

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 6 November 2023.

PRESENT

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

Mr. G. A. Boulter CC
Mr. B. Champion CC
Mr. J. G. Coxon CC

Mr. L. Hadji-Nikolaou CC
Ms. Betty Newton CC
Mr. L. Phillimore CC

In attendance

Mrs. C. Radford CC – Cabinet Lead Member for Adults and Communities
Mr. T. Parton CC – Cabinet Support Member

31. Minutes.

The minutes of the meeting held on 4 September 2023 were taken as read, confirmed and signed.

32. Question Time.

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

33. 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).

34. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

35. 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.

All Members of the committee who were also members of a district council (excluding Charnwood Borough Council) declared an Other Registerable Interest in agenda item 11 (Lightbulb Service Business Case), as the Lightbulb Service operated across all those districts.

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

There were no declarations of the party whip.

37. Presentation of Petitions under Standing Order 35.

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

38. Care Home Sustainability and Quality Report.

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide an update on market sustainability, with a focus on the older adult residential care market and the nursing care market. The report also provided an update on quality in the residential and nursing care markets. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion the following points were made:

- i. A Member questioned what more could be done to improve Leicestershire's rating to move it from the third quartile in terms of the number of care homes rated 'Outstanding' or 'Good' when compared to the national average. The Director commented that the Authority worked with regional colleagues and national networks to identify best practice elsewhere. It was also noted there was a wide range of complex variables in the East Midlands when compared nationally, but the Authority would continue to ensure providers were well supported and would assist in the development of provider improvement strategies to ensure Leicestershire residents were receiving a quality service.
- ii. The Committee noted that Leicestershire had 133 care homes and 36 nursing homes, and of the 79.6% rated as Outstanding or Good, most were nursing homes.
- iii. A Member questioned if using block contracts could be more beneficial to the Authority. Officers confirmed this option was being explored, and discussions were being held with other authorities that used this approach, to determine the best way forward. The aim of block contracts would be to gain beneficial rates and provide certainty over capacity for people over the difficult winter months and beyond. The Department would need to move forward cautiously to ensure this was achieved.
- iv. A Member questioned if the block contracts would only given to care homes rated as Outstanding, as an incentive to bring others up to that level. The Director confirmed that the upper end of the market would be targeted but only a small proportion of homes were rated as Outstanding and therefore it might not be possible to set this as a key criteria. The Director provided assurance that the priority would be to provide a quality service. Work to look at individual bidders through the contract and quality team was therefore undertaken to properly understand how good homes were at any given point in time, noting that some homes might be rated as good or outstanding, but had potentially not been revisited by the CQC for a long time.
- v. A Member referenced the recruitment challenges faced across the sector and questioned what the position was currently in Leicestershire. Officers reported there were still recruitment and retention challenges, and there had recently been a report issued from Government on the state of the workforce for the country overall. It was noted that international recruitment had been used by Leicestershire providers increasingly over the past couple of years, more so for home care rather than care

homes, with some sponsored staff working within care home environments. It was further noted there were more men starting to work in adult social care which was positive. There remained increasing challenges, however around an ageing workforce.

The Chair thanked officers for the report and commented that having visited some Leicestershire care homes when joining the Committee, he had been reassured as to the standard of service provided. The Chair suggested that if newer Members of the Committee wished to similarly undertake a visit of some of Leicestershire's care homes that they should first contact the Director through the Democratic Services Team.

RESOLVED:

That the Care Home Sustainability and Quality report be noted.

39. Managing Demand in Adult Social Care.

The Committee considered a report of the Director of Adult Social Care which provided an update on the current demand pressures faced by the Council's Adults and Communities Department, including people waiting for care and support. It also provided an overview of the Adults and Communities Demand Management Programme, and an update on the position of managing demand in October 2023. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points and questions arose:

- i. A Member queried if the service was able to manage the forecasted 3% growth in service users. The Director reported that as well as an increase in demand there had also been an increase in dependency since the Covid 19 pandemic, as well as extra needs for people being looked after in the community for longer. The cost of home care and residential care had also increased and officers were seeing more court work, with more mental capacity and deprivation of liberty cases coming forward. The result of this was that people might have to wait longer for their care packages to be put in place.
- ii. Members questioned and were reassured about the training and support provided to adult social care staff. The Director confirmed that the Department was fortunate to have three qualified lead practitioners who supported staff with their professional development, to ensure they were able to keep up with professional registrations through training, and with twice yearly professional development days to focus on particular areas, such as new legislation. Members were pleased to note that unqualified staff also received the same level of training and career development day opportunities.
- iii. A Member questioned of the 6% growth in Home Care client numbers, how much was a result of Covid-19 exacerbating existing and new health issues. The Director reported that there were a number of factors at play. These included people living for longer and therefore continuing to require care for longer. Also, the number of people leaving hospital and requiring a social care assessment had increased, with the proportion going on to receive a service doubling in number. People were also requiring treatment for longer, and there appeared to be a higher level of need with people not recovering as quickly, which also led to higher packages of care.

- iv. It was recognised that people who received home care and did not recover in the first twelve weeks were more likely to become dependent on the service. This was being addressed by early reviews being undertaken within that period to determine if people were able to regain their independence and services reduced.
- v. In response to a Members' question, the Director reported that people in the 18 to 65 age range were receiving support earlier and there was a growing expectation that Adult Social Care would become involved earlier, particularly to help young people move towards more independent living. It was further noted that the service was seeing an increase in those suffering from early onset dementia, which was now presenting in the 60+ age range (previously only seen in those of 70 – 80 years plus), resulting in more younger 'older' people entering the system than before.
- vi. It was noted that the Medium-Term Financial Strategy (MTFS) to be presented to Cabinet in December would be based on growth figures and pressures as at September / October 2023. Current figures around demand management work which would be available in November / December 2023 could not therefore be captured. Discussions were being held with the finance team on how best to address this within the forthcoming budget.

RESOLVED:

That the report on Managing Demand in Adult Social Care be noted.

40. Charging for Social Care and Policy Support.

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide information on proposed changes to be made to the Council's Charging for Social Care and Support Policy to be presented at Cabinet for consideration at its meeting on 24 November 2023 and, subject to its approval, would be the subject of a formal public consultation exercise. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

In introducing the report, the Director informed Members that, following consultation, the final revised Policy would be presented to Cabinet for approval in the New Year but, to ensure this could be implemented by April 2024, it might not be possible for a further update to be brought back to this Committee ahead of that meeting. The Director therefore undertook to keep the Committee updated separately.

Arising from discussion, the following points were made:

- i. The changes to the Policy were mainly to provide clarification of wording, and no changes had been made to charging rates and statutory thresholds.
- ii. Looking forward there would be an amendment to how couples were assessed to ensure the position of a person's partner was more protected. This would replace a complex couple's adjustment that currently had to be made.
- iii. A Member questioned whether property owned abroad for the purposes of meeting the threshold of £23,250 was taken into account and should therefore be referenced in the Policy. Officers undertook to check and amend the Policy as necessary to ensure this was captured. It was noted that for a person seeking residential care, any property abroad would count towards the threshold and if met, a person would

become a self-funder for care, with a 12-week disregard period applied for a person to fund their own care. If a person was looking for a non-residential service, the value of the home a person lived in as their main residence did not dictate eligibility. However, it was noted that every assessment was undertaken individually as each persons' circumstances were different.

- iv. A Member questioned how much was owing to the County Council as a result of people receiving care, but the cost of that care not becoming payable until their demise and their assets sold, and if there was a percentage of that money owed at risk. The Director reported that there was a large amount of debt owed to the Authority in various forms such as held debt, payment pending, and some in mitigation. This was held as a corporate debt that went into the corporate account and reserves. The Director did not have the exact figures but undertook to provide these outside the meeting.

RESOLVED:

- a) That the report on proposed changes to the Council's Charging for Social Care and Support Policy be noted and supported.
- b) That the Director of Adults and Communities be requested to check that property owned abroad for the purposes of meeting the threshold for residential care was taken into account and to amend the Policy as necessary to make reference to this.

[Subsequent to the meeting, the Director of Adults and Communities confirmed that capital could include property and land in the UK or abroad and appropriate reference has now been made in the Policy to address this as requested by the Committee.]

41. Lightbulb Service Business Case

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to advise the Committee of a review of the Lightbulb Service and to present options for development of the Service over the two years from April 2024 to April 2026. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion, the following points arose:

- i. Members welcomed the report and were supportive of option 3 that recommended minor adaptations be transferred from the County Council to the core Lightbulb model, with all district councils engaged.
- ii. Members noted Lightbulb was the most efficient use of money, expertise and resource to make people's lives better, and was an exemplar of how district and County councils should work together for the benefit of all residents of Leicestershire.
- iii. Members urged Charnwood Borough Council to fully join the Lightbulb Service, and commented that the current position was unsustainable as this had significant cost implications for the County Council and disadvantaged Charnwood residents.
- iv. A Member questioned if there was an opportunity to seek to amend the rules preventing capital funding being used to meet revenue costs, and vice versa. It was suggested that the Cabinet could make representation to Government to seek more flexibility when using funding to adapt residents' homes.

RESOLVED:

- a) That the report on the Lightbulb Service Business Case be noted and welcomed;
- b) That the Cabinet be advised that the Committee unanimously supported Option 3: All in, as the preferred approach;
- c) That the Cabinet be asked to make representations to Government seeking a change in the rules to allow for more flexibility in how local authorities could use Disabled Facilities Grants (DFGs) monies to better support residents.

42. Update on Archives, Collections and Learning Centre.

The Committee considered a report of the Director of Adults and Communities which provided an update and sought the views of the Committee on the work undertaken to develop an Archives, Collections and Learning (ACL) Centre. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

In presenting the report, the Director provided the following additional information:

- i. Current buildings occupied were the collections and resources centre at Barrow which was leased by the County Council at around £50,00 per annum. Also the Sherrier Centre at Lutterworth, and the Records Office in Wigston which were owned by the County Council as was an industrial unit in Coalville and a unit at Riverside Court in Measham, all of which could be commercially leased or sold to bring in income if no longer required.
- ii. Some of the leased sites when vacated would have some dilapidation costs, the figures for which were currently being considered, and would be at cost to the Council at some stage. The Director reported that the condition surveys on those buildings had estimated maintenance costs of around £3million over the next three to five years, with £1.5million of those sitting within the priority one and priority two areas, which meant such costs would potentially be avoided if the new ACL centre was progressed.
- iii. It was not currently possible to quantify the running costs of the new ACL centre, but the building was being designed to be efficient and sustainable.
- iv. In terms of next steps, additional investment was required to develop the project through the RIBA stages. This would be put forward for consideration as part of the capital programme. This would represent a major capital commitment at a time of significant financial challenge for the Authority, but offered an ongoing long-term solution to what had been a significant challenge in terms of the Council's commitment to care for and make available the cultural and historical heritage and records of Leicester, Leicestershire and Rutland.

Arising from discussion, the following points arose:

- (i) In response to a Member question it was explained that the National Archives advice was to plan for capacity for a period up to 25 years. This had therefore been used as the basis for the proposals. Any additional space built over and above this would

significantly increase cost.

- (ii) It was difficult to estimate what storage capacity would be required during the 25 years, but this had been done based on previous years' intake. Members noted that capacity had only been factored in for Record Office collections, not museum's collections, as there was no statutory requirement for the Council to provide for this.
- (iii) Members noted that it was a legal requirement for the Council to house records and to ensure these were appropriately stored and cared for. A Member suggested that the cost of inaction and losing accreditation would be significant financially and reputationally and in light of such risks, and to prevent further increases in costs, delivery of the new ACL centre should be brought forward if possible.
- (iv) Members suggested that the City and Rutland Councils should be approached for an early response as to whether they would be involved and contribute towards the proposed new centre.
- (v) In response to a Members' question, the Director reported that the scheme would have such a large capital cost, the Council had tried to exhaust all possibilities and alternatives. However, the development of the new centre appeared to be the only option if the Council wanted to continue to deliver all of the elements within the Hub and maintain its accreditation.
- (vi) Members noted that a lot of the collections had been gifted to the Council, and although it was sometimes prudent to look at alternative locations for some of its collections, it had a duty to the people of Leicestershire to maintain some of their heritage and make it available to them.

RESOLVED:

- a) That the update report on Archives, Collections and Learning Centre be noted and welcomed;
- b) That the Cabinet be advised that the Committee unanimously supported the proposals for the new Centre, but suggested that the project commence at the earliest possible stage to enable savings on leased and owned buildings to be made.

43. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 22 January 2023 at 2.00pm.

2.00pm to 3.36pm
06 November 2023

CHAIRMAN