

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 Thursday, 15 January 2009.

PRESENT: Mr R F Manning (Chairman), Mr T A Maddison (Vice-Chairman), Mrs A D Allen, Mr L Christie, Ms C J Cribbon, Mr J Curwood, Mr C G Findlay, Mr D A Hirst, Mr S J G Koowaree, Mrs M Newell, Dr T R Robinson, Ms B J Simpson and Mr M V Snelling

ALSO PRESENT: Mr M J Angell, Mr N J D Chard, Mrs T Dean, Mr G K Gibbens and Mr D Smyth

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

UNRESTRICTED ITEMS

59. Membership

The Democratic Services Officer report that, following the decision by County Council on 11 December 2008 that Lead Members should not serve on the POCs concerned with their subject area, Mr M J Angell was no longer a Member of the Committee.

60. Minutes of the meeting held on 18 November 2008

(Item A3)

RESOLVED that the Minutes of the meeting held on 18 November 2008 are correctly recorded and that they be signed by the Chairman. There were no matters arising.

61. Minutes of an Informal Member Group on the Medium Term Plan, held on 20 November 2008

(Item A4)

Those who were present agreed that these were a good record, and their content was noted. Participants in the IMG were thanked for a very useful meeting.

62. Chairman's Announcements

(Item A5)

(1) Mr Gibbens reported that Kent Adult Social Services had been awarded three stars and an 'Excellent' rating in November, and was one of only three local authorities to score three stars over the seven years that the star rating regime has been in place. He said Kent's forward looking approach meant it was well placed to

meet future challenges. Mr Gibbens and other Members of the Committee asked that sincere congratulations be passed on to all KASS staff.

(2) Mr Mills thanked Members for their comments and reported that KASS was now in a period of major transition to restructure its management to meet the new challenge of delivering Self Directed Support (SDS), Personal Budgets and other emerging initiatives. Although the management restructure would deliver a saving of some £1.7m, Mr Mills reassured Members that frontline services would be protected. The changes were currently in the second stage of consultation and it was hoped that the final structure would be in place by Summer 2009.

(3) In response to questions, Mr Mills reassured Members that KASS had good links with the NHS at district level, with KASS and NHS staff working in integrated teams with dedicated funding, and that he was confident that the NHS was firmly committed to the changes. The management changes were conducted within formal full consultation process under employment law, involving staff and unions. He emphasised that genuine changes had been made to the proposals as a result of these consultations. Mr Mills undertook to send to Members details of the new structure and how it would operate on the ground and what changes had arisen from the consultation with the staff and unions.

63. Public Health and Adult Social Care - Making it Happen

(Ms M Peachey, Director of Public Health, and Mr Michael Thomas-Sam, Head of Policy and Service Development, were in attendance for this item)

(The slides used in the presentation are appended to these Minutes)

(1) Mr Leidecker, Ms Peachey and Mr Thomas-Sam presented a series of slides which gave an overview of the joint working between KASS and the NHS to address social care and public health provision. In discussion, and in response to questions from Members, the following points were highlighted:-

- (a) the National Dementia Strategy, which would shortly be published, would include the issue of training on dementia for medical professionals, as this had been identified as a key issue. A pilot 'memory clinic' had been established in Croydon and KASS staff had been to visit to learn about best practice;
- (b) Public Health Observatories, when established, would provide an excellent central hub to link up initiatives going on and pull together intelligence and best practice;
- (c) It was important to ask for and take account of the opinions of patients, clients and their families and use these as well as data when assessing a client's needs; and
- (d) PCTs had improved their links with and engagement of carers' organisations following the recommendations in the Carers in Kent Select Committee report published in December 2007.

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

64. Adult Social Services Budget Monitoring 2008/09

(Item B1)

(Ms M Goldsmith, Directorate Finance Manager, was in attendance for this item)

(1) Miss Goldsmith introduced the report and explained that the Directorate hoped to break even by the end of the financial year. In discussion, and responses given by Miss Goldsmith and Mr Leidecker to questions from Members, the following points were highlighted:-

- (a) Members expressed their confidence in the ability of KASS staff to manage the budget effectively, despite unexpected costs;
- (b) It was important to strike a balance between using agency care staff at greater cost or maintaining a bank of its own staff, which was not a viable option at some premises; and
- (c) Members were reassured that there was no evidence that potential users of domiciliary care services had been dissuaded from using the service by the recent price increase. People declining or discontinuing the service had not given this as a reason for their decision.

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

65. Half Year Monitoring of the Annual Operating Business Plans 2008/09

(Item B2)

(Mr N Sherlock, Performance and Monitoring Manager, and Ms E Matthews, Policy Officer, were in attendance for this item)

(1) Mr Sherlock and Ms Matthews introduced the report and answered questions from Members. The following points were highlighted:-

- (a) In showing progress against targets as red, green or amber, a target would not be shown green until it was completely finished, so many were currently showing amber;
- (b) Members were reassured that those targets currently shown as amber would be green by the end of the year and that those shown as red would be amber; and
- (c) Some of the targets were delivered via partnership working and were not solely the control of the County Council, and Members were assured that work currently showing as amber was on target.

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

66. Budget 2009/10 and Medium Term Financial Plan 2009/12

(Item B3)

(Mr N J D Chard, Cabinet Member for Finance, was present for this item)

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

(1) Miss Goldsmith introduced the report and referred to the special Informal Member Group (IMG) on the Medium Term Plan which had been convened at the POC's November meeting and met on 20 November 2008. The notes of the IMG had been agreed earlier in the meeting as an accurate record, and the discussion which took place at the IMG was acknowledged as being most helpful.

(2) In response to a question from Mr Christie, Miss Goldsmith confirmed that the increase in pay and prices shown for 2009 had taken account of the proposed 1% pay increase for staff.

(3) In response to a question from Mr Christie, Mr Leidecker clarified that £500,000 savings shown against Extra Care Sheltered Housing (ECSH) was an estimate based on the number of clients who, it was predicted, would opt to go into ECSH instead of residential care, as ECSH was the less expensive of the two options. Mr Leidecker added, however, that the modelling used to estimate patterns was complicated and adjustments between Budget headings (particularly for older persons' services) would always be made as the year progressed.

(4) Responding to a similar question from Mrs Newell and Mr Christie, Mr Leidecker and Miss Goldsmith explained the way in which various services' budget headings related to each other, and how a change in one would cause a change in another as clients moved from using one service to using another. For example, a decrease in Domiciliary Care spending under both the physical disability and mental health headings corresponded in each case to an increase in spending on Direct Payments. In preparing the Budget, KASS officers looked at trends in service take-up and used these to predict the demand in the coming year.

(5) Responding to a question about managing bad debt, Miss Goldsmith explained that the Directorate's level of debt was monitored monthly and a bad debt provision existed to accommodate the level of debt that would potentially not be paid. The provision is adjusted for on a monthly basis.

(6) Mr Mills confirmed to Mrs Newell that, under the new national framework, an increase in budget had been made to PCTs to cover Continuing Care. KASS had achieved a saving from Continuing Care heading as, under the national framework, some people who would previously have been funded by KASS were now the responsibility of the NHS. Mr Mills emphasised that patterns were very difficult to predict as not all Continuing Care clients were funded by KASS and some were self-funders.

(7) The Chairman thanked Miss Goldsmith, Mr Mills and Mr Leidecker for their explanations and responses to Members' questions and said that Members needed

to achieve an understanding of the budget setting process and issues in order to fulfil their role of scrutinising and challenging each Directorate's budgeting and spending.

(8) RESOLVED that the information contained in the Budget report and the Medium Term Financial Plan for Kent Adult Social Services, and given in response to questions put by Members, be noted, with thanks.

67. Kent and Medway Safeguarding Vulnerable Adult Committee – Draft Annual Report April 2007-March 2008
(Item B4)

(Mr Thomas-Sam, Head of Policy and Service Development, and Mrs C McKeough, Adult Protection Policy Manager, were in attendance for this and the following item)

(1) Mr Thomas-Sam and Mrs McKeough introduced the report and explained that comments made by Members today would be built into a revised draft of it. Mr Mills added that he had chaired the Kent and Medway Safeguarding Vulnerable Adults Committee for the last six years and that this was the first multi-agency report and three year strategy to be produced. In discussion, and in response to Members' questions, the following points were highlighted:-

- (a) Members welcomed the thorough, in-depth report and the fact that they were being given opportunity to have input into it;
- (b) 2009/10 would be a key year to prioritise safeguarding issues for both adults and children, as Kent would have a safeguarding inspection by CSCI in March 2009;
- (c) The number of reported incidents in West and East Kent varied because of the different market picture in East and West Kent.
- (d) Employment legislation afforded some protection to whistle-blowers but it was still difficult to maintain anonymity if a case gave rise to disciplinary or court proceedings;
- (e) Identifying and fulfilling staff's training and support needs was a very important issue, and was managed through the multi agency training strategy which includes training for all levels of staff within KASS and partner agencies and the private and voluntary sector. Training is being developed with and for people who are vulnerable to abuse to help them to protect themselves from abuse; and
- (f) Increased detail, including the above, could be included in the revised draft to make the picture more complete.

(2) RESOLVED that:-

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

- (b) Members' comments made in the meeting be taken into account when preparing the revised draft.

68. Safeguarding Adults - A Consultation on the review of the 'No Secrets' Guidance

(Item B5)

(1) Mr Thomas-Sam and Mrs McKeough introduced the report and explained that No Secrets was a multi-agency consultation and KCC's views would form part of a multi-agency response to it. In discussion, and response to questions raised by Members, the following points were highlighted:-

- (a) KCC offers to pay for CRB checks to ensure that clients employing staff directly could be confident of engaging care staff who were not known to have committed a relevant offence and who have not been banned from working with vulnerable adults;
- (b) It could be difficult for some vulnerable adults to recognise if they were being abused if they had previously lived in and become used to an institutional environment or a regime of relatively low care standards;
- (c) Although No Secrets was a multi-agency initiative, GPs had historically proved difficult to engage, and certainly a very low rate of referrals had been received from GPs. Mr Mills said this situation had improved in recent years, although there was still some improvement needed;
- (d) Members expressed concern that investigations into allegations of abuse needed to be both objective and very thorough;
- (e) In cases where a client was found to be in a neglected or abused state, KASS should ask the client's GP why he or she had not referred the person to KASS, and the case should be thoroughly followed up once identified; and
- (f) Self directed support and personalised budgets included help for clients to manage budgets effectively and guard themselves and their funds against potential financial abuse.

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

69. Equalities In Kent Adult Social Services - Annual Report

(Item B6)

(Mrs J Hughes, Director of Commissioning and Provision, East Kent and Mr K Wyncoll, Equalities Manager, were in attendance for this item with Mr Magba-Kamara, Equalities and Diversity Manager)

(1) Mrs Hughes and Mr Wyncoll introduced the newly appointed Equalities and Diversity Manager for KASS, Mr Magba-Kamara to the Committee. In discussion and in response to questions put by Members, the following points were highlighted:-

- (a) KASS currently scored at Level 3 of the Equality Standard for Local Government and was aiming for 'Excellent' in the new framework. Inspections had found evidence of much good practice, for example project work for hard of hearing people with mental health issues, the Diversity in Care initiative in Ashford and much work undertaken for Black History month. Although the Directorate had scored well, officers emphasised that KASS was not complacent and there was still much to do;
- (b) The Directorate's key priorities for 2009/10 were addressing equalities in race, disability and gender, including the recruitment and retention of more disabled staff;
- (c) KASS was the only directorate to complete Equality Impact Assessments (EIAs) on all its services, having examined a total of 260 policies;
- (d) Members welcomed KASS's score of Level 3 and acknowledged that KASS was always in the lead in equalities issues;
- (e) Members highlighted the problems of gathering full and reliable data on equalities issues as some staff did not disclose information when asked to complete voluntary questionnaires. This applied in KASS as well as other directorates. Shortage of data would inevitably make it difficult to monitor the Directorate's performance against equality and diversity targets;
- (f) Members expressed the view that the collection of data, particularly on race and ethnicity, should take account of how people saw themselves. For example, some people who appeared to be from black and minority ethnic (BME) communities but who had settled two or three generations ago may no longer see themselves as BME and may be offended by questions about their race and ethnicity; and
- (g) Equality Impact Assessments (EIAs) were necessarily an ongoing process, and KASS had asked another local authority to contribute an independent view to its EIA process. No view was ever received, however, so to ensure an independent view in future it would be prudent to put in place a contingency plan.

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

70. Directorate Risk Register

(Item B7)

(Mr N Sherlock, Performance and Monitoring Manager, and Ms E Matthews, Policy Officer, were in attendance for this item)

(1) Mr Sherlock and Ms Matthews introduced the report and updated the figures on page 123 of the Committee papers from 10 to 11 risks; 6 medium and 5 high risk. This illustrated the changing nature of risk and the constant need to update

information. In discussion, and in response to questions put by Members, the following points were highlighted:-

- (a) KASS had the highest risk area of all KCC directorates and was responsible for six out of the top ten risks on the KCC's Corporate Risk Register;
- (b) Mr Mills emphasised that he accepted the importance of managing risk in the Directorate and emphasised that risk was not necessarily a bad thing, but needed to be understood and mitigated;
- (c) It was acknowledged and agreed that once a risk had been identified, it became controllable.

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

71. Update on Select Committee Work
(Item C1)

RESOLVED that:-

- (a) the information in the report be noted; and
- (b) any suggestions for Select Committee Topic Reviews for inclusion in 2009/10 Work Programme be submitted to the Democratic Services Officer for submission to the Policy Overview Co-ordinating Committee at its meeting on 28 April 2009.