

## Minutes of the Cabinet

### County Hall

**Thursday, 29 June 2023, 10.00 am**

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#### **Present:**

Cllr Simon Geraghty (Chairman), Cllr Marc Bayliss (for Agenda items 1-5), Cllr Adrian Hardman, Cllr Marcus Hart (Vice Chairman), Cllr Karen May, Cllr Richard Morris and Cllr Tracey Onslow

#### **Also attended:**

Cllrs Dan Boatright-Greene and Matt Jenkins were also in attendance.

#### **Available papers**

The Members had before them:

- A. The Agenda papers (previously circulated); and
- B. The Minutes of the meeting held on 25 May 2023 (previously circulated).

#### **2157 Apologies and Declarations of Interest (Agenda item 1)**

Apologies were received from Cllrs Adam Kent, Andy Roberts and Mike Rouse.

Cllr Marc Bayliss declared a pecuniary interest in Agenda item 6 as Deputy Police and Crime Commissioner and left the meeting room during the consideration of the item.

#### **2158 Public Participation (Agenda item 2)**

None.

#### **2159 Confirmation of the Minutes of the previous meeting (Agenda item 3)**

**RESOLVED** that the Minutes of the meeting held on 25 May 2023 be confirmed as a correct record and signed by the Chairman.

## 2160 Consultation Responses in Relation to Charging for Adult Social Care and Support (Agenda item 4)

The Cabinet Member with Responsibility for Adult Social Care introduced the report and commented that the Council had received a reasonable response to the consultation on changes to the assessment for replacement care. He thanked staff for following up the consultation with conversations with respondents on an individual basis which helped to flush out issues not previously considered. A clear majority of respondents were in favour of the proposed changes. The proposed changes would create a simpler and less bureaucratic system for the assessment for replacement care which would remove the risk of challenge under equality legislation.

In relation to the consultation on charging for double handed care, he explained that the Council had received a good level of response. After individual follow up conversations, those in favour/against reached approximately 50/50. The vast majority of councils nationally charged for double handed care. The change to double charging would impact on a relatively small number of self-funded service users. It would generate about £200k of revenue savings. It allowed the Council to fulfil its responsibilities under the Care Support Statutory Guidance to enable the charging rules to be applied equally to those of similar needs or of services that were treated the same.

The Cabinet Member with Responsibility for Health and Well-being welcomed any changes that made life simpler and easier for carers. It made sense to have one assessment for direct and indirect payment clients thereby reducing bureaucracy. Delivering the right care at the right price to the right people was a key aim of this Council. Double handed care was needed in certain circumstances and helped to protect the physical well-being of carers. She supported the proposal to charge for double handed care. In both cases, the consultation had been thorough and the proposals broadly supported.

### **Cabinet:**

- a) Noted the outcome of the consultation in relation to the proposed change for charging for replacement care and double handed care; and**
- b) Agreed the proposed amendments to the County Council's current charging policy for Adult Social Care Services in respect of the following:**
  - i) Changes the financial assessment criteria for Replacement Care from a residential service to a non-residential service and makes the distinction clearer for service users; and**
  - ii) Implements charges for both carers when two carers are required to attend a home care visit (double handed care).**

## 2161 Resources Report - Provisional Financial Outturn Results 2022/23 (Agenda item 5)

The Leader of the Council introduced the report and commented that despite irresistible demand-led pressures in Adult and Children's Social Care, Home to School Transport, pay and price inflation, the Council's overspend had reduced from a budget forecast of £13m overspend in Quarter 3 to an outturn overspend of £7.3m. In order to address the overspend, the Council would be drawing on earmarked reserves. In addition, the Council had benefited from effective Treasury Management that had generated a higher than anticipated surplus. There had also been some slippage in the capital programme that had reduced the level of borrowing. Despite these pressures, the Council maintained a healthy reserve which included a significant level of specific reserves and risk reserves which were vital to address demand-led pressures going forward.

He added that in relation to the Dedicated Schools Grant, the Government had recognised the continuing high needs pressures faced by schools by allowing the statutory override to continue for a further three years. A whole range of capital programme projects had been delivered to benefit the local economy and environment. There had been a degree of slippage in the programme which was to be expected. The unfinished projects would be rolled over in the capital programme.

In the ensuing debate, the following points were made:

- The Council had set out a clear plan to address the outturn overspend using Earmarked Reserves. The Council would continue to address demand-led financial pressures to ensure that cash allocations matched the budget
- The Cabinet Member with Responsibility for Education explained that there had been an increase in demand for Home to School Transport and the reasons for the overspend were being reviewed. It was important that the service was provided in the most efficient way possible
- The Cabinet Member with Responsibility for Adult Social Care indicated that the original overspend of £11m in Adult Social Care had been mitigated and was now £6.4m. The majority of this overspend related to the learning disability service. The service was reviewing its processes for forecasting the number of clients. The impact of the pandemic was now being reflected in the spending levels in mental health which were being driven by demand and a shortage of placements in the county and elsewhere. This meant that clients were being placed out-of-county into residential nursing services. There had been a relatively low level of overspend in physical disability services and a £2m overspend in older people services. The Council was in a relatively sound position but was suffering from a lack of capacity, rising costs and increased demand which would remain a constant factor over the next few years. The Government needed to find a sustainable way of funding adult social care for the elderly in the long term
- The Leader of the Council highlighted the role of public health in helping to drive changes that could address the demand-led pressures in Adult

Social Care. It was important that extra resources were included in the Council's budget to ensure that service provision was a true reflection of the level of demand.

**Cabinet:**

- a) **Endorsed financial performance for the year ended 31 March 2023 and the unaudited Annual Financial Report and Statement of Accounts 2022/23;**
- b) **Approved the transfers to and from earmarked reserves and general balances as detailed in paragraphs 41 to 57 of the report;**
- c) **Considered the draft Annual Governance Statement for 2022/23 before final approval is sought from the Audit and Governance Committee; and**
- d) **Noted the capital outturn for 2022/23 as detailed in paragraphs 62 to 69 of the report.**

**2162 Transfer of Coroners Officers to Worcestershire County Council (Agenda item 6)**

The Cabinet Member with Responsibility for Economy, Infrastructure and Skills, having declared a prejudicial interest, left the meeting room and took no part in the debate.

The Cabinet Member with Responsibility for Communities introduced the report and commented that there was a disparity between the Council's statutory responsibility for the recruitment and remuneration of the Senior and Assistant Coroners, costs associated with the service and accommodation and the coroners officers being employed by West Mercia Police (WMP). The current tripartite arrangements between the Council, WMP and the coroners service worked on the basis of good will and collaboration which had presented issues from an operational perspective. It was important, given the sensitive nature of the work, that a seamless service was provided to the residents of Worcestershire.

He highlighted the transitional arrangements for the transfer of staff and the phased withdrawal of funding from WMP over a four-year period with the Council taking full responsibility for the service budget from 2027 onwards. There would be the appropriate HR arrangements in place to facilitate the transfer of employees.

In the ensuing debate, the following points were made:

- The coroners service had previously maintained a considerable reserve and it was worth checking with WMP whether the reserve was still in existence
- The transfer of the coroners service from WMP to the Council was welcomed because the service was better suited to a neutral community-based organisation such as this Council

- The Leader of the Council identified that there would be implications for the Council of the transfer in terms of increased risk which would rest with the Council not WMP in the future
- A member from outside the Cabinet commented that the report suggested that current staffing levels in the coroners' service were inadequate. There was a risk that the Council would need to employ more staff following the transfer. Did the Council know the appropriate level of staffing necessary to maintain the service? The Cabinet Member with Responsibility for Communities commented that it was not possible to assess staffing levels at this stage. Staffing levels would be reviewed over the next 6-12 months.

**Cabinet:**

- a) **Approved the proposal to transfer of the management and future funding of Coroners Officers from West Mercia Police (WMP) to Worcestershire County Council (WCC);**
- b) **Agreed that permanent recurrent funding is sought from the County Council's budget, on a tapering basis, for 2024/25 onwards to fund the transfer of staff; and**
- c) **Authorised the Strategic Director for People, in consultation with the Cabinet Member with responsibility for Communities to agree the detail of the transfer of staff and function with a target date of 1 October 2023.**

The meeting ended at 10.35am.

Chairman .....