

Agenda

Adult Care and Well Being Overview and Scrutiny Panel

Thursday, 20 October 2016, 11.00 am
County Hall, Worcester

All County Councillors are invited to attend and participate

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বাংলা। আপনি যদি এই দলিলের বিষয়বস্তু বুঝতে না পারেন এবং আপনার জন্য অনুবাদ করার মত পরিচিত কেউ না থাকলে, অনুগ্রহ করে সাহায্যের জন্য 01905 765765 নম্বরে যোগাযোগ করুন। (Bengali)

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اردو۔ اگر آپ اس دستاویز کی مشمولات کو سمجھنے سے قاصر ہیں اور کسی ایسے شخص تک آپ کی رسائی نہیں ہے جو آپ کے لئے اس کا ترجمہ کر سکے تو، براہ کرم مدد کے لئے 01905 765765 پر رابطہ کریں۔ (Urdu)

(Kurdish) کوردی سۆزانی. نەگەر ناتوانی تێبگهی له ناوچێکی نەم بۆلەوه و دەستت بە هیچ کەس ناکات کە و ههیهێرتێوه بۆت، تەکنیه تەلەفۆن بکە بۆ ژمارهی 01905 765765 و داوای پێنوێنی بکە.

ਪੰਜਾਬੀ। ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸਮਝਣ ਸਮਝ ਨਹੀਂ ਸਕਦੇ ਅਤੇ ਕਿਸੇ ਅਜਿਹੇ ਵਿਅਕਤੀ ਤੱਕ ਪਹੁੰਚ ਨਹੀਂ ਹੈ, ਜੋ ਇਸਦਾ ਤੁਹਾਡੇ ਲਈ ਅਨੁਵਾਦ ਕਰ ਸਕੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਮਦਦ ਲਈ 01905 765765 'ਤੇ ਫ਼ੋਨ ਕਰੋ। (Punjabi)

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have
a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests** **OR**
relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Adult Care and Well Being Overview and Scrutiny Panel

Thursday, 20 October 2016, 11.00 am, County Hall, Worcester

Membership

Councillors:

Mr T A L Wells (Chairman), Mrs J L M A Griffiths (Vice Chairman), Mr R C Adams, Mr C J Bloore, Mr A Fry, Mr P Grove, Mrs A T Hingley, Mr C G Holt and Mrs M A Rayner

Agenda

Item No	Subject	Page No
1	Apologies and Welcome	
2	Declarations of Interest	
3	Public Participation Members of the public wishing to take part should notify the Head of Legal and Democratic Services, in writing or by email indicating the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case 19 October 2016). Enquiries can be made through the telephone number/email address below.	
4	Confirmation of the Minutes of the Previous Meeting Previously circulated	
5	Care Act 2014 - Update	1 - 2

Agenda produced and published by the Head of Legal and Democratic Services, County Hall, Spetchley Road, Worcester WR5 2NP. For general enquiries: 01905 763763 Worcestershire Hub (01905) 765765
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ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL

20 OCTOBER 2016

CARE ACT 2014 - UPDATE

Summary

1. As part of its 2016-17 work programme, the Adult Care and Well Being Overview and Scrutiny Panel is to receive an update on the implications of the Care Act 2014 and the Council's progress to meet the obligations of the Act.
2. The Director and Assistant Director of Adult Services have been invited to the meeting, along with the Cabinet Member with responsibility for Adult Social Care.

Background

3. The Care Act received Royal Assent in May 2014. Regulations and initial statutory guidance were published on 23 October 2014. The Care Act fundamentally reformed Adult Social Care: it repealed almost all previous legislation dating back to 1948, and sets out a series of new duties and powers for local authorities.
4. The changes fall into two categories: 'reform of duties in respect of adult social care and support', which came into force from April 2015; and 'reform of adult social care funding', (changes to the financial threshold for local authority funded care and reforming the way in which people pay for care) which was due to be implemented from April 2016. However the Government decided to defer the introduction of the funding reforms and a date for the introduction has yet to be announced
5. Under the CA 2014 the Council has duties for
 - Prevention and Well-being
 - Information and Advice
 - Market Shaping
 - Needs Assessment and Carer's Assessment
 - New National Eligibility Criteria for Local Authority Funded Care and Support
 - Personal Budgets and Care and Support Plans
 - New Charging Framework
 - National Deferred Payment Agreement
 - Safeguarding
6. The change programme required implement the Care Act has been managed alongside other changes under the Council's Future Lives programme.
7. The Panel will be aware that implementation of the Care Act has been within the context of substantial local change to adult services and an extremely challenging financial environment. The Council aims to keep people healthy and independent for as long as possible and to promote their wellbeing. If people need ongoing care and

support, the aim is that they will have greater choice over the services they use and greater control over their lives. The Council continues to monitor the safety and effectiveness of services and to progress closer working with the NHS to make best use of resources.

8. The Directorate reported to Cabinet in February 2015 and set out the requirements of the Act and the state of readiness for implementation. The report refers to a number of national stocktakes completed, to assess the Council's progress in implementing the Act; this update to the Panel provides a further stocktake.

9. The Adult Care and Well-being Overview and Scrutiny Panel was briefed on the implications of the Care Act in June 2014, as part of discussions about developments taking place with care assessment processes within new models of care for adult social services.

10. At that time, the Panel widely welcomed the aims of the Care Act, whilst expressing some concern about the new duty of care for prisoners, the need for proper funding and the challenge of funding the visions of the Act.

Purpose of the meeting

11. The Panel is asked to consider the update provided on the Council's ability to meet the requirements of the Care Act 2014, and agree:

- whether any further information or scrutiny work is required at this stage
- any comments to highlight to the Cabinet Member with responsibility for Adult Social Care

Supporting Information

Contact Points

County Council Contact Points

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Emma James / Jo Weston, Overview and Scrutiny Officers, Tel: 01905 844964 / 844965

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Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agendas and Minutes of Cabinet on 5 February 2015 and the Adult Care and Well Being Overview and Scrutiny Panel on 5 June 2014 – all council agendas and minutes are available on the website [here](#)
- The Care Act 2014 - <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>