

ADULT SERVICES COMMITTEE AGENDA



Monday 9 February 2015

at 10.00 am

in Committee Room B, Civic Centre, Hartlepool

MEMBERS: ADULT SERVICES COMMITTEE

Councillors Beck, Lilley, Loynes, Richardson, Sirs, Springer and Thomas

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the Minutes and Decision Record in respect of the meeting held on 5 January 2015 (for information as previously circulated).

4. BUDGET AND POLICY FRAMEWORK ITEMS

No items

5. KEY DECISIONS

No items

6. OTHER ITEMS REQUIRING DECISION

No items



7. ITEMS FOR INFORMATION

- 7.1 Strategic Financial Management Report – As at 31st December 2014 –
Director of Child and Adult Services & Chief Finance Officer
- 7.2 Independent Living Fund – Transfer of Funding 2015/16 – *Director of Child
and Adult Services*
- 7.3 Hear My Voice – Inclusion North Event, 27 March 2015 – Verbal Update –
Head of Service, Child and Adult Services

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

ITEMS FOR INFORMATION

Date of next meeting – Monday 9th March 2015 at 10am in Committee Room B



ADULT SERVICES COMMITTEE MINUTES AND DECISION RECORD

5 January 2015

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

Present:

Councillor: Carl Richardson (In the Chair)

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

Also Present:

In accordance with Council Procedure Rule 5.2 (ii) Councillor Marjorie James was in attendance as substitute for Councillor Paul Beck

Frank Harrison, Years Ahead Forum
Members of the Public – Stella and Gordon Johnson and Evelyn Leck

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

47. Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Paul Beck and Brenda Loynes

48. Declarations of Interest

Councillor Thomas declared a personal interest in Minutes 50 and 53 as an employee of Healthwatch.

49. Minutes of the meeting held on 8 December 2014

Received.

50. Matters arising from the Minutes

In relation to Minute 40 – Development of a New Centre for Independent Living, the Committee requested that regular update reports be provided in relation to progress made on the development of a New Centre for Independent Living.

Decision

That regular update reports be provided to this Committee in relation to progress made on the development of a New Centre for Independent Living.

51. Agenda Documentation

In response to comments raised by a member of the public regarding the unavailability of paper copies of the agenda documentation for members of the public prior to the meeting, the Chair requested that paper copies of the agenda documentation be provided by external mail to those members of the public who regularly attended the Adult Services Committee.

Decision

That paper copies of agenda documentation be provided by external mail to those members of the public who regularly attended the Adult Services Committee.

52. Promoting Change, Transforming Lives Project *(Director of Child and Adult Services)*

Type of decision

For information

Purpose of report

To inform Members of a funding application to the Big Lottery Fund which would be submitted by Hartlepool Borough Council (HBC) on behalf of Waverley Allotment Group (WAG) for the Promoting Change, Transforming Lives Project.

Issue(s) for consideration

The Assistant Director presented the report which provided background information in relation to the Waverley Terrace Allotment Project Group. Over the past six months the Council had been working closely together to consider how the Waverley Allotments site could be transformed into a financially sustainable enterprise. As part of this work, a feasibility study had been produced, the key elements of which were included in the report. The feasibility study identified that the Waverley Terrace Allotment Project required a dedicated Business Co-ordinator as well as a Volunteer Co-ordinator. On behalf of the Waverley Allotment Group (WAG), the Council had completed a Big Lottery Fund Reaching Communities Application to support the development of the Promoting Change, Transforming Lives Project which would incorporate therapeutic services, employment and training services and commercial services.

With regard to funding, the overall cost of the project would be £475,000 to cover five years with £400,000 being requested from the Big Lottery Fund Reaching Communities Programme and a £75,000 in-kind contribution from the Council. Details of the project costs were provided as detailed in the report. The Council was due to submit the application in late December 2014 or early January 2015. If the funding application was successful an additional report would be submitted to this Committee detailing all of the implications in the delivery of the project.

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 project. Whilst the Committee welcomed the proposals, some concerns were raised in terms of the financial sustainability of the project should funding not be secured. The Assistant Director advised that in the event that funding was not successful, the project would continue. However, alternative options would need to be explored. The Chair was keen to seek the views of services users in relation to how the project should be taken forward in future and suggested that service users be invited to a future meeting of this Committee to explore this issue.

With regard to the proposal to recruit a Business Co-ordinator and Volunteer Co-ordinator should the funding application be successful, Members were of the view that the Director of Child and Adult Services should be involved in the recruitment process and form part of the Interview Panel.

In response to comments made regarding the risks associated with projects of this type, the Director of Child and Adult Services provided assurances of her experience and understanding of community enterprise projects to ensure success. The benefits of this particular project were outlined and the Committee was advised that the risks would be fully examined in a detailed business case at stage two of the process.

Decision

- (i) That the contents of the report and comments of Members be noted.
- (ii) That a further report be submitted to the Adult Services Committee once a decision had been made on the Council's funding application.
- (iii) With regard to the proposal to recruit a Business Co-ordinator and Volunteer Co-ordinator should the funding application be successful, the Director of Child and Adult Services be involved in the recruitment process and form part of the Interview Panel.
- (iv) That service users be invited to a future meeting of this Committee to seek their views and explore how the project should be taken forward.

53. Nursing Beds Provision – Verbal Update (*Director of Child and Adult Services*)**Issue(s) for consideration**

The Assistant Director made reference to a request from this Committee for an update in relation to nursing beds provision following issues raised at an earlier meeting that provision had been provided outside of Hartlepool. Members were advised that weekly assessments were undertaken and the latest figures as at 22 December 2014 showed a total of 105 vacancies across both residential/nursing home settings. It was highlighted that 25 nursing beds were available during that period which showed a significant improvement from the position earlier in the year. Whilst it was noted that overall sufficient places were available to meet the level of demand, some of the more popular homes were full which could potentially impact upon the hospital discharge process. The Trust was currently examining the policy around patient choice and the impact on hospital discharges. Data for the Christmas period would be submitted once available.

In the lengthy discussion that followed a number of concerns were raised in relation to the impact of continuing reductions in Government funding on social care provision and inaccurate recent media reports that delays in hospital discharges were as a result of social care packages not being in place. Disappointment was also expressed regarding the waiting times experienced by some individuals to secure a place in homes of their choice. The Director of Child and Adult Services clarified that the reasons for delayed discharge were usually not as a result of social care packages but as a result of delays in health care assessments which needed to be carried out prior to discharge or as a result of patient choice issues. Assurances were provided that Hartlepool's performance in terms of nursing bed provision was very good and the Council was working with the Trust to

resolve any delays in hospital discharges.

A Member commented on the benefits of regularly publicising nursing home availability data on the Council's website and suggested that information of this type as well as information/guidance to assist individuals with who to contact and what to do at the point of discharge be publicised.

Given the Committee's concerns that the implications of continued reductions in Government funding was not widely recognised, Members requested that the severity and implications of these cuts be shared with the public.

Whilst a Member complimented the excellent work being undertaken by NHS staff under extreme pressures, that Member was of the view that overcrowding and the increasing number of individuals flooding into the country was contributing to these increasing pressures. Members disagreed with the comments made and a number of views followed in terms of the potential reasons for such pressures. A Member highlighted objections to the comments made indicating that such comments were objectionable. It was requested that it be placed on record that that Member be more considerate of comments made in the public domain in future

Decision

- (i) That the information given be noted.
- (ii) That the severity of Government cuts and the impact on social care be shared with the public.
- (iii) That regular updates of nursing home availability data and information/guidance to assist individuals following discharge from hospital be publicised.

54. Verbal Update on Government Finance (*Director of Child and Adult Services*)

Issue(s) for consideration

The Director of Child and Adult Services reported that following the recent announcement of the budget position immediately before the Christmas break, the Chief Finance Officer's initial analysis indicated that the settlement figure should be broadly as expected with the possibility of a slightly larger allocation in relation to the Care Act. A more detailed report would be presented to a future meeting of this Committee once the detailed analysis had been completed by the Chief Finance Officer

Decision

- (i) That the information given be noted.
- (ii) That a more detailed report on the financial position be presented to a future meeting of this Committee once a detailed analysis of the budget settlement had been completed by the Chief Finance Officer.

55. Date and Time of Next Meeting

It was reported that the next meeting would be held on 9 February 2015 at 10.00 am in the Civic Centre.

The meeting concluded at 11.10 am.

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 12 JANURY 2015

ADULT SERVICES COMMITTEE

9th February 2015



Report of: Director of Child & Adult Services and Chief Finance Officer

Subject: STRATEGIC FINANCIAL MANAGEMENT REPORT - AS AT 31st DECEMBER 2014

1. TYPE OF DECISION/APPLICABLE CATEGORY

For Information.

2. PURPOSE OF REPORT

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

3. BACKGROUND AND REPORTING ARRANGEMENTS 2014/15

- 3.1 The availability and reporting of accurate and up to date financial information will become increasingly important as future budget cuts are implemented and one-off resources are used up.
- 3.2 The Finance and Policy Committee will continue to receive regular reports which will provide a comprehensive analysis of departmental and corporate forecast outturns, including an explanation of the significant budget variances. This will enable the Finance and Policy Committee to approve a strategy for addressing the financial issues and challenges facing the Council.
- 3.3 To enable a wider number of Members to understand the financial position of the Council and their service specific areas each Policy Committee will receive a separate report providing:
- A brief summary of the overall financial position of the Council as reported to the Finance and Policy Committee;
 - The specific budget areas for their Committee; and
 - The total departmental budget where this is split across more than one Committee. This information will ensure Members can see the whole position for the departmental budget.

3.4 **Summary of Overall Financial Position**

- 3.5 The latest report submitted to the Finance and Policy Committee on 30th January 2015 advised Members that there will be an overall underspend in the current year. This position reflects action taken by the Corporate Management Team to achieve underspends to help address the significant financial challenges facing the Council over the next few years and to fund one-off commitments not provided for in the approved 2014/15 budget as these items were not known at the time.
- 3.6 The Corporate Management Team will seek to achieve budget underspends through a combination of robust management actions, including:
- holding posts vacant, which will help reduce the number of compulsory redundancies required to balance the 2015/16 budget;
 - achieving planned 2015/16 savings earlier; and
 - careful management of budgets to avoid expenditure where this does not have an adverse impact on services.
- 3.7 The forecast outturn has been reviewed to reflect actual expenditure/income as at 31st December and an update of the forecast expenditure for the remaining months of the financial year. This has previously been reported as a range (best case and worst case). However, as we are now approaching the financial year end forecast outturn can be predicted with a greater degree of certainty therefore only one forecast figure has been provided.
- 3.8 The report on the position at 31st December 2014 advised Members that there is currently a net forecast budget under spend at the year-end of £188,000, which equates to 0.2% of the net annual budget. This position is still dependant on the outturn for seasonal budgets, such as winter maintenance and elderly care services. As Members will be aware the NHS is already experiencing significant demand pressures, which may impact on Council services over the remaining months, particularly if more normal winter conditions occur. Therefore, at this stage this amount is not committed. Assuming this forecast underspend is achieved a strategy for using this amount can be developed as part of the 2016/17 budget process.

4. **2014/15 FORECAST GENERAL FUND OUTTURN – Adult Services Committee**

- 4.1 The following table sets out the overall budget position for the Child and Adult Services Department broken down by Committee, together with a brief comment on the reasons for the forecast outturn.

Budget £'000	Description of Expenditure	December Projected Outturn Adverse/ (Favourable) Latest Forecast £'000	Comments
30,494	Adult Committee - Core Services	(234)	The favourable variance mainly relates to Direct Payments Support Services contingency funding, CCG income and Care Act grant for which reserves are to be created. In addition there are underspends within various supplies and services budgets, increased grant income and incremental drift within pay budgets.
-	Adult Committee - Projected Deprivation of Liberty Safeguard (DoLS) Pressure	300	These are the unbudgeted costs of implementing the DoLS implications following the recent Supreme Court judgement.
-	Adult Committee - Use of Reserves to Partly Offset DoLS Pressure	(436)	The unbudgeted DoLS costs are forecast between £200k and £300k this financial year with Members approving a combination of departmental reserves and departmental outturn to fund these costs in 2014/15. This reflects the balance of the costs which are to be funded from departmental reserves.
30,494	Sub-Total Adult Committee	(370)	
19,683	Children's Committee	(1,231)	The favourable outturn variance mainly relates to the Local Welfare Support Grant, Troubled Families Programme and High Needs services for which specific reserves are to be created.
50,177	Total Child & Adult	(1,601)	
	Creation of Reserves		
-	Children's - Local Welfare Support Grant	375	The creation of this reserve was included in the MTFS and approved by full Council on 4th February 2014 to use the balance of grant funding and the existing reserve to continue provision through to 2017/18.
-	Children's - Troubled Families Grant	500	Reserve created to continue services in 2015/16
-	Children's - High Needs Risk Reserve	300	Reserves created to manage in-year risks of high educational needs placements exceeding base budget, which will avoid an in-year budget pressure in 2015/16.
-	Children's - Looked After Children Reserve	76	Reserve created to manage increased costs of Looked after Children and to avoid an in-year budget pressure in 2015/16, pending implementation a strategy to reduce costs
-	Adults - Direct Payments Contingency Reserve	250	Reserve created from 'contingency' funds previously held by the external provider. Will be retained to continue to provide funding for contingencies.
-	Adults - CCG Grant Income	70	This relates to grant income received from the CCG to form a contingency budget for winter pressures.
-	Adults - Care Act Reserve	50	The balance remaining on the Care Act Implementation Grant will be carried forward to 2015/16 to continue support in implementing the Act.
-	Creation of Reserves Total	1,621	
50,177	Total Child & Adult - Net of Reserves	20	

4.2 Further details of the specific budget areas this Committee is responsible for are provided in **Appendix A**.

4.3 The unbudgeted costs relating to Deprivation of Liberty Safeguards (DoLS) remain a budget pressure. These costs will be funded from a combination of

the 2014/15 Adult Services managed budget underspend and the use of departmental reserves. This unexpected additional cost demonstrates the financial risks Councils face in providing services. The situation underlines the importance of having a multi-year financial strategy which for 2014/15 has avoided the need to make unplanned cuts to offset these unavoidable additional costs.

- 4.4 Three specific Adult Services reserves are being created. Two relate to specific grants received from the CCG (towards winter pressures) and the Department of Health (remaining balance of the Care Act Implementation Grant) and the other relates to the creation of a 'contingency' reserve for Direct Payments that are monitored and managed on behalf of relevant clients by an external provider. This funding has been returned following a change in provider and will be retained by the authority to fund costs arising in addition to these clients regular Direct Payment provision such as redundancy and sickness cover.

5. CAPITAL MONITORING 2014/15

- 5.1 The 2014/15 MTFS set out planned capital expenditure for the period 2014/15 to 2016/17.
- 5.2 Expenditure against budget to the 30th November 2014 for this Committee can be summarised in the following table and further details are provided in **Appendix B**.

Department	2014/15 and Future Years Budget	2014/15 Budget	2014/15 Actual to 30/11/14	2014/15 Remaining Expenditure	2014/15 Re-phased Expenditure	2014/15 Total Expenditure	2014/15 Variance from Budget Adverse/ (Favourable)
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Adult Services	5,127	403	20	383	0	403	0
Total	5,127	403	20	383	0	403	0

- 5.3 The capital programme reflects a new Department of Health grant called 'Autism Innovation Capital Grant'. This is a one-off, non-recurring grant allocation of £18,500 which has been received during this financial year. Although the grant is technically not ring-fenced there are a number of grant conditions which need to be complied with including the grant needing to be spent before the end of March 2015. The grant will be awarded to Incontrol-able, a disabled persons user-led organisation based in Hartlepool. It will be spent against the principles of the Autism Act 2009 and will be used to purchase ICT equipment including tablets and laptops for use at the Centre for Independent Living which will be pre-loaded with autism related information, advice and guidance.

6. RECOMMENDATIONS

- 6.1 It is recommended that Members:
- i) Note the report;

7. REASONS FOR RECOMMENDATIONS

- 7.1 To update the Members on the Committees forecast 2014/15 General Fund Revenue budget outturn and provide an update on the Capital Programme for 2014/15.

8. BACKGROUND PAPERS

Medium Term Financial Strategy Report approved by Council on 4th February 2014.

Strategic Financial Management Report as at 30th June considered by the Finance and Policy Committee 18th August 2014.

Review of Reserves Report considered by the Finance and Policy Committee 15th September 2014.

Strategic Financial Management Report as at 30th June considered by the Adult Services Committee 1st September 2014.

Strategic Financial Management Report as at 30th September considered by the Finance and Policy Committee 24th November 2014.

Strategic Financial Management Report as at 31st December considered by the Finance and Policy Committee 30th January 2015.

9. CONTACT OFFICER

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REVENUE FINANCIAL MONITORING REPORT FOR FINANCIAL YEAR 2014/15 as at 31st December, 2014

Approved 2014/2015 Budget £'000	Description of Service Area	Projected Outturn Variance - Adverse/ (Favourable) Latest Forecast £'000	Director's Explanation of Variance
Adult Committee			
(65)	Carers & Assistive Technology	30	
3,901	Commissioning & Adults General	(515)	This relates to an element of Better Care Fund being transferred in 2014/15, the one-off Care Act Implementation Grant of £125k being made available in year and some 'one-off' CCG grant funding (£70k). This additional one off funding has resulted in underspends in year in areas that will contribute to 2015/16 savings. In addition, there are also underspends against various supplies and services budgets, some savings from vacant posts which have now been filled and a 2015/16 ER/VR post saving achieved early.
1,263	Commissioning-Mental Health	30	Residential and Nursing placements and costs have increased during the year and Direct Payments are increasing following the cessation of a third-party contract and subsequent transfer of resources to Direct Payments.
9,892	Commissioning-Older People	600	The projected overspend relates to increased demand for services to support older people due to demographic pressures and the potential impact of winter on demand for services.
0	Commissioning-Direct Payments Support Services Contingency Funding	(250)	This is the funding previously held by the external provider of Direct Payment Support Services within individual client accounts which relates to the funding of 'contingencies' within their Direct Payments to cover redundancy, sickness cover and any other unexpected payments. This funding relates to contingencies accumulated over multiple years. Following a change in provider this funding will now be retained by the Council in a specific reserve. This reserve will be used to continue to provide support to clients requiring the funding for such contingencies. This change in accounting arrangements does not have an impact on the Council's overall financial position as this funding will be retained in a ring-fenced reserve for future requirements. This new accounting arrangement provides more direct control by the Council over how the funding is utilised.
7,723	Commissioning-Working Age Adult	75	The projected overspend relates to increased demand for services to support adults with learning disabilities, including those moving from children's services through the transition process.
186	Complaints & Public Information	18	
1,144	Departmental Running Costs	(60)	
1,167	Direct Care & Support Team	(40)	This mainly relates to underspends on various supplies and services budgets.
376	LD & Transition Social Work	(30)	
1,925	Locality & Safeguarding Teams	(70)	This mainly relates to incremental drift within pay budgets and some vacant hours which are currently being filled.
634	Mental Health Services	(60)	
969	OT & Disability Equipment	50	This relates to expenditure arising from increased demand for equipment from the Tees Community Equipment Service.
176	Workforce Planning & Dev	0	
1,203	Working Age Adult Day Services	(12)	
30,494	Sub Total	(234)	
0	Deprivation of Liberty Standards (DoLS) - Pressure	300	These are the unbudgeted costs of implementing the changes to Deprivation of Liberty Safeguards following the recent Supreme Court judgement.
0	Release of Departmental Reserve for DoLS	(300)	Members approved a combination of departmental reserves and departmental outturn to fund these costs in 2014/15.
0	Release of Adult Services Supporting Social Care Reserve	(136)	This reflects the balance of the costs which are to be funded from departmental reserves.
30,494	Adult Committee Sub Total	(370)	

Creation of Reserves

0	Adults - CCG Grant Income	70	This relates to grant income received from the CCG to form a contingency budget for winter pressures.
0	Adults - Care Act Reserve	50	The balance remaining on the Care Act Implementation Grant will be carried forward to 2015/16 to continue support in implementing the Act.
0	Adults - Direct Payment Support Services - Contingency Reserve	250	This is the funding previously held by the external provider of Direct Payment Support Services within individual client accounts which relates to the funding of 'contingencies' within their Direct Payments eg. to cover redundancy, sickness cover and any other unexpected payments. This funding relates to contingencies accumulated over multiple years. Following a change in provider this funding will now be retained by the Council in a specific reserve. This reserve will be used to continue to provide support to clients requiring the funding for such contingencies. This change in accounting arrangements does not have an impact on the Council's overall financial position as this funding will be retained in a ring-fenced reserve for future requirements. This new accounting arrangement provides more direct control by the Council over how the funding is utilised.
30,494	Adult Committee Total - Net of Reserves	0	

PLANNED USE OF RESERVES

The above figures include the 2014/2015 approved budget along with the planned use of Departmental Reserves created in previous years. The details below provide a breakdown of these reserves

Approved 2014/2015 Budget £'000	Description of Service Area	Planned Usage 2014/2015 £'000	Variance Over/ (Under) £'000	Director's Explanation of Variance
Adult Committee				
76	Supporting Social Care (Demographic Pressures)	136	60	This is the value of the reserve that will be required to fund the net deficit within Adult Services which has mainly arisen from the pressure within older people's services. If the outturn position is better than this, the reserve may not be required in-year and will be retained as a contingency reserve to contribute towards these pressures in future years.
27	Supporting People	27	0	
6	Social Care Reform	6	0	
9	Reablement Funding	9	0	
190	Social Inclusion & Lifestyle pathways contract extension	125	(65)	This is the value of the reserve created to fund the costs resulting from the need to extend some contracts for longer than expected while they are re-commissioned. Any costs in addition to this will be funded from within the overall Adult Services outturn position.
270	PCT Carers Funding	200	(70)	Balance of reserve to be retained to fund future years carers costs.
22	Community Pool 2014/15	22	0	
0	Deprivation of Liberty Safeguards (DoLS)	300	300	This is an unbudgeted pressure in 2014/15 and will be funded where possible from the departmental outturn with the balance funded from departmental reserves.
0	Better Care Fund (BCF) Risk Reserve	19	19	This reserve is being used to fund a post ahead of it being mainstreamed as part of BCF in 15/16
600	Adult Committee Sub Total	844	244	

CAPITAL MONITORING REPORT PERIOD ENDING 30th NOVEMBER 2014

Project Code	Scheme Title	BUDGET		EXPENDITURE IN CURRENT YEAR					Type of Financing	2014/15 COMMENTS
		A	B	C	D	E	F	G		
		2014/15 and Future Years Budget £'000	2014/15 Budget £'000	2014/15 Actual as at 30/11/14 £'000	2014/15 Expenditure Remaining £'000	Expenditure Rephased into 2015/16 £'000	(C+D+E) 2014/15 Total Expenditure £'000	(F-B) 2014/15 Variance from Budget £'000		
Adult Committee										
7234	Chronically Sick and Disabled Persons Adaptations	320	55	1	54	0	55	0	MIX	
8075	Short Break Capital Grants Pool	21	21	0	21	0	21	0	MIX	
8108	Centre for Independent Living - New Build	4,767	308	19	289	0	308	0	MIX	
8794	Autism Innovation Capital Grant	19	19	0	19	0	19	0	GRANT	
	Adult Committee Sub Total	5,127	403	20	383	0	403	0		

Key

RCCO Revenue Contribution towards Capital
MIX Combination of Funding Types
UCPB Unsupported Corporate Prudential Borrowing
SCE Supported Capital Expenditure (Revenue)

GRANT Grant Funded
CAP REC Capital Receipt
UDPB Unsupported Departmental Prudential Borrowing
SPB Supported Prudential Borrowing

ADULT SERVICES COMMITTEE

9th February 2015



Report of: Director of Child & Adult Services

Subject: INDEPENDENT LIVING FUND: TRANSFER OF FUNDING 2015/16

1. TYPE OF DECISION/APPLICABLE CATEGORY

No decision required; for information.

2. PURPOSE OF REPORT

- 2.1 The purpose of the report is to provide the Adult Services Committee with information regarding the transfer of funding and responsibilities relating to the Independent Living Fund (ILF).

3. BACKGROUND

- 3.1 The Independent Living Fund (ILF) was originally established in 1988 and provides financial support to disabled people so they can choose to live in their communities rather than in residential care. It is a directly funded government scheme which provides discretionary cash payments directly to disabled people allowing them to purchase care from an agency or pay the wages of a privately employed personal assistant.
- 3.2 To qualify for help from the ILF an individual would normally have to continue to fulfil all of the following conditions:
- get social services support worth at least £340 a week or £17,680 a year. This can include direct payments or services from your local council, like going to a day centre;
 - be living in the UK for at least 26 weeks a year;
 - have less than £23,250 in savings or capital. This includes any money their partner has, if they have a partner;
 - get or be entitled to the highest rate care component of Disability Living Allowance.

An additional eligibility criteria was introduced from May 2010 restricting applications to those in work.

- 3.3 ILF funding is used by people with a wide range of physical and / or learning disabilities, some of whom have very complex needs and require significant levels of support to live in the community. Support funded by the ILF can include help with personal care tasks that enable a person to remain independent and support to access the local community. Most people who receive ILF support also use it to access or remain in education or employment or to undertake voluntary work.
- 3.4 In December 2010, the Minister for Disabled People announced that the ILF was permanently closed to new applications.
- 3.5 In March 2014 the Minister for Disabled People announced that the ILF would close on 30 June 2015. From 1 July 2015, the funding and responsibility of ILF care and support needs will transfer to local authorities in England.
- 3.6 There has been extensive consultation with the 42 people in Hartlepool who currently receive support from the ILF from both ILF staff and Adult Services staff. All have had a review in the last year where ILF closure and future plans have been discussed and an ILF support plan has been provided.
- 3.7 All relevant social workers are familiar with the changes proposed and are aware they will need to update assessments and support plans nearer to the transfer date to reflect the overall package of care.
- 3.8 Some case summaries identifying how ILF has been used locally are attached as **Appendix 1**.

4. FINANCIAL IMPLICATIONS

- 4.1 From 1 July 2015, all local authorities will receive a Section 31 non-ringfenced grant (pro-rata for 9 months of the financial year) which will be paid as one lump-sum by the Department for Communities and Local Government (DCLG) in June / July 2015.
- 4.2 The amount to be transferred will be calculated by the DCLG based on the number of users as at 30 June 2015 and the amount of ILF funding they receive as at that date. The 42 people currently in receipt of ILF in Hartlepool receive a total of approximately £0.67m of funding (net of any contributions).
- 4.3 As the ILF is no longer open to new users this number cannot increase and will reduce over time owing to mortality, people requiring residential care or their needs changing so that they become eligible for fully funded NHS Continuing Health Care.
- 4.4 No additional funding will be received for administration costs and there will be no claw back of unspent funds, nor will any additional funding be allocated for any overspends.

- 4.5 No guidance has been provided as to how funding will be allocated to local authorities in 2016/17 nor how much funding will be allocated. It would be preferable if this funding continued as a separate grant allocation, as this would provide ongoing transparency for this new responsibility. There is a risk that funding may be main-streamed and included in the Core Revenue Grant from 2016/17, which would lead to a funding reduction and local budget pressures.
- 4.6 The financial implications associated with the ILF transfer were reported to Council on 18 December 2014 as part of the Medium Term Financial Strategy Update Report. For planning purposes it is assumed the change would be cost neutral in 2015/16.

5. PROPOSALS FOR MANAGING THE NEW RESPONSIBILITIES

- 5.1 The intention is for there to be minimum impact on current ILF users in 2015/16 following the transfer of responsibility. By maintaining the status quo in terms of both expenditure and contributions, the implications of the transfer can be during 2015/16, allowing people affected by the change to be given advance notice if any changes are proposed in 2016/17.
- 5.2 The ILF consists of payment from ILF in addition to a financial contribution from the individual receiving support. However the contribution required by ILF differs from the Council's current contribution policy for similar services, such as personal care and direct payments.
- 5.3 ILF users currently have to pay a minimum of 50% of the care component of their Disability Living Allowance (DLA) plus, if they live on their own, 100% of the Severe Disablement Premium Allowance. Individuals are then means-tested for any contribution in addition to this.
- 5.4 By definition, ILF users will also receive services from the Council for which they will be means-tested and any contributions towards ILF are not taken into account. It is therefore possible that users could currently be paying more for their joint Council / ILF package of services than they would be if the same package was solely provided by the Council.
- 5.5 In addition, the ILF no longer check whether or not a user is actually making their required contribution towards their package of care. It is possible therefore, that some users may not be paying their full contribution and may therefore not be receiving the full package of care the ILF is contributing towards.
- 5.6 Work is on-going to assess the implications of the different contribution policies. In the meantime, current arrangements will continue for 2015/16 so that ILF users receive the same level of funding and contribute the same amount towards their ILF package as they did before the transfer of responsibility to the Council.

6. RECOMMENDATIONS

6.1 It is recommended that Members:-

- (i) Note that ILF grant funding received in 2015/16 will be used to maintain the level of funding provided to individuals on 30 June 2015.
- (ii) Note that ILF contributions will remain unchanged for 2015/16 whilst a review is undertaken.
- (iii) Note the uncertainty in relation to funding in 2016/17 and beyond.

7. REASONS FOR RECOMMENDATIONS

7.1 To ensure continuity of service provision for current ILF service users.

8. CONTACT OFFICERS

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APPENDIX 1

Case Summary 1

S lived in residential care for a number of years despite being very discontent. The residential home was for older people and the service user was only in her thirties. ILF was applied for in order to put in place a package of care in the community.

S has complex needs and requires a significant level of support (costing in excess of £1,000 a week) but a combination of social care and health funding, along with ILF support enabled her to secure overnight as well as appropriate support during the day. Without ILF, the cost would have been a barrier to health and social care and S would not have had as many choices available to her in terms of being supported in the community.

Case Summary 2

A young person in transition from children to adult services has been supported by ILF to access support on a weekend, which provided an alternative to building based respite care. Social care support is in place from Monday to Friday. The young person was then able to employ personal assistants who provide overnight support at weekends, providing the young person's parents with a break from their caring role.

Case Summary 3

A group of adults with learning disabilities in a supported shared living scheme had care provided on the basis of shared support for all service users.

Applications to ILF secured funding for the individuals to have their own personal 1:1 support in order to pursue their individual interests in the community – without this they would only be able to engage in group activity.