

**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY
COMMITTEE**

5th SEPTEMBER 2022

ADULT SOCIAL CARE REFORM

MINUTE EXTRACT

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide a further update of the work being undertaken in preparation for the Government's planned Adult Social Care Reforms. The report set out the policy background to the Charging Reform and the key implications for adult social care in Leicestershire to set the current activity in context. It also provided information on the nationally mandated Fair Cost of Care analysis and Market Sustainability Plan which were intended to be submitted to the Cabinet for approval in September 2022. A copy of the report marked 'Agenda Item 9', is filed with these minutes.

Mrs. A. Wright CC entered the meeting at this point and declared a Non-Registerable Interest and Other Registerable Interest in agenda items 9, 10, 11, 12, 13 and 14 (Adult Social Care Reform – Market Shaping and Charging Reform, Extra Care Service and Procurement, Initial Consultation Findings on Draft Leicester, Leicestershire and Rutland Carers' Strategy 2022-2025, Commissioning and Procurement of Home Care Services, Performance Report for Quarter 1 2022/23 (April – June) and Annual Adult Social Care Complaints and Compliments Report) as she was a health and social care solicitor and partner for Browne Jacobson.

Mr. L. Hadji-Nikolaou also declared a Non-Registerable Interest and Other Registerable Interest in this particular item as he was a consultant for the NHS.

In introducing the report, the Director clarified that the Government's plan to introduce a new £86,000 cap on the amount anyone in England would have to spend on their personal care over their lifetime did not refer to an individual's 'total cost of care' but only to the components of any care package considered to be related to personal care. For example, daily living costs related to items such as food, rent, accommodation costs and electricity were not included (including those that the Local Authority provided support with).

Arising from discussion the following points arose:

- (i) Members noted with concern the severe financial impact the implementation of the Adult Social Reforms was expected to have on the Council's budget. As to how the £22m shortfall predicted over the next ten years would be offset, the Director emphasised that the figures cited in the report relating to cost were

estimates at this stage. However, it was clear that any such shortfall would be a significant issue to manage. He explained that each local authority was undertaking the same exercises and making similar assumptions on the figures and finding a shortfall. The ways of managing this issue were not yet clear but through means such as taxation was possible.

- (ii) In response to a question regarding the table at paragraph 61 of the report, which summarised the areas and estimated figures of additional expenditure/funding resulting from the Adult Social Reform Programme, it was clarified that the figures pertaining to the period 2032/33 had been included to give an example of a period in the future when the implications were expected to stabilise.
- (iii) It was questioned how financial contributions made by an individual towards the cost for care cap would be tracked, for example, if they moved from one area of the Country to another. In response, Members noted that the Government was still working on the details to confirm how this would work in practice, particularly given that local authorities currently used a range of different care systems. However, the plan was for each individual approaching their local authority for support to have their own care account set up which were expected to be portable and able to produce annual statements enabling the relevant financial information to be monitored by the appropriate users.
- (iv) There was no certainty at this time how the split between personal care costs and daily living costs would be determined and monitored. However, for the daily living costs element the Government had indicated that a national tariff of £200 would be set for the period of 2022/23.
- (v) In response to comments raised by a Member about the key proposal set out in the Government's "People at the Heart of Care" White Paper relating to local authorities and providers making the best use of Technology, Members were reminded of the work the Department had been undertaking, alongside Hampshire County Council and its strategic partner PA Consulting Group, to transform Leicestershire County Council's care technology services. This work was ongoing and expected to go a way to support the implementation of the Reforms, which would require extra systems to be in place. For example, further development of the Department's online care and financial assessments was something that was being considered in conjunction with the new care accounts process proposed under the Reforms.
- (vi) Whilst it was positive the 'quality of care' in Nursing Care Homes compared well with the national picture, it was questioned how the Department was seeking to address the bed capacity issues which it was commented had an impact on inpatient and secondary care delivered by the NHS. Members noted that the issue of the Council having a lower number of beds for a local authority of its size was historical. A key factor was the local care market being predominantly

made up of larger providers which impacted funding and the care provision available. A further issue was that, in Leicestershire, the local NHS funded just half of the number of people for Nursing Care (FNC) when compared to comparator areas.

- (vii) It was confirmed that there were a number of areas the Department was working on in conjunction with the care market to help stimulate the nursing care provision available. This included work on nursing care costs and the potential to set a specific fee rate. It was also possible that a number of people placed in residential care might have otherwise been placed in nursing care which was a further area being considered.
- (viii) In regard to the Fair Cost of Care analysis it was confirmed that the national survey issued to care homes would have been sent to every care home in Leicestershire. Though, it was important to note that a small proportion of these were not 'active' and the County citizens that resided in care homes in Leicester would be included in the City Council's analysis rather than the County's.
- (ix) It was clarified that the level of demand for long term residential care was relatively stable and potentially declining which was in line with the Department's Strategy to support people to live at home for longer and partly as a consequence of the Covid-19 Pandemic. However, it was possible that if growth relating to 'older people' increased over the coming years more provision would need to be available which would need reflecting in the County's Market Sustainability Plan at the appropriate time.

RESOLVED:

- (a) That the update regarding the work being undertaken to prepare for the Government's planned Adult Social Care Reforms be noted.
- (b) That the financial implications of implementing the Adult Social Care Reforms be noted with concern.
- (c) That the comments now made be submitted to the Cabinet for consideration at its meeting in September 2022.

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