

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 Tuesday, 22 September 2009.

PRESENT: Mr P W A Lake (Chairman), Mr K Pugh (Vice-Chairman), Mr R Brookbank, Mr L Christie, Mrs P Cole, Mr N Collor, Mr J Cubitt, Mr D A Hirst, Mr M J Jarvis, Mr S J G Koowaree, Mr J E Scholes and Mr C P Smith

ALSO PRESENT: Mr G K Gibbens

IN ATTENDANCE: Mr O Mills (Managing Director - Adult Social Services), Mr S Leidecker (Director of Operations), Mr N Sherlock (Performance Manager), Mr M Thomas-Sam (Head of Policy and Service Development) and Miss T Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS

16. Minutes of the meeting held on 15 July 2009

(Item A3)

RESOLVED that, subject to the correction of the word 'against' in Minute 8, paragraph (1)(c), the minutes of the meeting held on 15 July 2009 are correctly recorded and they be signed by the Chairman. There were no matters arising.

17. Chairman's Announcements

(Item A4)

(1) The Chairman referred to Members' dissatisfaction with the SWIFT system which had been expressed at a recent meeting of the Governance and Audit Committee, and said that this POC may well be asked to follow up this issue at a future meeting. He asked Mr Mills to be prepared at each meeting of this POC to report to Members on any issues relating to Adult Social Services which had arisen at any other committee.

(2) Mr Mills referred to proposed changes to the funding arrangements for Age Concern Committees, which had been set out in a briefing for all Members on 2 September. He emphasised that funding will be redistributed and not reduced. and that the KCC was working closely with Age Concern Committees to prepare for the future. He acknowledged the concern that this change may cause for local Age Concern Committees and local Members. A more detailed report on this issue would be made to the November meeting of the POC. *Mr R Brookbank declared a non-pecuniary interest in this issue as the Chairman of a local Age Concern Group.*

(3) Mr Mills reported that the KCC was supporting the Kent Autistic Trust while future commissioning arrangements were being decided. He undertook to send all Members a briefing paper on this issue.

(4) Finally, Mr Mills reported that Kent had been successful, as part of the national pilot scheme of the Whole System Demonstrator, in exceeding the target for take-up of Telehealth and Telecare. A more detailed report on this issue would be made to the November meeting of the POC.

18. Potential to Refocus and Restructure the Overview and Scrutiny Function
(Item B1)

Mr A J King, Cabinet Member for Localism and Partnerships, and Mr P D Wickenden, Overview, Scrutiny and Localism Manager, were present for this item.

(1) Mr King introduced the item and referred to the increase in public interest in scrutiny and the broadening range of information and working methods which were now available, both of which changes had emerged since the introduction of the scrutiny function in 2000. Members were also now seeking more involvement and were more ready to challenge the Cabinet.

(2) All POCs were being given the chance to consider and comment on the report, and the POCs' comments, with those of the Policy Overview Co-ordinating Committee and the Cabinet Scrutiny Committee, would be reported to a meeting of the full Council on 15 October 2009, at which the subject would be debated.

(3) In discussion, Members made the following comments:-

- (a) I welcome this report and the chance to comment on it. It is very important for Opposition Members to have good information, and I would support more advance information being made available to Members before decisions are taken, so they can be better prepared for their scrutiny role;
- (b) I am keen to hear the outcomes of discussions about two tier working which are taking place later in September. Two tier working is a sensitive issue for District Councils and for many other bodies, such as the Police and the Fire and Rescue Service, and will need to be handled carefully; and
- (d) These are interesting times. Kent is judged on its overall performance, so we need to avoid weak links and all partners need to perform well. KCC scrutinises other bodies - including Job Centre Plus and the Probation Service, for example - and Kent needs to help them so that, together, we can achieve a good overall picture.

(4) RESOLVED that:-

- (a) the views expressed by ASSPOC Members, set out in paragraph (3) above, be taken into account when deciding the future direction; and
- (b) the onward process for the issue to be debated by the Cabinet on 12 October and the full Council on 15 October be noted.

19. Presentation - 'Shaping the Future of Care Together': The Green Paper on Care and Support

(1) Mr Thomas-Sam and Mr Mills presented a series of slides which summarised the content of the Green Paper and set out the consultation process. *The slides used in the presentation (will be) attached to these Minutes as Appendix 1.*

(2) Mr Thomas-Sam and Mr Mills emphasised that this was a vital opportunity for the KCC to contribute its views on the future of social care provision. A response will be considered by Cabinet on 12 October and by the full County Council on 15 October, with the comments being collated into the KCC's formal response to Government by the deadline of 13 November 2009. The Green Paper consultation document set out three key questions to be addressed, and *a summary of the comments made by Members in response to these questions (will be) attached to these Minutes as Appendix 2.*

(3) Mr Gibbens added that KCC had been closely involved in the past in discussions around some of the elements now in the Green Paper, for instance, in work on how an insurance-based funding system could work. It was mentioned that research had shown that older people had about a one-in-nine chance of needing some sort of care in old age, so developing effective new ways of funding and delivering social care was vitally important, although an immense challenge.

(4) Mr Mills emphasised that any model of social care provision should be based around supporting an individual's independence as far as possible, and would have to assume that individuals would provide for themselves as far as possible before turning to the state for assistance. The difficulty lay in identifying the right balance between the two.

(5) RESOLVED that the comments made by Members of the Committee, set out in Appendix 2 to these minutes, be included in the KCC's formal response to the Green Paper, with those comments made by the Cabinet and full Council.

20. Adult Social Services Budget Monitoring 2009/10 - First Quarterly Report (Item B2)

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

(1) Miss Goldsmith introduced the report and explained that the Directorate had a number of underspends and overspends across various services – mostly underspends – but that she expected the budget to balance by the end of the financial year. With Mr Mills and Mr Leidecker, Miss Goldsmith answered questions of detail on the following:-

- (a) the variance in cost of ordinary residential care and residential care for people with Dementia, the latter having a higher unit cost;
- (b) the difficulty in showing an exact value for Direct Payments take-up at any one time, as the patterns of take-up were complex and included

one-off payments. The numbers reported were a snapshot at each month-end;

- (c) the system by which someone placed by another local authority can become 'ordinarily resident' in Kent, and thus become the financial responsibility of Kent rather than the authority which had placed them. Kent had long since been a net importer of placements from other local authorities in residential homes, primarily of adults with a learning disability. If the home then de-registers as a residential home, and the resident chooses to be ordinarily resident in Kent in supported living, the responsibility passes to KASS, and KASS has challenged cases in the past without success; and
- (d) the way in which debts (money owed to the KCC by service users) are recorded and recovered, and the need for a flexible and sensitive approach, resorting to legal recovery only if and when appropriate.

(2) RESOLVED that:-

- (a) the information in the report, and given in response to Members' questions, be noted, with thanks; and
- (b) an Informal Member Group be set up to meet in November to look in detail at the Medium Term Plan and attempt to identify priorities and areas of potential saving.

21. Towards 2010 - Annual Report

(Item B3)

(1) Mr Sherlock introduced the report and explained that KASS was on target for all its 2010 targets, and had completed one.

(2) Members commented that:-

- (a) relating to Target 52, 'housing to promote independence' should include sheltered housing. Mr Mills reminded Members that, although sheltered housing was included in KASS's 2010 targets, the service had recently transferred from KASS to the Communities portfolio. He reassured Members that the sheltered housing service would receive the same level of support and have the same importance as before.
- (b) relating to Target 53: the Implementation Plans for East and West Kent should be included in area briefings for Members, which Mr Leidecker undertook to do, also including progress updates on the Implementation Plans.

(3) RESOLVED that:-

- (a) information in the report, and given in response to Members' questions, be noted, with thanks; and

- (b) the report be approved.

22. End of Year Results for Performance 2008 - 09

(Item B4)

(1) Mr Leidecker introduced the report and explained that the regime for recording performance was changing significantly, with 2008/09 being a transition year between the old and new systems. The new system emphasised the use of self-assessment, with the main focus being on outcomes. Although targets were self-generated, performance had to be recorded in a way specified by the Department of Health.

(2) Mr Leidecker reassured Members that having a target for the take up of Direct Payments did not mean that individuals would be pressured to use Direct Payments if they were not confident of using them or felt they were not the best method for them. Only 10% of care packages used Direct Payments, so there was still a breadth of other options from which clients could choose.

(3) RESOLVED that information in the report, and given in response to Members' questions, be noted, with thanks.

23. 'Independence, Wellbeing and Choice' Inspection

(Item B5)

(1) Mr Sherlock introduced the report and reminded Members that Kent had received a very good inspection report from CQC, with only two other shire counties having as good an outcome as Kent. The action plan, in a form prescribed by CQC, set out what KASS would do in the next 12 months to respond to the recommendations made by CQC, although he emphasised that many items in the action plan were already entrenched in KASS's business plans. An officer steering group will work on the delivery of the action plan and progress will be monitored by the Directorate SMT and by CQC, with progress being reported to ASSPOC.

(2) Members placed on record their congratulations and thanks to the staff who helped to prepare for and took part in the inspection, and complimented them on the excellent outcome.

(3) RESOLVED that:-

(a) the information in the report be noted, and a further report be made to ASSPOC in January 2010, which will include the outcome of the CQC review meeting being held in December 2009; and

(b) staff who helped to prepare for and took part in the inspection be congratulated and thanked for their hard work and complimented on an excellent outcome to the review.

24. Kent Adult Social Services Positive Risk Management Policy for staff carrying out Community Care Assessments

(Item B6)

(1) Mr Thomas-Sam introduced the report and emphasised that the new policy was supported by very sound training for staff and would be reviewed every 6 months for the first year, and annually thereafter, while individual cases would be reviewed very regularly. He reassured Members that clients employing personal carers directly received support and guidance on the need to check that those paid care workers had been CRB checked, while care assistants employed by a company would be CRB checked automatically by that company.

(2) RESOLVED that:-

- (a) the information in the report and given in response to Members' questions be noted, with thanks; and
- (b) adoption of the new Positive Risk Management Policy, via a Cabinet Members decision, be endorsed.

25. Draft Annual Performance Report 2008/09

(Item B7)

Mr R Hardy, Director of Improvement and Engagement, was in attendance for this item.

The Chairman secured Members' agreement to consider this as an urgent item as the paper had not been placed in the public arena with the required notice.

(1) Mr Hardy introduced the report and explained that it was being submitted to all POCs in September, then to Cabinet on 12 October and to full Council for approval on 15 October. Some Members expressed frustration at being asked simply to note the report and not being offered the opportunity to comment on KASS's part of it or have input into a final version of the report.

(2) RESOLVED that the report be noted.

26. Update on Select Committee Work

(Item C1)

RESOLVED that the process for agreeing a new Select Committee Work Programme for 2009/10 be noted.