

KENT COUNTY COUNCIL

ADULT SERVICES POLICY OVERVIEW COMMITTEE

MINUTES of a meeting of the Adult Services Policy Overview Committee held at Sessions House, County Hall, Maidstone on Tuesday, 24 April 2007.

PRESENT: Mr M C Dance (Chairman), Mr L Christie (Vice Chairman), Mrs A D Allen, Mr M J Angell, Mr C Hibberd, Mr D A Hirst, Mr R E King, Mr S J G Koowaree, Mr P W A Lake, Mr T A Maddison (substitute for Mrs E Green), Mrs M Newell, Mr M J Northey and Mr R J E Parker (substitute for Mrs E D Rowbotham).

OTHER MEMBERS PRESENT: Mrs T Dean, Mr C J Law, Mr K G Lynes (Cabinet Member for Adult Social Services) and Mr D Smyth.

IN ATTENDANCE: Mr O Mills, Managing Director, Kent Adult Social Services; Miss C Highwood, Assistant Director, Resources; and Miss T A Grayell, Democratic Services Officer.

UNRESTRICTED ITEMS

7. Minutes
(Item A2)

RESOLVED that the Minutes of the meeting held on 1 February 2007 are correctly recorded and that they be signed by the Chairman.

8. Mrs Margaret Featherstone

Members expressed their immense sadness at the recent sudden death of Mrs Margaret Featherstone, County Council Member for Maidstone North East, who had served for many years on the former Social Care and Community Health and Social Services Committees. The Committee stood for a moment in silence as a mark of respect, and it was agreed that the Chairman send a letter of condolence to Margaret's family on behalf of the Committee. Mrs Dean thanked Members for the many kind tributes which had been paid to Margaret.

9. Chairman's Announcements
(Item A3)

(1) The Chairman announced that the Directorate had changed its name to Kent Adult Social Services and that, accordingly, the name of the Cabinet portfolio had also changed to Adult Social Services.

(2) It was expected that the Committee would be renamed to reflect the other changes but this had yet to be confirmed. Members of the Committee would be notified when a change in name was formally agreed.

10. Presentation – Learning Disability Day Centres: Modernisation

(Presentation by Margaret Howard, Director of Commissioning and Provision, West Kent)

(Mrs T Dean, Mr C J Law and Mr D Smyth were present for this item)

(The slides used in the presentation are attached to these Minutes at Appendix 1)

(1) Mrs Howard explained that the changes to day centre services currently being embarked upon had arisen from a report made in 1999 which identified a number of key aims for change, and she explained how those changes were being put into practice. Initiatives included innovative projects such as a canteen and a garden centre run by people with learning disabilities.

(2) Arising from the presentation and discussion, the key elements the exercise needed to identify were identified as follows:-

- (i) a need for full consultation and public involvement;
- (ii) to identify and respect the wishes and needs of people with learning disabilities about what services they wanted. The presentation included two video clips showing people with learning disabilities talking about their favourite activities and their understanding of the person centred planning approach to service delivery;
- (iii) to ensure that change was undertaken gradually and steadily, with ongoing assessment of its impact to see what was working best and what needed to be done differently next time, or in the next area;
- (iv) to continue ongoing consultation with those affected, all through the process;
- (v) to implement change at a local level and respect that geographical areas across the county, and each community concerned, will have different issues and needs;
- (vi) to offer a choice of service;
- (vii) to address transport and accessibility issues; and
- (viii) to continue to redress parents' need for respite care.

(3) Mrs Howard answered a number of questions from Members and, in discussion, Members offered the following comments and suggestions on the way forward:-

- (i) engaging a consortium of a variety of partners would help in offering a mixed economy and the widest possible choice of service;
- (ii) using Local Boards would be a good way to inform all KCC Members of the changes and engage them in the process in their local area;
- (iii) integrating people with learning disabilities into the mainstream leisure activities was important, and was what many people with learning disabilities said they wanted, but it was also important to educate others in the community to help them to understand and accept the needs and presence of people with learning disabilities;

- (iv) the 12 strategic partnerships presently established across Kent could be used to help move forward the programme of modernisation; and
- (v) KCC should make optimum use of its influence to drive forward innovative change.

(4) RESOLVED that:-

- (a) the contents of the very thorough presentation be noted, with thanks, and a similar presentation be used when engaging other audiences in the change process; and
- (b) points arising from discussion, and suggestions put forward by Members, be taken into account when planning change.

11. Active Lives

(Item B1 – Report by Managing Director, Kent Adult Social Services)

(Ms D Exall, Head of Performance and Planning, was in attendance for this item)

(1) Ms Exall presented the final draft of the Active Lives document for Members' comment and endorsement before publication. The final draft of the document had been prepared following consultation with this Committee in July 2006 and with partners and service users, and had already had the benefit of input and good feedback from service users.

(2) In discussion, Members praised the clarity and user-friendly style of the document, its large clear typeface, the glossary of terms and the transport section, and asked that these be retained in the final version. Members were pleased that the document emphasised the importance of providing information and guidance in cases where financial assistance could not be given.

(3) Members also highlighted a few changes they wished to see made to the final document before publication, along with some concerns about its use:-

- (i) the text needed to be precise, leaving no room for misinterpretation or for its meaning to be twisted;
- (ii) aspirations in the document were fine, but practical delivery and implementation of them was most important; and
- (iii) Members expressed concern about the practicality of the suggestions in the document of adding any workload to GPs and the need for close liaison with the NHS to meet the aims of the document around discharge planning.

Ms Exall offered to prepare and share with Members a follow up document which would set out action points and a way of measuring their success, and Members welcomed this suggestion.

(4) RESOLVED that:-

- (a) the final Active Lives document be welcomed, and the comments on its contents, set out above, be taken into account before publication;

- (b) a follow-up document be prepared and shared with Members, which will set out the implementation plans and a way of monitoring their progress; and
- (c) a letter of thanks for the work undertaken be sent from the Committee to the editorial team of the Active Lives document.

12. Kent Adult Social Services Annual Plan 2007/08

(Item B2 – Report by Managing Director, Kent Adult Social Services)

(Mr N Sherlock, Public Improvement and Performance Manager, was in attendance for this and the following item)

- (1) Mr Sherlock explained that Members were being given the chance to see and comment on an earlier draft of the Annual Plan than had previously been possible, due to the Committee's timetable.
- (2) Members welcomed this early opportunity, and the document itself, and commented on the innovative and forward-looking initiatives being pioneered by Kent Adult Social Services, such as the involvement of public and service users in the selection process when engaging senior managers.
- (3) RESOLVED that the first draft of the Kent Adult Social Services Annual Plan be welcomed, and its content noted.

13. Risk Management – Revised Directorate Risk Register

(Item B3 – Report by Managing Director, Kent Adult Social Services)

- (1) Mr Sherlock explained that this was the first time Members had been able to see the Directorate's risk register as a separate document outside the Medium Term Financial Plan and presented as a series of scored items.
- (2) RESOLVED that the content of the report be noted.

14. Consultation on Changes to Charging for Home Care and Other Non-Residential Services (Domiciliary Care)

(Item B4 – Report by Cabinet Member for Adult Social Services and Managing Director, Kent Adult Social Services)

(Mrs T Dean was present for this and the following item. Mrs M Silvertan and Mr M Thomas-Sam, Policy Managers, were in attendance for this item)

- (1) Mr Mills introduced the item and emphasised the importance of the Committee being able to see the proposals before they went out to public consultation. He pointed out that when the time came for the Cabinet Member to take a decision on this issue, it would be open to scrutiny in the usual way. He explained that the proposed changes were in line with the Government's Fairer Charging Policy guidance. Copies of the letter and questionnaire to be used in consultation, and examples of how the proposed charges would be applied to a variety of cases, were tabled.
- (2) Mr Lynes added that proposing a change to the County's charging policy had been a very difficult decision to take and that he and the Directorate were determined to avoid changing the eligibility criteria as there was no way back from such a change. He emphasised that an increase in costs was inevitable and he was seeking to minimise its impact. Mr Mills explained that, in making the proposed changes, the Directorate would guard against recipients of care withdrawing from services if they were unable to cover the

costs, and assured Members that cases would be examined individually to ensure that appropriate care was still being received by those who needed it.

(3) The content of the report and the tabled documents were debated at length, with many concerns being shared across the chamber. In debate, Members raised the following points:-

- A 30% increase was unacceptable and should be reconsidered. It simply could not be placed in one lump and must be staggered.
- How much notice would be taken of comments arising from consultation? Had the timetable (up to September 2007) allowed sufficient time for consultation to be properly carried out? If consultation showed problems, would the proposals be changed?
- The £15 year-on-year increase was difficult to grasp, and the paperwork tabled did not make clear how the increase was to be applied. Mr Mills explained that around 3,000 service users do not pay anything at the moment and will continue to pay nothing unless their income increased. However, people who pay towards the cost of their services would be affected. The typical increase would be less than £15 per week. The approved policy would apply to new users taking up services.
- this explanation did not seem to match some of the consultation paperwork and there appeared to be discrepancies between different consultation documents.
- Some Members were not sure that they had correctly grasped the way the increase in the charge was to be made at the time of the original budget discussion and were concerned that their original decision may have been based on a misconception. Members were also unclear about what would happen at the end of year 3. Mr Mills offered to meet with each party group to explain the system in more detail if needed. He explained that there would be a cap in place to limit any increase to £15 per week in September 2007 for people who are affected. The maximum cap of £15 per week would be kept in place for next year if, following the usual re-assessment in April 2008, any further increase was more than £15 per week (on top of the charge from September 2007). The cap would be in place for one more year if, following the usual re-assessment in April 2009, any further increase was more than £15 per week (on top of the charge from April 2008). From April 2010, this cap would stop and everyone who had- been assessed as having to pay towards the cost of their home care services would pay their full assessed charge.
- Members expressed great displeasure at having the consultation material tabled as they had not been able to read and consider it fully before debate. This did not aid Members' understanding of what was a very complex issue.
- the approach set out in the consultation literature was wrong, and needed further work before it could be issued.

- (a) the questionnaire could usefully include references to the KASS team whose role was to help clients realise and claim their full benefit entitlement to help their overall financial situation.
- (b) the examples of how the proposed increases would apply to users in a range of circumstances (circulated on pink paper) could usefully be included in the consultation letter.
- (c) the letter to accompany the questionnaire and examples was not well worded, giving the impression that the proposals were cross-party. It should say "KCC" instead of "Elected Members".

(4) Mr Mills explained that the Government's Fairer Charging Policy guidance allowed local authorities scope to decide the percentage of a person's available income (after certain deductions) to take into account to work out the charge, so charging systems varied across the country. Unfortunately, this made it very difficult to compare 'like with like' when comparing Kent's scheme to other local authorities' schemes, as each had to be looked at within its own context.

(5) Members acknowledged that other local authorities were known to take account of 95% or 100% of a client's disposable income when assessing their eligibility for a care package, meaning that only those with care needs classified as "critical" received care. Kent had been very careful to avoid that, and still upheld the policy of providing preventative care services.

(6) Mr L Christie proposed, seconded by Mrs M Newell, that the report not be "noted" as recommended but that the proposal to change the charging mechanism be referred back to Cabinet for further consideration, and a further report be brought back to this Committee.

Lost, 5 votes to 7

(7) RESOLVED that the report and tabled information be noted and that Members' concerns about the proposed changes and comments made on the consultation material, set out above, be taken into account.

15. The Supporting People Programme

(Item B5 – Report by Managing Director, Kent Adult Social Services)

Mr T A Maddison declared a non-pecuniary interest as Chairman of a Housing Association and Trustee of an Alms House Charity both of which housed tenants who benefited from the Supporting People Programme.

Mrs M Newell declared a non-pecuniary interest as a Trustee of an organisation which receives funding from the Supporting People Programme.

(1) Mr Mills introduced the item and explained that the consultation period for the County Council's older persons' strategy had been extended by one month from the end of April to 1 June 2007.

(2) Mrs Dean said that, although she understood the reasons for the proposals, she was angry that the consultation process on changes to the live-in wardens and alarms issues had been started without the knowledge and involvement of KCC Members

representing the areas most concerned. Some public consultation meetings had already taken place without KCC Members having had a chance to attend and contribute. Mrs Dean had managed to find and attend one or two meetings but she and others would have wanted to take part in earlier meetings if they have been able to.

(3) Mr Christie shared many of Mrs Dean's concerns, as the Dartford and Gravesham area also contained several sheltered housing developments.

(4) Mrs Dean pointed out that the consultation process and the proposal itself had given rise to a number of other concerns among local residents, which had become apparent at the meetings she had attended:-

- Many elderly people currently occupying sheltered housing had sold their own properties and taken up sheltered housing places because the accommodation had the benefit of a live-in warden. They now felt very let down by the proposal to remove the warden.
- Many people viewed the removal of the warden and alarm system as a risk to the security of their premises.
- The consultation process itself was not easy for the residents concerned to understand and the proposals were not presented as clearly as they could be or in a way which would assist residents' understanding.
- Information on the proposals for live-in wardens and alarms presented to residents at public meetings seem to differ between meetings.

As a result of these, there was much confusion and distress amongst the communities which would be affected.

(5) Mr Mills addressed the issues raised in debate and undertook to supply a fuller explanation of the background to the issues in writing to all Members of the Committee. He explained that the consultation process had been undertaken and directed by the Supporting People Commissioning Body rather than the County Council, and regretted that KCC Members had not been kept informed. The six-monthly updates, recommended in the report, would raise Members' awareness of future developments.

(6) RESOLVED that:-

- (a) the content of the report be noted, and the concerns of Members, set out above, be taken into account;
- (b) an email response by Mr Mills to the points set out above be sent to all Members of the Committee; and
- (c) the Supporting People team provide the Adult Services Policy Overview Committee with an updated report on the progress of the Supporting People programme twice yearly.

16. Update on Select Committee Work
(Item C1 – Report by Overview and Scrutiny Manager)

(1) RESOLVED that it be noted that:-

- (a) the Transitional Arrangements Select Committee report 'Transition to a Positive Future' was welcomed and supported by the Cabinet Member and KASS and CFE Directorate colleagues on 12 April 2007, and will be considered by the full Cabinet on 14 May 2007;
- (b) a 12 month update report on the implementation of the recommendations of the Gypsy and Travellers Sites Select Committee will be submitted to the July 2007 meeting of this Committee, after first being considered at a meeting of the re-convened Select Committee; and
- (c) work on the Carers in Kent topic review, promoted by this Committee, will commence shortly and continue through the summer