

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 6 September 2021.

PRESENT

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

Mr. M. Frisby CC
Mrs. H. J. Fryer CC
Mr. R. Hills CC

Mr. J. Miah CC
Mr. M. T. Mullaney CC
Mrs. A. Wright CC

In attendance

Mrs. C. M. Radford CC – Cabinet Lead Member for Adults and Communities
Mr. T. Parton CC – Cabinet Support Member
Mr Mukesh Barot – Healthwatch Leicester and Leicestershire

16. Minutes.

The minutes of the meeting held on 7 June 2021 were taken as read, confirmed and signed.

17. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

18. 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).

19. Urgent Items.

There were no urgent items for consideration.

20. Declarations of interest.

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

Mrs. A. Wright CC declared a personal interest in agenda items 8 – 12 (Commissioning and Procurement of Home Care Services, Care Home Quality, Leicestershire and Rutland Safeguarding Adults Board Annual Report 2020-21, Annual Adult Social Care Complaints and Compliments Report 2020-21, and Performance Report for Quarter One 2021-22 (April – June) respectively (minutes 23 - 27 refer) as she was a health and social care solicitor working for Browne Jacobson in the area and a champion for a local social care organisation.

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

There were no declarations of the party whip.

22. Presentation of Petitions under Standing Order 35.

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

23. Commissioning and Procurement of Home Care Services.

The Committee considered a report of the Director of Adults and Communities which provided an update on progress made on the procurement of home care services following notifications to award. A copy of the report marked 'Agenda Item 8', is filed with these minutes.

Arising from discussion the following points were made:

- (i) In response to a question raised, the Director clarified that in accordance with normal practice and due to legal restrictions around information sharing and the need to retain commercial confidentiality it had not been possible for the outcome of the tendering exercise to be brought to the Committee before the process was complete. The Committee was reminded that it had received a report before the tender process began which set out the Council's expectations for the exercise and which the Committee had supported.
- (ii) Members questioned what the Department's contingency plans were if providers in the zones with the lowest levels of coverage were unable to take on extra work if required. It was confirmed that, in this event, approaching providers outside of these zones may need to be considered. The zones with the lowest levels of coverage were those areas where it had previously been difficult to secure providers. The new rates reflected differences in the cost for care between rural and urban areas. However, based on the information provided by the contracted providers during the tender process the Director provided assurance that there was general confidence that coverage levels across the County would be sufficient, though the situation would be monitored over time. Members were pleased to note that conditions had also been factored into the new Framework that allowed the Council to consider inviting new bids should this be required in future.
- (iii) Members were reassured that ensuring care providers had adequate levels of staffing to meet service requirements was a key priority. Conversations between the Department and providers to manage sector wide issues around the recruitment and retention of staff were ongoing. In the case of long-term recruitment issues, the Department's Inspired to Care team would also continue to offer specific support to providers. In the event that a provider failed to maintain sufficient workforce levels leading them to withdraw from the Framework, other providers would be asked to cover. However, the potential to re-open the Framework in later months to invite new bids would mitigate the risks arising from such an event.

- (iv) In response to a member's comments around ensuring a smooth transition between the current and new framework, assurance was provided that resources had been dedicated to managing this process which it was acknowledged would be significant given the large number of providers involved. The Director confirmed that the Department would be working closely with all current and exiting providers to minimise any disruption for those in receipt of care. This would include conversations with some providers that had not met all of the criteria to join the new Framework that the Council was likely to continue working with for people currently supported. For example, to enable contracts to be extended where appropriate over the transition period, or to support exiting providers wanting to continue to work with the Council to meet the requirements to join the new Framework imminently or at a later stage.
- (v) The Committee requested that a further report be provided at a future meeting to give an update following the transition from the current to the new Home Care for Leicestershire framework to ensure the implementation of the new service had progressed as planned.

RESOLVED:

- (a) That the update regarding the Commissioning and Procurement of Home Care Services be noted.
- (b) That a further report be provided at a future meeting following the implementation of the new Home Care for Leicestershire framework.

24. Care Home Quality.

The Committee considered a report of the Director of Adults and Communities which provided an overview of quality for care homes in Leicestershire and described how the local authority supported care home providers to sustain safe care, and to develop the quality of care. A copy of the report marked 'Agenda Item 9', is filed with these minutes.

Arising from discussion the following points were raised:

- (i) In reference to the numbers of adult social care providers in Leicestershire prior to the Covid-19 pandemic, it was clarified that these related to services registered with the Care Quality Commission (CQC) and the reasons why registered care homes could be non-operational usually reflected provider position e.g. resulting from a business change.
- (ii) In response to a question raised, the Director confirmed that as part of its mobilisation work, the Department was reaching out to care home providers to confirm their position on Covid-19 vaccinations for staff to ensure readiness for when the Regulations, requiring everyone working in care homes to be fully vaccinated, came into effect.
- (iii) Concern was raised that the regulations requiring everyone working in care homes to be fully vaccinated against Covid-19 would put additional stress on care homes at an already very difficult time. It was queried how a potential reduction in staffing levels as a result of people choosing not to be vaccinated would be managed. The Director advised that Leicestershire's position was generally positive with high

levels of vaccine uptake from residents and County Council staff. However, inevitably there would be a proportion of staff who would choose not to get vaccinated and therefore be required to make choices about their future employment. Assurance was provided that the Department was doing all it could to support care home providers and working with them on their plans to mitigate the risks. A risk rating had been given to each care home to identify where specific support was needed. The regulations also affected other organisations such as the NHS that deployed staff into care homes, so the Department was also working closely with its partner organisations across Leicester, Leicestershire and Rutland to encourage staff across the health and social care sector to get vaccinated. The last date for care home workers to get their first dose of the vaccine was 16 September, so it was expected the local picture would become clearer once this milestone had been reached.

- (iv) The Director clarified that the quality position of adult social care providers in Leicestershire as referenced in the report provided details of the current position only and so was subject to change if CQC ratings changed in future. Members requested that periodic updates be provided to keep them informed of the situation and any impact on care market sustainability as the Director considered appropriate. Members noted that during the Covid-19 pandemic, the CQC had not been able to carry out inspections of care providers in the usual way so this would have caused a number of new providers to be graded as 'unrated' for a period of time.
- (v) All new providers joining the new Home Care for Leicestershire Framework had been required to demonstrate they were registered with the CQC and specific elements had been built into the Framework to ensure that the providers signing up were in an acceptable position where quality was concerned.
- (vi) Members noted that whilst the increased cost pressures of £14m during the current financial year had reduced to £13m, greater savings still needed to be made. The Director reported that an Action Plan had been put in place to understand the reasons for and to manage the increased cost pressures. Members were pleased to hear that regular Departmental meetings were taking place to review and monitor actions and adapt the Plan as necessary to keep costs under control so far as possible. It was expected that pre-pandemic spending levels would not return for some time, but the situation was expected to become more balanced in the medium-term.
- (vii) A Member who represented electoral divisions in the Hinckley area commented that whilst the percentage of care homes in Leicestershire rated by the CQC as inadequate was positively low, unfortunately a care home in Hinckley had recently fallen into this category. The support being given to this home to avoid closure was questioned. The Director provided assurance that a triangulation of work was being undertaken between the Council, the service provider and the CQC to help improve the rating. It was noted that the provider had a responsibility to put in place a quality improvement plan to set out the ways it planned to address the issues identified by the CQC. The situation would be monitored and kept under review until the rating improved. Members noted that the Council's Quality and Contracts Team also worked closely with the CQC to address particular concerns with care homes. The risk ratings the Council attributed to the care homes were also helpful in identifying the correct level of oversight and intervention that needed to be given.

- (viii) The CQC's new strategy was expected to change the way the Council was required to give assurance of its own processes and practices in a whole range of areas including commissioning. Details of the CQC's approach to implementation were still in development making it difficult for the Department to plan with much certainty, but testing was expected to be carried out by the CQC over the course of this year prior to the Strategy becoming fully operational. It was anticipated that elements of the Strategy may also affect certain work being undertaken regionally. For example, Commissioning was an area that had been identified as requiring a much greater level of focus and a situation the Department would be monitoring over time with CQC involvement.

RESOLVED:

That the update on Care Home Quality, be welcomed, and the recommendation to undertake a review of care home fees for implementation in April 2023, be supported.

25. Leicestershire and Rutland Safeguarding Adults Board Annual Report 2020/21.

The Committee considered a report of the Director of Adults and Communities which sought the views of the Committee on the draft Annual Report of the Leicestershire and Rutland Safeguarding Adults Board (LRSAB) for 2020-21. A copy of the report marked 'Agenda Item 10', is filed with these minutes.

RESOLVED:

That the Annual Report of the Leicestershire and Rutland Safeguarding Adults Board be welcomed.

26. Annual Adult Social Care Complaints and Compliments Report 2020-21.

The Committee considered a report of the Director of Adults and Communities which provided a summary of the complaints and compliments for adult social care services commissioned or provided by the Adults and Communities Department in 2020-21. A copy of the report marked 'Agenda Item 11', is filed with these minutes.

Arising from discussion the following points were raised:

- (i) Detailed analysis was usually undertaken into the causes of complaints. The complaint themes used by the Council mirrored the Local Government and Social Care Ombudsman classifications which covered a whole range of areas such as accuracy, information report gathering and times of carers calls. The analysis helped to determine whether the complaint was related to a one-off incident e.g. an error by an individual, or wider work or training needed to be undertaken. Conclusions from the analysis were usually coded on the Council's system to confirm whether the matter had been resolved or further work/learning was required organisationally.
- (ii) In response to a query, the Director undertook to verify the complaint figures in paragraph 16 of the report.

[Subsequent to the meeting, officers verified the complaint figures in paragraph 16 of the report to be accurate.]

RESOLVED:

That the Annual Adult Social Care Complaints and Compliments Report for 2020-21 be noted.

27. Performance Report for Quarter One 2021-22 (April - June).

The Committee considered a joint report of the Chief Executive and Director of Adults and Communities which provided an update of the Adults and Communities Department's performance during the first quarter (April to June) of 2021-22. A copy of the report marked 'Agenda Item 12', is filed with these minutes.

Arising from discussion the following points arose:

- (i) The reasons for the large number of admissions to residential or nursing care during the reporting period were to be investigated. It was expected that the challenges brought on by the Covid-19 pandemic may have played a part, but there were also other factors that were likely to have contributed such as irregularities caused by workers inputting new clients into the Department's database and the fact that there were more complex cases being discharged from hospital. It was confirmed that the full outcome of the investigation that officers were due to undertake would be reported to the Committee as part of the next update on the Department's performance.
- (ii) Ensuring local libraries were family friendly was one of the Department's strategic aims and therefore a significant proportion of its resources was invested in children's book loans. Prior to the Covid-19 pandemic, the numbers of children's book loans had been reasonably positive and either remained stable or improved where numbers in some other areas of the country had fallen. In response to a member's request, the Director undertook to include a breakdown of the e-book loan figure into adult and junior loans and a summary analysis in the next performance report to the Committee to give an indication on whether an increase in e-book loan activity had had any impact on children's reading levels. The Cabinet Lead Member commented that the children's reading scheme that usually took place in the summer school holidays had recently gone ahead in the form of e-loans and the take up had been positive.

RESOLVED:

- (a) That the Adults and Communities Department's performance for the period during the first quarter of 2021-22 (April to June) be noted.
- (b) That the Director of Adults and Communities be requested to include details in the next performance report to the Committee to give an indication on whether an increase in e-book loan activity has had any impact on children's reading levels.

28. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 1 November 2021 at 2.00pm.

2.00 – 3.58pm
6 September 2021

CHAIRMAN