

KENT COUNTY COUNCIL

ADULT SOCIAL CARE CABINET COMMITTEE

MINUTES of A meeting of the Adult Social Care Cabinet Committee held at Darent Room, Sessions House, County Hall, Maidstone on Thursday, 20th July, 2017.

PRESENT: Mrs P T Cole (Chairman), Mrs A D Allen, MBE, Mrs P M Beresford, Mr R H Bird (Substitute for Mr S J G Koowaree), Mrs S Chandler, Miss E Dawson, Mr K Gregory, Mr P J Homewood, Mr M J Horwood (Substitute for Mr P W A Lake), Mr B H Lewis, Ida Linfield, Mr D D Monk, Mr R A Pascoe and Mrs P A V Stockell (Substitute for Ms D Marsh)

OTHER MEMBERS: Graham Gibbens

OFFICERS: Andrew Ireland (Director of Children's Services), Melanie Anthony (Commissioning and Development Manager), Emma Hanson (Policy Manager), Christy Holden (Head of Strategic Commissioning - Accommodation Solutions), Anthony Mort (Policy Manager), Samantha Sheppard (Commissioning Manager, Community Support), Steph Smith (Performance Monitoring Manager), Penny Southern (Director, Disabled Children, Learning Disability and Mental Health), Anne Tidmarsh (Director, Older People and Physical Disability), Theresa Grayell (Democratic Services Officer) and Emma West (Democratic Services Officer)

UNRESTRICTED ITEMS

13. Introduction/Webcasting Announcement

(Item. 1)

14. Apologies and Substitutes.

(Item. 2)

1. Apologies for absence had been received from Ms D Marsh, Mr P W A Lake and Mr S J G Koowaree.
2. Mrs P A V Stockell was present as a substitute for Ms Marsh, Mr M J Horwood was present as a substitute for Mr P W A Lake and Mr R H Bird was present as a substitute for Mr S J G Koowaree.

15. Declarations of Interest by Members in items on the agenda.

(Item. 3)

1. Mr B H Lewis made a general declaration of interest as his wife was employed as a Care Worker.
2. Mrs P A V Stockell made a general declaration of interest as her sister was in a Care Home.
3. Mrs A D Allen made a general declaration of interest as a trustee of North Kent Age Concern and Co-Chairman of her local Partnership Group for People with Learning Disabilities.

4. In response to a query, the Chairman advised that Membership of a District/Borough Council did not need to be declared as an interest.
5. Later in the meeting, Mrs S Chandler made a general declaration of interest as a board member of East Kent Housing.

16. Minutes of the meeting held on 9 June 2017.

(Item. 4)

1. Resolved that the minutes of the meeting held on 9 June 2017 are a correct record and that they be signed by the Chairman.

17. Verbal updates by Cabinet Member and Director.

(Item. 5)

1. Mr G K Gibbens, Cabinet Member for Adult Social Care, announced the launch of the formal consultation for the Physical Disability Core Offer. The Physical Disability Core Offer involved reviewing all historic grants which funded services for people with physical disabilities, designing a service to meet needs equitably, being more inclusive and delivering better outcomes. The consultation would be open until 4 September 2017 and feedback or recommendations would be presented to the Adult Social Care Cabinet Committee on 29 September 2017.
2. Mr Gibbens spoke about a presentation on Loneliness which was made at the Community Wellbeing Board at the Local Government Association recently. This needed to be looked at as a major issue as Loneliness and Suicide was the biggest single killer in males under the age of 40.
3. Mr Gibbens discussed the Social Care Integration seminar held by the County Council network and KPMG which looked at ways in which the new monies could be used most effectively and what needed to be achieved from the new money.
4. Mr Gibbens spoke about the successful opening of the two new Extra Care Housing schemes. Locals in Tenterden and Dover said that they were pleased with how the scheme had changed over the years and could see improvements in the design and building of the Extra Care Housing. People with serious disabilities were able to live independently and were optimistic about their future.
5. Mr Gibbens said the Autism Strategy launch had been greatly supported and the response to the launch had also been very positive. A Member commented on the success of the Autism Strategy launch and was pleased to hear that it had been supported.
6. The Cabinet Member paid a tribute to the Corporate Director of Social Care, Health and Wellbeing, Andrew Ireland, and thanked him for the work that he had done for Adult Social Care over the last 6 years. Mr Ireland thanked Mr Gibbens and the Committee for their kind words.
7. The Chairman paid a tribute to the Director of Commissioning, Mark Lobban, and thanked him for the work that he had done for Adult Social Care.

8. Mr Ireland spoke about the greater clarity that had been received with regards to setting targets for NHS and Local Authorities. The overall position nationally was within the middle bracket and Kent County Council was far from a major cause of concern in terms of overall performance. There were 12 Local Authorities which the Care Quality Commission had been asked to inspect in relation to this issue.
9. Mr Ireland discussed the work of the Associated Directors of Adult Social Services; the region to which Kent belongs was doing a lot of focused work around hospital discharge to enable Authorities to have greater clarity on their current position. However, the national reporting of the data could become out of date quickly. As a region, the aim was to develop a template and protocol that provided more up to date information. In addition, Mr Ireland said that Anne Tidmarsh was currently working on the high impact of the changes around hospital discharge.
10. Mr Ireland said that the Transformation programme was coming towards the end of the design phase and would be reporting through various Committees in September 2017.
11. Resolved that the verbal updates be noted, with thanks.

18. 17/00062 - Older People and People Living with Dementia Wellbeing Core Offer.
(Item. 6)

Sam Sheppard (Commissioning Manager, Community Support) and Emma Hanson (Head of Strategic Commissioning, Community Services) were in attendance for this item.

1. Sam Sheppard introduced the Older People and People Living with Dementia Wellbeing Core Offer and said that it was in consultation on a proposal to commission a range of services for Older People and People Living with Dementia to support them in their communities, promote their wellbeing, enable them to stay connected to their communities, and receive the help and support that was needed. The offer involved ending a number of historic funding arrangements. The Commissioning Team had engaged with the market and also with over 200 older people, people living with dementia and their carers, to discuss the procurement process. Ms Sheppard confirmed that, so far, 134 responses had been received.
 - a) A Member asked whether there was a proposal to change Respite Care. Emma Hanson confirmed that Respite Care was delivered in a number of different ways, including the carers contract, but that day services would provide a type of respite care and would remain a key element of the service going forward;
 - b) A Member requested further clarification on the Dementia element of the proposed offer and clarification on the whole draft specification. She also wanted to know how the Gravesham Muslim Association would be impacted by the offer and requested to see the completed Equality Impact Assessment. Ms Sheppard confirmed that the draft specification was with

the market for comments and once feedback had been collated; the specification would be updated to reflect this. Ms Sheppard confirmed that the offer would ensure that specific groups were referenced to ensure that this was represented. Ms Hanson added that Key Performance Indicators would monitor this. Ms Sheppard confirmed that the completed Equality Impact Assessment was available on the KCC website;

- c) A Member asked for reassurance that the team was confident that it could find the right strategic partners that would support the service and their providers. Ms Hanson confirmed that the team were using the 'competitive dialogue' process to put out the initial tender and invite the strategic partners to come into dialogue. In the dialogue, officers would help make sure the appropriate strategic decision was made. Mr Ireland added that the model approach was similar to one used previously which had been very successful, other than a few minor problems; and
- d) A Member commented on communication levels and the need to address concerns.

2. RESOLVED that the consultation and the further opportunity for Committee Members to comment on the recommendations be noted and that the Cabinet Member take the Executive Decision at the end of August 2017.

19. 16/00137 - Proposed changes to funding arrangements of Housing-Related Support and Community Alarms in Sheltered Housing.
(Item. 7)

Emma Hanson (Head of Strategic Commissioning – Community Services) and Mel Anthony (Commissioning and Development Manager) were in attendance for this item.

- 1. Mel Anthony introduced the report and outlined the background to Housing-Related Support and Community Alarms in Sheltered Housing. Kent County Council had issued a joint accommodation strategy that highlighted ambitions to deliver for the Extra Care Housing to address housing needs of older people in need. Central Government had held an evidenced review, a consultation and an inquiry to set a course to change the way in which supported housing was funded. In this model, a proportion of an estimated £2 billion would be devolved to local level. The County Council proposed to work collaboratively with providers of sheltered housing schemes to help them to make the transition to the new arrangements. An event was held to deliver training and raise awareness to organisations at senior levels to help them understand the changes and prepare.
 - a) A Member asked questions about possible issues and concerns related to costs and support required. She also proposed that the decision be delayed for one year to allow a contingency plan to be put in place. Ms Anthony said that the team were working with providers collaboratively and understood that the transition process would be challenging. An event was held with East Kent Housing to look at how the process could be implemented whilst ensuring people in Sheltered Housing were fully supported. Any person in Sheltered Housing who had eligible needs would continue to receive the specialist services;

- b) Mrs Chandler declared an interest as a board member of East Kent Housing. She also wanted to be sure that the housing providers' expertise and time would be used to assist residents to access the changed housing benefit. Ms Anthony reassured the Committee that the team worked closely with the providers to ensure that needs were met and appropriate resources were available;
 - c) Another speaker supported the proposal to delay the decision by one year in order to look more closely at the concerns highlighted. Ms Anthony confirmed that the change would be implemented in April 2019 and if this were to be delayed, there would be a risk of insufficient funds. Organisations had had time to prepare for the change as the Government had been aware of this change since 2015. The aim was to guarantee the future of supported housing in Kent and ensure that action was taken to support the organisations that were making the transition and ensure that this was done properly;
 - d) A Member said that this would prove to be challenging and sought a guarantee that would be able to move through the transition process within the given timeframe;
 - e) A Member asked for further information relating to the other providers that were experiencing similar problems to Canterbury. Ms Anthony said that the team had worked most closely with Canterbury, Dover and Shepway because they had been significantly affected by the different arrangements; all sheltered housing providers had been advised on Kent County Council's approach. The manager of East Kent Housing had expressed doubt that this would be possible, but had been advised that it had been possible for other organisations in a similar position;
 - f) The Cabinet Member, Mr Gibbens said that seven of the twelve districts had already been through the change and confirmed that everyone who had an eligible Social Care need in accordance with the Care Act had had that need met; and
 - g) A Member asked a question about the savings that would be made. Ms Anthony said that the total annual contract value of sheltered housing currently spent in a year was £2.7 million. An exact savings figure would be determined once the finalised figures are released.
2. The Chairman clarified that Ida Linfield had proposed and Mr B Lewis had seconded that the decision be delayed for one year to allow a contingency plan to be put in place.

*Upon being put to the vote, this was lost (3 votes for, 10 votes against)
Mr R H Bird, Mr B H Lewis and Ida Linfield asked that their votes against
be minuted.*

3. The recommendation in the report was then put to the vote.

*Carried (11 votes for, 3 votes against)
Mr R H Bird, Mr B H Lewis and Ida Linfield asked that their votes against be
minuted.*

4. RESOLVED that the decision proposed to be taken by the Cabinet Member for Adult Social Care, to:
- a) work in collaboration with 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
 - b) delegate authority to the Corporate Director of Social Care, Health and Wellbeing or other nominated officer, to undertake the necessary actions to implement the decision,

be endorsed.

20. Implications of the Policing and Crime Act 2017 for Adult Social Care.
(Item. 8)

Penny Southern (Director, Disabled Children, Learning Disability and Mental Health) was in attendance for this item.

1. Penny Southern introduced the Implications of the Policy and Crime Act 2017 report and the impact that the implications would have on Adult Social Care.
 - a) A Member commented on the excellent preventative work that the Police had carried out in the Dartford area regarding the 'safe place' Café that had been opened for offenders with Mental Health issues, and the transition process supporting them;
 - b) A Member commented on the difficult situations that might arise for officers and whether there was a need to recruit more staff to deal with these difficult situations. Ms Southern confirmed that there were a shortage of Approved Mental Health Practitioners (AMHPs) and it was important to ensure that a sufficient number were trained. Although there was a shortage of AMHPs, the number of assessments had increased significantly. Although there was a risk of an AMHP being in physical danger, the AMHP's did not work alone and there would be a backup AMHP on assessments along with a General Practitioner and S12 Doctor.
 - c) A Member asked for the Financial Implications of the report. Ms Southern confirmed that the extra resources in terms of staff required would be around £80,000.
 - d) A Member asked a question around the place of safety for adults over 18. Mr Ireland confirmed that this was concerned with the safety of the individual concerned.
 - e) A Member asked a question around whether there were specific circumstances listed that state whether an offender with Mental Health issues should be placed in a 'safe place' or a prison cell. Mr Ireland said that an assessment was undertaken and a decision was made based on each circumstance; and

- f) A Member asked a question about pre and post care. Ms Southern said that, in terms of the assessment under the Mental Health Act, AMHPs and doctors would be on hand to help a patient and a psychiatrist would usually assist with the treatment. Mr Ireland added that a formal assessment under the Mental Health Act was a formal statutory and legal process and it was distinct from the wider generality of work and responses to Mental Health situations. Mr Ireland said that patients would be able to appeal against detentions and were accountable for the decisions around the Mental Health tribunals.
2. RESOLVED that the key issues set out in the report, and the comments made by Members of the Committee set out above, be noted.

21. Approach for Social Care New Monies.
(Item. 9)

Christy Holden (Head of Strategic Commissioning - Accommodation Solutions) and Anne Tidmarsh (Director, Older People and Physical Disability) were in attendance for this item.

1. Ms Holden introduced the report and said that £52 million was available to be spent within the next 3 years. It would be added to the local Better Care Fund and therefore it was important that NHS partners were engaged in the development of the plans. In addition to the £52 million, Kent County Council had added an additional £6.8 million, recognising that the Social Care sector needed some sustainability funding per year. The main focus had been the high impact changes and taking forward actions and there were a range of key decisions that would be required arising from the sustainability funding. Mr Ireland confirmed that the changes had not yet been confirmed and that further reports would be brought back to the Cabinet Committee when decisions were required.

a) A Member asked how much money had been saved since 2008. Mr Ireland said that more money had been spent each year because of the issue with matching funding against demography and demand. In recent years, the budget had increased;

b) A Member commented on making better use of the funds available. Mrs Tidmarsh said that funding would help improve discharge rates and improve the model of discharge in all of the acute hospital sites. Mrs Tidmarsh added that this would be building upon and extending a model that had already been approved.

2. RESOLVED that the proposals in relations to the plan for the Social Care New Monies be considered and commented on.

22. 17/00073 - Approach for Social Care New Monies - Progressing High Impact Change 4 - Nurse Led Community Services to be moved to the exempt part of meeting.

1. The Chairman asked Members if they wished to refer to information in the exempt appendix. Members confirmed that they did and therefore the item took place in the closed session at the end of the meeting and is recorded in minute 28.

23. Adult Social Care - Social Value Framework.
(Item. 11)

Emma Hanson (Policy Manager) was in attendance for this item.

1. Ms Hanson introduced the report and provided a brief overview on the Social Value Toolkit and how the Toolkit allowed Commissioning to drive the desired outcomes through the use of the Act.

2. RESOLVED that the co-productive approach taken to develop the Adult Social Care – Social Value Framework and its use in all commissioning activity, be noted and endorsed.

24. Adult Social Care Annual Complaints Report (2016 - 2017).
(Item. 12)

Anthony Mort (Policy Manager) was in attendance for the item.

1. Anthony Mort introduced the Annual Complaints Report for Adult Social Care. He said the complaints procedure needed to be accessible and fair. In 2016, there was a slight decrease in the number of complaints and enquiries received. There were many compliments, which were a reminder that the service being provided was of a good standard.

a) A Member asked if compliment e-mails were responded to. Mr Mort said that all e-mails, including compliments, were responded to;

b) A Member asked a question about the automatic indexing of complaints where an M.P makes an enquiry. Mr Mort said that complaints and enquiries were responded to by KCC, but the complainant would also be informed of their right to take their complaint to the Local Government Ombudsman if they were dissatisfied. Ms Southern said that if anything needed to be addressed immediately, particularly around safeguarding issues, then it would be dealt with immediately by the team;

c) A Member commented on the excellent quality of work of care workers. Mr Ireland and Mr Mort said that the work of care workers should be enhanced and attention should be drawn to the incredible impact that they had and how important home-care workers were to the people for whom they were caring;

d) A Member asked a question about repetitive complaints and the complaints that were moved to the service providers. Mr Mort said that there were persistent complainers but there was a policy about how these were dealt with. There was a requirement that providers had set their own complaints procedures, although if the service had been arranged by Kent County Council, complainant could use the Adult Social Care complaints procedure;

e) A Member spoke about an increase in complaints in the previous year. Mr Mort advised that the unified communications system had been introduced and had initially given rise to complaints about its operation. The financial constraints had also made it difficult to provide the same level of service each year;

f) The Cabinet Member, Mr Gibbens said that all complaints were welcomed in order to be able to make changes and continue to improve upon services; and

g) Mrs Tidmarsh said it was very important that service providers understood users' needs, key issues and where mistakes had been made, to ensure that good practice and training could address issues.

2. RESOLVED that the report and comments by Members of the Committee set out above, be noted.

25. Adult Social Care Performance Dashboard.

(Item. 13)

Steph Smith (Performance Monitoring Manager) was in attendance for this item.

1. Steph Smith introduced the Performance Dashboard and said that the indicators aimed to set out key priorities and monitor performance.

a) A Member questioned the number of enablement referrals which had a red indicator. Mrs Tidmarsh advised that this was being looked at on a weekly basis. She said that enablement was a key part of keeping people independent and was monitored closely. There was a mix of several issues, a key contributing factor had been the market and that people only stayed in enablement for a short period of time. Ms Tidmarsh added that it was not easy to recruit in some areas of Kent and there was an issue with the market in North Kent.

2. RESOLVED that the performance dashboard be noted and an Informal Member Performance Workshop be arranged.

26. Work Programme 2017/18.

(Item. 14)

1. A Member said they would like loneliness and social isolation to be discussed at the Agenda Setting, for addition to the Work programme.

2. A Member's Briefing Session on Adult Social Care issues was welcomed by all Members and would hopefully take place in September 2017.

3. RESOLVED that the Committee's Work Programme for 2017 be noted.

27. Motion to Exclude the Press and Public for Exempt Item.

(Item. 15)

Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

28. 17/00073 - Approach for Social Care New Monies – Progressing High Impact Change 4 – Nurse Led Community Services.

(Item. 10)

Christy Holden (Head of Strategic Commissioning - Accommodation Solutions) and Anne Tidmarsh (Director, Older People and Physical Disability) were in attendance for this item.

1. Christy Holden introduced the report and the exempt appendix and welcomed questions from the Committee.
 - a) A Member asked a question about the action plan that was in place and the associated risks. Ms Holden said that the team was developing performance indicators to ensure that a well-structured action plan was in place to clearly highlight expectations and needs. Ms Holden said that the risks would be balanced and performance measured in September and November 2017 in terms of its effect on Delayed Transfers of Care figures;
 - b) A Member asked a question about the minimum standard of staffing required. Mrs Tidmarsh said that staff had become stakeholders in the company and the model was very good;
 - c) A Member asked a question about the lack of responses from the market and whether or not a contingency plan was in place. Mrs Tidmarsh said that there were not many providers that could deliver this specific service and had to be mindful that the model did not become de-stabilized and that the current provider was able to continue to deliver the service. The model would be more outcome-based and would provide an innovative service. Mrs Tidmarsh said that the team had been looking at different ways of expanding and working with health providers; and
 - d) Mr Ireland said that the model looked closely at two key factors: speed and long term security, the latter of which was helped by the New Monies. He added that it would be a good idea to highlight achievements to allow people to see what had been done in the successful scheme.
 2. RESOLVED that the decision proposed to be taken by the Cabinet Member for Adult Social Care, to:
 - a) agree to formalise existing arrangements with Hilton Nurse Partners in the short term, procured through a KCC single sourced contract;
 - b) agree to enter into an adaptable framework agreement to cover the specification and procurement of a nurse led community service in the medium and longer term, alongside Homecare and Supporting Independence Service, from September 2017;
 - c) delegate authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement the decision; and
 - d) authorise Officers to commence market engagement in readiness for the full procurement process, where required,
- be endorsed.