



Leicester
City Council

Minutes of the Meeting of the
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 20 NOVEMBER 2014 at 5:30 pm

P R E S E N T :

Councillor Chaplin (Chair)

Councillor Alfonso
Councillor Cutkelvin

Councillor Kitterick
Councillor Willmott

In Attendance

Councillor Rita Patel – Assistant City Mayor (Adult Social Care)
Councillor Palmer – (Deputy City Mayor)
Councillor Dempster (Assistant City Mayor, Children, Young People and Schools)
Councillor Dr Moore

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44. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dawood, Riyait and Philip Parkinson, Healthwatch (Standing Invitee). Apologies for absence were also received from Councillor Cooke, Chair of the Health and Wellbeing Scrutiny Commission who had been invited to attend the item on the Winter Care Plan.

45. DECLARATIONS OF INTEREST

There were no declarations of interest.

46. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Adult Social Care Scrutiny Commission held on 25 September 2014 be confirmed as a correct record.

The Chair referred to minute item 34: Operation of the Winter Care Plan over the winter of 2013/14 and stated that a meeting between the Chair, Vice Chair and the Assistant City Mayor, Adult Social Care to discuss communication issues was still to be arranged.

The Chair added that proposed dates for a visit to the Extra Care Housing at Danbury Gardens would be circulated to members of the commission.

47. PETITIONS

There were no petitions.

48. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

There were no questions, representations or statements of case.

49. UPDATE ON THE EXECUTIVE RESPONSE TO THE SCRUTINY COMMISSION'S REVIEW ON DOMICILIARY CARE

The Chair provided an update on the Executive response to the Adult Social Care Scrutiny Commission's review on Domiciliary Care and a briefing note is attached at the back of these minutes.

Members of the commission made the following queries and comments:

- Councillor Willmott sought confirmation in relation to 15 minute visits to service users, and as to whether call the 15 minute cases had been reviewed. The Director for Care Services and Commissioning responded that there were still a number of cases where clients received a 15 minute visit but this number was decreasing and being phased out. The Director offered to provide further details on this.
- Concern was raised in relation to zero hour contracts and members queried whether there was anything else the council could do to ensure this practice ceased. The Director for Care Services and Commissioning responded that the council recognised that this was an issue and this would be considered as part of the re-procurement process in 2016.
- Concerns were raised that not all staff employed as domiciliary care workers were in receipt of a living wage, and a view was expressed that if the council claimed to be a living wage employer, they should also ensure that their contractors did the same. It was recognised that this would be currently unaffordable, but assurances were sought and in addition, the necessary budget planning was needed. The Deputy City Mayor responded that it would cost approximately £10m if the living wage was to be paid for externally contracted Adult Social Care services. This was a national issue and what was really needed to address the problem was for the government to provide for a properly funded health and social care system. Councillor Kitterick requested a

financial breakdown of how the £10m figure had been arrived at and a list of options to help consider how much the council could afford to pay, if the £10m was not affordable.

It was agreed that the commission and Assistant City Mayor Patel would jointly write to the secretary of state to express concerns at the level of national funding for Adult Social Care. It was also agreed that the commission would send a draft to Assistant City Mayor Patel for her consideration before the letter was sent.

- The Chair explained that she had attended a national conference relating to Children and Adult Social Care, where the question of paying a living wage had arisen. At the conference, reference had been made to Wiltshire Council who ensured that carers were paid travelling time as well as a living wage. The Wiltshire model had been held up as being good practice.

Councillor Patel, Assistant City Mayor for Adult Social Care responded that she, the Director for Adult Social Care and the Assistant City Mayor for Children, Young People and Schools had attended the conference and had already established contacts there. As part of the model, travel times had been reduced and procurement had been organised in geographical areas within the city. Assistant City Mayor Patel added that they would be looking at the Wiltshire model and as more details came through, these would be shared with the commission.

- Views were expressed that home care workers needed to be paid for the time they spent travelling between service users. The Director for Care Services and Commissioning responded that the providers gave an assurance in relation to paying employees travel costs, but this issue would be considered as part of the next procurement exercise.

Members of the commission expressed concerns generally that the work of domiciliary care staff was significant and important and a strong desire was expressed that these issues could be addressed.

The Chair concluded the discussion and sought assurance from Assistant City Mayor Patel that the commission would be given an opportunity to help shape the pre-procurement process.

RESOLVED:

- 1) that commission members receive a breakdown of the £10m cost, if the council was to insist that the externally contracted Adult Social Care providers were required to pay their staff the living wage;
- 2) that in relation to 15 minute visits, the commission receive an update on the number of cases still outstanding;
- 3) that it be requested that the commission be given an opportunity to help shape the new pre-procurement process; and

- 4) that a letter be written by the commission to the Secretary of State to express concerns at the level of funding for Adult Social Care.

50. HOSPITAL TRANSPORT FOR PATIENTS

The Chair moved this item forward on the agenda.

Councillor Palmer, Deputy City Mayor provided a verbal update on the hospital transport for patients service. Arriva had been given the contract to deliver the service and due to concerns about performance, a meeting was being arranged with East Leicestershire and Rutland Clinical Commissioning Group (CCG), who manage Arriva. The Deputy City Mayor added that he was seeking performance data from the CCG, as he wished to establish whether they were monitoring Arriva appropriately, but he had not yet received this. Members were advised that this data would be circulated to them once it had arrived.

Members questioned whether there had been any improvement in the service that Arriva provided. The Deputy City Mayor responded that unfortunately, judging by reports in the media, the performance had deteriorated further. Not only did poor service result in distress to the patients and their families, there was a financial cost to the social care budget where carers turned up but the patient / service user had not arrived home. Additionally, further costs were incurred if the patient needed to stay another night in hospital due to delays in the arrangements for sending him/her home. The Deputy City Mayor further reported that the same situation was occurring across the country where Arriva had won contracts for hospital transport for patients.

When questioned as to the practicalities of using an alternative provider, the Deputy City Mayor responded that there were other providers who performed better than Arriva and there was also an option of an 'in-house' service.

The Deputy City Mayor informed the commission that a further report might be requested once the performance data had been received, or the CCG might be invited to come to talk to the commission.

RESOLVED:

- 1) that the update on hospital transport for patients be noted; and
- 2) that the commission express disappointment at the lack of performance data from the East Leicestershire and Rutland Clinical Commissioning Group, but look forward to this being circulated to them when the data has been submitted to the Deputy City Mayor.

51. WINTER CARE PLAN

Councillor Palmer, Deputy City Mayor presented an update on the Winter Care Plan and stated that he felt confident that the plans for the coming winter would prove adequate in the event of extreme weather.

A member raised a concern relating to icy roads and pavements and questioned whether there would be sufficient supplies of grit, not just for the roads but also for grit bins. The Deputy City Mayor replied that there were sufficient grit stocks and there were also approximately 100 more grit bins around Leicester than there had been a few years ago. Members of the community had been asked for suggestions for locations for extra bins and the council welcomed people helping to grit footpaths as the council did not have the capacity to grit all the roads and pavements in Leicester.

Members suggested that more publicity was needed to make people aware that they were entitled to use the grit bins. The Deputy City Mayor explained that in the event of any extreme weather, plenty of information would be circulated via social media. A further suggestion was made for notices to be put on grit bins, advising members of the public that they were entitled to use the grit for footpaths etc.

A query was raised relating to liability issues that might arise where members of the public used the grit bins and a request was made for this to be checked with Legal Services.

A reference was made relating to a Home from Hospital Service which was run by the Royal Voluntary Service (RVS) and currently being evaluated by the Nuffield Trust. The Chair questioned how this service could be accessed and a request was made for more information on the scheme. The Director of Adult Social Care and Safeguarding offered to bring an evaluation on the scheme back to the commission.

RESOLVED:

- 1) that the commission note the update on the Winter Care Plan;
- 2) that the commission request that the liability issues relating to members of the public using grit bins be checked with Legal Services; and
- 3) that further information relating to the Hospital to Home scheme, run by the RVS be brought back to the commission.

52. LEICESTER AGEING TOGETHER

During the consideration of this item, Councillors Kitterick and Alfonso withdrew from the meeting, in order to attend another meeting.

Members of the commission received an update on the Leicester Ageing Together Programme from Paul Bott, the Chief Executive at Vista. During Mr Bott's update, the following points were made:

- Vista will receive £5m of Big Lottery Funding over the next five years to reduce social isolation amongst people over the age of 50 in Leicester. Of this, £3m would be spent on providing proper jobs with proper wages.
- Approximately 1000 volunteers would be trained who would then be better skilled and active in the community.
- Vista was chosen by older people to manage the funding; the priorities

were also chosen by older people. Out of those priorities, transport emerged as one of the big issues.

- The providers were also chosen by older people during a 'Dragons' Den' type meeting.
- The Leicester Ageing Together programme would consist of 23 projects which would be delivered by 17 delivery partners. These partners included the Alzheimer's Society, the Quakers, East Midlands Homes, Citizens Advice Bureau and Leicester Living Streets. The organisations were predominantly local, but where they were national organisations, they also worked locally.
- In response to a query relating to whether there were any projects to work with people who could not leave their homes, Paul replied that often, people who did not leave their homes had good social networks. However they would be looking across the city at people who could not leave their home, or who were Afro-Caribbean or were affected by hearing loss.

It was noted that there was an intention to share the learning from the programme with the wider partners in the statutory, voluntary and private sector and a concern was expressed that elsewhere, an intention to share information had failed and subsequently all data had been lost. Mr Bott responded that there would be a mechanism to share the data and he guaranteed that this would happen.

Mr Bott cautioned that there was a risk to the scheme as though the funding to Vista was guaranteed, there was no guarantee of funding streams to the partners involved in the project.

The Chair requested that this item be put onto the long term work programme for the commission.

RESOLVED:

- 1) that the update on Leicester Ageing Together be noted; and
- 2) that the item be added to the long term work programme for the commission.

53. ADULT SOCIAL CARE PERIOD 4 REVENUE MONITORING REPORT

The Director of Finance provided an update on the Revenue Budget Monitoring Report, Period 4, 2014/15 for Adult Social Care.

The Director drew members' attention to Section 4 of the report which stated that the early forecast for Adult Social Care indicated that there would be an overspend of £2.6m but latest predictions showed that this overspend was likely to be £3.7m. The Director added that she would be reviewing the reserves, but it would not be possible to address the overspend purely from the reserves. She also commented that there was a corporate contingency fund, but this was not done by department.

Members acknowledged that much of the overspend were one off costs which

would rectify as the projects progressed, but other pressures, particularly the increasing demand for services, needed addressing. The Chair sought assurances from Councillor Patel, Assistant City Mayor, Adult Social Care as to what would be affected

The Strategic Director, Adult Social Care explained that she had only been in post for a few days, but she would be spending time reviewing the situation and anticipated that a plan of action would be drawn up by Christmas time. She would be looking at all areas of Adult Social Care to try to reduce spending.

The Chair sought assurances from the Councillor Patel, Assistant City Mayor, Adult Social Care, that the vulnerable would be protected. The Assistant City Mayor responded that the council's priorities would be with those people who were the most vulnerable.

Members requested details as to the council's statutory duty and what would happen to those people who would no longer receive social care support. They also asked that Equality Impact Assessments were completed to ensure that the council were catering for those in need, should budget cuts be made.

The Strategic Director responded that they would be looking at different ways of working, but the ultimate goal would be to protect the most vulnerable.

The Director of Finance added that the team were already looking at what could be done to slow down demand for the service. However, some of the costs could not have been foreseen.

The Chair expressed concern that this presented a very considerable challenge and that the problem of the increased demand for the Adult Social Care was not going to go away. Members questioned whether more money could be invested and assurances were sought that realistic sums of money were being put aside to meet the demands of the service.

The Chair sought an assurance from Assistant City Mayor Patel that the Adult Social Care Scrutiny Commission would be kept informed of future developments. Assistant City Mayor Patel responded that she wanted to have an opportunity to look at what was being put forward, but there would also be an opportunity for the commission to see it as well. However, action needed to be taken promptly.

The Chair acknowledged Assistant City Mayor Patel's assurance that the commission would have an opportunity to give their comments on the proposals concerning the forecasted overspend on the Adult Social Care budget. It was proposed that a special meeting of the commission would be convened if necessary to consider the proposals when the information was available.

RESOLVED:

that a special meeting of the Adult Social Care Scrutiny Commission be arranged if necessary to consider the proposals

concerning the forecasted overspend on the Adult Social Care budget.

54. INTERMEDIATE CARE FACILITY UPDATE

During the consideration of this item, Councillor Cutkelvin withdrew from the meeting, which resulted in the meeting becoming inquorate. The Chair and members agreed to continue, but to note the items of business only.

The Chair invited Councillor Dr Moore to join commission members at the table in order to participate in the discussion on this item. During the discussion a number of points were made; these included the following:

- Disappointment was expressed that the facility was not going to be a single storey building and that an argument that a two storey building would result in savings on heating costs was unconvincing. However, the Executive position on this was acknowledged.
- It was questioned whether service users would be given a proper care plan which as well as assessing physical needs, would look carefully at a person's mental and psychological re-enablement and thus help them to try to live as independently as possible when they returned home. The Director of Adult Social Care and Safeguarding confirmed that they would work closely with a range of professionals to help support people, as it would not be possible to help them move back home without addressing all their needs.
- A query was raised relating to the mixed-gender units, as there was concern that people might feel uneasy if someone of the opposite sex was next door. The Director responded that, the care facility would be a residential home and there would be no mixed wards. People would have their own en-suite rooms.

The Chair asked for an update on the Intermediate Care Facility to be a standing item on the agenda for the foreseeable future and questioned what members could be updated on at the next meeting on 8 January 2015. The Director responded that there were no tangible plans as yet; a procurement exercise was needed, but a verbal update could be brought to the next meeting.

Councillor Dr Moore took the opportunity to state that she wished to congratulate everyone involved on the Shared Lives Pilot Scheme. Assistant City Mayor Patel in turn thanked Councillor Dr Moore for her interest and guidance on the scheme.

55. INDEPENDENT LIVING SUPPORT SPENDING REVIEW

The Director of Care Services and Commissioning (Adult Social Care) explained that different options under the Independent Living Support Spending Review needed to be considered in order to make necessary financial efficiencies. The Director explained that the service had been identified as part

of the council's savings programme for 2016/17 and work would need to be completed over the coming months to look at options for making savings. The Director added that this would be brought back to the commission at a later date.

56. IMPLEMENTING THE CARE ACT 2014

It was agreed that the planned presentation on Implementing the Care Act 2014 would be deferred to the next meeting in January 2015.

Assistant City Mayor Patel reported that in the meantime, information on the Act would be sent to all councillors to help them respond to queries raised by constituents.

57. RE-PROCUREMENT OF ADULT SOCIAL CARE VOLUNTARY AND COMMUNITY SECTOR PREVENTATIVE SERVICES

The Director of Care Services and Safeguarding presented the report on the Re-procurement of the Adult Social Care Voluntary and Community Sector Preventative Services. The Director confirmed that the procurement exercise had been subject to a Cabinet Office spot check in August to ascertain whether the Council had met the requirements of the Public Services (Social Value) Act 2012. In October the Cabinet Office had confirmed that the council's approach had passed the spot check and was compliant with the act. No other feedback had been given.

A query was raised relating to contract performance and the Director explained that this was monitored to ensure that the provider was delivering the service as set out in the contract and remedial action would be taken as required. Contracts lasted for two years.

The Chair suggested that in the new municipal year, the Adult Social Care Scrutiny Commission may wish to add procurement to their work programme. The Chair expressed a hope that if there were any concerns relating to procurement, the commission would be made aware.

58. INDEPENDENT ADULT SOCIAL CARE COMMISSION

Assistant City Mayor Patel provided an update on the Independent Adult Social Care Commission. Six people had now committed themselves to joining the commission as follows:

- Mike Kapur: Chief Executive Officer, SemperVox Ltd
- Liz Kendall MP (Leicester West)
- Dr Nitin Joshi, General Practitioner
- Emily Georghiou, National Advisor, Age UK
- Ranjit Thaliwal, Solicitor, Thaliwal and Co Solicitors
- Penny Tremayne, Senior Lecturer (Adult Nursing), DeMontfort University

In addition it was hoped that Dr David Sharp, Director, Leicestershire and

Lincolnshire Area, NHS England would also join the commission.

Assistant City Mayor stated that she hoped that at the next meeting of the Adult Social Care Commission she would have the dates for meetings of the Independent Commission along with a revised Terms of Reference.

59. ADULT AND SOCIAL CARE SCRUTINY COMMISSION WORK PROGRAMME

The work programme for the Adult Social Care Scrutiny Commission was noted.

60. CLOSE OF MEETING

The meeting closed at 7.40 pm.