

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, 15th May, 2024.

PRESENT: Mr A M Ridgers (Chairman), Ms L Wright (Vice-Chairman), Mrs P T Cole, Ms S Hamilton, Mr J Meade, Mr A Kennedy, Ms J Hawkins, Mr S R Campkin, Ms J Meade and Mr R G Streatfeild, MBE

ALSO PRESENT: Mr D Watkins

IN ATTENDANCE: Richard Smith (Corporate Director of Adult Social Care and Health), Sydney Hill (Interim Director Adult Social Care) and Dominic Westhoff

UNRESTRICTED ITEMS

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

None were received.

196. Minutes of the meeting held on 13 March 2024
(Item. 4)

RESOLVED that the minutes of the meeting held on 13 March 2024 were correctly recorded and that a paper copy be signed by the Chair.

197. 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:
 - a) Site visits he had recently undertaken to in-house services.
 - b) The Dementia Friendly Kent Awards would be held at Valley Park Academy on 21 October 2024. Deadline for nominations was 30 June.
 - c) Technology Enables Lives had attended the last County Council and demonstrated some of the technology available to older people to empower them to live more independently at home for longer.
 - d) Blackburn Lodge public consultation had closed and feedback was being reviewed.
2. The Corporate Director for Adult Social Care, Mr Richard Smith, provided a verbal update on the following:

- a) Ms S Hill had been appointed as the permanent director for Adult Social Care.
- b) It was Mental Health awareness week.
- c) CQC had provided notice of an inspection within the next 6 (now 4) months. A self-assessment had been carried out and relevant actions were being taken. It was a live document, and Mr Smith would confirm outside the meeting if it could be shared internally or externally.
- d) An LGA peer review had identified strengths as well as areas for development.
- e) Staff had not attended the ADDAS spring seminar in 2024, but instead held an internal away day.
- f) Service visits he had undertaken, as well as the opportunity to talk to graduates.
- g) Open door sessions he had held for directorate staff.

RESOLVED to note the verbal update.

198. 24/00048 - Adult Social Care Charging Policy - Self Funding Arrangement Fee (Item. 6)

Sarah Denson (Assistant Director - Strategic Safeguarding, Policy, Practice and Quality Assurance), Michelle Goldsmith (Finance Business Partner), Michael Thomas-Sam (Corporate Lead Adult's and Children's Policy and Strategy) and Georgina Walton (Digital and Innovation Lead, Innovation and Partnerships team) were in attendance for this item.

- 1) Officers introduced the report, setting out the detail behind decision 24/00048 Adult Social Care Charging Policy. The decision would result in residents that pay in full for their non-residential care and support paying an additional initial arrangement fee if they wanted KCC to arrange care on their behalf.
- 2) Responding to a question about the number of residents affected, officers confirmed there were around 400 new applications a year, with 600 in total at any one time.
- 3) Some members were concerned that the additional cost would be a barrier for those wishing to access the service. Officers advised that an Equalities Impact Assessment (EqIA) had been carried out and considered that. A range of support and advice for residents was available, including payment options for those unable to meet the initial cost up front.
- 4) Members were disappointed there were only 43 responses to the public consultation, though accepted that officers had tried to increase this and undertaken targeted work with particular groups. Some of the committee felt the

that response rate was insufficient on which to make a decision. Mr Watkins commented that he had also questioned the response rate but had been reassured by the officer responses.

- 5) Members questioned the need and morality of increasing the current charge for what appeared to be a minimal financial return. Mr Watkins responded that the Council was in a challenging financial position and difficult decisions had to be made. He provided assurance that a risk assessment had been undertaken, residents that met the criteria did not have to seek council support, and he felt it reasonable for the Council to seek additional support from those that were able to afford it. If they did not, the financial cost would fall to all council tax payers including those less able to pay. He confirmed other local authorities charged such a fee.
- 6) RESOLVED that the Cabinet Committee considered and endorsed the proposed decision to:
 - a) APPROVE the changes to the Adult Social Care Charging Policy; and
 - b) DELEGATE authority to the Corporate Director Adult Social Care and Health to revise the Adult Social Care Charging Policy and to take relevant actions, including keeping the policy updated as necessary, to implement the decision.”
- 7) In accordance with paragraph 16.31 of the Constitution, Jenni Hawkins, Mr Campkin, Ms Meade, Mr Streatfeild wished for it to be recorded in the minutes that they voted against the proposed decision 24/00048 – Adult Social Care Charging Policy – Self Funding Arrangement Fee.

199. 24/00049 - Adult Social Care Charging Policy - Higher Level Disability Benefits
(Item. 7)

Sarah Denson (Assistant Director – Strategic Safeguarding, Policy, Practice and Quality Assurance), Michelle Goldsmith (Finance Business Partner), Michael Thomas-Sam (Corporate Lead Adult's and Children's Policy and Strategy) and Georgina Walton (Digital and Innovation Lead, Innovation and Partnerships team) were in attendance for this item.

- 1) Mr Watkins introduced the proposed decision, setting the context for making such difficult decisions in light of the Council's financial constraints. The officers went on to summarise the proposed decision which was to change the ASC charging policy to stop disregarding the higher or enhanced rates of Attendance Allowance (AA), Personal Independent Payment (PIP) and Disability Living Allowance (DLA) when calculating a person's contribution towards the cost of their care and support.
- 2) Referencing paragraph 3.3 in the report, a Member noted the considerable risk to the Council of the proposed decision. The estimated financial return of £3.5m would come from some of the most vulnerable residents. The legal risks set out in the report appear to have been accepted by the Administration. Mr Watkins responded that the Council wants to be a compassionate one but the only way of achieving that was if it was financially sustainable. He recognised it was an incredibly difficult decision and welcomed other options as alternatives.

- 3) 74% of the 330 responses to the consultation were “strongly against” the decision. The Committee wanted to understand how those views would be taken into consideration. Officers had explored mitigations, and there was also a provision in the budget for increased level of disability related expenditure allowance (i.e. budgeted to give higher disability-related allowance to disabled adults that could evidence a higher level of cost due to disability).
- 4) Mr Watkins confirmed the on-going cost could not be covered by a single drawdown from financial reserves.
- 5) RESOLVED that the Cabinet Committee consider and endorse the proposed decision to:
 - a) APPROVE the changes to the Adult Social Care Charging Policy; and
 - b) DELEGATE authority to the Corporate Director Adult Social Care and Health to revise the Adult Social Care Charging Policy and to take relevant actions, including keeping the policy updated as necessary, to implement the decision.
- 6) In accordance with paragraph 16.31 of the Constitution, Jenni Hawkins, Mr Campkin, Ms Meade, and Mr Streatfeild wished for it to be recorded in the minutes that they voted against the proposed decision 24/00049 - Adult Social Care Charging Policy - Higher Level Disability Benefits.

200. Adult Social Care and Health Performance Q4 2023/2024
(Item. 8)

Mark Albiston (Director of Adult Social Care and Health West Kent) was in virtual attendance for this item and Helen Groombridge (ASCH Performance Manager) was in attendance for this item.

- 1) Mr Albiston introduced the report, highlighting key points to note. Ms Groombridge explained the changes being made to the suite of performance measures for 2024/2025.
- 2) The Committee asked why the number of safeguarding enquiries were at such a high level. Mr Albiston responded that in part it was down to the on-going public campaign of the Care Quality Commission (CQC) actively promoting people to raise any concerns which has understandably led to an increase in enquiries. He went on to explain that not all enquiries would lead to a safeguarding concern as some would not meet the threshold. But it did raise questions about the use of preventative work. A Member asked if a different KPI might be useful and this was to be picked up outside of the meeting.
- 3) A Member also highlighted the increasing number of individuals accessing services who have a mental health need (KPI ASCH17). Mr Albiston anecdotally referred to the pandemic which had contributed to the trend. An increasing number of people were also being discharged from hospital settings and going on to access services, and the role of health in funding such cases needed to be explored.

RESOLVED that the Adult Social Care Cabinet Committee noted the performance of adult social care services in Quarter 4 2023/2024 and changes to the suite of measures for 2024/2025.

201. Adult Social Care Contract Pipeline
(Item. 9)

Richard Ellis (Director of Integrated Commissioning) was in attendance for this item.

- 1) Mr Ellis introduced the report which set out the lifespan of current adult social care contracts and the draft timelines for the recommissioning of the main four contracts.
- 2) A Member asked if the savings set out in section 5 of the report were built into the budget, which Mr Ellis confirmed. Additional savings would be down to the policy decisions of the Administration.
- 3) A Member noted the considerable value of the four contracts that had been extended via key decisions brought to Committee in January 2024, and questioned how all four were allowed to be taken at once. They commented that the savings being generated against the big four contracts, with the same contractual measures that were being extended were making life more difficult for the Council in relation to actually delivering the savings.

RESOLVED that the Adult Social Care Cabinet Committee considered and commented on the Adult Social Care Contract Pipeline.

202. Making a Difference Everyday Approach Self-Directed Support
(Item. 10)

Mark Albiston (Director of Adult Social Care and Health West Kent) and Clenton Farquharson (Strategic Advisor for Personalisation and Co-Production) were in virtual attendance for this item.

- 1) Mr Farquharson and Mr Albiston presented the slides, setting out the changes to direct payments/ self-directed support.
- 2) A Member asked how reducing the barrier to entry for direct payments could increase the number of people accessing that service and the related savings that could be generated. Mr Albiston referred to calculations undertaken as part of the original methodology, looking at new starters with home care and direct payments. However, the individuals featured in the calculations were using direct payments to purchase very traditional solutions which arguably the Council could commission and therefore the savings were negligible. Internal audit had been asked to look at the service's culture and practice to better understand how they could reimagine the approach of the service to direct payments and be more confident in their offer. Offering greater flexibility in how people can use their direct payments would often lead to savings because of the wider pool of resource available. Typically, the more that people utilised direct payments and had their needs met through creative solutions, the less

dependent they were on traditional services, thus allowing greater control over the increasing cost of the wider service.

- 3) A Member asked whether new social workers would be encouraged to come forward and receive training that reflected the new way of working. Mr Albiston responded that there were opportunities to grow KCC's own internal, perhaps by utilising the apprenticeship levy. In addition, there was a role for the Kent Social Care Academy working with local Higher Education Institutes to influence the education agenda and appeal to those deciding on their career path. Social workers needed to be able to interpret the changes under the Care Act as well as having legal literacy.

RESOLVED that the Adult Social Care Cabinet Committee considered and commented on the Making a Difference Everyday Approach Self-Directed Support.

203. Work Programme
(Item. 11)

1. The Chair recognised that the meeting would be the Clerk's last in KCC, and he thanked Mr Westhoff for his work and wished him success in his future role.

RESOLVED that the work programme was noted.