

KENT COUNTY COUNCIL

ADULT SOCIAL SERVICES POLICY OVERVIEW COMMITTEE

MINUTES of a meeting of the Adult Social Services Policy Overview Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Friday, 16 November 2007.

PRESENT: Mr J B O Fullarton (Chairman), Ms C J Cribbon (Vice-Chairman), Mrs A D Allen, Mr M J Angell, Mr G Cowan, Mr J Curwood, Mrs E Green, Mr C Hibberd, Mr D A Hirst, Mr R E King, Mr S J G Koowaree, Mr P W A Lake, Mrs M Newell, Mr M J Northey and Dr T R Robinson

ALSO PRESENT: Mrs C Angell, Mr A D Crowther, Dr M R Eddy, Mr M J Fittock, Mr G K Gibbens, Mr J F London, Mr K G Lynes, Mr G Rowe and Mr R Tolputt

IN ATTENDANCE: Miss T Grayell (Democratic Services Officer), Mr S Leidecker (Director of Operations) and Mr O Mills (Managing Director - Adult Social Services)

UNRESTRICTED ITEMS

33. Membership

(Item A1)

Members noted that Mr G Cowan had joined the Committee in place of Mrs E D Rowbotham. Mr Cowan was duly welcomed to the Committee.

34. Minutes of the meeting held on 25 September 2007

(Item A4)

RESOLVED that the Minutes of the meeting held on 25 September 2005 are correctly recorded and that they be signed by the Chairman. There were no matters arising.

35. Dates of Future Meetings - – to note that meetings of the Committee will take place on the following dates, all starting at 10.00 am:-

(Item A5)

(1) The Committee noted the dates of its future meetings, as follows:-

Tuesday, 29 January 2008
Tuesday, 1 April 2008
Friday, 30 May 2008
Tuesday, 23 September 2008
Tuesday, 18 November 2008

All meetings would start at 10.00 am and may go on all day if business dictates.

(2) The Democratic Services Officer emphasised that all formal meetings of the County Council's Committees are planned together so the dates allocated to

respective Committees do not clash with those of any other Committee. She reminded Members that formal Committee meetings dates would take priority over events arranged subsequently.

36. Chairman's Announcements

(Item A6)

37. Kent Adult Social Services - Public Involvement Report

(Item B1)

A copy of KASS's Public Involvement Newsletter was sent to each Member of the Committee.

(1) Mr Mills and Mr Sherlock introduced the report and answered questions from Members. Points highlighted were as follows:-

- (a) Although service users and carers were involved in the recruitment process for senior managers, it was emphasised that this was part of a larger formal recruitment process which was rigorously followed. Application forms were anonymised before being shared with service users and carers, and those contributing to the process were briefed on the importance of adopting an unbiased approach.
- (b) The Older Persons' Strategy and Active Lives were closely linked but had different roles. Active Lives was the overall policy document while the Older Persons' Strategy was more specific.
- (c) There were several bodies through which the KCC could engage the public, so KCC must be careful to make use of, and not duplicate, work done by others, or add bureaucracy.

(2) RESOLVED that the contents of the report, and information given in response to questions, be noted, with thanks, along with Members' comments.

38. Adult Services Annual Complaints Report

(Item B2)

(1) Mr Mills introduced the report and answered questions from Members. Points highlighted were as follows:-

- (a) Mr Mills received Members' congratulations for the positive approach taken by his Directorate team to the receipt of complaints and compliments, using both as a constructive way to build best practice.
- (b) The Transition target in 'Towards 2010' was a good example of using complaints to lead to new policy setting.
- (c) The figures for the number of compliments received, versus the number of complaints, was something that the Directorate should be proud of.
- (d) Complaints received by KCC are not necessarily about KCC services. KASS staff may sometimes have referred to them complaints against

private providers. Mr Mills undertook to advise Members outside the meeting of the procedure which set out how these should be managed.

- (e) The outcome of complaints made against private and voluntary providers could be monitored as part of the County Council's contracting process and by Commission for Social Care Inspection (CSCI) in the inspection process.
- (f) Part of the slight increase in the number of complaints received may be due to the recent publicity of its complaints process which the Directorate had undertaken.
- (g) Intervention by elected Members to solve problems meant those problems were classified as "stage one", as they were quickly resolved before they could develop into complaints.

(2) RESOLVED that:-

- (a) the information given in the report, and in response to questions, be noted, with thanks; and
include fuller information on the sources of complaints and the monitoring process;
- (b) future reports monitoring process, as covered in paragraphs (d) and (e) above.

39. Safeguarding Vulnerable Adults

(Item B3)

Mrs C McKeough, Adult protection Policy Manager, was in attendance for this item.

(1) Mr Mills and Mrs McKeough introduced the report and answered questions from Members. Points highlighted were as follows:-

- (a) The figures in this year's report were the first to be produced using the new SWIFT system, and recorded cases reported from KCC and private and voluntary premises. "Adult Protection" included neglect.
- (b) To allow a comparison of like with like between geographical areas across Kent, figures quoted and shown on bar charts would need to be given more background and context.
- (c) Although many of the people placed in Kent's care homes had been placed by other local authorities, Kent was the accountable authority when it came to investigating Adult Protection alerts.
- (d) The NHS were part of the Adult Protection committee and were signed up to the protocol the committee used, and had their own self audit system for their premises.
- (e) People who wished to work with vulnerable adults and young people, and as Direct Payments advisers, would shortly have to be positively registered to work with them; Criminal records Bureau (CRB) checking would no longer be sufficient on its own. Members were surprised and

concerned to learn that police officers do not have to be CRB checked. The Independent Safeguarding Audit scheme was very new and it was not yet entirely clear how it would work.

- (f) Pressure ulcers were used as an indicator of potential neglect as they were easy to identify and were a good indicator of other problems (for example, malnutrition and dehydration).
- (g) Some reported Adult Protection cases came from “whistle blowing” by staff whose knowledge and awareness had been increased through effective training.

(2) RESOLVED that:-

- (a) the contents of the report, and the information given in response to questions raised by Members, be noted, with thanks; and
- (b) future reports to Committee include more background to, and context of, the figures shown, to allow more meaningful comparison between geographical areas across Kent.

40. Domiciliary Charging Policy: Response to the Resolutions made by the Cabinet *(Item B4)*

Mr M Thomas-Sam, Head of Policy and service Development, was in attendance for this item.

(1) Mr Mills and Mr Thomas-Sam introduced the report and answered questions from Members. Points highlighted were as follows:-

- (a) Other local authorities listed in the report as comparators to Kent were mostly Kent’s statistical neighbours, but Mr Mills emphasised that a like-with-like comparison of domiciliary charging policies across different local authorities was complex and difficult to make. Mr Mills undertook to supply Members with a list of all UK local authorities and the eligibility criteria used by each, which had just been published by CSCI.
- (b) Mr Thomas-Sam also confirmed that, under the Fairer Charging Policy, most other local authorities, in common with Kent, applied the same figure of 25% minimum above the basic level of Income Support as a buffer to protect recipients’ net incomes.

(2) RESOLVED that the contents of the report, and the information given in response to questions, be noted, with thanks.

41. The Supporting People Programme *(Item B5)*

Miss C Martin, Head of the Supporting People Programme, and Miss C Highwood, Director, Resources, were in attendance for this item.

Mrs M Newell and Mr P W A Lake each declared a non-pecuniary interest in this item as Trustees of charities which received money from the Supporting People Programme.

RESOLVED that the information set out in the report be noted and welcomed, with thanks.

42. Kent Adult Social Services Budget Monitoring 2007/08

(Item B6)

Mrs A D Allen declared a non-pecuniary interest in this item as she had been involved, as a Dartford Borough Councillor, in the consultation and development of the Dartford Town Centre Project (listed on page B6:7 in the report).

Miss M Goldsmith, Directorate Finance Manager, was in attendance for this and the following item.

(1) In response to a question, Mr Lynes explained that Brighter Futures, which was centred in West Kent, would be spread to East Kent by means of Partnerships for Older People Projects (POPPs). This would be facilitated by £1.5 m of Government money.

(2) Mr Lynes emphasised how difficult it was to keep within budget allocations when activity was constantly increasing, and said he would fight for a fair settlement in the budget. He expressed his frustration that funding for schemes such as Brighter Futures and POPPs was always subject to a bid system which forced local authorities to compete against each other for a small pot of money. Such funding was also time-limited.

(3) Mr Mills and Miss Goldsmith introduced the monitoring report – the first one in a new quarterly pattern – and answered Members' questions on the detail set out in it. Mr Mills told Members that, since the quarterly report had been prepared, the forecast overspend had risen to £4.18m and management action was in place to reduce this to just below £2m.

(4) Members welcomed the opportunity to have a regular update on and discussion of budget issues, and asked for a training session to help increase their understanding of budget issues, thus allowing them to get optimum benefit from the quarterly reports.

(5) In discussion, and in response to Members' questions, the following points were highlighted:-

- (a) Presenting the budget picture part way through the year was a complex issue, and it was difficult to align gross and income figures. Variances would settle over time.
- (b) The increased use of Direct Payments meant that a slight reduction in the number of Domiciliary Care hours delivered would show up in the monitoring figures. Some budget previously allocated to Domiciliary Care had been transferred to Direct Payments.

- (c) The demand for services, the complexity of clients' needs, and hence the cost of meeting those needs, were all increasing. Costs of delivering services for people with learning difficulties, for example, was increasing by 6-7% per annum.
- (d) The Government had put in place legislation and funding – the Reimbursement Grant -. to allow local authorities to pay fines to the Acute Trusts for delayed discharges attributable to local authority responsibilities.. In Kent we have (in partnership with the Acute Trusts, and the PCTs) used it to pay for services which enable us to move people from hospital more quickly, and therefore not incur the fines. The value of the grant in 2007/08 is £2.4m.

(6) RESOLVED that:-

- (a) the content of the monitoring report, and information given in response to Members' questions, be noted, with thanks; and
- (b) a training session on budget issues be arranged for Members.

43. Medium Term Plan 2008/09 to 2010/11

(Item B7)

(1) Mr Mills and Miss Goldsmith introduced the report and answered questions from Members on the detail set out in it. Points highlighted in the discussion, and in response to Members' questions, were as follows:-

- (a) The placement of vulnerable adults in Kent by other local authorities was something on which the KCC could lobby Government, in the same way as it lobbied, very successfully, about the placement of Looked After Children by other local authorities.
- (b) Members asked if it were possible for KCC to access some of the increase in Government money given to the NHS, to help deliver services for older people and clients with learning difficulties. Mr Mills noted this suggestion and pointed out that the many joint initiatives established between KCC and the NHS made maximum use of limited resources.
- (c) It was emphasised that the 4% increase received by the NHS this year was only half what they would usually get.
- (d) Mr Mills explained that Kent had a good record of delivering good quality services, keeping to moderate eligibility criteria, and delivering within budget. It was unrealistic to seek an increase in staff resources, so the aim was to modernise their way of working to manage the work load and maintain the present level of service delivery. Although freezing recruitment may seem a way of delivering savings, KASS would protect against damaging service delivery by doing this.
- (e) There were still clients in nursing homes who had been placed there since 1993 and would continue to have preserved rights, so this was an ongoing budget pressure. There would be some Government grant

available next year to help offset this cost but the details of this were not yet known.

(2) Members expressed grave concern that they were being asked to identify budget priorities without having sufficient information to be able to make an informed judgement. It was too early in the budget setting process for them to be able to identify savings and priorities without first having the professional recommendation and guidance of the Managing Director of KASS to scrutinise.

(3) Dr T R Robinson proposed, and Mr P W A Lake seconded, that Recommendation C of the report be deleted as Members were unable to do what it asked.

Carried, 8 votes to 0

(4) Mr Mills undertook to prepare such guidance and reassured Members that proposals would be very finely prioritised.

(5) RESOLVED that:-

(a) the national and local context, within which this MTP will be set, be noted; and

(b) Recommendation C of the report be deleted, as Members are unable to identify and express relative priorities for services, and areas and types of savings without first having the professional recommendation and guidance of the Managing Director of KASS to scrutinise.

44. Update on Select Committee Work *(Item C1)*

(1) The Democratic Services Officer introduced the report and added that the Carers in Kent Select Committee report had been well received the day before by the Cabinet Member and Directorate representatives, and that the Transitional Arrangements Select Committee report had been referred to and welcomed by the Learning and Skills Council and the Connexions Service, and was being built into the business plan of the latter.

(2) Mr M J Angell expressed his disappointment that the Carers in Kent Select Committee report would be considered by the Cabinet and County Council (on 3 and 13 December, respectively) without first being considered by the Adult Social Services POC.

(3) Members were disappointed that the Informal Member Group on Transitional Arrangements had not yet been able to start its work and hoped that it would soon be able to do so.

(4) RESOLVED that:-

(a) the progress of the Carers in Kent, Transitional Arrangements, and Gypsies and Travellers' Sites Select Committees, set out in the report, be noted; and

- (b) any suggestions for future topic review work which the Committee wishes to put forward for inclusion in the work programme be brought to the attention of the Overview and Scrutiny Team so a detailed proposal can be worked up to be put forward to the meeting of the Policy Overview Co-ordinating Committee on 14 February 2008.