

## KENT COUNTY COUNCIL

### ADULT SOCIAL CARE CABINET COMMITTEE

MINUTES of a meeting of the Adult Social Care Cabinet Committee held at Council Chamber, Sessions House, County Hall, Maidstone. on Wednesday, 13th March, 2024.

PRESENT: Ms L Wright (Vice-Chairman), Ms S Hamilton, Mr J Meade, Mr A Kennedy, Mr A Brady, Mr R G Streatfeild, MBE and Mrs L Parfitt-Reid

ALSO PRESENT: Mr D Watkins

IN ATTENDANCE: Richard Smith (Corporate Director of Adult Social Care and Health), Michael Thomas-Sam (Strategic Business Adviser, Social Care), Mark Albiston (Director of Adult Social Care (Operations) Kent) and Sydney Hill (Director Adult Social Care)

#### UNRESTRICTED ITEMS

**185. Apologies and Substitutes**  
(Item. 2)

Apologies have been received from Mr Ridgers, Mr Collor, Jenni Hawkins and Ms Meade.

**186. Declarations of Interest by Members in items on the agenda**  
(Item. 3)

Mr Streatfeild noted that a family member was the director of education, innovation and operations at Supajam Education Swanley.

**187. Minutes of the meeting held on 18 January 2024**  
(Item. 4)

RESOLVED that the minutes of the meeting held on 18 January 2024, subject to the correction of spelling errors, were correctly recorded and that a paper copy be signed by the Chair.

**188. Verbal Updates by Cabinet Member and Corporate Director**  
(Item. 5)

1. The Cabinet Member for Adult Social Care and Public Health, Mr Dan Watkins provided a verbal update on the following:

**Consultations** – Mr Watkins provided the committee with an update on ongoing consultations.

- a. Two for the Best Start for Life programme: Nourishing our next generation: a 5-year infant feeding strategy and Nurturing little hearts and minds: a perinatal mental health and parent-infant relationship strategy. Both were open until 3 April 2024.

- b. Two for the Adult Social Care Charging Policy: changes to Self-Funding Arrangement Set up Fee and Higher Level Disability Benefits. Both were open until 7 April 2024.
- c. The Future of Blackburn Lodge Care Home which would be open until 7 May 2024.

**Ageing Without Children East Kent meeting** – Mr Watkins noted that he had met with the community group that represented adults who may require care on the 28 February 2024 to discuss the issues and challenges that this group faced on navigating the care system in the absence of children. There was a concern about the power of attorney when there is no next of kin.

**Technology Enhanced Lives stall** – The Cabinet Member said there would be a stall at the next County Council meeting, 28 March 2024. The stall would demonstrate to all Members some of the technology, tools and services available through the service.

2. The Corporate Director for Adult Social Care, Mr Richard Smith, provided a verbal update on the following:

**Consultations** – Mr Smith thanked his staff for all the work they were doing on the ongoing consultation and noted that this would be a feature of the work going forward as the service was being remodelled and reshaped. It was said that the digital story in Kent was something to be proud of with considerable progression made in the area which was gaining attention nationwide.

**Making the senior leadership team more visible** - It was said that due to the impact of the Covid-19 pandemic and hybrid working an increased effort was being made to make the senior leadership team more visible to staff. Sessions had been arranged to allow for the opportunity for all new starters to meet with the leadership. The sessions allow for the occasion to discuss the Making a Difference Everyday strategy and set the tone for the whole service.

**Making a Difference Everyday Strategy** – Mr Smith said that the Scrutiny call-in had given the team time to review the strategy which was underway. It was noted that global events over the past 3 years had impacted the strategy.

**Visits** – Mr Smith visited three social work teams in Whitstable, Dover and Sittingbourne. It was noted the importance of getting the balance right on hybrid working to get more joined-up working going forward.

**Practice Assurance Panels** – It was said that the panels had been recently established to implement spending controls. A live event with several hundred staff was held to launch the panel.

**Joint Visit** – Mr Smith said that he had a joint visit with the CEO of East Kent Hospitals University NHS Foundation Trust (EKHUFT) to an establishment in Folkstone and spoke to staff about how to make the pathway from hospitals into the community easier.

**Joint Divisional Meeting** – It was noted that a meeting had been held with the Council's Public Health team to work on the preventive health strategy.

**Live Staff Event** – An event was held to discuss staff survey results and the pledges on how the service would act on the results.

3. In response to comments and questions, it was said.

- a. A Member asked what the response would look like to the consultation on the Adult Social Care charging policy, if there was a threshold against the charges would they be revisited. Mr Watkins said there was no threshold at which a different approach would be taken but the information would be used to inform the decision. The details of lived experience and the real-world impact of the changes would be taken into account. It was said that all adult social care-related consultations would be brought to the cabinet committee at an appropriate time for discussion.
- b. It was asked how the Council supports those adults receiving care without children differently from those with children. Mr Watkins said that the advocacy group had been recently formed but that the cohort of care users without children was expected to increase going forward. It was noted that working with this advocacy group could help the Council arrange support to help them overcome the issues they face.
- c. A Member asked about the recruitment and retainment of Occupational Therapists and if more data could be provided. It was said that the numbers could be circulated after the meeting. It was noted that this was a challenging area of recruitment as they were competing with the NHS and there was a national shortage of candidates. The service was looking at growing their apprenticeship scheme and progression opportunities for occupational therapist assistants.
- d. A Member asked about the Councils which had issued a Section 114 notice and if there were lessons to be learnt about the impact on service provision. Mr Watkins said that the commissioners would decide what were the most essential services. Richard Smith said that the Professional Association for Directors of Adult Social Care had a wealth of information on what all other Councils were spending on their social care services and could benchmark where the Council was. It was noted that none of the Councils that had issued a Section 114 had done so due to the impact of people's services, due to statutory grants from the central government, but due to unprecedented demand, this could change in the future. Richard Smith said that the service was currently at the minimum level to meet all statutory requirements.
- e. It was said that Birmingham City Council had to cut £100 million from their Adult Social Care budget following the Section 114 notice, was asked what was the percentage equivalent for Kent. Richard Smith said that more information was required to understand how that could be implemented legally.

**189. Risk Management Adult Social Care and Health**  
(Item. 6)

*Alison Petters, Risk and Delivery Assurance Manager, was in attendance for this item.*

1. Alison Petters introduced the report. An overview of the report was provided and the notable changes since last year were highlighted.
2. In response to comments and questions, it was said.
  - a. It was asked how much was being spent on external consultants and when would their reports be available. Richard Smith said that specialist support for some pieces of work was required and delivered value for money. The cost of the consultants would be circulated outside the meeting.
  - b. A Member expressed concern that the Council was not actively engaging with providers which was required to help mitigate risks. Richard Smith said that they were aware of the challenges that providers were facing. It was said that engagement was occurring on a regular basis and fee uplifts could only be provided in line with what had been budgeted.
  - c. It was asked what the Council's provider of last resort was if the risk of provider failure or market sustainability failure was realised. Richard Smith said that it was difficult to give an answer for the whole of Kent as different areas had different needs and challenges. The local authority would be the provider of last resort. Mark Albiston said that work was ongoing examining the quality of the market and how resources can be realigned to provide support while working alongside the regulator.
  - d. A Member asked if each individual risk could be aggregated into a top-line risk. Alison Petters said that the Corporate Risk Register was an aggregation of all the risks held across the whole organisation. Richard Smith said that Adult Social Care would continue to be a high-risk environment for the foreseeable future. Mark Albiston said that they would look to provide clarity on which areas of Kent faced higher risk.
  - e. It was asked how the risks were being controlled now and how much was based on future implementation of strategies. Richard Smith reassured Members that work was constantly ongoing on managing risk and looking into mitigations. Mark Albiston said that the team prioritised work based on the level of risk on an ongoing basis.
  - f. A concern was expressed that decisions being taken by the Council, and some of the savings outlined in the budget, were aggravating the risks and if an analysis of this had been undertaken. It was also asked how this would be monitored going forward. Richard Smith noted that judgements based on risk were being taken daily and that taking resources out of adult social care was a risk but required for the sustainability of the Council. Mr Watkins said that difficult decisions had to be made and that the risks did inform the decision-making process.

- g. Richard Smith said that the Adult Social Care budget would be in the public domain soon and would check when this becomes available. It was noted that the £12 million received from the central Government would be split equally between adults and children's social care. £1.5 million was earmarked for transformation and the rest to rebase the budget.
  - h. Asked about workforce recruitment and retention and if the Council could make better use of the assets at its disposal. Sydney Hill said that a national recruitment campaign would start soon focussed on recruiting social workers and occupational therapists and there was also ongoing work to highlight the benefits of living in Kent, growing the workforce through links with universities in Kent, supporting newly qualified social workers and increasing the apprenticeship offer from every three years to annually. Mark Albiston said there were some clear and immediate workforce challenges which impacted on the ability to deliver all statutory services. It was said that market premiums in other areas, not just London were contributing to a large pay gap. The areas with the biggest challenges had been identified and would be targeted with eh support of external companies.
  - i. Richard Smith said that both the ICB and local authorities were under financial pressure but were working on creating a joined-up financial arrangement and a joint out-of-hospital service between community trust and local authority staff. Need to shift the conversation on hospital discharge from discharge to prevention. (REVIEW)
3. RESOLVED the Adult Social Care Cabinet Committee considered and commented on the risks presented.

**190. Adult Social Care and Health Performance Q3 2023/2024**  
(Item. 7)

- 1. Mark Albiston introduce the report. An overview was provided, and it was noted that there was an increased demand for social care as highlighted in previous reports.
- 2. In response to comments and questions, it was said.
  - a. Asked if there was any detail in the performance data that would indicate that risks were being realised it was said work had been done on the trajectory going forward based on current performance and demand data and this would inform decision-making on closing the gap.
  - b. Asked about the lag between care needs assessments being completed and incorporated into the performance data. Mark Albiston said there was a gap between the assessments being completed and entered into the system and between when the information was required for publication for the committee.
  - c. It was asked when the service was last at the 80% threshold for care assessments and what was the difference between then and now. Mark

Albiston said there was a gap between the demand and capacity, officer would produce further detail to show change over time.

- d. It was asked why there was a big spike in safeguarding enquiries in Q3. Mark Albiston said that a review was ongoing with partners into oversight of safeguarding enquiries. It was noted that there had been an increase in safeguarding concerns but the review would ensure that effective governance arrangements were in place and that if there were a provider failure they would be able to move patients to a different provider.
  - e. Sydney Hill noted the importance of adult social care working with partners such as the NHS to support older people and reduce admissions for long-term care. It was said that much work was being done on prevention, support at home and hospital discharge pathways.
3. RESOLVED The Adult Social Care Cabinet Committee noted the performance of adult social care services in Quarter 3 2023/2024.

**191. Kent and Medway Safeguarding Adults Board Annual Report April 2022 - March 2023**  
(Item. 8)

*Andrew Rabey, Independent Chair of the Kent and Medway Safeguarding Adults Boards, and Victoria Widden, Kent and Medway Safeguarding Adults Board Managers were in attendance for this item.*

1. Andrew Rabey introduced and provided an overview of the report.
2. In response to comments and questions, it was said.
  - a. A Member said that the report was very comprehensive and that a condensed high-level overview could be provided in future. Mr Rabey noted the point and explained that the Safeguarding Adult Reviews were required to be included. It was said that the board did not have the capacity to make one report per district or area.
  - b. It was asked if there were struggles to keep the person-centred and outcome-focused approach due to financial concerns. Andrew Rabey said that the Board acts as a check and balance for partners to ensure they remain focused on their main objectives and maintain a collaborative, person centred approach. The Board's self-assessment framework process was also referenced.
  - c. Andrew Rabey said that the timing of the report was impacted by annual data releases.
  - d. In response to a question on data, Victoria Widden said the Board is working with partners on improving understanding of what constitutes a safeguarding concern, and the difference between this and a referral for an assessment of care and support needs.

- e. The Cabinet Member thanked Andrew Rabey and his team for their work on the report and understand the challenges they faced.
3. RESOLVED The Adult Social Care Cabinet Committee considered and commented on the Kent and Medway Safeguarding Adults Board Annual Report, 2022 – 2023.

**192. Down Syndrome Act 2022 Update**  
*(Item. 9)*

1. Michael Thomas-Sam introduced the report.
2. In response to comments and questions it was said.
  - a. Michael Thomas-Sam confirmed that 450 Kent County Council staff had undertaken the e-learning training, 25% of adult social care staff. First-to-face training was offered by NHS Kent and Medway and further details on when this was expected would be provided soon.
  - b. A Member asked if they were working with the ICB, Down Syndrome Association and other groups to identify people who may need support. Michael Thomas-Sam said they worked in coordination with several partner groups but improvements could be made.
  - c. It was said that the operational teams were sensitive to music and animals as a form of treatment that the Secretary of State would soon publish statutory guidance which would provide more examples of what local authorities should offer.
  - d. Mr Watkins welcomed the report and thanked Michael Thomas-Sam for his work.
3. RESOLVED that the Adult Social Care Cabinet Committee noted the report.

**193. Decisions taken outside of the Cabinet Committee meeting cycle**  
*(Item. 10)*

1. The clerk introduced the report.
2. A Member asked for more information on the impact of this decision on care and if it was aggravating the risks that adult social care faced.
3. Mr Watkins and Richard Smith that the decision was taken outside of the cycle every year as the fee uplifts could not be agreed upon until after the County Council agreed on the budget. It was said that the Council did not have the resources to provide a larger uplift for providers or to meet the gap in the sector.

4. The Cabinet Member would write to the Leader to see if the meeting cycle could be changed to allow the decision to come to the cabinet committee before being taken.
5. It was asked by a Member what mitigations or contingency plans were in place if a provider was unable to stay on the framework or offer care packages. Richard Smith said that the Care Act would protect vulnerable people. It was noted that negotiations were ongoing with providers and that cost was one aspect of care packages.
6. RESOLVED The Adult Social Care Cabinet Committee noted that the following decision had been taken in accordance with the process set out in Part 2 paragraph 12.36 of the Constitution: 24/00009 – Fee Uplifts for Adult Social Care Providers for 2024/2025.
7. Mr Brady and Mr Streatfeild asked for it to be recorded that they do not note the decision taken outside of the committee cycle.

**194. Work Programme**  
*(Item. 11)*

RESOLVED the work programme was noted.