

9 October 2017**Agenda Item: 9****REPORT OF THE CORPORATE DIRECTOR, ADULT SOCIAL CARE, HEALTH
AND PUBLIC PROTECTION****ADULT SOCIAL CARE AND HEALTH CONSULTATION****Purpose of the Report**

1. In order to identify ways to provide services more efficiently and help manage the Council's budget pressures, the Adult Social Care and Health Department undertakes a regular programme of service reviews to consider the way in which social care and support is provided to adult service users in Nottinghamshire. The purpose of this report is to seek approval to consult on four savings proposals in relation to Adult Social Care services:
 - a proposal to review the Adult Social Care and Health Charging Policy in order to reflect the different rates set out in the Department of Health circular 'Local Authority Charging' and in the Care Act 2014
 - a proposal to apply the charge to service users, for particular social care and support services, in advance rather than in arrears
 - a proposal to ensure that the Council's existing home care charging policy is applied for people who continue to require and receive home care after receiving non-charged reablement support where they are awaiting a longer term package of home care
 - a proposal to review the way that support is provided to carers.
2. Approval is also sought to bring a further report to the Committee in January 2018 on the outcome of the consultation process.

Information and Advice

3. The proposals described within this report form a part of the Council's overall budget setting process which will have been considered by Policy Committee on 13 September 2017. Consultation is to be undertaken to raise awareness of the challenges being faced by the Council, to describe how the Council is proposing to deal with these challenges and to seek the views of local citizens so that the Council can make informed decisions on how best to provide support and services to the residents of Nottinghamshire.
4. Approval is sought to consult with the public on four proposals under consideration by the Adult Social Care Department as outlined in **paragraphs 5 – 15**, below.

Proposal to review the Adult Social Care and Health Charging Policy

5. The Council proposes to review the charging policy for care and support services in line with the different rates set out in the Department of Health circular Local Authority Charging (DH LAC 2016) and also in accordance with the Care Act 2014. As a result of the changes in legislation, councils are now able to take into consideration a higher proportion of some welfare benefits when assessing an individual's contribution towards the cost of their care and support than had previously been the case. In bringing charging in line with the rates set out in the legislation described above, the Council will be able to reduce the amount it pays for some people's care and support packages whilst ensuring that all individuals retain income levels at or above the guaranteed minimum.
6. Within the charging policy, the Council has a robust process for agreeing to waive some charges in particular situations such as:
 - a complaint by a service user or their carer has been upheld about the quality of the care provided
 - a service has been provided but it has not been made clear to the service user or their family that they may have to contribute towards this service, following a financial assessment of their income and assets.
7. As part of the review of the charging policy, it is proposed that the process for agreeing waivers of charges is amended to include the intention to seek to recover the cost of the waiver from the relevant provider where it is appropriate to do so, for example in response to a complaint that has been upheld.
8. In addition to this it is proposed that the number of financial assessments that any one individual is subject to will be minimised in order to reduce the overall number of assessments undertaken by the Council and to simplify the process.
9. It is estimated that these elements combined would help the Council to save £49,000 a year.

Proposal to charge service users in advance rather than in arrears

10. It is proposed to charge service users in advance for some community based services, such as transport, day services, meals and home care rather than the current system of charging in arrears. People would be charged for the service that has been planned and arranged, with individual accounts reconciled on a monthly basis. The policy on cancellation of services will be reviewed to ensure there is clarity about the circumstances in which service users will be charged for services. This will include charges levied for services that have been arranged but have not been taken up because, for example, the service is cancelled at short notice, and the circumstances in which service users can expect to receive a rebate, for example where the service user is admitted to hospital or the service ends.
11. It is estimated that this proposal would help the Council to reduce the amount of waivers by approximately 75% which would realise approximate savings of £26,000 a year for the Council.

Proposal to ensure the Council's existing homecare charging policy is applied for people exiting short term reablement services

12. The Council's Short-Term Assessment and Reablement Team (START) works with people for a maximum of six weeks to help them regain their independent living skills and confidence following a period of ill-health, which has often required a stay in hospital. National guidance requires that the Council does not charge people for their short term reablement support. There are instances, however, where people remain with the START service for a period after their re-ablement is completed when they require a longer term home care service. This is because it can take a short time for an appropriate, local independent sector home care provider to be available to hand over to. The Council can, therefore, implement its existing home care charging policy for people at this point. This is expected to save £45,000 a year.

Proposal to review how support is provided to carers

13. The Council's Adult Social Care Strategy emphasises the importance of a pathway that resolves people's issues at the earliest possible point through the provision of good information and advice, as well as preventative services. Building on the early success of Carers Support Workers in the Adult Access Service and the Carers Information and Advice Hub, it is proposed that the Council will revise and further improve what it offers carers prior to undertaking a formal Carers' Assessment and Support plan. The aim is to have a proportionate approach that continues to increase the number of carers who have their needs met more promptly through information, advice and services that do not require an assessment in order to access them. Carers' Assessments will still be offered to those carers where there is a significant impact on their wellbeing.
14. Currently a high number of carers move quickly to the single offer of a small one-off personal budget as a Direct Payment, without there being full consideration of use of existing services that could be accessed as part of the support plan. Carers' personal budgets will continue to be available where carers are eligible and it is the most appropriate way of meeting their needs. Providing more carers with the right support earlier and ensuring that they are accessing the full range of services that the Council and Clinical Commissioning Groups (CCGs) already jointly provide, either directly or through the independent and voluntary sector, will therefore make more effective use of resources to support the growing number of carers that the Council is now identifying and supporting. This proposal aims to deliver £150,000 savings.
15. The CCGs are reviewing their model of providing one-off Carers Breaks which are also accessed via the Carers' Assessment and targeted at people who do not have social care needs. This work will therefore be done jointly with the CCGs to ensure there is an increasingly integrated offer for carers.

Consultation

16. Detailed information about all of the four proposals will be shared with the public through a variety of formats, including on-line and in paper format. The information will be provided in alternative formats and languages where requested.

17. The consultation will attempt to reach the following groups in Nottinghamshire:
- Young people
 - Older people
 - Families
 - Disability groups
 - Carers' groups
 - Service users
 - Care service providers
 - Voluntary and Community sector
 - Nottinghamshire citizens' panel
 - Council employees.
18. It is anticipated that the overall consultation campaign will take place between the middle of October and November 2017. The outcome of the consultation process and approval to progress any of the proposals, where appropriate, will be considered by Committee in January 2018.

Other Options Considered

19. Given their nature, the Council wishes to consult with the public on the proposals to review the Adult Social Care and Health Charging Policy; to charge service users for some social care and support services in advance rather than in arrears; to change the existing home care charging policy; and the proposal to review the way that support is provided to carers.

Reason for Recommendations

20. To outline and obtain approval for how the Council undertakes its obligations in respect of consulting with the public on the four proposals outlined in the body of the report.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

22. Subject to the outcome of the consultation process, it is anticipated that the four proposals, if successfully delivered, could reduce Council costs by £270,000.

Human Resources Implications

23. No direct impact on staff posts has been identified in any of the proposals.

Public Sector Equality Duty implications

24. Equality Impact Assessments have been prepared for all the proposals and will be shared with the public as part of the consultation process.

Implications for Service Users

25. Proposal to review the Adult Social Care and Health Charging Policy: this proposal will have an impact on all service users who contribute towards the cost of their care. Some service users may have to pay more towards the cost of their care. Service users will continue to have a full financial assessment which includes ensuring that they retain sufficient income in accordance with current legislation and guidance.
26. Proposal to charge service users in advance rather than in arrears: the pre-payment of service charges would mean that individuals would have to pay for their service in advance. This may not be aligned with the receipt of some benefits that are not paid in this way and the Council will need to give consideration to this.
27. Proposal to ensure the Council's existing home care charging policy is applied for people exiting short term reablement services: service users will need to contribute or pay in full for home care services provided by the START service once it becomes known that they continue to require home care once their reablement goals have been met in full or it is established that there is no reablement potential. This is line with the existing charging policy for home care.
28. Proposal to review how support is provided to carers: a smaller proportion of carers may receive a Carers' Personal Budget however additional services and support are already in place to meet carers' needs. Alternative ways of providing and financing options that improve carers' health and wellbeing will also be put in place.

RECOMMENDATION/S

That the Committee:

- 1) gives approval to undertake a public consultation on the following four proposals:
 - a proposal to review the Adult Social Care and Health Charging Policy in order to reflect the different rates set out in the Department of Health circular 'Local Authority Charging' and in the Care Act 2014
 - a proposal to apply the charge to service users, for particular social care and support services, in advance rather than in arrears
 - a proposal to ensure that the Council's existing home care charging policy is applied for people who continue to require and receive home care after receiving non-charged reablement support where they are awaiting a longer term package of home care
 - a proposal to review the way that support is provided to carers.
- 2) agrees that a further report on the outcome of the consultation process be brought to Committee in January 2018.

David Pearson
Corporate Director, Adult Social Care, Health and Public Protection

For any enquiries about this report please contact:

Jennifer Allen
Project Manager, Programmes & Projects Team
T: 0115 9772052
E: jennifer.allen@nottsccl.gov.uk

Constitutional Comments (SMG 14/08/17)

29. The proposals outlined in this report fall within the remit of this Committee.

Financial Comments (OC 23/08/17)

30. The financial implications are contained within paragraph 22 of the report.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

ASCPH484