

BRIGHTON & HOVE CITY COUNCIL

**ADULT SOCIAL CARE & HEALTH
SUB-COMMITTEE**

5.00pm 22 MARCH 2004

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Kielty (Chair); Councillors Allen, Fitch, Meegan, Morgan, Mrs Norman (OS), Older, Wells, Williams and Willows.

PART ONE

ACTION

43. PROCEDURAL BUSINESS

43A Declarations of Substitutes

43A.1 Councillor Allen substituted for Councillor Meadows and Councillor Fitch substituted for Councillor Turton.

43B Declarations of Interest

43B.1 There were no declarations of interest.

43C Exclusion of Press and Public

43C.1 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

43C.2 **RESOLVED** - That the press and public be excluded from the meeting during consideration of item 54.

44. MINUTES

44.1 Councillor Mrs Norman reminded the meeting that she had asked for information about the arrangements relating to some people attending the Brighton & Hove Day Service who still carried out "workshop work". The Chair replied that a report would be

submitted to the next meeting.

44.2 **RESOLVED** - That the minutes of the meeting held on 2 February 2004 be approved and signed by the Chair subject to an amendment to the part 2 minute (see minute 54).

45. CHAIR'S COMMUNICATIONS

45.1 As this was the last meeting of the Sub-Committee in the Council year, the Chair thanked Members for their contributions and good will

45.2 The Chair reported that following discussions, it had been agreed to reduce the number of Sub-Committee Members attending the Joint Commissioning Board and Integrated Services Board. The informal agreement would reduce the numbers on a 3.2.1 basis for a six-month trial period, from the start of the new municipal year in May 2004. Members could contact the Chair if they felt the new arrangements were not working.

45.3 Councillor Mrs Norman thanked Councillor Kielty for the way he had chaired the meeting throughout the year. Her party had agreed to the above changes for the trial period.

46. QUARTER 3 BEST VALUE PERFORMANCE PLAN

46.1 The Sub-Committee considered a report of the Director of Housing and City Support that presented the 2003/04 quarterly Performance Indicator (PI) results for all indicators for which the Adult Social Care and Health Sub-Committee is the Service Committee (see minute book).

46.2 The Director of Housing and City Support reported that the Directorate was working hard to improve PI 53 (the number households receiving intensive home care per 1,000 people aged 65 or over (PAF C28)). This was a complex budget and area of service. The council was currently not allowed to include the supporting people allocation and direct payments and this partly contributed to the figures falling below target. More reassuringly, the Director stressed that the council was a high performer compared to other local authorities in the south east.

46.3 The Director further explained that PI 58 (% of adults receiving a statement of their needs and how they will be met (PAF39)) had improved. The problems had been due to information not being properly recorded on the computer system and a misunderstanding on what could and what could not be included. Meanwhile, the council was exceeding targets on PI 54 and 56.

46.4 **RESOLVED** - (1) That the Performance Indicator results achieved during the third quarter 2003/04, as detailed in the abridged Q3 Best Value Performance Report 2003/04, appended to the report, be noted.

(2) That it be noted that the 2002/03 year end results have been audited.

(3) That the 2002/03 Quartile comparison information be noted.

47. INTEGRATED COMMUNITY EQUIPMENT SERVICE

47.1 The Sub-Committee considered a report of the Director of Housing and City Support which sought approval to arrangements for an Integrated Community Equipment Service in accordance with Department of Health requirements (see minute book).

47.2 An amendment to recommendation (1) was circulated to Members.

47.3 **RESOLVED** - (1) That the current Section 31 agreement between the South Downs Health Trust NHS and the Council be amended to include the joint provision of Integrated Community Equipment Services and that the Director of Housing and City Support be authorised to approve the terms and the completion of a variation agreement on behalf of the Council.

(2) That the Health Act 1999 Section 31 notification to the Department of Health, attached as appendix one to the report, be noted.

48. LEARNING DISABILITY CONSULTATION - FAIRER CHARGING

48.1 The Sub-Committee considered a report of the Director of Housing and City Support concerning a proposal for the introduction of fairer charging for adults with Learning Disabilities attending Day Services (see minute book).

48.2 The Manager, Integrated Learning Disability Service informed the Sub-Committee that people with Learning Disabilities were the only client group in Brighton & Hove who were not assessed under the Fairer Charging Policy. It was likely that a significant number of people would not have to pay charges. Some were in residential care and had already been assessed to pay charges for their accommodation. Many others would have insufficient income to pay charges, particularly if they lived with family members.

48.3 A summary of the consultation that had taken place with

people with learning disabilities, their carers and local advocacy groups regarding the implementation of Fairer Charging for Day Service attendance were set out in paragraph 5 of the report and in appendices 1 and 2. The consultation showed that there was general opposition to the proposal and the effect on family income. However, there were positive comments on the day service provided and purchased. It was not possible at this stage to say exactly how many people would be affected or how much they would have to pay, as it would depend on an individual assessment. Meanwhile, officers would help people to maximise the benefits to which they were entitled.

48.4 Some Members expressed concern about the proposals and requested a deferral for more accurate estimate of the nature of the charges.

48.5 The Chair stressed that the issue was one of equity. Currently people with physical disabilities, mental health problems and older people had to pay for day service attendance. It followed that Fairer Charging should also be applied to those with learning disabilities as the alternative, removing charges for all groups, would seriously affect the budget and threaten the whole day service.

48.6 The Director of Housing and City Support reported that the council had a statutory duty to review the charging policy. Financial assessments could not be carried out until the policy change was approved.

48.7 **RESOLVED** - (1) That the views expressed by people with learning disabilities, family carers and local advocacy groups with regard to the proposal to introduce fairer charging for adults with Learning Disabilities attending Day Services, be noted;

(2) That it be noted that the issue is one of equity with other adult client groups and it is proposed that Fairer Charging is extended to include adults with learning disabilities – this includes both day services provided by and purchased by the Integrated Learning Disability Service; and

(3) That the extension of the Fairer Charging Policy should commence on 30 April 2004.

49. INDEPENDENT SECTOR CARE HOME FEE INCREASES 2004/05

49.1 The Sub-Committee considered a report of the Director of Housing and City Support that sought approval for proposed fee increases for independent sector care homes providing these services on behalf of the Council (see minute book).

49.2 Members were informed of an error in appendix 1. The new rate for Care Homes with Nursing OPMH (New and Existing Placements) single-medium was £477.50 (not £447.50).

49.3 Councillor Allen was concerned that people should not be pressured into sharing rooms following the implementation of the new rates. The Director of Housing and City Support assured him that this would not be the case. It was possible that people being discharged from hospital might have to initially share a room but officers would try to arrange for them to have a single room as soon as possible.

49.4 **RESOLVED** - That approval be granted for the fee increases as set out in paragraph 3.8 of the report and in Appendix 1 to the report (as amended) and for which provision has been made within the budget planning process for 2004/05.

Note: Appendix 1 should be amended as follows: Care Homes with Nursing OPMH (New and Existing Placements) Single – Medium. New Rate is £477.50.

50. HOME CARE SERVICES: BUDGET, RATES AND CAPACITY ISSUES

50.1 The Sub-Committee considered a report of the Director of Housing and City Support that provided a supplementary report on the reasons for requesting an above inflation increase on rates payable to home care providers (see minute book).

50.2 **RESOLVED** – (1) That rates payable to home care providers
a) enable providers to meet national minimum standards for domiciliary care agencies, and
b) to improve recruitment and retention of staff.

(2) That the budget for home care be increased further by an additional 2% to increase the volume of home care purchased (the capacity of the service).

51. SUNNINGDALE NURSING HOME

51.1 The Sub-Committee considered a report of the Director of Housing and City Support concerning the withdrawal of registration of Sunningdale Nursing Home which resulted in the emergency closure of the home by the National Care Standards Commission on Friday, 7 February 2004 (see minute book). All residents were moved to Birchview Nursing Home and had settled in well.

51.2 Members asked for their thanks to be reported to staff for carrying out the exercise with dedication. The Sub-Committee's thanks should also be extended to Sussex Ambulance Service and some staff from the private sector.

51.3 **RESOLVED** - That the content of the report be noted.

52. MONTH 9 BUDGET FORECAST

52.1 The Sub-Committee considered a report of the Chief Finance Officer which set out the forecast for the General Fund and Housing Revenue Account Budgets which had previously been reported to Policy & Resources Committee (see minute book).

52.2 **RESOLVED** – That the report be noted.

53. ITEMS TO GO FORWARD TO COUNCIL

53.1 **RESOLVED** – No items were referred to Council.

PART TWO**54. PART TWO MINUTE FROM THE MEETING HELD ON 2 FEBRUARY 2004**

54.1 **RESOLVED** – The part 2 minutes were approved subject to the following amendment. Paragraph 42.3 should be amended to read “....the National Care Standards Commission had taken over responsibility for registration of home care services *in April 2004*. They would take over responsibility for registration *and inspection* in 2005.”

The meeting concluded at 6.31 p.m.

Signed

Chair

Dated this

day of

2004