

ADULT AND COMMUNITY SERVICES POLICY DEVELOPMENT GROUP

MEETING, 3RD FEBRUARY, 2010

Present – Councillors Greenhalgh, Hall, Kay, R. Ronson and Sherrington.

Also in Attendance

Mr. A. Kilpatrick	-	Chief Officer for Health and Social Care
Mr. A. Scott	-	Policy Accountant
Mrs. V. Ridge	-	Principal Democratic Services Officer

Apologies for absence were submitted on behalf on Councillors L. Byrne, Clare and Morgan.

27. APPOINTMENT OF CHAIRMAN

That, in the absence of the Chairman and Vice-Chairman, Councillor Sherrington be appointed Chairman for the purposes of this meeting only.

Councillor Sherrington here took the Chair.

28. MINUTES

The minutes of the proceedings of the meeting of the Policy Development Group held on 17th January, 2010 were submitted and signed as a correct record.

29. NO SECRETS REVIEW

Mr. A. Kilpatrick, Chief Officer for Health and Social Care, gave a presentation to members which advised members of the areas covered by the consultation exercise on safeguarding adults: the review of No Secrets guidance.

Information was provided in relation to the following points, viz:-

- The response to the consultation process;
- What the government was doing in response;
- The government's view on abuse;
- The government's vision;
- How the vision would be achieved;
- Strategies for people who had capacity;
- Strategies for people who lacked capacity;

- Strategies for balancing self determination and safeguarding;
- New partnerships; and
- Further work to be undertaken.

It was explained that following the consultation exercise on safeguarding adults: the review of the No Secrets guidance, the Department for Health had recently published their written statement and this was circulated at the meeting.

The statement highlighted a number of key messages which had arisen from the consultation process which included that stronger national leadership was needed, that local arrangements should be placed on a statutory basis and that revision and updating was needed to the 'No Secrets' guidance.

Members were also advised in that, in terms of the way forward, the Department for Health had stated that the following would be introduced to address issues raised during the consultation exercise, viz:-

1. The Government would establish an Inter-Departmental Ministerial Group (IDMG) on Safeguarding Vulnerable Adults;
2. Introduce new legislation to strengthen the local governance of safeguarding by putting Safeguarding Adults Board on a statutory footing; and
3. The Government would launch a programme of work with representative agencies and stakeholders to support effective policy and practice in safeguarding vulnerable adults.

In conclusion, it was stated that a Safeguarding conference was to be held on 5th March, 2010 which all members would be invited to attend.

It was agreed that the report be noted.

30. FREE PERSONAL CARE AT HOME

Mr. A. Kilpatrick, Chief Officer for Health and Social Care submitted a report and gave a presentation which outlined the issues associated with the Government's proposals around free personal care at home.

The report advised members that, subject to the passage through Parliament of the Personal Care at Home Bill the intention was that, from 1st October, 2010, councils would no longer be able to raise charges on the personal care element of someone's care received at home if they fulfilled the criteria.

The key messages contained within the Bill were as follows, viz:-

- Councils would have the function of deciding whether or not free personal care should be conditional on a person undergoing a period of intensive support or reablement for a period of up to six weeks before a formal community care assessment, including the assessment of personal care need, was undertaken;
- If Councils decided that reablement should be a criterion, then a person would not qualify for free personal care unless they had undergone reablement;
- No charge would be raised for intensive support and reablement services;
- The requirement for 'highest needs' would be assessed by councils with reference to the Fair Access to Care Services (FACS) critical band and the need to require significant help with four activities of daily living;
- Personal care was defined as physical assistance given to a person in connection with eating or drinking, toileting, washing or bathing, dressing, oral care or the care of skin, hair and nails;
- The scheme would apply to people with all conditions where personal care was provided at home to adults ie: persons over the age of eighteen with the highest care needs; and
- In 2010/2011 (half year from 1st October, 2010) Government funding of £210 million would be made available, with £125 million to be found by Councils from efficiency savings. From 2011/2012 these amounts would increase to £420 million and £250 million respectively.

With regard to the financial implications, the document set out three options for distributing the Free Personal Grant which were as follows:-

1. The existing adult social care relative needs formulae, which was used as part of the calculation for distributing Council's Revenue Support Grant;
2. The existing adult social care relative needs formulae, with the omission of the deprivation indicators; or
3. An analysis of the English Longitudinal Survey of Ageing, taking into account factors such as need and state benefits.

Based on the above options Bolton's indicative share of the £210 million grant available in 2010/2011 would be: Option 1 £1.193 million; Option 2 £1.121 million; and Option 3 £1.128 million. In addition, the Council would need to find approximately £700,000 as its contribution to the cost of the scheme and it was advised that this had provisionally been built into the Council's 2010/2011 budget guidance. In 2011/12, the first full year of the scheme, the indicative grant amount would be around £2.4 million, with the Council having to contribute £1.4 million.

Members were advised that the consultation period on the proposals ran from 25th November, 2009 until 23rd February, 2010, however, the Department for

Health would welcome earlier responses, if possible, by 26th January, 2010. In view of this members were views were sought on the proposals and any questions or comments they would wish to be included in the Authority's response. To assist with this, a list of risks had already been identified and a draft response from the Director of Adult and Community Services was also provided at the meeting.

A discussion ensued with regard to the proposals and it was felt that the following issues should be included in the response which sought clarification on a number of areas, viz:-

- The need to define how many hours of care could be provided;
- Standardisation of the appeals process across local authorities;
- What impact would free personal care have on personalised budgets;
- Issues regarding the possible increase of reassessments;
- The impact from the removal of means testing;
- Language difficulties; and
- Safeguarding issues around the best interests of service users.

It was agreed that the report be noted and the above issues be included within the Authority's response and that this be shared with members prior to its submission to the Department of Health.

(The meeting started at 9.30 a.m. and finished at 11.05 a.m.)