

ADULT AND COMMUNITY BASED SERVICES COMMITTEE

MINUTES AND DECISION RECORD

28 JULY 2022

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

Present:

Councillor: Bob Buchan (In the Chair)

Councillors: Ben Clayton, Angela Falconer, Ged Hall, and Mike Young.

Also present: Councillor Jonathan Brash as substitute for Councillor Gary Allen in accordance with Council Procedure Rule 4.2.
Frank Harrison and Evelyn Leck.

Officers: Jill Harrison, Director of Adult and Community Based Services
John Lovatt, Assistant Director, Adult Social Care
Danielle Swainston, Assistant Director, Joint Commissioning
John Whitfield, Special Needs Housing Manager
David Cosgrove, Democratic Services Team

6. Apologies for Absence

Apologies for absence were received from Councillor Gary Allen and Sue Little.

7. Declarations of Interest

Councillor Young declared a personal interest.

8. Minutes of the meeting held on 23 June 2022

Received.

9. Use of Disabled Facilities Grant and Housing Assistance Policy (*Director of Adult and Community Based Services*)

Type of decision

Non-key decision.

Purpose of report

To seek approval from the Adult and Community Based Services Committee for a revised Housing Assistance Policy which aims to create greater flexibility.

Issue(s) for consideration

The Disabled Facilities Grant (DFG) was now over 30 years old and originally it was one of several housing grants available to fund repairs, improvements and adaptations. The DFG is now part of the Improved Better Care Fund (iBCF); a pooled budget seeking to integrate health, social care and, through the DFG, housing services. Through a revised Housing Assistance Policy the DFG aims to support people of all ages to live in suitable housing so they can stay independent for longer.

The majority of disabled people were living in ordinary housing but only 7% of homes in England have basic accessibility features such as downstairs toilets and level access. Three quarters of deaths relating to falls happen in the home, and falls represent 10-25% of ambulance call-outs to older adults. Once admitted in an emergency, older people use more bed days than other people (65%) and falls often precipitate a move into residential care.

Government investment in the DFG has more than doubled in recent years. Nearly two-thirds of DFG applications are for older people, just over a quarter are for working age adults and a small but growing proportion are for disabled children and young people. Nearly 60% of applications are made by owner-occupiers, a third of applications are made by tenants of housing associations and only 8% are made by private tenants.

Local authorities were given extended powers to issue loans and other forms of assistance to DFG applicants under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 which came into force on 18 July 2002. The Order also grants a power to local housing authorities to provide assistance for the purpose of improving living conditions in their area.

The proposed updated Housing Assistance Policy (submitted as an appendix to the report) had been developed in a way which would enable the Council to make use of the powers provided under the Regulatory Reform (Housing Assistance) Order and use the funding in an appropriate way, to maximise the benefit for residents.

Members noted that there were several references to the Clinical Commissioning Group (CCG) in the policy document and that had now been replaced by the Integrated Care Board (ICB). The Director of Adult and Community Based Services acknowledged that there were a number of documents that would need to be changed to reflect the new ICB arrangements and these would be changed overtime. The Housing Assistance Policy would be amended prior to publication.

A Member questioned the level of unmet need for adapted housing across the town; had these been quantified and how many people were living in homes that didn't meet their needs. The Member also noted that the demand among people living in the private rented sector was relatively low; was this due to the type of properties or landlords reluctance to have alterations made to their homes. The Special Needs Housing Manager commented that there did tend to be a lot of movement in the private rented market which was an issue. The local authority also assisted a lot of people with identified needs from private rented accommodation into social housing. These people were also keen to move to housing with a much more secure tenancy. The majority of private owners that applied for assistance wanted to stay in their own homes.

The Director of Adult and Community Based Services commented that the DFG funding from central government had increased significantly over recent years and Hartlepool now received £1.2m per year, ring-fenced funding through the Better Care Fund. In the past there had been a significant waiting list for adaptations, often simply because of funding issues. Prior to the Covid-19 Pandemic the waiting list had been largely eradicated. The Director stated that there was sufficient funding available to meet the current known demand while acknowledging that identifying the 'unmet demand' would be difficult. It was also noted that the availability of the grant scheme was promoted with partners and through the Community Hubs. Officers also identified issues around finding contractors to undertake some of the adaptations required, and clarified that work is undertaken by in-house services where appropriate.

A Member highlighted some concern around the Equality Impact Assessment submitted with the report. The Director acknowledged the comments.

Decision

That the revised Housing Assistance Policy, as submitted, be approved.

10. Adult Social Care White Paper: People at the Heart of Care *(Director of Adult and Community Based Services)*

Type of decision

For information.

Purpose of report

The report summarised the recommendations of the government's Adult Social Care White Paper, 'People at the Heart of Care', which was published in December 2021. The White Paper identified opportunities and challenges and the work that would be required to implement the recommendations.

Issue(s) for consideration

The Director of Adult and Community Based Services reported that social care reform had been actively debated nationally since the Dilnot Commission in 2011 recommended a lifetime cap on personal care costs of £35,000 for people aged over 65, and a more generous social care means test.

The Government proposed to increase funding for health and social care over the next three years (2022-2025) through a new tax, the Health and Social Care Levy. This would be funded through a 1.25% increase in employee and employer National Insurance contributions. £5.4 billion from the Levy was intended to support adult social care in England over the next three years, of which:

- £3.6 billion had been identified to support reforming how people pay for care (including the introduction of a cap on care costs and a more generous means test); and
- £1.7 billion would support wider system reform.

While the additional funding from the Levy represented new money for the system, the government expected that the existing additional Adult Social Care precept collected through Council Tax payments would continue.

The government had made a commitment to reform how people pay for adult social care or contribute to their care costs, stating that nobody needing care should have to sell their home to pay for it. The white paper proposed an £86,000 cap on the amount anyone in England would have to spend on their personal care over their lifetime to be introduced from October 2023. The cap would be applied regardless of age or income, although only money spent on meeting a person's personal care needs would count towards the cap, so this would exclude accommodation and daily living costs, often referred to as 'hotel costs'.

The Director also highlighted that the White Paper confirmed that a new inspection and assurance framework will be introduced from April 2023 together with new legal powers for the Secretary of State for Health and Social care to intervene in local authorities in order to improve services where there are significant failures to deliver their duties under the Care Act 2014. The full detail of the inspection and assurance framework had yet to be announced by the Care Quality Commission (CQC) but it was clear that there would be an assessment at Local Authority level with a strong emphasis on the experience of people who used services.

The Director commented that the proposals within the White paper would have a significant financial impact and there was still national concern that sufficient funding would be made available to Local Authorities to cover those costs. Locally, work would be undertaken to identify and quantify the risks and there would be further reports to Members.

A Member suggested that the Committee write to the Secretary of State highlighting concerns regarding the White Paper, specifically the disproportionate impact in deprived areas such as Hartlepool, the reliance on the Adult Social Care Precept and increase in National Insurance as funding sources and the insufficient funding to meet unmet need

The Member also highlighted that there were limited proposals to support unpaid carers and no measures to address vacancy levels in social care. While the Hartlepool Social Care Academy was an excellent step forward, the Council should also investigate the potential of setting up a Social Care Cooperative.

The Director stated that alternative delivery models for adult social care, such as a Cooperative, had been investigated previously but could be revisited. The issues around pay and recruitment for social care workers were nationally recognised and reflected locally. The meeting discussed some of the issues around funding of social care and the shortage of staff. It was agreed that a letter be forwarded to the Secretary of State outlining the Committee's concerns.

Decision

1. That the report be noted.
2. That a letter be sent on behalf of the Committee to the Secretary of State for Health outlining Members concerns at the proposals contained within the Adult Social Care White Paper, 'People at the Heart of Care'.
3. That the Committee gives further consideration to the potential creation of a Social Care Cooperative.

11. Annual Complaints of Adult Social Care Complaints and Compliments 1 April 2021-31 March 2022 *(Director of Adult and Community Based Services)*

Type of decision

For information.

Purpose of report

To present to members the Annual Report of Adult Social Care Complaints and Compliments 2021/22.

Issue(s) for consideration

The Assistant Director, Joint Commissioning submitted the Annual Complaints and Compliments Report for 2021/22 which provided an analysis of complaints and compliments and demonstrated the learning that has occurred from complaints and the actions implemented as a result.

A total of 25 complaints had been received during 2021/22. The number of complaints received had remained the same as last year. Of the 25

complaints received, 6 complaints were not considered further leaving 19 complaints investigated. This was an increase of 1 more complaint being investigated in 2021/22 compared to the previous year when 18 of the 25 complaints received were investigated. Of the 19 complaints investigated in 2021/22, 17 complaints have concluded local statutory complaints processes and 2 complaints remains ongoing which will be carried forward to 2022/23.

The Assistant Director indicated that 5 complaints had been referred to the Local Government and Social Care Ombudsman (LGSCO), and of these, 3 complainants concluded the Council's adult social care complaint process in 2020/21 and one concluded the process in 2021/22. The 1 remaining complainant who escalated their complaint onto the LGSCO in 2021/22 did so after a contracted service provider, who delivered the service being complained about on the Council's behalf, responded to the complaint which had been made directly to them.

The LGSCO determined that they would not investigate 3 of the 5 complaints. In 2 of these 3 complaints, this was because there was not enough fault or significant injustice to warrant an investigation by them and, in the case of the remaining one complaint, the Ombudsman decided it could not add anything further to the Council's response to the complaint. The LGSCO decided it would investigate 2 of the 5 complaints. Following their enquiries, they determined that there was no fault with the Council's actions in relation to these 2 complaints.

Decision

That the contents of the Annual Report of Complaints and Compliments 2021/22 be noted and that the report be published on the Council's website.

12. Any Other Items which the Chairman Considers are Urgent

The representative from the Over 50's forum asked if the Council had appointed an Older People's Champion as the group wished to invite the Councillor to their meetings. The Principal Democratic Services Officer indicated that the Constitution Committee had considered the appointment of Member Champions, as requested by Council, and nominations to the various positions were being sought. It was likely these would be considered at the meeting of Council in September.

The meeting concluded at 11.20 am

**H MARTIN
CHIEF SOLICITOR**

PUBLICATION DATE: 5 AUGUST 2022