

Adults and Safer City Scrutiny Panel

Minutes - 8 March 2021

Attendance

Members of the Adults and Safer City Scrutiny Panel

Cllr Simon Bennett (Vice-Chair)

Cllr Val Evans (Chair)

Cllr Sohail Khan

Cllr Asha Mattu

Cllr Lynne Moran

Cllr Anwen Muston

Cllr Zee Russell

Employees

Emma Bennett

Julia Cleary

Earl Piggott-Smith

Martin Stevens

Alicia Wood

Director of Children's and Adult Services

Systems and Scrutiny Manager

Scrutiny Officer

Scrutiny Officer

Lead Commissioner - Specialist and Targeted

Part 1 – items open to the press and public

Item No. *Title*

1 **Welcome and Introductions**

Cllr Val Evans, Chair, welcomed everyone to the virtual meeting and advised it was being live streamed to the press and public. A recording of the meeting would be available for viewing on the Council's website at a future date.

2 **Meeting procedures to be followed**

Cllr Evans explained the protocol to be followed during the meeting for asking questions and reminded everyone that microphones should be muted and cameras off, unless they have been invited to speak. Earl Piggott-Smith, Scrutiny Officer, confirmed the list of people in attendance.

3 **Apologies**

Apologies were received from the following members of the panel:

- Cllr Olivia Birch
- Cllr Rupinderjit Kaur

4 **Declarations of Interest**

There were no declarations of interest recorded. A relative of Cllr Anwen Muston is receiving care and support arranged by the Council.

5 **Care and Support Provider Fee Review report - pre-decision (report to follow)**

Alicia Wood, Lead Commissioner, introduced the presentation to the panel on proposed changes to care fees for 2021/22 for comment and consideration.

The Lead Commissioner advised the panel that the main report will be presented to Cabinet Resources Panel meeting on 17 March 2021 for approval of the proposed changes to the fees for the care sector commissioned externally within Wolverhampton.

The Lead Commissioner advised the panel that the Council has a duty to ensure that the care needs of residents in Wolverhampton are met.

In the past all care provision would have been provided by Council but this changed following a change to legislation which introduced a commercial market. There is still some in-house Council provision such as Bradley Resource Centre and also Earnest Bold respite and day care and Duke Street bungalows, long term residential for under 65's, but these services only meet a very small percentage of the care needs of people in Wolverhampton. The rest of the provision is delivered by externally commissioned care service providers.

The service annually reviews the sufficiency of externally commissioned care services and whether the current fees will enable provision of care and for the Council to purchase them to meet the care needs of residents in Wolverhampton.

The fee review process considers how the Council has been able to meet care needs of residents, whether there have been any issues with actually purchasing care needed at the rates currently set and the fee levels to be set for the following year. The Lead Commissioner advised the panel of the factors that would be considered when setting the level of fees for externally commissioned care services, for example, changes in national living wage and inflation.

The Council budget includes a forecast for fees to be increased, to cover any increases in costs to providers such as increases in the National Living Wage or inflation.

During COVID-19 the government has provided grant funds (called the Infection Prevention Control Fund) and this should cover the majority of additional cost pressures to social care providers due to COVID-19. There may some future unknown costs due to the impact of COVID-19 on the care sector that have not already been met.

The Lead Commissioner gave an overview of the role of the service in supporting the care sector during the pandemic such as the provision of advice from Public Health England, Wolverhampton CCG, the local NHS Trust (Royal Wolverhampton Hospital) and the Council's Commissioning Team, Quality Assurance and Compliance Team and Social Work Teams. These partners meet twice weekly to consider the needs of care providers to look at their needs (in addition to arranging special one-off meetings to support providers in response to an outbreak of COVID-19). There is also a fortnightly Q&A and information sharing session open to all care providers.

The service also does a daily provider survey which monitors any issues raised by care managers, for example, getting sufficient PPE and also how they can access funding, for example COVID-19 and infection control funding to support them.

The Council has met all requests for extra funding needed to respond to extra costs arising from COVID-19. The Lead Commissioner advised the panel that where a particular care provider has been hugely impacted by a COVID-19 outbreak then extra funding can be given from the Adult Social Care Infection Control Fund. The service will consider each application for funding on its merits.

The Lead Commissioner commented that when considering the impact of COVID-19 on a care provider the annual fee review will not include these costs as the providers have received the IPCF monies and the costs are now decreasing. The focus will be instead on the impact on the number of people accessing their services when compared to the period before the start of the pandemic.

The Lead Commissioner commented on the how Wolverhampton's fee rates compare with those of other local authorities. The Lead Commissioner presented the findings of a benchmarking exercise against authorities across the country with similar financial settings and referred the panel to detailed information in Appendix 2 attached to the main report. The Lead Commissioner added that the figure quoted for domiciliary care will need to be updated to take account of new information published today.

The Lead Commissioner briefed the panel on the external services commissioned during the year and advised the panel the care fee review is really about setting the cost of care and not about changing the care provided. The service will engage with residents when either proposing any changes or refreshing services as part of our quality assurance process. The impact of the changes will be monitored, and feedback is sought from people that are using the service.

The Lead Commissioner commented on the list of the different categories of care and types of provision that we commonly externally commission within Wolverhampton. The Lead Commissioner advised the panel that there are eight extra care housing schemes in Wolverhampton (these establishments are better known as retirement schemes with care packages provided to residents) which give people more control over the services received. The Council would pay for a person's personal care needs.

There is specific provision for people with autism or learning disabilities known as supported living, which is part of efforts to move away from offering residential and nursing provision for people under 65 instead of people having their own tenancy.

The Lead Commissioner commented on the range of community activities offered, better known as day-care provision, for older people in community which is commissioned by the Council.

The Lead Commissioner commented that the provision of home care has been growth service area and explained the current offer.

The panel were reassured that the service can meet this increase as there is a robust framework already in place which was used to procure and commission services in response to the start of the pandemic. There is a list of accredited

providers that are part of the framework and there were no concerns about meeting the needs of people wanting homecare in the future.

The Lead Commissioner commented on new Government funded initiative which provides the first six weeks of free reablement support when a person has been discharged from hospital known as 'HomeFirst'.

The service is keen for the initiative to grow and want to give as many people as possible the opportunity to get help to allow them to live more independently when they are discharged.

The Lead Commissioner advised that an increase in the take-up of direct payments is expected in future years.

The Lead Commissioner commented on the provision for residential care and nursing care for people aged over 65 years. The provision of this service has decreased over the last three years as part of the Council's strategic approach to support people to stay in their homes for as long as possible. There has been a decrease in the number of placements to these types of care settings as a result, during 2020 there is also the impact of COVID-19 that has also contributed to the reduction in placements.

The impact that COVID-19 is likely to have on the care market is uncertain at this stage. Currently homes in Wolverhampton are reporting 85 percent occupancy, and this being monitored to identify and support homes at financial risk. The occupancy rate for other parts of West Midlands is currently 80 percent.

The Lead Commissioner advised the Council does not fund all placements across the City and there are also people who may choose to self-fund their place in a either a residential or nursing care setting.

The Lead Commissioner advised the panel that the service introduced a local capacity tracker to supplement the existing occupancy tracker for care homes vacancies. The local system was introduced in 2020 and also records any issues that care providers may be having with their vacancies.

The Lead Commissioner advised the panel while the Council is not duty bound to fund a care home places if a provider reports a lack of occupancy, it will monitor the impact on its financial viability in the future. The Lead Commissioner reassured the panel that there was confidence about the level of future capacity to meet the expected demand in 2021.

There is a surplus of both residential and nursing placements of all types for over 65 years in Wolverhampton. The Council will support the care market and regularly review the level of capacity to meet the needs of residents and where required will work with care providers.

The Lead Commissioner commented on the provision for people aged under 65 who have complex care needs. The number of people within this group is small and will require the provision of detailed packages of care. The Lead Commission explained the process for negotiating placement contracts and the issues considered when developing care packages.

The Lead Commissioner commented that there have been no changes to the uptake of extra care schemes and the service is being monitored. There are limited numbers of people wanting this type of care provision. The Lead Commissioner advised the panel that there was no planned change to the current block contract for extra care schemes. The contract will be reviewed during 2022. The Lead Commissioner commented that there will probably be a need for more extra care schemes in the future and added there are ongoing discussions with housing colleagues to see if there is scope to develop further schemes to meet this need.

The Lead Commissioner commented on the impact of COVID-19 on the care and voluntary sector providers providing community activities (including day care) who have not been able to deliver their services. The Council agreed to fund such providers during 2020 due to the impact of changes in lockdown restrictions which has meant they have either not been able to fully provide their normal services or the people that would normally use their services were choosing not to access them due to safety concerns. There is an expectation that providers will offer as much of their service that is practically safe.

The Lead Commissioner advised that work is being done with these providers to get them back to a point where they will be delivering more of their services safely during 2021.

The Lead Commissioner commented on how the fee rates set by Wolverhampton compare as detailed in Appendix 1 of the main report with those of other local authorities. The percentage increase proposed from City of Wolverhampton Council is above that charged by other Black Country Local Authorities. The Lead Commissioner explained that the reference to the locally agreed rate is the amount that local authorities will pay for nursing and residential places for older people. If suitable placement cannot be found at this rate then alternative accommodation will be sought to meet the care needs of the person.

The Lead Commissioner briefed the panel about recommendations in the report that will be presented to Cabinet Resources for approval.

The Lead Commissioner advised the panel of plans to change to allow scrutiny to consider future fee reports in January 2022 which would then be introduced in April 2022.

The panel were invited to comment on the report and presentation. The panel welcomed the explanation of the locally agreed rate. The panel expressed concern about the difficulty some residents experienced in finding suitable accommodation within their budget, particularly when a financial top-up is required. The panel commented on reported difficulties in securing a financial top-up payment to meet care costs and the general issue of affordability.

The panel discussed a process for agreeing the locally agreed rate and what would be done where a person needed more specialised care and support.

The Lead Commissioner advised that in a situation where the person could not be offered a care setting that would meet their needs at the locally agreed rate then the Council would pay the difference for another care setting. Additional costs are only in place if a person or their family choose a placement that is more expensive to the one offered by the Council.

The Lead Commissioner also responded that the care assessment process would consider the persons care needs and how these can best be met safely. The Council policy is that a person would not be placed in any inadequately rated provision. Also, if a care setting has any ongoing systematic safeguarding issues then this accommodation would not be used.

The panel discussed the impact of COVID-19 deaths on the care market in Wolverhampton and the financial impact that this may have on the future sustainability. The panel expressed concern about possible reduction in the number of providers in the future which could limit the options to people looking for care years ahead.

The Lead Commissioner reassured the panel that there was confidence that there would be enough capacity for the future demand. Deciding what future needs are in years to come is informed by data in the JSNA which comments on the growth in the number of the older people. Further, the strategic direction of the policy is to support people to be able to stay in their home for as long as they want. The Lead Commissioner added that there might be gaps in future care market provision to meet the needs of people with complex dementia care needs. In this situation there would be the need to do some market engagement and discussions with providers to consider the issue further.

The Lead Commissioner advised the panel that the Council cannot fund the financial loss for providers due to lower occupancy numbers because it is private business. The Government grant funding to support care home sector is expected to end in March 2021, but we are awaiting further announcements. The Lead Commissioner commented on the work done to assess the impact on occupancy rates as a result of COVID-19 related deaths on the care sector. The situation will be monitored over the next three to six months.

The Lead Commissioner reassured the panel that there was sufficient capacity in care market currently and commented on future commissioning work to respond to future changes in demand. There is also no evidence of any issues of the local hospital experiencing discharges in delay due to difficulty in finding suitable a care home place or home care packages.

The panel sought further reassurance about the future care market ten years ahead and expressed concern about current providers currently struggling financially and wanted more details about the future profile of users and the likely cost of the provision.

The Lead Commissioner commented the service uses NHS tool to predict changes in future demand for care based on current health needs which is projected forward to assess the need in the future.

The service will be reviewing changes in demand over the next 12 months as part of the process in reviewing the market position statement which will consider the issues the panel have raised.

The panel welcomed the work done to future proof the care sector market in Wolverhampton and tools being used to assess future changes in demand.

The panel welcomed the report and the progress. The panel agreed to receive a further updates report on the strategic intentions and the market positioning statement to a future meeting.

Emma Bennett, Director of Children's and Adult Services, thanked the panel for their comments and the highlighted the importance of the work and praised the work of the service in protecting our most vulnerable residents within the City.

The Director supported the idea of bringing a report on adult commissioning intentions and the market position statement to a future meeting.

The panel supported the statement.

Resolved:

1. The panel agreed to note the report and recommendations detailed.
2. The panel agreed that the Lead Commissioner present an updates report on the strategic intentions and the market positioning statement to a future meeting of the panel for discussion.