissioning review;
- 5) That the item on Domiciliary Support – under Adult Social Care, to be considered as part of ongoing task group work into care costs packages review; and
- 6) That the Strategic Director for Social Care and Education be requested to provide a future report updating the Commission on the Procurement Plan in 6 months.

### **33. 'COST OF CARE PACKAGES' TASK GROUP SCRUTINY REVIEW**

The Vice Chair of the Adult Social Care Scrutiny Commission provided a brief update on the Scrutiny review.

It was noted that:

- Most meetings have been taken place
- Thanked officers for support
- Triangulate work
- Hopefully conclude it the new year.

Members of the Commission noted that following this review the information that is derived should be uploaded onto a platform where it can be accessed by those involved.

Members were focussing on the change in cost of care packages in the year and looking at smaller patterns of why these changes happen to the cost of care. Members were considering whether the care that people were receiving had led to deterioration in health and Members were interested in investigating

this information further and using different techniques to tackle issues that arise.

Interesting to take a sample of cost varied to care packages. There was a suggestion that some providers might seek to come in low then push the price up. The Strategic Director for Social Care and Education noted that the rate in homecare packages were at a fixed rate and social workers decide the level of care for the individual drawing on care services. It was suggested that there could be scope for providers to seek to increase the size of packages (and hence bring more work in) by coaching clients to extend care packages as this was a practice in other sectors which could also benefit this sector.

The Deputy City Mayor for Social Care and Anti-Poverty noted that the recommendations of the Review were anticipated.

AGREED:

That the Commission be kept updated.

#### **34. AFGHAN RESETTLEMENT IN LEICESTER**

The Strategic Director for Social Care and Education noted that Leicester was one of the cities where refugees were being placed whilst permanent homes were being sought after. It was Important to note that the Afghans coming to Leicester had full rights of residence and they can choose to move elsewhere in the UK and some individuals had chosen to move out of Leicester. It was also noted that the new arrivals often had remarkably good level of English as they have worked with British personnel in Afghanistan.

One of the hotels in the city was being used to house a number of people funded by the Home Office with support in place. It was noted that to date, there were no calls on Adult Social Care support.

The Service were liaising closely with the NHS and GPs but at present no support had been required from Adult Social Care. It was noted as a positive that health services in Leicester are designed and used to working with people from different communities. It was noted that additional needs may arise in the future and service were monitoring closely and should the service be required the service will be made available.

Members of the Commission were proud that the city has been able to build a longer table rather than a higher wall.

AGREED:

- 1) That the Officers be thanked for their update and be requested to keep the Commission informed on any progress; and
- 2) That the Strategic Director for Social Care and Education be requested to keep Members informed of any progress, and that broader consideration be given to refugees and asylum seekers in the city, in relation to adult social care impacts.

**35. WORK PROGRAMME**

Members of the Commission were requested to pass any suggested items for consideration on the work programme to the Scrutiny Policy Officer.

**36. ANY OTHER URGENT BUSINESS**

Members of the Commission were reminded that the next meeting was scheduled for 2 December 2021.

There being no items of urgent business, the meeting closed at 7:03pm