

AT A MEETING of the HEALTH AND ADULT SOCIAL CARE SELECT (OVERVIEW AND SCRUTINY) COMMITTEE of the COUNTY COUNCIL held at The Castle, Winchester on Thursday, 20 October 2016.

PRESENT

Chairman:
p Councillor Roger Huxstep

Vice-Chairman:
p Councillor Chris Carter

Councillors:

p Ann Briggs
p Graham Burgess
p Rita Burgess
p Charles Choudhary
a Alan Dowden
p Jacqui England
p David Harrison
a Marge Harvey
p Tony Hooke

p David Keast
p Martin Lyon
p Fiona Mather
p Chris Matthews
p Floss Mitchell
p Andy Moore
p Frank Rust
p Bruce Tennent
a Martin Tod

Substitute Members:

Co-opted Members:

Councillors:
p Tonia Craig
p Alison Finlay
p Dennis Wright
VACANT

In attendance at the invitation of the Chairman:

Councillor Liz Fairhurst, Executive Member for Adult Social Care
Councillor Patricia Stallard, Executive Member for Health and Public Health

160. **BROADCASTING ANNOUNCEMENT**

The Chairman announced that the press and members of the public were permitted to film and broadcast the meeting. Those remaining at the meeting were consenting to being filmed and recorded, and to the possible use of those images and recordings for broadcasting purposes.

161. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Marge Harvey.

162. **DECLARATIONS OF INTEREST**

Members were mindful that where they believed they had a

Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore, Members were mindful that where they believed they had a Personal Interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 4 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

Councillor Jacqui England declared a general Personal Interest, as she is the Chairman of the Lymington Hospital 'League of Friends'.

Councillor Chris Matthews declared that he had a pecuniary interest in Item 6 (Outcome of the Consultation on Proposed Changes to the Paying for Care Policy) and left the meeting for the duration of the item.

163. **MINUTES**

The Minutes of the meeting of the Health and Adult Social Care Select Committee (HASC) held on 20 September 2016 were confirmed as a correct record.

There was one matter arising in relation to the Minutes:

- Minute 158 (page 9): The Community Mental Health survey results had been shared with the Committee. Once the outcomes of the review on family experience was available, this would be shared with Members.

164. **DEPUTATIONS**

The Committee did not receive any deputations for this meeting.

165. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made two announcements:

Briefings and Updates

The Chairman noted that updates would be shared after the meeting with the Committee on:

- The better local care vanguard
- Systems resilience

Review
outcomes to be
shared

Updates to be
circulated

- John Darling Mall
- Detoxification Pathways
- North East Hampshire Primary Care Strategy

Tablet training session

The Chairman reminded Members that the next iPad drop-in session would be taking place after the Committee meeting.

166. **ADULT SOCIAL CARE: OUTCOMES OF CONSULTATION ON PROPOSED CHANGES TO THE PAYING FOR CARE POLICY**

The Director of Adults' Health and Care gave a presentation to summarise the report on the outcomes of the consultation held on the proposed changes to the County Council's 'paying for care' policy (see report, Item 6 in the Minute Book). The Select Committee was pre-scrutinising the proposals prior to a decision of the Executive Member for Adult Social Care due to take place on 21 October 2016.

Members heard that:

- Under the County Council's transformation to 2017 programme, there was a requirement to save £43.1 million from the budget for adult social care.
- The proposed changes to the paying for care policy were expected to deliver £1.4 million in savings.
- Financial assessments are undertaken to identify how much individuals can afford to pay towards their care.
- A consultation took place from 15 June to 26 August 2016 regarding proposed changes to four aspects of the paying for care policy.
- One proposal was to charge people for the cost of a second carer if this was needed and they had been assessed as able to afford to contribute to their care, where previously this cost had been waived. It was estimated the County Council was currently subsidising this cost by approximately £200 per person per week. It was being proposed to the Executive Member that this change come into immediate affect for those newly assessed as requiring a second carer, and in April 2017 for existing clients.
- The second proposal was to take account of 100% of an individual's disposable income in the financial assessment, where previously 95% had been taken into account. It was reported that other Local Authorities use 100% in their calculations, including Southampton and Portsmouth City Councils. This proposal received the most opposition from consultation responses, and in acknowledgement of this feedback the proposal was being withdrawn.
- The third proposal was to continue charging residents of Hampshire County Council care homes when they

are absent from the home (e.g. in hospital or on a holiday/break). It was reported that private care homes operate this policy; therefore this would mean people were treated equally regardless of the type of home they lived in. It was noted that contributions would be reduced if they required a long stay in hospital. It was being proposed to the Executive Member that this proposal come into effect on 5 December 2016.

- The fourth proposal was to take rental income into account in deferred payment schemes, where the property was rented out. Deferred payment agreements enabled a contribution to care costs to be paid from the value of a property, with the cost reclaimed once the property is eventually sold. It was noted that other benchmark Councils took 80-90% of rental income into account in this situation. Using the rental income would enable the individual to contribute to their care costs up front instead of deferring to when the property was sold. It was being proposed to the Executive Member that 75% of rental income be taken into account, to come into effect from November 2016.

In response to questions, Members heard:

- When the legislation around paying for care was debated nationally, there was a proposal to introduce a cap on how much an individual would be expected to pay towards their care costs. However, this had not been included in the Care Act as currently enacted.
- As a result of the national legislation around paying for care, equity from a property could be used to contribute towards care costs. A spouse or dependent would not be required to move out of a property in order to release the funds, however the payment would become due whenever the property was sold. Deferred payment agreements were used in this case, and this was existing policy.
- Approximately 12,000 service users had been written to, to alert them to the consultation. Of the responses received, 40% were from clients, 32% on behalf of clients, 20% from carers, 9% members of the public and 5% from employees.
- When a financial assessment is undertaken on an individual's ability to pay towards their care, disposable income is calculated according to income and outgoings, based on national rules. This includes allowing for 'general living expenses' based on a standard allowance set by government nationally to cover aspects like food and clothing.
- A second carer may be needed for health and safety reasons if the individual requires help to move. It was planned that the need for second carers would be re-assessed, to check if equipment could serve the purpose instead e.g. a hoist, or if voluntary/unpaid

- carers could provide the required support instead.
- The proposal to take account of rental income was to consider 75% of this income as disposable, allowing for 25% to be allocated for maintenance costs of the property.
 - The total budget for adult social care in Hampshire was £328 million.
 - The interest rate used for deferred payments was 1.85% as this was the maximum allowed by government, and was in line with interest charges on other types of loan. This was reviewed nationally every six months to reflect changes in the economy.
 - The policy regarding second carers applies when an individual is visited by two domiciliary care workers at the same time. If an individual receives care from one domiciliary care worker, and is also visited by another professional e.g. a nurse, this would not count as a second carer. The Chairman proposed that the Select Committee suggest to the Executive Member that the revised paying for care policy include a definition of carer (in the context of contributions towards a second carer), to make this point clear.

Members debated the proposals. Cllr Hooke, seconded by Cllr Moore, put forward a recommendation that:

The proposed savings are put on hold for two years and the difference met from reserves, until alternative options for making the savings can be developed.

This was put to the vote; with six in favour and nine against, the recommendation was not carried.

Cllr Lyon, seconded by Cllr Moore, put forward a recommendation that:

The proposals be debated at full Council.

This was put to the vote; with four in favour and ten against, the recommendation was not carried.

The Chairman moved the recommendation in the report that:

The Select Committee support the recommendations being proposed to the Executive Member for Adult Social Care in section 10 of the report.

However the majority were not content to agree this recommendation and it was therefore not carried.

Cllr Keast, seconded by Cllr England, put forward a recommendation that:

The implementation date of the recommendations at 10.3 and 10.4 be revised to the first Monday in January 2017

This was carried by majority vote.

The Chairman took each recommendation to the Executive Member in turn, and sought support from the Select Committee to each. As a result, it was therefore:

RESOLVED

That the Committee:

1. Support the recommendations being proposed to the Executive Member for Adult Social Care in the report at 10.1 and 10.2.
2. Regarding the recommendation at 10.3, the Select Committee support the proposal, but recommend that the change come in to effect on the first Monday in January 2017.
3. Regarding the recommendation at 10.4, the Select Committee support the proposal, but recommend that the change come in to effect on the first Monday in January 2017.
4. The recommendation at 10.5 was not supported, as the Select Committee have recommended amendments to the proposals contained in the report.

167. **ADULT SERVICES: ADULT SAFEGUARDING UPDATE**

The Director of Adults' Health and Care gave a presentation in support of a report providing an update on adult safeguarding in Hampshire (see Item 7 in the Minute Book).

Members heard that:

- The Care Act 2014 brought in a legal framework for adult safeguarding, in line with existing practice for children's safeguarding.
- Officers meet regularly with the Care Quality Commission and share information.
- The Hampshire Safeguarding Adults Board (HSAB) has a strategic plan for 2016-2019, which had been included as an appendix to the report.
- The number of referrals was rising year on year, which was a sign of greater awareness of safeguarding issues.
- When referrals are made an initial evidence gathering stage takes place, which means fewer now lead to full investigations
- The Multi Agency Safeguarding Hub (MASH) had been under pressure earlier in the year due to the level of demand, however this had been managed.

- Deprivation of Liberty Safeguards remained a challenging area as demand outstrips the capacity to respond.
- The Public Health function now sat alongside Social Care as an 'Adults' Health and Care' Department, which provided opportunities for greater integration of preventative work.

In response to questions, Members heard:

- The County Council was working with partner agencies regarding mental health assessments for individuals held by police. Challenges were being experienced nationally in recruitment of mental health professionals who can undertake these assessments.
- An individual, (or their next of kin following the death of a service user), can access personal confidential records, in line with the terms set out in the Subject Access Request Policy.
- It was noted that the highest number of safeguarding incidents occurred in the person's own home. If this was found to be a paid member of staff the issue would be pursued through their employer. It may be a family member or friend, and work to support carers was an important preventative measure to help avoid a carer reaching crisis point
- Modern slavery was an issue receiving increasing publicity. It was reported that this topic had been considered by the HSAB, and the MASH was the best place to report any concerns of this nature

RESOLVED

That the Committee:

1. Note the content of the report.
2. Receives a further update on Adult Safeguarding in 12 months' time.
3. Receives the Annual Report of the Hampshire Safeguarding Adults Board, for information, in Spring 2017.

168. **WORK PROGRAMME**

The Director of Policy and Governance presented the Committee's work programme (see Item 8 in the Minute Book). The Chairman announced that the date of the Committee meeting in March 2017 would be brought forward in order to avoid the pre-election period.

Cllr Harrison requested that in follow up to the proposals several years ago to add fluoride to tap water to improve children's dental health, the HASC review the success of alternative methods to improve dental health in young

children.

Cllr Lyon requested an item on provision of Primary Care services and recent changes in what services are offered through GP surgeries.

RESOLVED:

That the Committee's work programme be approved, subject to any amendments agreed at this meeting.

Chairman, 17 January 2017

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