

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Adults and Health Committee**
held on Monday, 27th September, 2021 at The Ballroom, Sandbach Town
Hall, High Street, Sandbach, CW11 1AX

PRESENT

Councillor J Rhodes (Chair)
Councillor A Moran (Vice-Chair)

Councillors P Butterill, J Clowes, A Critchley, S Gardiner, A Kolker, D Murphy,
J Weatherill, N Wylie and C Bulman

OFFICERS IN ATTENDANCE

Roisin Beressi, Senior Solicitor – Adults and Education
Jill Broomhall, Director of Adult Social Care
Shelley Brough, Head of Integrated Commissioning
Paul Goodwin, Head of Financial Services
Nichola Thompson, Director of Commissioning
Karen Shuker, Democratic Services
Matt Tyrer, Director of Public Health

11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Evans, L Jeuda
and R Vernon. Councillors C Bulman, D Edwardes and K Flavell attended
as substitutes.

12 DECLARATIONS OF INTEREST

In the interest of openness Councillor A Kolker declared an interest in
respect of the fact that he was a Trustee of ESAR, a health and sport
charity.

It was noted that Councillor A Kolker made this declaration after minute
no.19.

13 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 13 July 2021 be approved as a
correct record.

14 PUBLIC SPEAKING/OPEN SESSION

There were no public speakers.

15 **PERFORMANCE SCORECARD - QUARTER 1 (2021/22)**

Consideration was given to a report that outlined the performance data and measures related to services that fell within the responsibility of the Adults and Health Committee, from Quarter 1 of 2021/22. The committee asked questions and put comments in relation to a number of the performance measures including

- The rising numbers of Residential Admissions;
- When would the new legislation be published;
- Would there be a balanced budget;
- The number of Contacts resulting in a New Referral;
- The number of mental health act assessments completed;
- The number of new Safeguarding Concerns received in a period.

RESOLVED

That the report be noted.

16 **ADULT SOCIAL CARE IMPROVEMENT PLAN - LEARNING FROM COVID-19**

During consideration of the item Councillor A Kolker arrived to the meeting.

The committee received an update in respect of the Adult Social Care Improvement Plan and learning from Covid-19. Reflections on the response to Covid-19 by Adult Social Care would inform the development of social care recovery plans and would contribute to wider whole system recovery, which would support the health and wellbeing of the local population.

The recovery plan would be used to inform longer term plans for the 'new normal' ensuring that the key principles of the Cheshire East Corporate Plan would be taken in to account.

In response to questions and comments from members, officers reported that:

- If IT assessments hadn't been possible for some individuals, face to face assessments had taken place;
- Mental health act assessments would always be face to face as undertaking these using IT solutions would have been illegal. As stated in the Care Act all assessments were undertaken in proportionate and appropriate manner;
- Staffing levels had been monitored regularly during the height of the pandemic; data was available which analysed the reasons for

absence, the number who had been affected by Covid either through contracting it or having to self isolate, those suffering with long Covid;

- The Power Business Intelligence system used for data analysis had allowed managers to review performance of their staff regularly; it was reported that during the pandemic the same standard of service had been maintained despite staff working in isolation. New staff members had been supported in the office with their peers and managers as part of their induction;
- A report would be produced on the impact of Covid-19 on staffing in due course;
- Although there had been some relaxation in restrictions to visiting care homes, these would be reintroduced should there be an increase in the number of cases;
- There had been a positive response to the vaccination programme in care homes; of the 132 staff who hadn't received the vaccination, 68 of those were medically exempt. Work was being undertaken with care homes to encourage uptake and emphasis was being given on the importance of working to ensure that anyone entering a care home was double vaccinated.

RESOLVED: That:

- (a) the update be noted;
- (b) a presentation in respect of the case studies on the personalised services provided by adult social care be brought back to committee.

17 ADVOCACY SERVICE RECOMMISSION

The committee considered a report on the arrangements to recommission advocacy services, in response to changes in legislation (LPS).

The report set out the background to the current Statutory Advocacy Contract and Partnership Agreement which was a jointly commissioned service between Cheshire West and Chester Council and Cheshire East Council.

The current contract would cease on the 31 May 2022, and to align with new Liberty Protection Safeguard legislation which was being introduced it was proposed that the current Statutory Advocacy contract be extended and that a new service be re commissioned jointly with Cheshire West and Cheshire Council.

As the new legislation would have wider scope than the current Deprivation of Liberty Safeguards (DoLS) and would apply to several settings it would result in an overall increase in demand for statutory advocacy support.

It was proposed and seconded that the recommendations in the report be approved, subject to the amendments made to the wording in recommendations 2.1.2 and 2.1.3 as listed below, which would provide assurance to the committee that they fully understood what they would be approving.

A further recommendation was proposed and seconded that the Adults and Health Committee request that the Director of Adults Social Care, the Chief Executive and the Director of Commissioning to send a jointly signed letter to the Secretary of State for Health and Social Care to ask when it was expected the legislation would be implemented as it was causing issues for the Council in operation terms in respect of recommissioning services.

RESOLVED: That the Committee

- (a) approve 2.1.1 to extend and, if necessary update of the current statutory Advocacy Contract (by way of modification) and overarching Partnership Agreement with Cheshire West and Chester Council by a maximum of 15 months;
- (b) approve 2.1.2 subject to the rewording of the recommendation to read
“delegates authority to the Director of Commissioning in consultation with the Director of Governance and Compliance to commence jointly with Cheshire West and Chester Council, and if beneficial with other relevant organisations and the Cheshire Clinical Commissioning Group to undertake the engagement work and resultant new service specification that will inform the recommissioning at a future date of the statutory advisory service, in alignment with the new Liberty Protection Safeguard legislation when it is introduced”;
- (c) approve 2.1.3 subject to the rewording of the recommendation to read
“would give consideration to the completed service specification at a future meeting of the Adults and Health Committee to provide assurance prior to proceeding to recommissioning the service”.
- (d) approve the recommendation of 2.1.4 requesting the Director of Adults Social Care, the Chief Executive and the Director of Commissioning to send a jointly signed letter to the Secretary of State for Health and Social Care to ask when it was expected the new legislation would be.

18 ASSISTIVE TECHNOLOGY RECOMMISSION

The committee considered a report on the recommissioning of the Assistive Technology Service which enabled the Council to meet its statutory duties under the Care Act.

The committee agreed that it was a good service, and it should be maintained.

In response to questions and comments from members in respect of funding, joint working arrangements, and the need for more information around the specification, officers reported that:

- The report the committee had been asked to consider had previously been to the Better Care Fund Governance group to gather views and input from health colleagues; a joint arrangement for commissioning was in place and a joint project group for every commission undertaken.
- Acknowledgement that it was a very traditional service that was provided therefore benchmarking across other local authorities had taken place.
- Legal clarification would be required on the contract specifications which would be discussed outside of the meeting with the recommendation to bring back a report to committee prior to any contract being awarded.

RESOLVED That the committee:

- (a) approves the recommission of the Assistive Technology service in principle;
- (b) delegates authority to the Director of Commissioning to award the contract(s) subject to approval being given to a report being brought to committee, once the consultation and engagement process around the Assistive Technology recommission has been completed.

19 NHS HEALTH CHECKS RECOMMISSION

The committee considered a report on the recommission of NHS Health Checks which were currently undertaken by General Practices. Due to General Practices having the data required to establish patient eligibility it was recommended that the delivery of NHS Health Checks should continue to take place via General Practices.

In response to questions and comments from members in respect of what an alternative model would like, whether or not enough was being done to get people through the door, had exploration with other bodies been considered, officers reported that

- engagement and consultation work carried out during the pandemic showed that GPs were interested in continuing delivering the health checks despite the issues caused by the pandemic;

- As income generated activity it did support GP practices and their delivery; benefits were identified through the health checks
- Research undertaken by Public Health England demonstrated the model of provision through GP practices as best practice.

RESOLVED That the committee

- (a) approves the recommission the NHS Health Checks service;
- (b) delegates authority to the Director of Commissioning to award the contracts.

The Committee adjourned for a short break at 12.15pm and reconvened at 12.20pm.

20 ALL AGE CARERS HUB AND STRATEGY

The committee received a report on the draft carer's strategy and the recommissioning of the All-Age Carers Hub contract.

The report was welcomed by the committee and it was noted that the draft policy formed from a joint approach had proved invaluable.

The report had been considered at the Better Care Fund Governance group; funding had been approved and it had mainly been funded by the Cheshire Clinical Commissioning Group.

RESOLVED That the committee

- (a) approve the draft carers strategy as outlined in Appendix 2 for the basis of consultation;
- (b) following consultation of the strategy, note that the final version of the All-Age Carers Strategy will be presented for approval to the Adults and Health Committee, and Children and Families Committee;
- (c) approve the recommission of the All-Age Carers Hub contract which ends in December 2022, with Cheshire West and Chester Local Authority, and Cheshire Clinical Commissioning Group;
- (d) delegates authority to the Director of Commissioning to award the jointly commissioned All Age Carers Hub contract subject to a report being brought to committee in March following the recommissioning process.

21 ASSISTIVE TECHNOLOGY CHARGING POLICY

The committee considered a report on the consultation on the Assistive Technology Charging Policy. The Council would like to develop the current service by increasing the number of people who would be able to access it, and the range of devices they would be able to obtain to address their care needs more effectively. Prior to implementing any change, a review was undertaken in respect of the charging structure for the service.

The report considered consultation feedback received from stakeholders in respect of the proposal that people aged 85 and over who live alone would be charged £5 per week for the Assistive Technology Service. This would be the same levy as for all other users of Assistive Technology and would allow the service to be sustainable in the longer term and be accessed by additional vulnerable people. This would be subject to users being able to ask for a financial assessment which would check their ability to pay.

In response to questions and comments from members in respect of whether the new system would be fairer for all, would it be sustainable, missing data around the success or otherwise of the population health approach and whether it would be a saving or false economy, officers reported that:

- Assessments would be proportionate and based on the ability of people to pay; if they can't afford to pay, they won't as the Care Act states it's about "*fairness and equality*".
- If there was no charge implemented for those who currently received the service for free there would be a chance that those who did pay for the service would see an increase.
- There had been no change in emergency hospital admissions for 2019/20 for Cheshire East in respect of falls; this was below the English average. Future work to prevent falls in the first place would be considered.

RESOLVED That the Committee:

Agrees to implement the consultation proposal that people aged 85 and over who are living alone are charged £5 per week for the Assistive Technology Service. This would be the same levy as for all other users of Assistive Technology. This will be subject to users being able to ask for a financial assessment, which would check their ability to pay. People with a cognitive impairment will be appropriately supported in this process.

22 REFERRAL OF NOTICE OF MOTION: RIGHT TO FOOD

The committee considered a report in response to a Notice of Motion submitted by Councillor Critchley to Council on 22 June 2021 that the 'Right to Food' be incorporated in to the 'National Food Strategy'; and referred to the Adults and Health Committee.

The report provided further information on the request which had included asking the Chief Executive, Lorraine O'Donnell to write to Henry Dimbleby to further the request to support the notion.

The committee heard that by working together with residents and partners to support people and communities to reduce health inequalities across the borough it would ensure food poverty wouldn't become prevalent across the borough.

Councillor Critchley welcomed the report and the work that had been undertaken following the Council meeting. It was requested that recommendation 2.1 *“to consider if Chief Executive, Lorraine O’Donnell, should write to Henry Dimbleby to incorporate the ‘Right to Food’ movement into the ‘National Food Strategy’ by emailing foodstrategy@defra.gov.uk”* be removed and that a proposal to amend the wording in recommendation 2.3 to include undertaking a spotlight review to develop the strategy be considered.

RESOLVED that the committee:

- (a) Agree to remove recommendation 2.1 *“to consider if Chief Executive, Lorraine O’Donnell, should write to Henry Dimbleby to incorporate the ‘Right to Food’ movement into the ‘National Food Strategy’;*
- (b) Acknowledge the services and provision in Cheshire East which address and prevent food poverty and food insecurity;
- (c) Agree that the Council should develop its own Right to Food Strategy that meets local anticipated need over the next 4 years which aligns to the Corporate plan; to include a spotlight review to develop the strategy.

23 WORK PROGRAMME

The committee considered an updated work programme.

The following amendments were reported:

Accommodation with Care Recommission item be removed from the November meeting to allow for the extension of the current contract. An update would be brought back to committee in 2022.

The Live Well for Longer Strategy be moved to the January committee.

The committee made a request that officers review the process in which committee members received the agenda to ensure the committee has time to read and digest the information.

RESOLVED That:

- (a) the work programme be approved subject to the inclusion of the amendments outlined above;
- (b) Officers review the process of how committee members received agendas for committee meetings.

The meeting commenced at 10.30 am and concluded at 1.10 pm

Councillor J Rhodes (Chair)