

KENT COUNTY COUNCIL

SOCIAL CARE AND PUBLIC HEALTH CABINET COMMITTEE

MINUTES of a meeting of the Social Care and Public Health Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 10 May 2012.

PRESENT: Mr C P Smith (Chairman), Mrs A D Allen, Mr R E Brookbank, Mr L Christie, Mrs V J Dagger, Mr K A Ferrin, MBE, Mr C Hibberd, Mr M J Jarvis, Mr J D Kirby, Mr S J G Koowaree, Mr P W A Lake and Mr A T Willicombe

ALSO PRESENT: Mr G K Gibbens and Mrs J Whittle

IN ATTENDANCE: Mr A Ireland (Corporate Director, Families and Social Care), Mrs J Imray (Interim Director, Specialist Children's Services), Mr M Lobban (Director of Strategic Commissioning), Mr A Scott-Clark (Deputy Director of Public Health, NHS E & C Kent), Mr M Thomas-Sam (Head of Policy and Service Development), Mrs A Tidmarsh (Director of Older People and Physical Disability) and Miss T A Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS

3. Election of Vice-Chairman

(Item A3)

Mr C P Smith proposed and Mr P W A Lake seconded that Mrs A D Allen be elected Vice-Chairman of the Committee.

Mr S J G Koowaree then proposed and Mr L Christie seconded that Mr L Christie be elected Vice-Chairman of the Committee.

On being put to the vote, Mrs A D Allen was supported by 8 votes to 2 and Mr Christie by 2 votes to 9.

Mrs A D Allen was duly elected Vice-Chairman of the Committee.

4. Minutes of the Meeting held on 29 March 2012

(Item A5)

RESOLVED that the Minutes of the meeting held on 29 March 2012 are correctly recorded and they be signed by the Chairman.

5. Dates of Future Meetings

(Item A6)

RESOLVED that the dates reserved for future meetings of the Committee be noted, as follows:-

Thursday 12 July 2012, 10.00 am

Friday 14 September 2012, 10.00 am

Friday 9 November 2012, 10.00 am
Friday 11 January 2013, 10.00 am
Wednesday 24 April 2013, 10.00 am

6. 12/01905 - Adult Social Care Transformation (Decision to be taken by the Cabinet)
(Item B1)

1. Mr Lobban introduced the report and presented a series of slides which set out the context and key aims of the Transformation model, which, he explained is consistent with the Government's vision for Adult Social Care. He and Mr Ireland highlighted its key aims as:-

- to deliver better outcomes for clients at less cost.
- to ensure available funding is directed to the areas which will achieve the best value for money and greater efficiency while maximising client choice.
- to allow Adult Social Care to fulfil its statutory duties while making a contribution to the £200million deficit faced by the KCC over the next three years. This contribution will need to be substantial as the ASC budget is approximately one-third of the total KCC budget (excluding schools).

He highlighted its key elements and set out the process and timetable for consultation on and implementation of the model and the rationale for asking the Cabinet to agree the Programme Blueprint and Preparation Plan.

2. Mr Lobban and Mr Ireland then answered questions of detail. The comments and views expressed by Members included the following:-

- a) the presentation did not make clear or help Members to understand how the Transformation programme fits with the Government's vision for Social Care;
- b) to achieve good transformation, it is important to avoid bureaucracy;
- c) the number of carers, particularly young carers, in Kent is high and is of great concern;
- d) the KCC would need to be able to check on the quality of care being provided to vulnerable clients by care companies;
- e) the Transformation programme seems to be a way of disguising cuts, and it is misleading to show aspirations for the future which those proposing them do not have to start work on yet. It supports a political ideology to move away from provision to commissioning;
- f) some parts of the programme refer to using the cheapest option when delivering care; the elderly deserve better than the cheapest option;
- g) Members appear to have very limited involvement and influence in the process, being involved only in the yearly issuing of contracts and again at a yearly monitoring;

- h) the issues raised emphasise the need for people to look ahead and plan for themselves what services they might need and how they wish to access them;
- i) provision of adult social care, and particularly preventative services, is a national issue and needs a national scheme to address it. It is good to see this document starting to address this;
- j) Kent needs skilled, well-trained care workers to meet the needs of its vulnerable clients. There is insufficient supply of these workers;
- k) the emphasis on keeping control of finance is good. Social Services should not be judged solely on its accounts, but it is important to pay attention to accounting, as money saved in one area can be directed to benefit another area;
- l) the Blueprint document provides a good route map for future progress;
- m) the way in which older people are categorised at present needs to be reviewed. There could be three categories – the fit elderly, the frail elderly and those with Dementia;
- n) there are still not enough people taking up Direct Payments; this figure is always a disappointment;
- o) priority areas where the KCC must direct spending are preventative services and carers' support;
- p) producing the Blueprint is a huge challenge; the courage of those who have drafted the document is to be admired;
- q) there is very little mention of Health in the document, but they must play a part in developing service provision. *Mr Scott-Clark explained some of the ways in which Health are involved;* and
- r) the document makes no mention of Member involvement but should do. *Mr Gibbens advised that he represents Members on the Transformation Board.*

3. Mr Gibbens said the debate had been very helpful. He noted Members' comments and views and made the following points:-

- the Blueprint is intended as a framework of how KCC will move forward its care provision and approach things differently; the detail will be developed later;
- he assured Members that safeguarding is a key priority in which he takes a strong personal interest;
- the private and voluntary sectors in Kent provide very good services and present the KCC with massive opportunities to explore in terms of service provision;
- there is much concern in the wider community about issues facing carers, and these issues need to be given greater focus. As the Blueprint is developed, it

is important to address the need for more focus on carers, including young carers, and how this can best be achieved;

- Adult Social Care has good connections to Health, who have been engaged in the development of the Blueprint. PCT representatives serve on the various Boards which will take forward the Blueprint;
- he added that he is happy to provide the Committee with an update on the development of the detail of the Plan.

4. The Committee then voted on whether or not it wished to endorse the decision to be taken by the Cabinet.

Endorsement of the decision was agreed by 10 votes to 1

5 RESOLVED that the decision to be taken by the Cabinet, to agree the Adult Social Care Transformation Programme Blueprint and Preparation Plan, be endorsed.

7. 12/01831 - Review of Appledore Reception Centre for Unaccompanied Asylum Seeking Young People (Decision to be taken by the Cabinet Member for Specialist Children's Services)

(Item B2)

This item was considered as urgent business as the papers had not been placed on public deposit with the required five clear days' notice.

Mrs L Totman, Head of Corporate Parenting, was in attendance for this item.

1. Mrs Totman introduced the report, which set out the background and context of the review of the Appledore Centre and the reason for asking the Cabinet Member to agree to delay its closure. She highlighted that, since drafting the report, the costs quoted in paragraph 4 (3) had reduced from £300k to £100k, but £30k was paid to the Youth Service for rent so the cost to KCC was £70k for the Centre to 'tick over' for a few months.

2. Mrs Whittle added that the heightened risk identified by the Kent Safeguarding Children's Board Trafficking Sub-Group had made it obvious that the closure of the Centre should be delayed until after the summer, as previous Olympics had coincided with a rise in unaccompanied children travelling to the host nation. While it is not possible to anticipate what incidents might arise during the summer, it is important to be ready in case the risk becomes a reality.

3. Mrs Totman and Mrs Imray answered questions of detail, explaining the following:-

- a) consultees had included Trades Unions, although these had been omitted from the list in paragraph 2 of the report;
- b) some staff previously employed at the Appledore Centre have moved to Millbank, retaining the same hours and salary level, which has allowed the KCC to employ fewer agency staff at the latter. Other Appledore staff had moved to work with the Short Breaks units for disabled children;

- c) the unit cost of permanent staff rises when there are fewer young people accommodated, so the use of agency staff to supplement permanent staff allows the flexibility to accommodate fluctuations in numbers;
- d) the Centre's buildings will be kept in a good condition so it can be opened and be up and running quickly if needed. The resident handyman will remain on site to care for the buildings. A Regulation 33 inspector has visited the Centre and is satisfied with its condition and suitability to accommodate and support young people; and
- e) Foster Care remains the ideal option for placing vulnerable young people, but when young people first arrive in the UK they need to be accommodated somewhere in which they can be assessed in safety. Once the children have been assessed, they are placed in foster care.

4. Comments and views expressed by Members included the following:-

- a) it is good that the emergency in UASC numbers which had required the Centre to first be opened no longer exists;
- b) in closing the Centre, it is important to acknowledge and record the work done there, and the enormous difference it has made to young people's lives; and
- c) KCC is duty bound to protect any UASC who might be at risk of trafficking, and keeping the Centre open for the summer is a sensible step.

5. RESOLVED that the decision to be taken by the Cabinet Member for Specialist Children's Services, to approve the delay in closing the Appledore Centre, be endorsed.

8. 11/01747 - Shepway Learning Disability Day Services (Decision to be taken by the Cabinet Member for Social Care and Public Health)
(Item B3)

Ms P Watson, Commissioning Manager, Learning Disability, was in attendance for this item.

1. Ms Watson introduced the report, which set out the background and context of the review of Learning Disability Day Services in Shepway and the reason for asking the Cabinet Member to approve the development of new Community Hubs. She answered questions of detail, explaining the following:-

- a) Community Hubs will use buildings which are also used for other purposes and hence are accessible to the wider community, eg leisure centres;
- b) existing facilities will run in parallel with new provision while the latter gets up and running, so there will be no gap in provision. When

modernising day services in other areas, this principal has always been strictly adhered to;

- c) the questionnaire sent to consultees did not include a specific question which asked if service users wished existing services to remain unchanged, but respondents had the opportunity to comment freely and could express a view; and
- d) only eighteen current users access services using Direct Payments.

2. RESOLVED that the decision to be taken by the Cabinet Member for Social Care and Public Health, to develop new Community Hub resources in Shepway, be endorsed.

9. 12/01892 - Amendments to the Charging Policy for Home Care and other Non-Residential Services (Decision to be taken by the Cabinet Member for Social Care and Public Health)

(Item B4)

Miss M Goldsmith, FSC Finance Business Partner, was in attendance for this item, with Mr Thomas-Sam.

1. Mr Thomas-Sam introduced the report, which had been updated since last seen by the former Adult Social Care and Public Health Policy Overview and Scrutiny Committee (POSC) on 30 March 2012, to take account of the comments made by POSC Members at that meeting. He emphasised that change will be very closely monitored, with a further update report being made to this Committee in November 2012. He and Miss Goldsmith and Mr Ireland answered questions of detail, explaining the following:-

- a) Members had asked for an indication of the level of income loss which might result from the change. Estimates had been made and are included in the report, but work is still ongoing to identify the numbers of users and assess their eligibility, so it is not yet possible to determine the accuracy of those estimates;
- b) Members were assured that, if the removal of some users from charging were to cause a shortfall in income, this would not impact on the level of charges made to other services users; and
- c) the assessment process includes a full benefits check to ensure that clients are making optimum use of the benefits which are available to them.

2. RESOLVED that the decision to be taken by the Cabinet Member for Social Care and Public Health, to amend the charging policy for home care and other non-residential services, as previously approved under decision 11/01645, be endorsed.

EXEMPT ITEM

(Open Access to Minutes)

(The Committee resolved that, under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.)

10. 12/01904 - Excellent Homes for All (Decision to be taken by the Cabinet)
(Item E1)

Ms S Naylor, Project Manager, Mr D Weiss, Head of Business Transformation and Programmes, and Ms A Melvin, Principal Accountant (Projects), were in attendance for this item.

1. Ms Naylor introduced the report, which set out the history and context of the Excellent Homes for All project, how it relates to the KCC Strategic policy Framework, the process and timetable for awarding the contract and progressing the project and the reason for asking the Cabinet to agree the delegated authorities set out, the use of the designated sites and to approve the required Authority annual contribution. There are currently two shortlisted bidders, and the preferred bidder will be appointed in October 2012.

2. Ms Naylor, Mr Weiss, Ms Melvin and Mr Ireland answered questions of detail, explaining the following:-

- a) as the project was already part-way through the procurement process when the Treasury reviewed and reduced the level of PFI credit (a grant payment which covers construction of a project), the changes which could be made to the project were limited, but some small changes were made to the design and use of communal areas;
- b) nomination rights for places are shared by the County Council and its District and Borough Council partners. The contractor running the sites can express a view but cannot override Councils' nominations;
- c) the contractor will need to comply with the rents influencing regime when setting rents and service charges. The KCC will ask for rents and service charges to be fixed at an affordable level;
- d) although the contract term of the PFI scheme is 25 years, the land 'hand back' period (ie the period after which the property will be handed back to the KCC) is 99 years;
- e) PFI is based on outputs and not inputs and it is not possible yet to say how a building contractor will meet environmental concerns (eg in terms of including solar panels, low-flush toilets, etc) but the KCC has specified the need for the buildings to meet the BREEAM 'Good' standard, or the Code for Sustainable Homes Level 3; and
- f) units will be a mixture of single- and double-occupancy, to avoid couples having to be separated when only one partner needs support. Keeping couples together is vitally important in terms of their mutual support and emotional wellbeing. If one partner dies, the Housing

Association will consult the surviving partner and work with them to decide on whether to stay on in the double-occupancy unit or move to a single-occupancy unit, when one becomes available. In this respect, the arrangements are the same as those which apply for Local Authority tenants.

3. Comments and views expressed by Members included the following:-
 - a) the stated cost per unit is very high and does not seem to represent good value for money. The KCC does not seem to be paying a fair or reasonable price. *Officers explained that the unit cost also covers the other facilities provided in a development (such as an on-site shop, restaurant and services for residents' use) as well as the costs of building in features which can adapt to meet residents' future mobility needs. The buildings are required to have a minimum of 60 years' life. It is important also to take into account the spectrum of service needs being met by the scheme and the comparative costs of alternatives, such as residential care. It also covers ongoing maintenance.*
 - b) the explanations above did not convince the speaker that the KCC is paying a fair or reasonable price. To have to justify this spend to the public will be difficult. *Officers explained that the Treasury had looked at the costs very carefully and had been satisfied that they represent good value for public money; and*
 - c) media coverage of past PFI projects has not been good as costs have risen dramatically during the contract period. *Officers explained that some schemes are better than others but as Kent's current schemes are run by not-for-profit organisations, registered social landlords, etc, they are confident that the Kent schemes are better value than some other ones. The unitary charge will be fixed for the duration of the contract period.*
4. Mr Gibbens commented that he had also been sceptical of the value of PFI projects in the past and is still sceptical of PFIs for schools and hospitals, because the requirements for those services in 25 years' time cannot be known at the outset. Building an Extra Care Sheltered Housing Scheme using PFI is not the same as people will always need housing, even if not at the exact same level of extra care. Extra Care Sheltered Housing is a very good way of meeting the future needs of Kent's ageing population, but building for the future does not come cheaply. He invited Committee Members to visit an Extra Care Sheltered Housing Scheme.
5. RESOLVED that the decision to be taken by the Cabinet, to agree the delegated authorities set out in the report and the use of the designated sites, and to approve the required Authority annual contribution, be endorsed.