

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Tuesday, 14 November 2017.

PRESENT

Mr. T. J. Richardson CC (in the Chair)

Dr. P. Bremner CC
Ms. L. Broadley CC
Mr. M. H. Charlesworth CC
Mrs. H. J. Fryer CC

Mr. D. Jennings CC
Mr. W. Liquorish JP CC
Mr. J. Miah CC
Mr T. Parton CC

In attendance

Mr. R. Blunt CC, Lead Member for Adults and Communities
Dr. K. Feltham CC, Cabinet Support Member
Mrs. D. Taylor CC, Deputy Chairman of the Health Overview and Scrutiny Committee (for Minute Numbers 35 and 37)
Dr. S. Hill CC, Spokesperson of the Health Overview and Scrutiny Committee (for Minute Numbers 35 and 37)
Mr. S. Sheahan CC, Spokesperson of the Children and Families Overview and Scrutiny Committee (for Minute Number 37)

28. Minutes

The minutes of the meeting held on 12 September 2017 were taken as read, confirmed and signed.

29. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

30. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

31. Urgent Items

There were no urgent items for consideration.

32. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

33. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

34. Presentation of Petitions under Standing Order 36.

The Chief Executive reported that no petitions had been received under Standing Order 36.

35. Delayed Transfers of Care

The Committee considered a report of the Director of Adults and Communities concerning Delayed Transfers of Care (DTC). The report outlined:

- i) the new national requirements imposed by NHS England as part of the Better Care Fund (BCF) policy;
- ii) the work undertaken to date by the County Council and local NHS partners to reduce DTC.

A copy of the report, marked 'Agenda Item 8' is filed with these minutes.

A supplementary paper setting out the position on DTCs at the end of September 2017 was circulated at the meeting and a copy is filed with these minutes.

In introducing the report, the Director of Adults and Communities advised that the County Council and all local NHS partners had agreed plans to achieve the NHS target for DTCs by March 2018 and the report and supplementary paper showed that the Plan was on target to deliver early in the new year, before March 2018. NHS England had arbitrarily changed the target date to November 2017. The County Council had reluctantly signed up to this target recognising that achievement of the target by November would be challenging. As yet, it was unclear what penalties would be imposed should the target not be achieved by November.

The Chairman welcomed the Deputy Chairman and Spokesperson of the Health Overview and Scrutiny Committee to the meeting for this item.

In the ensuing discussion, the following points were made:

- The role of the trusted assessors was to avoid duplication and speed up the assessment process. A single individual was nominated by the respective partners and all agreed to abide by the assessors decision. There was a need for more trusted assessors, particularly a person nominated by the private care home sector. Work was ongoing to develop this model.
- The workshops planned for staff, particularly in community settings, were aimed at looking at current practice and identifying issues that delayed discharges. It was hoped that small changes in working practices and processes would improve outcomes.
- Members of the Committee welcomed the report but expressed concern at the position adopted by NHS England which seemed to pay no regard to the circumstances prevailing locally.

RESOLVED:

That the current position with Delayed Transfers of Care be noted.

36. Impact on Adult Social Care of the National Living Wage and Payments to Staff for Sleep-In and Live-In Care

The Committee considered a report of the Director of Adults and Communities advising of the implications of recent developments in how the National Living Wage (NLW) and the former National Minimum Wage (NMW) applied to staff salaries for sleep-in and live-in duties. A copy of the report, marked 'Agenda Item 9' is filed with these minutes.

Members welcomed the report and the fact that the County Council already paid its staff above the NLW. It was also pleasing to note that the Council now required providers to pay the NLW.

In response to questions, members were advised as follows:

- It was possible for staff to be paid under the NLW for sleep-in duties, provided they were paid above the NLW while awake at work and that the two amounts balanced out so that overall the hourly rate was above the NLW.
- This ruling applied to when staff were required to be at specific premises rather than just being on-call. In terms of the effect on a person's pension, the hours worked and therefore paid would be classed as normal working time and therefore the pension contribution would be standard.
- The possibility of having to pay back pay could have a severe impact on a provider. In turn, this could cause a risk to residents of care homes if the provider was unable to pay a large back pay claim and continue to operate. Arrangements would therefore need to be put in place to find alternative accommodation for residents should this occur. A national piece of work had been undertaken around the implications on providers if they were faced with a back pay claim, and the Government had so far issued two guidance documents. Further guidance was awaited.

RESOLVED:

That the report be noted.

37. Draft Leicester, Leicestershire and Rutland Carers Strategy 2018-2021

The Committee considered a joint report of the Director of Adults and Communities, the Director of Children and Family Services and the Director of Public Health on the Draft Leicester, Leicestershire and Rutland Carers Strategy 2018-2021. The Strategy set out the draft strategic priorities relating to unpaid carers of all ages, and was a joint Strategy including all local authorities and CCGs across Leicester, Leicestershire and Rutland (LLR). A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

The Chairman welcomed the Deputy Chairman and Spokesperson of the Health Overview and Scrutiny Committee, and the Spokesperson of the Children and Families Overview and Scrutiny Committee to the meeting for this item.

In introducing the report, the Director of Adults and Communities stated that a formal, public consultation exercise was due to commence in early January 2018. This had recently been approved by the County Council's Cabinet and was subject to approval by all the statutory sector partners. Arising from the discussion, the following points were made:

- Priority 8 in the Strategy (Supporting Young Carers) was aspirational, but it was necessary for the document to be at a high level. More detailed implementation plans had been developed at a lower level. A County Implementation Plan was currently being developed and this would be shared with the Committee once it had been completed. In terms of having a model of best practice, guidance had been received on producing a model Carers Strategy. The National Carers Strategy had still not been launched by the Government and it was stated that it would be some time before this was rolled out. Consultation had taken place with a large number of local carers and their views had been taken into account when producing the Strategy.
- A number of key actions had already been identified to improve the local support offer based on the earlier engagement, and it was agreed that work could commence on these during the consultation period. Once a clear implementation timetable for the Strategy was available, a further report would be presented to the Committee.

RESOLVED:

- (a) That the proposed consultation documentation on the draft Leicester, Leicestershire and Rutland Carers Strategy 2018-2021 be noted;
- (b) That a further report be presented to the Adults and Communities Overview and Scrutiny Committee when a clear implementation timetable for the Strategy is available.

38. Adults and Communities Local Account 2016/17

The Committee considered a report of the Director of Adults and Communities presenting the Adults and Communities Local Account for 2016/17. This was produced to report a local authority's performance, and was presented to the Committee on an annual basis. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

Members welcomed the report. Arising from the discussion, the following points were made:

- Following the Department's self-assessment on performance, two domains had been rated as 'adequate' – ensuring people have a positive experience and supporting carers. Key to informing the self-assessment rating was feedback from service users and carers and the feedback on the two adequate domains had been very mixed.
- It was felt that it would be useful to ascertain whether there were specific groups who felt that the service provided was only adequate. Work was being undertaken to look closely at the information received. However, the survey was anonymous and it was therefore only possible to identify demographics. Feedback on the

survey was made available, and where possible, respondents were asked if they wished to discuss their comments further with the Department.

- A suggestion was made that future reports should have a more detailed analysis of a particular area of service and that feedback and improvement plans could be a feature in the report. The Director undertook to explore this.
- The LLR Carers Strategy questionnaire could be amended to take account of the comments raised in the Local Account.

RESOLVED:

That the Adults and Communities Local Account 2016/17 be noted.

39. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 16 January 2018 at 2.00pm.

2.00 – 3.31pm
14 November 2017

CHAIRMAN