



Leicester
City Council

Minutes of the Meeting of the
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 5 MARCH 2015 at 5:45 pm

P R E S E N T :

Councillor Chaplin (Chair)
Councillor Riyait (Vice Chair)

Councillor Alfonso
Councillor Cutkelvin

Councillor Willmott

Councillor Dawood
Councillor Kitterick

In Attendance

Councillor Rita Patel – Assistant City Mayor (Adult Social Care)

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76. APOLOGIES FOR ABSENCE

There were no apologies for absence.

77. DECLARATIONS OF INTEREST

There were no declarations of interest.

78. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

that the minutes of the meeting of the Adult Social Care Scrutiny Commission held on 8 January 2015 be confirmed as a correct record.

79. MINUTES OF THE JOINT ADULT SOCIAL CARE AND HEALTH AND WELLBEING SCRUTINY COMMISSION

RESOLVED:

that the minutes of the Joint Adult Social Care and Health and Wellbeing Scrutiny Commission be noted.

The Chair explained that she would talk to Councillor Cooke about the information they would wish to see in future Care Quality Commission (CQC) reports to the scrutiny commissions.

80. CHAIR'S ANNOUNCEMENTS

DEAR ALBERT SOCIAL ENTERPRISE PROJECT

The Chair stated that following the presentation by Mr Jon Roberts, on the Dear Albert Social Enterprise Project, at the previous Adult Social Care Scrutiny Commission, she had nominated Mr Roberts for an Honoured Citizen Award. She was very pleased to announce that this had been agreed and the Lord Mayor would present Mr Roberts with the award in April.

LEVELS OF FUNDING FOR ADULT SOCIAL CARE

The Chair reminded the commission that it had been agreed that she and Councillor Patel, Assistant City Mayor for Adult Social Care, would write to the Secretary of State expressing concerns over the levels of funding for Adult Social Care. It had been agreed that the response would be sent to Liz Kendall, M.P. to seek assistance. The Chair added that it was impossible to provide the Care Services they would wish, with the funding currently received from the government.

81. PETITIONS

There were no petitions.

82. QUESTIONS, REPRESENTATIONS AND STATEMENTS OF CASE

Councillor Kitterick referred to the discussion held at the previous meeting of the Adult Social Care Scrutiny Commission around the National Living Wage and requested that officers provided a fuller response relating to the Ethical Care Charter.

83. ELDERLY PERSONS' HOME

The Director of Care Services and Commissioning submitted a report which provided the commission with an update on the progress to sell and close the Council's Elderly Persons' Homes. She explained that there had been a legal challenge in relation to the closure of Herrick Lodge, but this had now been resolved. The home would be closed once the remaining four residents had moved into their new home.

Abbey House and Cooper House homes had been sold to Leicestershire County Care Ltd, (LCCL) and over the next six months, the council would be

looking at them to see how they delivered care. The lessons learned from Phase 1 of the proceedings would be used to move forward in Phase 2, which would include the sale of Arbor House and Thurn Court. Phase 2 commenced in February.

Members considered the financial implications detailed in the report and in response to a query, the commission was informed that payment in full of £475,000 had been made in respect of Abbey House and Cooper House. The Interim Strategic Director also stated that it was her understanding that the savings of £1.7m from the sale of the Abbey, Cooper, Elizabeth and Nuffield Homes, were the complete saving to the Authority.

Members noted that the report stated that Preston Lodge would be closed in due course and questioned the timing of this. The commission heard that there were ten permanent residents at the home; their move would be phased and would depend on the availability of beds elsewhere. In addition, the closure of the home was linked to the development of the Intermediate Care Unit.

In response to a question, the Director of Care Services and Commissioning confirmed that the LCCL would be subject to all the due diligence checks if they put themselves forward to purchase Arbor House and Thurn Court. Members asked whether LCCL had made any commitment to invest in the homes and were informed that although there was no requirement for them to do so, they had already started in some refurbishment.

A query was raised as to why the Equality Impact Assessments were not included in the report. The commission were informed that these were completed prior to commencement of the process.

Councillor Willmott queried that whilst most residents appeared to be content with their new homes, four residents had stated that they were not yet fully settled. He asked whether those four residents were in the same new home. The Director of Care Services and Commissioning responded that she would look into this as she didn't have those details to hand.

A question was raised as to whether the council had considered using an independent body to carry out the evaluations and the Director confirmed that independent bodies, including Age UK, had helped. Comments were made that it would be preferable for an outside organisation to carry out future evaluations to avoid any possibility of internal bias.

The Chair commented that whilst the report acknowledged many aspects of the process that went well, it was also noted that there had been issues with some areas including, training records that were not kept up to date and communication. The Director responded that there had been a delay before the council could provide information to residents and relatives about the purchaser, as officers wanted to speak to staff and residents before LCCL went into the homes. The commission received assurances that the issues with training records would be corrected.

The Chair then concluded the debate.

RESOLVED

- 1) that continuing reports relating to the sale of Thurn Court and Arbor House be submitted to the commission;
- 2) that a separate report relating to the sale of Preston Lodge, including timescales and how the process would be handled, be brought back to the commission;
- 3) that an update on the sale of Herrick Lodge be brought back to the commission;
- 4) that an up to date Equality Impact Assessment be brought back to the commission;
- 5) that a response by email be sent in respect of Councillor Willmott's question relating to the four residents who had stated that they were not happy with their new homes;
- 6) that the commission request that a third party be considered to carry out evaluations in future; and
- 7) that the commission express concerns that training records were not kept up to date and note assurances that this issue will be corrected.

84. EXECUTIVE RESPONSE TO RECOMMENDATIONS ON THE LIVING WAGE

Councillor Rita Patel, Assistant City Mayor, Adult Social Care updated the commission on the Executive Response to the commission's recommendations on the living wage. Assistant City Mayor Patel made the following points:

- Adult Social Care had a commitment to the principles of the Charter, but there was an issue at the moment as to how the living wage element of the charter could be implemented as this was currently unaffordable.
- In response to the recommendation that as part of the tendering process, care providers be asked to provide details of pay rates for staff, the council already asked for evidence that the providers paid staff the minimum wage.
- In response to the request that the council consider reviewing the job description for care providers' senior care staff, she stated that it was not the local authority's role to determine job descriptions for local providers. The council did not do this for any of their providers.
- The Deputy City Mayor was preparing to make an announcement on the Living Wage issue, and while the Assistant City Mayor had been in discussions with the Deputy, she was not currently in a position to talk

about the details of that announcement.

- In response to the query relating to the Islington Council, it was not known how they had achieved their Living Wage Foundation Licence.

A member commented that the commission were not asking for the full cost of adopting the Ethical Care Charter, estimated to be £10m, to be funded immediately, but for ways in which the council could progress the issue. If there was an agreement in principle, there could be a plan for working towards implementation of the charter. Assistant City Mayor Patel responded that there was increasing demand for Adult Social Care services and it was important to ensure that the needs of people were met. It was therefore difficult for the department at this moment in time to commit to implementing the charter in full; however there was a commitment to help the care workers. It was hoped that over the next three years, the council would be in position to start progressing on this issue. As contracts came up for renewal, the council's financial situation could be assessed. However, the fact that the council was paying its own workforce the living wage, showed the commitment to this issue.

Members questioned the cost to start to implement the living wage for staff employed by providers, and also queried whether there might be legal issues if this was brought in piecemeal.

The Commission heard that it was anticipated that there would be an announcement as to how the council were adopting the principles from the Ethical Care Charter and was seeking accreditation from the Living Wage Foundation. Members agreed that as this was a city-wide issue, this should particular issue should be referred to the Overview Select Committee.

The Chair then concluded the discussion and expressed disappointment that an action plan as recommended by the commission had not been devised and also that information had not been forthcoming on how Islington Council had achieved their Living Wage Foundation Licence.

RESOLVED:

- 1) that the commission reiterate their recommendation made at their meeting on 8 January 2015, that the Executive devise an action plan to take into account their concerns and comments raised in relation to the Living Wage in Adult Social Care;
- 2) that information relating to how Islington Council achieved their Living Wage Foundation Licence over the past three years, particularly in relation to Adult Social Care, be brought to the commission; and
- 3) that the intention to seek accreditation from the Living Wage Foundation should be referred to the Overview Select Committee for consideration at its next meeting on 23 March 2015.

85. HEALTHWATCH

The Director of Care Services and Commissioning provided an update on Healthwatch, and explained that members, including the Chair, of the Healthwatch Board had resigned due to issues surrounding the novation of the contract. However, the Chair had been reinstated and officers were working closely with Healthwatch and Voluntary Action Leicester in order for this contract to be novated.

Members stated that they were pleased with the progress that was being made.

86. BETTER CARE FUND UPDATE REPORT

The Director of Adult Social Care and Safeguarding submitted a report that provided an update on the progress of the Leicester City Better Care Fund (BCF), and which highlighted the schemes which related directly to Adult Social Care.

In response to a query, the Director confirmed that the Public Accounts Committee were very critical of some aspects of the BCF, particularly in relation to the late protection of funding for acute care, however, locally, the BCF team had developed a good plan. The Leicester City BCF had been recognised as an example of good practice for the development of the Integrated Crisis Response Service and although the overall plan was having an impact, it was not sufficient on its own, to resolve the issues relating to emergency admissions for Leicester City Patients. The Director added that their aim was to help people remain independent, but acknowledged that some people would require residential care to meet their needs.

A concern was expressed that the indicators were confusing; for example, BC4 relating to the Clinical Response Team did not appear to show whether anything had been achieved and it was requested that Members be informed of definite outcomes. The Director explained that further information was available but the report focussed on some actual examples that related specifically to Adult Social Care.

A question was raised as to how much was being spent in each area of the BCF and the Director advised that this aspect of the BCF was being monitored by the Health and Wellbeing Board.

Members queried why the report did not include an Equality Impact Assessment (EIA) and was advised that a comprehensive EIA had been carried out as the BCF plan was being developed. In addition, the EIA was also reviewed as part of the ongoing monitoring. Members requested an update every six months on BCF relating to Adult Social Care to include information on E.I.As.

RESOLVED:

- 1) that the commission welcome the news that aspects of the

Leicester City Better Care Fund are recognised as good practice;

- 2) that the commission request a six monthly report on the Better Care Fund, concentrating on Adult Social Care with updates on Equality Impact Assessments.; and
- 3) that further information relating to the indicators and definite outcomes, be brought back to the commission.

87. FOSSE COURT CARE HOME

Members noted that a review relating to the Fosse Court Care Home was currently in progress and information would be brought to the commission when it was available.

88. INTERMEDIATE CARE UNIT UPDATE

The Director of Adult Social Care and Safeguarding provided an update on the Intermediate Care Unit and informed Members that there had been an adjustment to the specifications. Some of the public aspects of the scheme were being reduced which included the café and a public room; however, these facilities could be linked to the adjacent Extra Care facility. These adjustments would save about £400,000. With that saving the overall costs of the project were estimated to be £200,000 higher than the original estimate. Members expressed concerns at the increase and the Director confirmed that this was disappointing, but time had lapsed since the original estimate had been given and building costs had inflated.

Concerns were expressed as to where the residents would be able to meet up with visiting family members and friends. The Director responded that there would still be available space and also the bedrooms were larger than currently provided at the existing units.

The Chair expressed a strong desire that although this was the final meeting of the municipal cycle, further updates on the Intermediate Care Unit should be kept on the Adult Social Care Scrutiny Work Programme.

RESOLVED:

that the update on the Intermediate Care Unit be noted.

89. INDEPENDENT ADULT SOCIAL CARE COMMISSION

Members were advised that the minutes of the previous meeting of the Independent Adult Social Care Commission, should be available for them to view by the end of March 2015, once the commission had met again and confirmed that the minutes were correct.

The Chair expressed a desire for the scrutiny commission to have sight of the

agenda for the meeting and also meet the members of the Independent Commission.

90. ADULT AND SOCIAL CARE SCRUTINY COMMISSION WORK PROGRAMME

The Chair thanked all involved in the Adult Social Care Scrutiny Commission during the year, including members of the commission, officers and members of the public.

91. CLOSE OF MEETING

The meeting closed at 7.11 pm.