

# Fulfilled Adult Lives Scrutiny Panel

## Minutes - 8 February 2023

### Attendance

#### Members of the Fulfilled Adult Lives Scrutiny Panel

Cllr Qaiser Azeem  
Cllr Olivia Birch  
Cllr Val Evans (Chair)  
Cllr Christopher Haynes  
Cllr Stephanie Haynes (Vice-Chair)  
Cllr Rashpal Kaur  
Cllr Sohail Khan  
Cllr Louise Miles  
Cllr Lynne Moran  
Cllr Clare Simm  
Cllr Jacqueline Sweetman

#### Employees

Earl Piggott-Smith  
Becky Wilkinson

Scrutiny Officer  
Director of Adult Social Services

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## Part 1 – items open to the press and public

*Item No.*     *Title*

- 1     **Welcome and Introductions**  
Cllr Val Evans, Chair, welcomed everyone to the 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.
- 3     **Apologies**  
Apologies were received from the following member of the panel:  
  
Cllr Anwen Muston
- 4     **Declarations of Interest**  
There were no declarations of interest recorded.
- 5     **Care and Support Provider Fee Review 2023-2024**  
The Chair invited Becky Wilkinson, Director of Adult Services, to give the presentation Adult Social Care Fee Review Options 2023/24 to the panel.

The Director advised the panel about the background to the developments which led to the decision to recommend the preferred option for the 2023/2024 fee uplift for external care providers.

The Director advised the panel that the fee review uplift is an annual process and Councils are required to consider a range of cost and other factors affecting the adult social care market in Wolverhampton before setting the fee.

The Director advised the panel that the Council is under a legal duty to maintain an effective and efficient operation of the adult social care markets and to set a balanced budget.

The Director briefed the panel on the changes to Governments Fair Cost of Care – Charging Reforms and how this had affected plans for the settlement of the care fee review for 2023/2024. The planned charging reforms have been delayed till October 2025, but the DHSC have mandated the Council to publish information linked to the proposals on 1 February 2023. This policy has presented a challenge in terms of sharing financial information collected previously from care providers involved in the trailblazer programme.

All local authorities are required to undertake a fair cost of care review with the view of implementing charging reforms and to understand the costs pressures affecting care providers. The Director advised the panel that there are discussions ongoing with care providers about the sharing of financial information.

The Director commented on the different national costs drivers and the feedback received from care providers about the proposed level of uplift in care fees.

The Director commented on comparative benchmarking data for West Midlands ADASS for community based serviced and residential and nursing home care fees. In feedback from care providers about the different fee options there was reference to the financial impact of increases in insurance and utility costs above the rate of inflation.

The Director commented that care providers have provided detailed information about their costs and in feedback have welcomed the ongoing Council support around PPE and the funding the cost of DBS checks. The Council is supporting care providers with recruitment and retention processes which will continue, in recognition of the challenges facing the sector.

The Director advised that the panel that there has not been a major failure of a care market provider in Wolverhampton and the sector is reasonably stable. The Director commented on the concerns about the level of fees for residential and nursing care in Wolverhampton which do not benchmark well compared to other local authorities.

The Director was concerned about quality-of-care issues in residential and nursing care settings and there is a need to consider the financial impact on this situation of any changes to the level of care fees.

The Director advised the panel that there was a care provider failure in late 2022 which led to a closure of a home as the quality of care could not be guaranteed.

The Director reassured the panel that the Council unlike some other authorities were not proposing making any savings from the adult services budget.

The Director commented on the main headlines from the analysis of performance data for December 2022 and that 4000 people were being supported by the service. The Director commented there has been an increase in demand overall and a specific increase in demand recently for support with residential and reablement support.

The Director outlined the four different options being presented to the panel to consider and commented on their relative merits.

The Director outlined the reasons for proposing Option 3 as detailed in the presentation. The Director commented on the significant risks to care providers if the level of fees is not increased as proposed as there was evidence that some providers were already reducing the number of beds in response to increasing costs.

The Director added that without increase that meets the needs of care providers then the Council will struggle to meet its ambition to improve the home care provision offer. The potential loss of care beds in care sector in this situation would add further demand pressure on the home care market.

The Director advised the panel that the fee uplift for external care providers proposal is only for a year and work has started on the feasibility of offering a longer-term offer of possibly three-years fees to support the challenges facing the sector.

The Director outlined the timeline for approving the final option.

The panel were invited to comment on the presentation and to consider the recommendation to support Option 3 for the proposed 2023/2024 fee uplift for external care providers.

The panel queried the views of the care providers about the level of fee increases being considered. The panel also queried if the views could be broadly summarised about the preferred option recommended in the presentation.

The panel queried the decision to split the market sustainability grant funding on 70:30 ratio (70% towards residential and nursing, 30% for community-based services) and the financial implications of changing to ratio to 50:50.

The Director comment that the average request for the increase in fees was 15 percent. The Director acknowledged that some care providers considered the proposed increase was not enough and further discussions are planned to better understand the specific cost pressures. The Director explained the financial impact of changing the ratio of the grant funding as suggested and commented on the reasons supporting the proposed ratio of 70:30.

The panel discussed the comparative care fee data presented and commented that the fee uplift starts from a lower level for Wolverhampton and therefore the proposed increase is higher than those of neighbouring authorities, and it was important to consider this difference in starting position.

The panel accepted the need to work constructively with care providers but there was concern whether the proposed fees will be reflected in increased wages of care work staff, particularly at the time of increasing workload demands and less people working in the sector.

The Director shared the concern and reassured the panel that the issue will part of discussions when re-contracting with care providers, while accepting the need to get the balance right as they are private businesses. The same issue has also been raised by Cabinet who have asked for assurance that extra funds will be used improve wages and the quality of care offered.

The panel queried the reason for the Council decision to fund the cost of DBS checks for private care providers.

The Director advised the panel that the decision to fund the cost of DBS checks started during the pandemic as the Council was able to get applications processed more quickly. The aim was to help reduce delays in recruiting care workers and as a goodwill gesture to support care providers.

The Director agreed to discuss the matter with colleagues in commissioning about the continuation of the policy and report the findings back to the panel.

The panel acknowledged the challenge presented by the Council financially supporting a private sector body, where there the dominant providers of a service.

The panel commented on the heavy workload demands on care workers due to the pressures on the services and expressed concern about the quality of nursing and residential care provision.

The panel supported the proposals detailed in Option 3.

The panel queried the future challenges facing the care sector detailed in the presentation, and the long-term sustainability of care market, highlighting for example, the 40 per cent reduction in day care use in December 2022. The panel queried the main risks to the care sector.

The Director commented that while day care services have re-opened after the Covid 19, the numbers of people attending day care services has not returned to pre-pandemic levels. The Director added that some people have decided to choose direct care payments as an alternative.

The Director listed the following as key areas of risks to the adult social sector, residential and nursing sector provision, CQC regulation and concerns about the quality of some care provision.

The Director outlined the range of challenges facing the adult social care sector and implications of the new Government policy of Home First / discharge to assess. The policy is intended to reduce delayed discharges and improve patient flow.

The Director highlighted the issue of wanting to grow the home care market and at the same time having beds of high standard in the residential and nursing sectors which can help to reduce pressure on demand for home care.

The Director commented on the importance of meeting the demand for home care in the right way and highlighted the risk that often people admitted to residential care invariably do not leave.

The Director commented on the importance of matching the provision of care for people with complex care needs.

The panel thanked the presenter for the presentation and supported Option 3 as detailed in the presentation.

Resolved:

1. To panel supported Option 3 for the proposed level of the increase in care fee uplift for external care providers for 2023/2024.
2. The panel comments on the presentation to be noted by the Director of Adult Services and included in the report to Cabinet, where appropriate.
3. The Director of Adult Services to provide the information about the reasons for the Council continuing to fund the cost of DBS checks on behalf of external care providers.