

Adult and Community Services Overview Committee

Minutes of a meeting held at
County Hall, Colliton Park, Dorchester on 21 January 2015.

Present:

William Trite (Chairman)
David Walsh (Vice-Chairman)
Ronald Coatsworth, Robin Cook, Fred Drane, Beryl Ezzard, David Jones, Paul Kimber, Kate Wheller and John Wilson.

Robert Gould (Leader of the Council) and Jill Haynes (Cabinet Councillor for Adult Social Care) both attended under Standing Order 54(1).

Officers:

Catherine Driscoll (Director for Adult and Community Services), Phil Rook (Group Finance Manager for Adult and Community Services) and David Northover (Senior Democratic Services Officer).

For certain items as appropriate:

Andrew Archibald (Head of Adult Services), Glen Gocoul (Head of Specialist Adult Services), Ali Waller (Head of Commissioning and Improvement), John Alexander (Performance and Policy Manager), Derek Hardy (Strategic Commissioning Manager (Housing) and Jo Wenbourne (Registration Service Manager).

Apologies for Absence

1. Apologies for absence were received from Michael Bevan and Ros Kayes.

Code of Conduct

2. There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Minutes

3. The minutes of the meeting held on 6 October 2014 were confirmed and signed subject to minute 117.4 being amended to read "The Cabinet Member for Adult Social Care pointed out that the establishment of that EAP had been instigated by the Cabinet and was designed to advise the Cabinet on how it might wish to consider progressing matters. To ensure that the process remained transparent and accountable, she extended an open invitation to members of the Committee to observe future meetings of the EAP if they so wished."

Public Participation

Public Speaking

- 4.1 There were no public questions received at the meeting in accordance with Standing Order 21(1).
- 4.2 There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

- 4.3 There were no petitions received in accordance with the County Council's petition scheme at this meeting.

Revenue Budget 2015/16

- 5.1 The Committee considered a joint report by the Chief Financial Officer and the Director for Adult and Community Services which set out a summary of the key issues

within the Provisional Local Government Finance Settlement and the impact of the settlement on the budget strategy for the County Council.

5.2 The Provisional Local Government Finance Settlement was received on 17 December 2014 and saw a reduction in government grant funding of around 14% in 2015/16. The overall budget shortfall for the three year period 2015/16 to 2017/18 was now estimated to be £45m and would need to be delivered through the Forward Together.

5.3 Councillors were informed that for 2015/16 the savings required were £15.3m. Savings of £13.6m had been identified, which therefore left a remaining budget gap of £1.7m to be addressed. Proposals to address the majority of the gap had been developed and the Cabinet had agreed that these now should form the basis for consultation and further development. The Group Finance Manager advised the Committee that, since writing the report, and due to an increased taxbase and surplus on collection fund, the budget was balanced for 2015/16.

5.4 The report also outlined the implications of the budget strategy on the Adult and Community Services Directorate which had identified proposals for savings amounting to £12.7m in one overarching change programme over 2 years (2014/15 and 2015/16), as summarised in the table in paragraph 4.2 of the report. The current savings target for Pathways to Independence was realistic, but challenging, whilst redesigning services to meet the financial challenge and implications of the Care Act was a significant challenge.

5.5 Commentary on the detail of how the proposed savings would be made was provided in the report. In addition to the savings identified, the budget would eliminate the £3m structural deficit in Adult Social Care by £1m per year over the following 3 years. This would be achieved in 2015/16 by a £2m transfer being made from balances to address the deficit and the Directorate would deliver £1m of savings in a specific workstream.

5.6 The report also set out the implications of the Government stopping funding for the Local Welfare Provision and the new Care Act Funding, the relationship of this with the Better Care Fund and the integration with the health agenda.

5.7 The Committee were provided with an opportunity to suggest alternative savings if they considered these to be appropriate and were asked to consider any additional measures that could be taken to generate savings to reduce the remaining budget gap.

5.8 Officers answered a series of detailed questions on how the budget was proposed to be allocated and how savings would be delivered. The Director and the Group Finance Manager provided a detailed explanation of how savings were to be derived. It was also clarified that these savings, and their implications, had been articulated to Councillors through both current Executive Advisory Panels.

5.10 Councillors recognised the importance of the voluntary sector in providing much needed services to complement what the Adult Social Care budget was able to provide. They also appreciated that the budget had been managed in such a way as to ensure that the delivery of essential services was maintained. It was acknowledged that communities would have a part to play in the prevention agenda.

5.11 Some Councillors asked that the correlation between the base budget and demographic growth be taken into account in any consideration. Another suggestion was that the prospect of investment being made in local authority bonds might be considered as a means of identifying additional measures that could be utilised to generate savings to reduce the remaining budget gap. The Group Finance Manager provided assurance that increases to the budget were given through the Resource Allocation Model as part of the budget process.

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5.12 The Committee, whilst recognising the budget position, the ever increasing demands being placed on the service and the means by which those demands were proposed to be managed, took the opportunity to vote on the recommendations contained in the joint report and on wording designed to reflect how the Committee's discussion had evolved.

Resolved

6.1 That the savings proposals relating to services within the Adult and Community Services Directorate for 2015/16, as outlined within section 4 of the joint report, be noted and accepted, in accordance with the agreed Pathways to Independence Programme.

6.2 That having discussed the budget position in detail, the Committee was, at this stage, unable to suggest any specific alternative savings or were unable to identify additional measures to be able to help to reduce the budget gap.

Reason for Decision

7.1 The County Council was required to set a budget within the resources available, and agree a precept for 2015/16 by the end of February 2015. To do this, Directors were required to draw up detailed budgets and develop and consult upon savings proposals within them. The Directorate played a large part in the County Council's corporate aim of 'health, wellbeing and safeguarding'.

Draft Financial Policies to Implement the Care Act

8.1 The Committee considered a joint report by the Portfolio Holder for Adult Social Care and the Director for Adult and Community Services which set out the draft financial policies to implement the Care Act, this being designed to put service users and their carers in control of their care and support arrangements.

8.2 The Executive Summary set out the process associated with this, what the relationship was between the Cabinet, the Overview Committee and the Executive Advisory Panel on the Care Act and Future Social Care Policy in progressing this and how the provisions of the policies were to be applied.

8.3 Officers explained that several proposals made by the Executive Advisory Panel had been accepted by the Cabinet already, subject to a consultation exercise, as described in the report. The report recommended that the consultation exercise should be undertaken before the pre-election period so that policies could be implemented on 1 April 2015. The decision making process, and the role that senior managers would have in that process, was explained in the report.

8.4 Further proposals from the Executive Advisory Panel, the proposed arrangements for the consultation exercise and how this would be managed were all set out in the report.

8.5 As part of the process, the Committee were being provided with the opportunity to give their views on possible changes to the provisions of the draft policies in advance of them being considered by the Cabinet for decision, and the subsequent consultation exercise.

8.6 The two draft financial policies which the Committee were being asked to consider were:-

- Charging and Financial Assessment
- Deferred Payment Agreements

and Councillor's attention was drawn in particular to the cost of the new policies, other resource implications and how charges had been calculated.

8.7 Particular mention was made of the charging arrangements and the principles upon which they would be based. The report provided an explanation of what the deferred payment scheme meant, in so far as eligible service users would not be forced to sell their homes within their lifetime to pay for care. Those people who applied and met the eligibility criteria would be offered a secured loan which would subsequently be repayable, together with the administration and interest charges which had accumulated.

8.8 Other considerations borne in mind by Councillors were the securities to be accepted by the County Council against the amounts loaned, interest rates and administration charges. As part of the charging arrangements, Councillors gave particular consideration to the variable interest rate, of 2.65%, proposed in the report. They were advised that the maximum interest rate that a Council could be charged for deferred payments was based on the cost of Government borrowing and it was reviewed twice a year by the Office of Budgetary Responsibility. Currently that rate was 2.65%.

8.9 So that the charging policy might be put in some context, the Committee considered that it was necessary to emphasise in the consultation exercise that whilst the proposed interest rate of 2.65% represented an increase from the current subsidised rate of 1.5% that was currently charged under the County Council's existing discretionary deferred payments scheme, it would provide the basis for the new scheme to be able to be run on a more cost neutral basis. Accordingly, it was acknowledged that this was somewhat less than the 3 - 4% which the County Council was charged for its own borrowing needs.

8.10 The illustrative initial set up fee of £1000 and the illustrative annual fee of £500 used in the report were also discussed comprehensively by the Committee. Officers confirmed that both fees were similar to those which other authorities proposed to charge, but confirmed that the actual charges would be no higher than the actual costs required to carry out relevant administrative duties.

8.11 As some Councillors had expressed their concern over the way in which the illustrative administrative charges were depicted in the report, it was agreed that the reasoning for this should be explained in the consultation exercise. However, Councillors recognised that as the figures were for illustrative purposes only at this stage, it did provide some scope for flexibility in ensuring that the cost of the administrative arrangements were covered depending on individual circumstances which might arise. Once again it was reaffirmed that any charge made would only be on the basis of covering the County Council's actual administrative costs. The principle that eligible service users would not be forced to sell their homes within their lifetimes should also be similarly reinforced in the consultation.

8.12 Whilst accepting that the illustrative administrative figures set out in the report were designed to provide some idea of what they might be, Councillors considered that a more detailed assessment of how those charges were arrived at might have had more credibility. However they recognised that the detailed figures were not readily available at this stage and that further work would be needed to determine this.

8.13 In acknowledging that the scheme was designed to be cost neutral and recognising what it would achieve, the Committee commended the proposals made by the Executive Advisory Panel, but considered that the Panel should still assume a role in monitoring the financial position of the scheme and keep the charging arrangements under review.

Recommended

9.1 That the proposals of the Executive Advisory Panel outlined in the Director's and Cabinet Member's report be supported.

9.2 That the proposed consultation exercise and final decision making

arrangements set out in the report be approved.

9.3 That it be noted that, following adoption, senior managers would interpret and amend the financial policies in accordance with the powers delegated to them in the Constitution.

9.4 That the Executive Advisory Panel on the Care Act and Future Social Care Policy assume responsibility for monitoring the financial arrangements and keeping the charging arrangements under review.

Reason for Recommendations

10. To help secure a sustainable approach to the County Council's corporate aim of focussing on health, wellbeing and safeguarding.

Community Capacity Building

11.1 The Committee considered a report by the Director for Adult and Community Services which explained that the Pathways to Independence Programme had a specific focus on developing relationships and improving engagement with the local voluntary sector and local communities. A key driver to the success of the Programme was to build community capacity and to identify and further develop resilient communities to reduce, or help to manage, the demand on public services.

11.2 Councillors were reminded that this Programme focused on enhancing the quality of life for people through self-management; the provision of support from the community within which they were living; and reducing social isolation. The Director's report summarised what progress was being made in delivering this initiative and how partnership working was being developed. Particular mention was made of the part the "My Life, My Care" initiative would play.

11.3 The Committees' attention was drawn to a statement from the Councillor who had previously made known that he was opposed to the initiative around independent living. Once again he took the opportunity to express his dissatisfaction over the principles of independent living and how he thought these were not in the best interests of the users of the service. He remained uncomfortable with how the reference to communities in the Director's report was seemingly abdicating the County Council's responsibility in delivering quality care provision and considered that the importance of this should be recognised. He raised a number of specific concerns that he considered needed addressing, including the need for this initiative to have the support of local parish councils, which he considered was not the case.

11.4 The role which Councillors could play in engaging with their communities was emphasised and actively encouraged and the importance of the voluntary sector in meeting those needs which the County Council would otherwise have difficulty in meeting was recognised.

11.5 The Committee considered that there was a need for individual initiatives to be developed to meet local needs and that these would differ depending on what need had to be met. This particular initiative allowed for that flexibility and could be tailored accordingly.

11.6 It was recognised that the programme for community capacity building was one which should be tackled in partnership with key statutory agencies across Dorset and co-productively with the community and voluntary sector for the benefit of service users and wider communities. It was considered important that these relationships were maintained and developed in order to harness communities that were able and willing to work jointly with the Authority to develop supportive, sustainable communities that provided help and support to local residents. It was acknowledged that as new approaches were developed, there was a vital role and contribution to be made for local councillors and member champions to play their part.

Resolved

- 12.1 That the approaches taken to develop community capacity and comment on the work programmes identified be supported.
- 12.2 That the key role elected members have in helping to develop our knowledge and understanding of the key priorities in each area be acknowledged.
- 12.3 That the role of the local authority in making improvements to and enhancing community capacity where required be acknowledged.

Reason for Decision

- 13.1 Community capacity building would help to secure a sustainable approach to the County Council's corporate area of focus on 'health, wellbeing and safeguarding'. This in turn would contribute to the other areas of focus in 'enabling economic growth'
- 13.2 To raise knowledge and awareness of members to ensure full engagement with the programme of work and enable members to engage with their local communities and contribute to on-going dialogue and the development of future approaches.

Update on the Learning Disability Systems Improvement and Transformation Programme

14.1 The Committee considered a report by the Director for Adult and Community Services which provided an update on the Learning Disability Service Plan, following a report to Adult and Community Services Overview Committee in January 2014. The Service Plan was being taken forward within the Adult and Community Services Directorate through a programme called the 'Systems Implementation and Transformation (SIAT) Programme'. The report outlined the progress and outcomes of the SIAT Programme for Learning Disability Services.

14.2 The report set out progress to date, including identifying ways of commissioning and delivering services. The Programme had undertaken a detailed review of Learning Disability Services and had delivered, or was delivering, a range of actions and activities to support the Service moving forward, ensuring personalisation was at the heart of what the County Council did, alongside achieving in-year savings of £561,700 (£895,200 FYE), with more savings projected.

14.3 Given that the SIAT programme concluded at the end of January 2015, discussions were taking place to plan handover and transition with a number of work-streams already being integrated into the Care Act implementation programme. The revised ways of working would be embedded in the operational and commissioning practice of the restructured Directorate.

Resolved

15. That the progress made in relation to the SIAT Programme for Learning Disability Services be noted.

Reason for Decision

16. The SIAT Programme for Learning Disability Services will contribute to the delivery of the Adult and Community Services Pathways to Independence programme to secure both the organisational benefits and financial savings necessary to deliver a balanced budget up to and beyond 2016/17. It also contributes to the County Council's area of focus on health, wellbeing and safeguarding.

New Models of Care - incorporating updates on the Care Act 2014 implementation and Directorate restructuring

17.1 The Committee considered a report by the Director for Adult and Community Services which provided a summary of the work conducted in the development of New Models of Care as part of Pathways to Independence. It described the current delivery model as being one which, along with most local authorities, was out of date and not compatible with changing expectations of having greater choice and control and also not meeting the requirements of the Care Act 2014.

17.2 The report set out the direction of travel for services for the future which were based on maximising skills and abilities of people in their communities and for individuals to avoid long term reliance on traditional council services and on the progress being made in achieving this. It also provided an update on the progress being made to implement the first stages of the Care Act 2014 to ensure that those provisions which commenced on 1 April 2015 were met. Officers explained that every aspect of that report was interlinked in ensuring a significant part of the delivery of the Forward Together Programme within the Directorate was achieved.

17.3 Councillors' attention was drawn to how the provisions of the Care Act 2014 were being taken into consideration and what options there were for new models of care. The Committee were pleased to learn of the progress being made.

17.4 Particular mention was made of the important part played by the principles of "My Life, My Care", given that the new model approach would have this response service at its core. The Committee was informed that "My Life, My Care" was the pan-Dorset website designed to help people to navigate their way through a wide range of information which would support and help them to remain independent and safe in their own homes.

17.5 The Cabinet Member for Adult Social Care considered that this was a significant piece of work designed to deliver the provisions of the Care Act on time and efficiently and demonstrated the need to be able to work across all Directorates, where necessary.

Resolved

18. That the progress being made in delivering and implementing the new Models of Care for Dorset, in accordance with the provisions of the Care Act 2014, and how the Directorate was being restructured to meet those requirements, be noted.

Reason for Decision

19. The report provides an update on work progressing through Pathways to Independence, which is a part of the Forward Together Programme to secure both the organisational benefits and financial savings necessary to deliver a balanced budget up to and beyond 2016/17. It supports the County Council's corporate area of focus on 'Health, Wellbeing and Safeguarding'.

The Establishment of the Dorset Safeguarding Adults Board

20.1 The Committee considered a report by the Director for Adult and Community Services which explained the need for the formal establishment of the Dorset Safeguarding Adults Board as provided for by the Care Act 2014, placing a responsibility on all local authorities to establish one by April 2015. Whilst a Board currently existed, its establishment had not been previously formalised, as now required. The main objective of the Board was to assure itself that local safeguarding arrangements and partners acted to help and protect those adults regarded as vulnerable, in so far as a set of established criteria were met. The Board was also designed to co-ordinate the strategic development of safeguarding across Dorset. The core duties of a Board, as set down in the Care Act, were also set out in the report, together with the proposed composition and what its governance arrangements should be.

20.2 The Committee recognised that the formalisation of the Board represented a very clear and positive commitment to the important task of keeping adults at risk safe from harm. However some councillors questioned the relevance of the Board and what it was likely to achieve. Officers reaffirmed the importance of the Board and what it was designed to achieve and that the Care Act formally required local authorities to establish a Board on a statutory basis. The Director considered this recognition to be positive and important in elevating the needs of adults to a comparable level to that which was afforded to children.

20.4 Councillors also questioned the basis on which the Board would be accountable and how its governance arrangements would be managed. Officers confirmed that the Board would be accountable to the Adult and Community Services Overview Committee and that councillor representation on it would be the means by which its performance could be monitored. The Committee was reassured by this explanation.

Recommended

21. That the formal establishment of the Dorset Safeguarding Adults Board (SAB) by April 2015 be agreed.

Reason for Recommendation

22. The Care Act required that the local authority must be responsible for the establishment of a SAB. The establishment of the Board represented an important step forward in the protection of vulnerable adults, and therefore contributed to the County Council's area of focus on health, wellbeing and safeguarding.

Dorset County Council Approved Premises Scheme for the Granting of Approval of Premises as Venues for Civil Marriage and Civil Partnership

23.1 The Committee considered a report by the Director for Adult and Community Services regarding the County Council's responsibility for granting approval to premises as venues at which civil marriage and civil partnership registrations might be conducted, this being undertaken in accordance with the Dorset County Council Approved Premises Scheme

23.2 Officers explained that whilst approved premises must consist of a room, there was no legal definition in the regulations of what this should be so that interpretation lay with the local authority. Following a challenge to the existing interpretation by an approved premises, and in response to increasing customer demand for outdoor ceremonies, it was proposed to amend the interpretation of a room thereby facilitating a more flexible approach to be taken during the approval process.

23.3 Councillor's attention was drawn to Appendix 1 to the report which set out extracts from the County Council's Approved Premises Scheme and proposed amendments and to Appendix 2 which provided examples of rooms approved by other local authorities.

23.4 The Committee were supportive of the flexibility these proposals provided which allowed the Authority to be more accommodating in its future considerations.

Recommended

24. That the amendments to the Dorset County Council Approved Premises Scheme for the granting of Approval of Premises as venues for Civil marriage and Civil partnership, as set out in Appendix 1 to the Director's report be approved.

Reason for Recommendation

25. In supporting the Council's vision of working together for a strong and successful Dorset and contributed specifically to the area of focus of enabling economic growth.

Revenue Budget Monitoring 2014/15, including Forward Together Update

26. The Committee considered a report by the Chief Financial Officer which presented budget information as at the end of November 2014 which showed a forecast overspend against service budgets for the County Council of £5.765m of which an overspend of £2.600m, or 2.2% of its budget, was attributable to the Directorate.

Noted**Corporate Performance Monitoring Report: Second Quarter 2014/15 (1 July – 30 September 2014)**

27.1 The Committee considered a joint report by the Chief Executive and the Director for Adult and Community Services which contained analysis of the Council's progress against both of its corporate aims and presented the results of the monitoring of the County Council's Corporate Balanced Scorecard for the second quarter of 2014/15. Whilst the Scorecard summarised performance monitoring analysis across the whole Authority, there was a specific focus on those elements of the plan which were managed by the Adult and Community Services Directorate. The Committee were also reminded, at Appendix 2, of the performance indicators for which they were responsible.

27.2 Officers reported that the Corporate Plan now contained 37 performance measures of which twelve were associated with the Enabling Economic Growth corporate aim and 25 related to the Health, Wellbeing and Safeguarding theme. Four of the Enabling Economic Growth measures were the responsibility of the Adult and Community Services Directorate, in the areas of Trading Standards, Emergency Planning and support for creative industries with 11 of the Health, Wellbeing and Safeguarding measures being its responsibility too, in the areas of Adult Social Care and the promotion of sport and physical activity. Detailed performance information for all of these measures was provided in the appendix to the report. It was noted that, at the end of November 2014, there was a green forecast corporate overspend of £4.3m or 1.7% on the net budget for the year.

27.3 As part of the performance commentary for the Directorate, emphasis was placed on the issue of youth unemployment and the implications for this. Officers agreed that there would be more stringent monitoring of this in the future, on a more regular basis so that the information provided was meaningful remained relative.

27.4 The issue of the marginal decrease in the percentage of employees working in creative industries was also highlighted. Officers explained that improvements were being made to the submission of this data by way of a census table which had been commissioned which would better take into account self employed people and very small businesses, which the current arrangements did not. This should provide for a clearer insight into what was happening in that field.

27.5 The Committee was pleased to see the improvements being made in the completion of PDR's within the Directorate, particularly as this had such a disparate workforce and it served to demonstrate what could be achieved with effort.

Noted**Emergency Local Assistance Scheme Update**

28.1 The Committee considered a report by the Director for Adult and Community Services which explained that the Dorset Emergency Local Assistance (ELA) scheme was commissioned in April 2013 to provide emergency help to households in crisis and facing a serious risk to their health and safety. Councillors were now being asked to support its continuation, as outlined in the Director's report.

Resolved

29. That the continuation of the Dorset Emergency Local Assistance (ELA) scheme, as outlined in the Director's report, be supported.

Reason for Decision

30. To support the County Council's focus on health, wellbeing and safeguarding.

Adult and Community Services Overview Committee Work Programme

31. The Committee considered and agreed its Work Programme for the early months of 2015

Noted**Schedule of Councillors' Seminars and Events 2015**

32. The Committee's attention was drawn to the Schedule of Councillors' Seminars and Events for the early months of 2015.

Noted**Councillor Briefings**

33. The Committee were provided with the opportunity to identify topics for future councillor briefings but decided that there was no need for any to be held at the present time.

Noted**Outside Bodies**

34. The Committee noted the submission received from Toni Coombs on the East Dorset Police and Crime Commissioner Engagement Forum and thanked her for producing this.

Noted**Questions from County Councillors**

35. No questions were asked by Councillors under Standing Order 20(2).

Duration of meeting - 10.00 am – 1.15 pm