

## **Minutes of the Adult Care and Well Being Overview and**

### **Scrutiny Panel**

#### **County Hall, Worcester**

**Monday, 22 January 2024, 10.00 am**

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#### **Present:**

Cllr Shirley Webb (Chairman), Cllr Alan Amos, Cllr Lynn Denham,  
Cllr Paul Harrison, Cllr Matt Jenkins, Cllr Adrian Kriss and Cllr James Stanley

#### **Also attended:**

Cllr Adrian Hardman, Cabinet Member with Responsibility for Adult Social Care  
Margaret Reilly, Healthwatch Worcestershire

Steph Simcox, Deputy Chief Finance Officer  
Kerry McCrossan, Assistant Director for Adult Social Care  
Rebecca Wassell, Assistant Director for People Commissioning  
Kelly Palmer, Principal Social Worker  
Samantha Morris, Interim Democratic Governance and Scrutiny Manager  
Jo Weston, Overview and Scrutiny Officer

#### **Available Papers**

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 5 December 2023 (previously circulated).

(A Copy of document A will be attached to the signed Minutes).

#### **504 Apologies and Welcome**

Apologies had been received from Cllrs Andy Fry and Jo Monk.

#### **505 Declarations of Interest**

None.

#### **506 Public Participation**

Adult Care and Well Being Overview and Scrutiny Panel Monday, 22 January 2024  
Date of Issue: 15 February 2024

None.

## **507 Confirmation of the Minutes of the Previous Meeting**

The Minutes of the Meeting held on 5 December 2023 were agreed as a correct record and signed by the Chairman.

## **508 Budget Scrutiny 2024/25**

The Deputy Chief Finance Officer referred to the Agenda Report and outlined the Council's draft Budget for 2024/25 as presented to Cabinet on 10 January 2024.

At the end of October, the Council wide net overspend was £22.2m and due to ongoing expenditure greater than income, there was a structural deficit of around £35m. The one year Local Government Settlement, announced 18 December, indicated additional funding of £21m, however, this was a net £1.6m reduction on the expected funding. Despite measures, including savings, efficiencies and a proposed Council Tax increase of 4.99%, there would be a gap of £20.4m in 2024/25 which would need to be addressed. The final settlement was expected early February and a further Report would be taken to Cabinet before Council set the 2024/25 at its meeting on 15 February 2024.

In relation to specific 2024/25 Budget information for Adult Services, the total indicative investment into Adult Social Care was £19.2m and a further £0.8m pay and contract inflation investment into Provider Services. This would be offset by £2.9m indicative reductions, resulting in a net indicative investment of £17.1m.

Overview and Scrutiny Panels had been asked to agree any comments on the draft 2024/25 Budget for the Chairman to report back to the Overview and Scrutiny Performance Board at its meeting on 29 January 2024.

In the ensuing discussion, the following main points were made:

- A Member asked why there was a structural deficit of nearly £4m for the Learning Disabilities Service, to be informed that year on year there was increasingly more service users, many of whom now outlived their parents and required support from social care. In addition, the cost of care and acuity was increasing
- Officers clarified that the Budget did include service users who were transitioning from children's to adult services as part of the All Age Disability Strategy. Early identification of service users from children's services was widely supported to ensure a smoother transition to adult services. It was explained that by working with young people and their families from an earlier age, conversations had taken place such as what housing provision was available, and there had been some successful outcomes of young adults living independently with support

- The Panel Chairman reminded Members that the All Age Disability Strategy would be reviewed by the Panel in due course
- A Member asked what Officers could foresee as structural deficit in the coming years, given that the figure for Adult Services amounted to £5.9m in 2023/24 (from a Council wide deficit position of £35m). In response, it was reported that although a Budget was set each year, demand and price could not always be predicted and the Budget was set based on what was known at the time. In 2023/24, the majority of pressure was in price and Officers worked tirelessly to manage both demand and price. The Cabinet Member with Responsibility (CMR) added that he was optimistic that the £5.9m structural deficit could be lower at the end of the financial year and predictions for demand were about right, which was a testament to Officers and partnerships with health organisations
- A Member suggested that service demand would naturally increase to be advised that life expectancy in the County had gone down, however, Worcestershire was still the second fastest ageing county in the UK. The CMR and Officers emphasised the message that adults should be supported to live independently for as long as possible
- The Panel was concerned by the lack of any national funding reform and that insufficient funding would result in Worcestershire residents not receiving the best possible care. Officers were working with providers to ensure that the right services were available to accommodate changing need. For example, more people were living in Extra Care housing since 2017 and this was more effective
- Worcestershire had a large self-funding market, however as the Council only funded around 38% of the market, additional provider costs were being passed to self-funders
- A Member referred to previous discussions, where it had been reported that the 2023/24 Budget was based on a 4% growth in clients and by the end of September the growth had been 5.5%. When asked for the latest figures, it was reported that by the end of October it was 6.4% and 6.5% by the end of November. Officers advised that the slowdown was usual at this time of year and the growth curve historically flattened out as the winter progressed. The CMR stressed that predictions were difficult as the Covid pandemic had changed mindsets. The 4% growth was a reasonable target based on the information available at the time
- A Member referred to the Agenda Report and asked for an explanation as to why the overspend position was described as an exceptionally large increase in costs. In response, it was reported that nationally and locally there had been exceptional increases in three main areas, children coming into care, adult social care and home to school transport
- The Panel agreed that Government's statement for Councils to use Reserves was not sustainable for Worcestershire. The Council and local MPs had been lobbying Government for fairer funding with the final settlement due early February
- The Agenda Report referred to forecast additional income and a Member asked how confident Officers were with the figures presented. In response, the Panel was advised that there was a risk based approach and the figures were quite prudent based on the predictions

of benefit increases, however each client had a financial assessment undertaken relating to ability to pay so would be based on actual clients and their individual assessments. In relation to NHS Continuing Healthcare, the Council was now in a much stronger position to challenge decisions and received legal support where needed

- The Panel noted that some of the corporate saving efficiencies related to staff applying (and being accepted) for the Council's Voluntary Redundancy and Reduction in Hours Schemes. Numbers were yet to be confirmed as the Schemes had recently closed. It was noted however that essential roles were exempt from the Schemes, e.g. front line social workers.

## **509 Update on CQC Inspection Framework**

The Panel had received the Agenda Report, which outlined the new Care Quality Commission (CQC) Inspection Framework and the work that had been undertaken both nationally and locally since the last Panel discussion in March 2023.

Officers drew attention to aspects of the Report, mainly that CQC had completed 5 pilot assessments and findings had been published. In addition, CQC had reviewed data and published evidence from all 153 local authorities on themes of i) care provision, integration and continuity and ii) assessing needs. Following Government approval, the final CQC framework for inspection was published 8 December 2023 along with documentation requirements, which local authorities would have to provide CQC with, to support inspections.

CQC had previously reported that they would complete all local authority inspections over a two year period, however, it was unclear when Worcestershire would be inspected. On announcement of inspection, there would be at least 8 weeks before Inspectors were on site, however, there were earlier deadlines for items, such as data, processes, strategies and contact details for a range of stakeholders.

Key areas of concern that may be investigated could include delays in assessment, care provision or financial assessments, lack of co-operation between services, incorrect calculation of charges or failure to provide information about charges and delays in handling complaints.

Officers had been preparing for inspection over recent months and the introduction of a performance dashboard had ensured management awareness of any particular issues. Self assessment tools had been used to focus activity and Senior Managers were confident in the approach taken. Regular staff briefings had and would continue to take place and teams were subject to mini inspections to feed in to the improvement programme. In addition, there was a stakeholder engagement plan and the Council's focus was to embed, with staff, partners and providers, new strategies and ways of working to ensure key messages and learning was shared prior to future inspection.

The Chairman invited questions and in the following discussion, the following key points were raised:

- Of the 5 pilot assessments already undertaken, it was coincidence that 2 local authorities had since issued Section 114 notices, in effect declaring bankruptcy. Officers clarified that the 5 local authorities had volunteered themselves to CQC
- When asked how often a Care Home would expect to be inspected, Members learned that CQC inspections had paused due to the Covid-19 pandemic and CQC was now working through the backlog. However, assurance was given that the Council produced its own internal risk matrix and Quality Assurance Officers were part of the Commissioning Team. There had been instances when the Council had intervened in Care Home provision, resulting in actions, such as temporarily reducing the provision
- The Panel noted the demand on staff resources when an inspection was announced and was pleased to learn about the mental health support available, including the Council's wellbeing offer. Staff were regularly involved in talking about inspection expectations, were resilient and managed change well. Learning had also been taken from colleagues in children's services who were subject to their own inspection framework
- A Member asked about any delay in handling complaints, including local government ombudsman complaints, to be informed that there was a backlog in Deprivation of Liberty Safeguards (DoLS) referrals, which the Council was about to receive external support to manage. Although regularly triaged, Officers were hopeful they would be able to report a reduction in the backlog next year. The CMR added that the legislation was unlikely to be reformed
- A Member referred to the Report and asked for examples of a lack of co-operation between services, resulting in lack of or delayed provision. In response, Officers suggested that CQC would expect clear co-operation between services with successful outcomes and regular and documented communication
- When asked how supportive CQC was, it was reported that the inspection framework differed to the framework for schools, for example, by giving at least 8 weeks notice, rather than next day. The CMR added that other local authorities had reported their experiences as collaborative and furthermore, CQC was learning from the process as well.

The Representative from Healthwatch Worcestershire was invited to comment on the discussion and queried the level of involvement of the voluntary sector. In response, Officers stated that CQC would inform the Council who they would wish to speak to.

The Panel Chairman thanked everyone for the update.

## **510 Work Programme**

Members considered the Work Programme and agreed to schedule the Worcestershire Safeguarding Adults Board (WSAB) Annual Report at its March meeting. It was further agreed to add updates on Deprivation of Liberty Safeguards (DoLS) and Delivery of Adult Safeguarding to the Work Programme.

The meeting ended at 11.50 am

Chairman .....