

By: John Lynch: Head of Democratic Services  
To: Scrutiny Committee – 16 October 2017  
Subject: Call-in: Changes to funding arrangements of housing related support and community alarms in sheltered housing – 16/00137

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Summary: Notification of a call-in of decision number 16/00137 was received from Mrs Dean on 3 October 2017, supported by Mr Farrell. This report sets out the reasons behind the call-in and the options for the Scrutiny Committee.

Implementation of the decision has been delayed pending consideration by the Scrutiny Committee.

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## 1. Background

- 1.1 On 26 September 2017 the Cabinet Member for Adult Social Care took the decision to agree for work to be undertaken in collaboration with the current providers to explore and secure alternative funding models, enabling the gradual withdrawal or reduction of the council's contribution towards housing related support and community alarms in sheltered housing by the end of March 2018; and to delegate authority to the Corporate Director of Adult Social Care and Health, or other nominated officer, to undertake the actions necessary to implement the decision.

## 2. Call-in

- 2.1 The Members calling in the decision provided detailed justifications, which were considered by the Head of Democratic Services and duly accepted for consideration by the Scrutiny Committee, in line with KCC's constitution.

Justification for call-in – as submitted by Mrs T Dean and supported by Mr D Farrell on 3 October 2017:

*“The Principles of Decision making are not fully delivered since there was insufficient clarity regarding aims and desired outcomes, and the Equalities Impact Assessment was incomplete.*

*There was confusion about the amount of money which the proposed changes would be saving. Officers did not have the correct figure to hand, leaving members unclear as to the outcome of the decision.*

*There was a contradiction between the officer and East Kent Housing figures on the age and dependency of clients; East Kent Housing state that only 19 out of 585 clients are under the age of 60, and that these will normally have health or support issues. The officer explained that this figure covered a much broader set of clients than those with whom KCC was working.*

*This may be the case, but it does not explain the variance with officer reporting suggesting that clients in Sheltered Accommodation have changed significantly to a younger less dependant group of people.*

*This suggests that the demographic of EKH clients in Sheltered Accommodation may be somewhat different to that described in the papers in paragraph 7, and this needs to be further explored to identify whether the impact on elderly vulnerable EKH clients might be different from those described in the report.*

*Mr Gibbens suggested that he was undertaking ongoing discussions with the Districts on these issues by the end of the month, and acknowledged that further work may be necessary with those Districts which have concerns. This leaves Committee members with no information on the outcome of those discussions.*

*The Equalities Impact Assessment refers rightly in a number of places to the need to further clarify details of the needs of Groups with protected characteristics. Indeed the report at paragraph 8 states that “ More information about these individuals is needed in order to fully realise the potential impact on other protected characteristics” It is not appropriate for the council to make a decision in advance of the EIA being completed; officers accepted that the changes being contemplated were the biggest changes in ASC for many years, and that it was crucial that the County Council got it right. Not completing the EIA before the Committee reached its decision increases the risk of a possible challenge to KCCs decision which might impact on the delivery of the programme.*

*Alternative options; I note that the LGA report to Government on these proposals included a recommendation that new clients only should be subject to the new regimes, and that existing clients should be brought into it over time. This option does not seem to have been considered.”*

*It is unfortunate that no provision was made for Mr Gibbens to report back to a subsequent ASC CC on his discussions with the HP before publishing the proposed Cabinet Member decision. However, since no such provision was made, I believe the Scrutiny Committee should establish greater clarity on the issues raised above before the Cabinet Member proceeds.”*

### **3. Reports attached**

#### Key information

- 3.1 Report from Adult Social Care in response to the call-in.
- 3.2 Record of decision – 16/00137 (includes minutes of the 20 July Cabinet Committee item)

#### Background / Supporting information

- 3.3 Decision report
- 3.4 Equality Impact Assessment
- 3.5 Adult Social Care Cabinet Committee report (20 July 2017 meeting)

### **4. Witnesses**

- 4.1 In response to the call-in, the following witnesses have agreed to attend the meeting, provide information and answer questions:
  - Mr Graham Gibbens – Cabinet Member for Adult Social Care
  - Anu Singh – Corporate Director Adult Social Care
  - Mel Anthony – Commissioning Manager Adult Social Care

### **5. Recommendation**

5.1 The Committee may decide to:

- (a) Make no comment
- (b) Express Comments but not require reconsideration of the decision.
- (c) Require Implementation of the decision to be postponed pending reconsideration of the matter by the decision maker in light of the Committee's comments.
- (d) Require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

#### **Report author(s)**

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