

ADULT SERVICES COMMITTEE MINUTES AND DECISION RECORD

8 December 2014

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillor: Carl Richardson (In the Chair)

Councillors: Paul Beck, Geoff Lilley, Kaylee Sirs, George Springer and Stephen Thomas

Also Present: Frank Harrison, Years Ahead Forum
Bill Keen, 50 Plus Forum
Members of the Public – Stella and Gordon Johnson, Sue Little, Evelyn Leck

Officers: Gill Alexander, Director of Child and Adult Services
Jill Harrison, Assistant Director, Adult Services
Denise Wimpenny, Principal Democratic Services Officer

35. Message of Condolence

Following a request from a Member it was agreed that a message of condolence be sent on behalf of the Council to Keith Fisher, a former Councillor whose partner had recently passed away.

36. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Brenda Loynes and Ruby Marshall, Healthwatch.

37. Declarations of Interest

Councillor Thomas declared a personal interest in Minutes 41, 42 and 44.

38. Minutes of the meeting held on 3 November 2014

Received.

39. Matters arising from the Minutes

In relation to Minute 34 – Nursing Beds in Care Home Settings/Impact on Hospital Discharges, the Committee requested that given the winter months, regular update reports be provided in relation to the ongoing position around nursing beds.

Decision

That regular update reports be provided in relation to the ongoing position around nursing beds.

40. Development of a New Centre for Independent Living (*Director of Child and Adult Services*)

Type of decision

For information

Purpose of report

To provide the Adult Services Committee with an update regarding the development of a new Centre for Independent Living (CIL) in Burbank.

Issue(s) for consideration

The Assistant Director presented the report which provided background information in relation to the proposals to develop a new Centre for Independent Living. The Centre would provide a range of services that supported adults with a disability to live more independently with a focus on promoting health and wellbeing, meaningful activity and access to community facilities and employment, details of which were set out in the report.

The existing day services at Havelock Street, Cromwell Street, Warren Road and Handprints would transfer to the new CIL. The new CIL would continue to accommodate a range of local community groups and disability related organisations. The benefits of the proposals were provided, as detailed in the report.

In the discussion that followed the Director of Child and Adult Services and Assistant Director responded to issues raised by Members in relation to the proposals including clarification on the potential future use of existing buildings. Clarification was provided in terms of the referral criteria and who could benefit from and access the services available. A Member sought clarification as to whether the timescales for completion of the

development were still on target as concerns had been raised by residents at a recent Ward meeting that there may be delays in completion. The Director advised that the reasons for amendments to the design were as a result of feedback from the local community. However, arrangements would be made to publicise the proposals once the contract arrangements had been finalised. The importance of community engagement was emphasised and the Committee was keen to see consultation with the community continue.

A member of the public raised some concerns regarding transport provision to the new CIL and suggested that this issue be considered as part of the proposals. Members welcomed the report and progress made to date.

Decision

- (i) That progress in relation to the development of a new Centre for Independent Living be noted.
- (ii) That the proposals including timescales for completion continue to be publicised with the community.

41. Deprivation of Liberty Safeguards Update (*Director of Child and Adult Services*)

Type of decision

For information

Purpose of report

To provide the Adult Services Committee with an update regarding the impact of the March 2014 Supreme Court Judgement on Deprivation of Liberty Safeguards.

Issue(s) for consideration

The Assistant Director reported on the background to the changes to the Deprivation of Liberty Standards process as well as the implications on the Council, as supervisory body. The report included details of the local approach and progress made in relation to the high level actions.

With regard to current activity, as expected activity had increased dramatically following the Supreme Court Judgement. In 2013/14 there had been 34 requests for authorisation received and assessed and in the first six months of 2014/15 there had been 207 requests received and assessed. The challenges facing the Council as a result of the safeguards were outlined. In terms of the financial implications, it was anticipated that

there would be a financial pressure of up to £448,000 in 2014/15 (year 1) and an estimated ongoing cost of £269,000, a breakdown of which was included in the report. These unbudgeted DOLS costs would be funded where possible from underspends elsewhere within Adult Services with the balance funded from use of departmental reserves.

In response to concerns expressed regarding the proposal to fund unbudgeted DOLS costs from departmental reserves, the Director of Child and Adult Services advised that the decision to utilise reserves had been taken as the department were not in a position to take account of these costs at the time the budget was set. However, this issue along with a number of other pressures would be considered during the 16/17 budget setting process.

A lengthy discussion ensued regarding the impact of pressures of this type on Council budgets and service delivery as a result. The various options of managing such pressures were debated. The importance of lobbying Central Government as well as collaborative working with neighbouring organisations/other partners with a view to sharing the costs was suggested. Members were advised of the Council's statutory responsibility to meet the costs of implementing DOLS. Assurances were provided that the points raised by Members had been strongly conveyed in a recent meeting with the Director General of the Department of Health and a regional case had been presented regarding the significant impact of Central Government cuts on the region.

In response to comments made on the benefits of joint commissioning and planning between local authorities and health, it was reported that a report would be presented to a future meeting of the Health and Wellbeing Board in this regard.

A Member referred to a recent training event in relation to DOLS which provided the context to the reasons behind the changes as well as the incidents which led to the Supreme Court Judgment. The benefits of sharing this information with the Committee were outlined. The need to closely monitor the implications of the changes to DOLS on care facilities commissioned by the Council was highlighted. The Assistant Director advised that whilst this issue had been taken up with all care homes it was acknowledged that this should be an ongoing monitoring process.

Decision

- (i) That the contents of the report and comments of Members be noted.
- (ii) That training material from a recent training event in relation to DOLS be shared with Members of the Adult Services Committee.

42. Implementation of the Care Act: Update and Financial Implications (*Director of Child and Adult Services*)

Type of decision

For information

Purpose of report

To provide the Adult Services Committee with an update on progress in preparation for implementation of the Care Act and the financial implications in 2015/16.

Issue(s) for consideration

The report provided background information in relation to the Care Act and set out progress towards implementing the Care Act from April 2015. Regional and national support to implement the Care Act and information on the National Care Act Implementation Stocktake Programme was also included in the report. The first stocktake at the end of May 2014 indicated that Hartlepool was making early progress towards implementing the Care Act. The main risks identified for Hartlepool in association with delivering the Care Act was the unknown levels of additional demand from carers and self funders and unknown total implementation costs.

The Committee was referred to the financial implications of implementing the Care Act, as set out in the report. Nationally, funding of £470m would be provided for implementing the Care Act in 2015/16. Actual funding allocations would be provided in December. Figures issued by the Government as part of the summer consultation arrangements provided a revised indicative allocation for Hartlepool of between £0.458m and £0.470m, compared to an indicative allocation of £0.595m provided in February 2014. National comparisons were summarised in the report. It was noted that further details regarding financial implications would be reported as more information was made available and the local impact had been assessed.

Concerns were raised that the level of funding for Hartlepool had substantially reduced and the shire counties funding had increased significantly based on estimated numbers of self funders. Whilst the need to assess the needs of carers when determining allocations had been raised with the Government, whether this would result in any additional funding would not be known until the actual funding allocations were announced in December

Decision

- (i) That progress to date in relation to the implementation of the Care Act from April 2015 be noted.
- (ii) That the current position in relation to the financial implications be noted and a further report be received when the impact for the Council was known.

43. Strategic Financial Management Report – as at 30 September 2014 (*Director of Child and Adult Services and Chief Finance Officer*)

Type of decision

For information

Purpose of report

To inform Members of the 2014/15 Forecast General Fund Outturn, 2014/15 Capital Programme Monitoring and provide details of the specific budget areas that this Committee is responsible for.

Issue(s) for consideration

The report provided the background and financial reporting arrangements for 2014/15 as well as the General Fund budget outturn information in relation to the Child and Adult Services Department.

As recently reported to the Finance and Policy Committee, Members were advised that there would be a net forecast budget underspend at the year end of between £1.457, and £1,542m. This was significantly higher than previously forecast mainly arising from the early achievement of planned 2015/16 savings where these measures could be implemented in the current year.

Details of the overall budget position for the Child and Adult Services Department was summarised in a table included in the report which included the reasons for the forecast outturn. Further details of specific budget areas was set out at Appendix A. Members were provided with details of recommended reserves together with planned capital expenditure, as set out in the report. Members' attention was drawn to the unbudgeted costs relating to Deprivation of Liberty Safeguards (DoLS) which was the subject of a separate report, details of which were outlined in Minute 41 above.

A Member took the opportunity to thank and compliment officers on managing the continuing and extremely difficult pressures and challenges placed on health and social care services as a result of Government policy

and reducing resources.

Decision

That the contents of the report be noted.

44. Better Care Fund Update (*Director of Child and Adult Services*)

Type of decision

For information

Purpose of report

To provide the Committee with an update regarding the assurance process for the Better Care Fund (BCF) and the outcome for Hartlepool, as well as an update on progress in relation to implementation.

Issue(s) for consideration

It was reported that following resubmission of the BCF plans on 19 September 2014, the Nationally Consistent Assurance Review (NCAR) process assessed plans as being in one of the following four categories:-

- Approved
- Approved with support
- Approved subject to conditions
- Not approved

Hartlepool's plan was assessed as 'approved with support. Work was underway to provide the additional evidence required in order to have the plan fully approved, details of which were included in the report. An action plan had been drafted and information was being gathered for submission to the Area Team by 28 November 2014. Work had continued in parallel to the assurance process to ensure that the plan could be implemented from April 2015.

Following presentation of the report the Assistant Director provided clarification in response to issues raised in relation to GP services and support available following discharge from hospital.

Decision

- (i) That the outcome of the assurance process be noted

- (ii) That further work being undertaken to progress implementation of the plan be noted and further updates be received as detailed plans were developed.

45. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

46. Any Other Business - Mental Health Issues

Reference was made to recent media coverage in relation to individuals with mental health needs being inappropriately placed in police accommodation as a result of a lack of appropriate safe place facilities available. The importance of police personnel being trained in handling individuals with mental health needs was also highlighted. In response to a request for support from Healthwatch to review practices of this type in Hartlepool, a Member commented that whilst there was a role for Healthwatch, this was an issue for the Mental Health Task and Finish Group to consider.

The Committee discussed the various methods of investigating this issue and the benefits of scoping this issue as a single item agenda was emphasised. Following discussion it was agreed that discussions be held with the Director of Operations from Tees Esk and Wear Valley NHS Foundation Trust with a view to determining the approach in terms of taking this issue forward.

Decision

That discussions be held with the Director of Operations from Tees Esk and Wear Valley NHS Foundation Trust to determine the approach in terms of addressing the concerns of the Committee in relation to the facilities available for individuals with mental health needs.

The meeting concluded at 11.35 am.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 15 DECEMBER 2014