

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 4 March 2024.

PRESENT

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

Mr. G. A. Boulter CC
Mr. B. Champion CC
Mr. N. Chapman CC

Mr. L. Hadji-Nikolaou CC
Mr. B. Lovegrove CC
Mr. J. Miah CC

In attendance

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

57. Minutes.

The minutes of the meeting held on 22 January 2024 were taken as read, confirmed and signed.

58. Question Time.

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

59. 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).

60. Urgent items.

There were no urgent items for consideration.

61. 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.

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

There were no declarations of the party whip.

63. Presentation of Petitions under Standing Order 35.

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

64. CQC Assessment of Local Authorities.

The Committee considered a report of the Director of Adults and Communities which provided a summary of the latest guidance from the Care Quality Commission (CQC) regarding the assessment process and feedback from the pilot inspections which were undertaken during the summer of 2023, and the latest versions of the Department's Self-Assessment and Improvement Plan. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion the following points were made:

- i. Members questioned how people on the waiting list were to be kept informed of any changes to their situations. The Director reported that there was a waiting list practice guidance and policy which required managers within the Department to review people waiting for assessment on a weekly basis, to see if there was any change in their needs, which helped to prioritise a person's position on the waiting list and ensured risks were managed. Over the period of six to nine months since this guidance was adopted, waiting lists had dropped by half as people were being seen more quickly and risks managed in a cohesive way.
- ii. The Director provided information on Impact, an organisation hosted and sponsored by the University of Birmingham which provided national research on social care, and which was looking across the East Midlands at people's waiting experience. The County Council was working with Impact to look at other ways of managing risk around waiting to ensure people had the best experience, and to consider what could be done to improve their experience and that of carers and families.
- iii. Members queried where the Director thought the County Council would stand in the CQC ratings when looking at the results of the CQC pilot scheme. The Director reported that he had no doubt that from a practice, strategic and policy perspective the Council would be rated a strong 'Good'. However, the feedback from the annual user survey and bi-annual carer survey, including ease of accessing information, or how much social contact people had, placed a lot of the Council's key performance indicators in the bottom two quartiles. This moved the Council to being on the cusp of 'Requires Improvement' to 'Good'. It was noted that the CQC placed a lot of weight on what people told them and would not assess any authority as excellent if they did not have good user survey results.
- iv. Members asked if an action plan was in place to reshape the thinking of customers in preparation for the CQC inspection. The Director reported that the two main areas of complaint and frustration related firstly contact, either with customer services and long telephone waiting times, or social contact, and secondly financial assessment outcomes and charging. Whilst work had been undertaken to address these issues, the area of social contact was a difficult one to address. Work was planned with the community and voluntary sector to support the Council in this area. However, the Director explained that the Council did not provide or commission as much social support as other councils, as it did not have the same level of funding to support this. A Member suggested that the Department could send a generic email every few months to find out how people were doing. This would help provide some assurance

to people that the Council was keeping in touch and monitoring their support needs at no cost to the Council. The Director agreed that this was a good suggestion, and that conversations could also be held with people who provided care to see if they too could have those same conversations. The Director undertook to consider the proposal further.

- v. Members noted the learning points and considerations for Leicestershire set out in the report and asked how they would be addressed and incorporated into the Improvement Plan. Members requested that the Director provide a short update on this to a future meeting of the Committee. Members also requested that the Director provide six-monthly update reports in future to ensure it could be seen by the CQC that matters were being kept under review at a member level.
- vi. Members queried if the CQC had to take into consideration the amount of funding the Council received for social care and how it was prioritised. The Director responded that there were legislative requirements and regardless of how much funding or resources were available, the CQC would assess each council on the same basis. However, the CQC were now allowing authorities prior to the assessment process to provide some context to allow authorities to go over things, such as, fair funding.

RESOLVED:

- a) That the report on the CQC Assessment of Local Authorities, and latest versions of the Department's Self-Assessment and Improvement Plan be noted and welcomed.
- b) That the Director be requested to:
 - (i) consider the introduction of a standard process for contacting people on a more regular basis by email to provide assurance that the Council was keeping in touch regarding their care in between the annual review process.
 - (ii) bring a report to a future meeting of the Committee on how the learning points and considerations for Leicestershire will be incorporated into the Improvement Plan.
 - (iii) bring regular six-monthly update reports to the Committee on progress.

65. Review of the Social Care Investment Programme (SCIP).

The Committee considered a report of the Director of Adults and Communities which invited the Committee to comments on the findings and recommendations following a recent review of the Council's Social Care Investment Programme (SCIP) and set out how the outcome of the review would impact on the focus of the Programme going forward. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion the following points were made:

- i. In response to a Member's query, the Director reported that 78 individual placements had been supported and savings of £480,000 (£6,000 per person) had been made through the SCIP. On average around £1,500 per week was spent on a residential care placement for clients. Supported Living could potentially be provided at around £100 to £200 cheaper with some exceptions. The Director added that it was better to

use capital money to invest where a revenue saving could be made, whilst improving the quality of life for people.

- ii. Members questioned if there was still a demand for the places that would be developed, and asked how, with the current cost of living, the people being targeted to live in them would be able to afford to do so. The Director replied that there were largely two elements to the programme; firstly supported living for people of working age, and extra care for people aged 55years plus. With the former, there were people known to the Council who wanted to move into independent living, with over 300 people living in 24-hour care who no longer needed to be there, and with another 70 properties available over the next two years for which there was no doubt would be fully utilised.
- iii. With regards to extra care provision, Leicestershire had fewer beds than other areas, and was not really seen as a real alternative to long-term care in Leicestershire, whereas in other authority areas it was. The Director reported that work with the wider population and staff internally was needed, to ensure people knew about the benefits extra care could bring. With regards to costs, it was noted people living in extra care might receive enhanced levels of Housing Benefit to cover some of the extra elements of care received, whilst also having a better quality of life. However, there were pros and cons to each way of living, whether residential or extra care, and it was an individual decision with each person assessed on an individual basis as to what would suit them best.
- iv. Members saw the positivity of developing extra care facilities but questioned the feasibility of being able to deliver the SCIP in the current economic climate, such as, increased cost of materials. The Director reported there would be a refresh of the investment prospectus in consultation with district councils who had control of local plans. This set out the supply and demand needs of what was required across Leicestershire over the next five to 20 years with regarding to extra care housing. It was noted that a new piece of legislation was expected to come into force which required district and county councils to have a duty to cooperate in assessing the need for supported accommodation in each district, and this would have to feature within local plans.
- v. Members were informed that whilst there were some very good modern facilities in Leicestershire, there was some older provision which was not quite so good, and some areas where there was little or no supply of extra care accommodation. The Director informed Members that there were three sites currently being considered for development; two sites were in North West Leicestershire and Hinckley and Bosworth which were Council owned, and one in Melton where a site had been sold to a private developer. It was noted that most developers sought contributions from the Council towards costs (land / capital), as this helped them to secure additional funding from Homes England and other organisations or lenders. In return the Council would seek to secure the right to nominate people to go into such accommodations.
- vi. In response to a Member's query, it was noted that one Strategic Landlord was commissioned to look after developments delivered by SCIP (Nottingham Community Housing Association (NHCA)), but moving forward would be open to different developers. It was noted the NCHA was used as strategic landlord which acted on behalf of the County Council (which was not a housing authority), to manage the Council's properties on its behalf. The Director reported the Council would invite bids from developers wanting to develop extra care services and would be chosen on best

business case. With the increase in housing development, it was expected with some of the bigger developments part of the Section 106 monies or part of the Community Infrastructure Levy (CIL) for social housing that extra care would be seen as part of that.

- vii. Members welcomed the report, and commented that as a two-tier authority, in order to have collaborative working, the setting up of a housing group, including the planning authorities responsible for local plans, might be key to moving forward. Working in partnership was necessary to get the right housing in the right place, and to leverage Section 106 and CIL monies where possible. Members requested that the Director consider as part of the review the inclusion of an additional recommendation to reflect this.

RESOLVED:

- a) That the report on the Review of the Social Care Investment Programme (SCIP) be noted and welcomed.
- b) That the Director of Adults and Communities be requested to consider as part of the review the inclusion of an additional recommendation to work in partnership with district councils as the local planning authorities, to ensure appropriate housing was being delivered in the right locations, and Section 106 developer contributions were being secured to support delivery of the Programme.

66. Nursing Care Provision in Leicestershire.

The Committee considered a report of the Director of Adults and Communities which provided an update on the current position of nursing care provision in Leicestershire. The report also provided an update on the work with Leicester, Leicestershire and Rutland (LLR) Integrated Care Board (ICB) on funding levels in Leicestershire for people with complex care needs. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion the following points were made:

- i. Members considered the position that the lack of nursing home beds had on the NHS and on people waiting to leave hospital, which in turn caused delays for people waiting for treatments. Members considered the provision of nursing homes to be of paramount importance and questioned how the situation could be improved. The Director reported that the Council had been in discussions with NHS colleagues to try and address this. The nursing care market was not as robust as it should be in Leicestershire which in turn impacted on the overall provision of health care and the flow of people through different health and care services. It was noted that funding was a critical factor.
- ii. Members heard that occasionally the Council would hear of an upcoming care development and would have strategic conversations with providers to drive this forward where possible. However, independent providers would look at the level of funding available for care in Leicestershire, and more than likely invest elsewhere for a better return on investment. They would also usually target the residential or self-funder market which were more profitable. This was a significant issue for the Authority which had previously been on the verge of running out of nursing beds. The

position had since stabilised with two new nursing care developments being established in Leicester City.

- iii. Members commented that the low level of funding received by the County Council was stark and were particularly concerned about the low funding received for end of life care. It called upon the ICB to urgently review the position and questioned why it was considered appropriate that the funding provided to LLR should be so much lower than anywhere else in the country. Members strongly supported the Director and Cabinet colleagues in its attempts to raise the level funding received, commenting that residents of Leicester, Leicestershire and Rutland were being highly disadvantaged compared to neighbouring counties.
- iv. Members questioned how the five nursing homes in the County rated as 'Requires Improvement' could be brought up to a 'Good' standard. The Director reported that the Quality and Improvement Team worked with providers to develop action plans through visits, checks and ongoing support to get the rating level uplifted.

RESOLVED:

- a) That the report on Nursing Care Provision in Leicestershire be noted with concern.
- b) That it be noted that the Committee supported the Director of Adults and Communities and the Cabinet in its approach to secure appropriate funding for nursing care services and in particular to redress the low level of funding for end-of-life care which severely disadvantaged residents living in Leicestershire.

67. Update on the Archives, Collection and Learning Centre.

The Committee considered a report of the Director of Adults and Communities which provided an update on developments and sought the views of the Committee on options relating to the Archives, Collections and Learning (ACL) Centre. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion the following points were made:

- i. Members expressed disappointment that the original proposal to build the ACL Centre would no longer proceed due to the County Council's challenging financial position and current budget gap. Members queried if, as an alternative, other parts of County Hall could be utilised through the Ways of Working Programme, or if non-performing assets could be sold to fund the new centre.
- ii. Members noted that the current capital value of the Record Office in Wigston was around £950,000. However, the cost of maintenance works required to be undertaken to the building was estimated to be just over £1.7million. This was based on a recent assessment of the condition of the building and covered works necessary to the heating and ventilation systems, windows, floor loading and access to the building. These works were essential and needed to take place over the next one to three years. Members commented with concern that investing in such maintenance works would cost the Authority more than the building was worth, noting that strong rooms were expensive and not very practical for other types of use, and so would not increase the value of the site.

- iii. Members noted a new archive could not be built in stages, but had to be built as one unit, and with the cost of building this part of the centre would be £20million of a £30million total cost estimate, none of the partners had the capital necessary to progress this further. The remaining £10million was for a museum store, the cost of which would be met by the County Council.
- iv. Members queried if the County Council was coming close to losing its accreditation, and if it did, what the anticipated cost to the Council would be. The Director responded that the cost to the Council was not known. Useful, open discussions had been held with The National Archives (TNA), and they had been appreciative of the honesty around the challenges faced by the partners. However, their principal concern was the care of the public record, with maintenance of the building being one issue. Another problem in terms of accreditation was no expansion space and records in non-compliant storage which would not be addressed even if the £1.7million was invested in the current site. Members noted there was a possible risk would be that TNA could make provision to ensure records were kept in compliant storage and recharge the costs of doing so.
- v. Work was ongoing to look at the procurement of external archive compliant storage which would meet accreditation requirements, as well as investment into the existing building. However, whilst there would be access to collections for statutory purposes such as subject access requests, there would be a challenge with provision of public access to collections if stored elsewhere.
- vi. Members asked if records could be split and those belonging to Leicester City and Rutland returned in order to free up space for the records for Leicestershire. The Director reported the LLR partnership had been in place since before Local Authority Reorganisation in 1997, and many records pertained to the whole area, such as, diocesan records and regimental records which could not be separated. It therefore made sense to continue to have a LLR records office. Furthermore, this would be a big piece of work to go through all the records which were substantial. It would also have a large revenue implication, including the running of three records offices. This option had therefore been identified as not desirable for any of the partners involved.
- vii. In response to a query from Members, the Director reported that the LLR partnership agreement was a historic document, based on revenue contribution and covered all of the revenue costs associated with the running of the records office, including staff. However, the agreement did not include for capital development. However, such costs would be split in line with the same formula as was applied to revenue contributions.
- viii. The contribution towards the £1.7million maintenance investment to update the records office would be 55% by the County Council, 35% by the City Council and 10% by Rutland Council. The same would be expected for contributions from partners for the new archive centre if that went ahead.
- ix. Members raised concerns that by not proceeding with the new ACL Centre the Council would be at risk in the longer term of incurring greater costs, including the added cost to hire specialist storage elsewhere which was non-returnable money, as well as risking losing its accreditation.

- x. Members commented that there was not enough detail contained in the report which addressed the issues now raised and therefore did not allow them to reach a fully informed view regarding the options now presented. It was suggested that the solutions put forward did not appear to solve either the current or long-term problems faced, in particular with regard to the records office and the Council's future accreditation. It was suggested that holding a separate workshop to consider this in more detail would be helpful and members requested that the Director organise this in advance of its next meeting. The outcome of the workshop to be presented for further consideration to the next meeting of the Committee.
- xi. Members asked that future reports address separately archive collections held by the Record Office for Leicester, Leicestershire and Rutland (ROLLR), and those that related to the County Council only, for example, museum collections.

RESOLVED:

- a) That the report on the Update on the Archives, Collection and Learning (ACL) Centre be noted.
- b) That an Adults and Communities Overview and Scrutiny Committee workshop be held to consider in more depth the Archives, Collection and Learning Centre and future delivery options as set out in the report, the outcome of which to be reported to the Committee in June.

68. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 3 June at 2.00pm.

2.00pm to 3.55pm
04 March 2024

CHAIRMAN