



Leicester  
City Council

Minutes of the Meeting of the  
ADULT SOCIAL CARE SCRUTINY COMMISSION

Held: THURSDAY, 8 JANUARY 2015 at 5:45 pm

P R E S E N T :

Councillor Chaplin (Chair)  
Councillor Riyait (Vice Chair)

Councillor Alfonso  
Councillor Dawood

Councillor Kitterick  
Councillor Willmott

In Attendance

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

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**61. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cutkelvin.

It was noted that Philip Parkinson had resigned from Healthwatch and would not therefore be present. The Chair suggested that the Healthwatch membership of the scrutiny commission should be discussed at the Joint Health and Wellbeing and Adult Social Care on 27 January 2015.

**62. DECLARATIONS OF INTEREST**

Councillor Willmott declared an 'Other Disclosable Interest' in that he had a relative, for whom in exercised power of attorney, in a residential / nursing home in the city.

**66. ADULT AND SOCIAL CARE REVENUE BUDGET 2015/16 - 2016/17**

The Strategic Director for Adult Social Care and Health presented the Draft Adult and Social Care Revenue Budget 2015/16 – 2016/17. During the

presentation, the Strategic Director made a number of points including the following:

- The service was facing unprecedented demand and it would be necessary to call on reserves in order to balance the budget. They were working to ensure that individuals' critical or substantial needs were met but in view of the financial situation, difficult decisions had to be made.
- The council were working to maximise reserves and ensure that money was spent wisely.
- They were in dialogue with colleagues in the Clinical Commissioning Group to see if more money would be available from them to meet demand and support the health agenda.
- In response to a question as to how the shortfall in the current year would be addressed, the Strategic Director explained that they would have to use reserves; however, going forward they would need to review all aspects of delivery and reduce demand. A member of the commission expressed some concern at this, saying that the application of stricter criteria would reduce supply rather than demand.

There followed a detailed discussion relating to the budget, during which members raised queries and comments, including the following:

- It was queried whether the reported crisis in the Leicester Royal Infirmary (LRI) Emergency Department was related to reductions in care packages. The Strategic Director responded that the council were offering greater support to Health colleagues with the packages they provided and negotiations were taking place regards the contribution of Health to those services.
- It was noted that it was proposed that eligibility criteria would be strictly applied and reassurance was sought that this criteria wouldn't change and those people who were at critical or substantial risk would have their needs met. The Strategic Director noted that the Care Act would introduce a mandatory eligibility threshold from April.
- A member referred to the proposed efficiencies and commented that a review of care packages and the implementation of £5 per week charge for managing an individual's finances could result in a service user being £55 per week worse off. In view of this, concerns were expressed about safeguarding issues.

The Strategic Director responded that, compared to other comparator local authorities, Leicester was providing greater levels of provision. In future, with the restraints on the budget, the council would not be in a position to be so generous and it would be necessary to look at other options; perhaps from within the community. It was explained that all care packages would be assessed on a phased basis.

- It was noted that section 7.11 (b) of the report referred to a proposed reduction in the safeguarding and commissioning teams and concern was expressed at this and its effect on safeguarding of individuals. The Strategic Director explained that this referred to support to residential care homes to help them improve their performance. However there were now other teams that provided this support and some of this work would be carried out by the Care Quality Commission. Members recommended that the report be amended to avoid any misunderstanding that there would be reductions in the teams that supported the safeguarding of individuals.
- Members referred to the proposed review of the entitlement of customers to ongoing care, including free care under the Mental Health Act. A question was raised as to what would happen if following an assessment it was agreed that a Section 117 no longer applied and whether care and support would be withdrawn abruptly. The Strategic Director confirmed that if a Section 117 no longer applied, but people still had eligible needs, care would not be withdrawn but be covered under a community care arrangement as a care package and it would not be free.
- Members expressed concern that a hard budget line, as detailed in section 7.10 of the report in respect of the Promoting Independence Reviews would send out a wrong message and lead to cynicism. It was felt that a budget narrative would be more appropriate. There were concerns that attaching a budget saving before reviews were conducted would pre-determine the outcome of individual reviews. Views were expressed that this could leave the council open to challenge that assessments were budget driven rather than driven by need. It was also suggested that monies could be transferred on a one-off basis from the contingency sums in the Capital Programme.

Councillor Willmott, seconded by Councillor Kitterick, proposed that the Executive be asked to remove the cost breakdown of savings for Promoting Independence Reviews, totalling £950,000 from the report. They recommended that the savings anticipated via reviews of mental health care and domiciliary care could be expressed as a narrative. Upon being put to the vote, this motion was carried.

- A question was raised as to when the Strategic Director became aware that there would be a shortfall in the budget. The Strategic Director explained that she only knew of the situation when she was recently appointed to the post.
- The Strategic Director was asked as to whether she felt that the budget over spend had been exacerbated by the council being slow to bring in personalisation of people's budgets. Members heard that the council had embraced personalisation. People had been helped to become less dependent and to build on this there was a need to talk to staff about

how they could help people enhance what they could do.

- The Strategic Director was questioned whether there might be an increase in the over spend. The Strategic Director replied that this was possible but they were trying their best to avoid that happening.
- The Chair referred to the Better Care Fund and questioned whether discussions had taken place with Health colleagues as to the impact of this on the budget. Assistant City Mayor Patel explained that the council would be talking to their partners about the detail, but they were not at a stage to do this yet.
- A concern was expressed that the budget referred to proposals for the next two years but there needed to be a forecast on the budget and demands for a 5 year period to understand the long term picture.
- Members queried the proposals for a reduction in use of in-house transport by maximising independent travel. The Director for Care Services and Commissioning explained that people were encouraged and trained to use public transport; they could also use their personal budgets for taxis which offered more flexibility. It was anticipated that in-house transport would still be offered for those people with more severe disabilities. Members commented that not everyone could use buses and public transport and the in-house transport provided a very important service to families and gave respite to carers. Concerns were expressed that this was the wrong time to make such spending cuts when the Better Care Fund was still an unknown quantity.

The Chair, seconded by Councillor Alfonso, proposed that the breakdown of costs for efficiency savings of £271,000 as detailed in section 7.10 and in-house transport savings as outlined in 7.11(b) of the report be removed. Upon being put to the vote, this was carried.

RESOLVED:

- 1) that the commission note the Draft General Fund Budget 2015/16 to 2016/17;
- 2) that the commission recommends that the Executive remove the cost breakdown of Efficiency Savings of £271,000 and Promoting Independence Reviews of £950,000 from section 7.10 of the draft budget report, and that the savings anticipated through reviews be expressed as a narrative instead;
- 3) that the reference to a reduction in the safeguarding and commissioning teams in section 7.11 (b) of the report be revised to clarify that these teams do not support the safeguarding of individuals.