

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Adults and Health Committee**
held on Monday, 23rd September, 2024 in the Committee Suite 1,2 & 3,
Westfields, Middlewich Road, Sandbach CW11 1HZ

PRESENT

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

Councillors A Burton, J Clowes, A Kolker, R Moreton, J Snowball, D Clark,
M Simon, K Edwards and L Wardlaw

OFFICERS IN ATTENDANCE

Helen Charlesworth-May, Executive Director Adults, Health, and Integration
Jill Broomhall, Director of Adult Social Care
Sheila Wood, Principal Social Worker
Nik Darwin, Acting Programme Lead, Thriving and Prevention/ Live Well for
Longer
Dr Matthew Atkinson, Public Health Consultant
Nikki Wood-Hill, Lead Finance Business Partner
Roisin Beressi, Principal Lawyer (Adults & Education)
Karen Shuker, Democratic Services Officer
Samuel Jones, Democratic Services Officer

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Adams, S
Gardiner, H Moss, J Place and R Vernon.

Councillors D Clark, K Edwards, M Gorman (virtual) and M Simon
attended as substitutes.

14 DECLARATIONS OF INTEREST

During consideration of Item 9, Update on Falls Prevention Strategy,
Councillor A Kolker declared that he was the Chair of Trustees of
Everybody Health and Leisure.

15 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 24 June 2024 be approved as a
correct record and signed by the Chair.

16 PUBLIC SPEAKING/OPEN SESSION

There were no members of the public present.

17 FIRST FINANCIAL REVIEW 2024/25

The Committee considered a report on the current forecast outturn for the financial year 2024/25 based on the Council's income, expenditure and known commitments as at the end of July 2024. It also identified actions that were being taken to address adverse variances to urgently address the Council's financial sustainability.

Performance against the 2024/25 Budget within each service committee, and the Finance Sub-Committee was outlined in Table 1 of the report. The Council was forecasting an additional in-year pressure of £26.5m - this was before the application of any exceptional financial support.

Members sought clarification on the reasons for the overspend of £20.7m in the Adults budget. It was stated that the overspend forecast were the expected overspend at the end of the year if nothing changed. The overspend arose from a number of factors including more people than anticipated seeking Council support. This included an increase in the number of former self-funders seeking local authority funding to meet their care costs. Other factors included the increase in costs of providing care due to increases in the National Living Wage, an increase in the discharge activities from hospitals.

Officers reported that it would be very unlikely that the department would be able to balance its budget this year. However, the £20.4m forecast was a worst-case scenario and assumed a level of growth in the second half of the year similar to the level of growth seen in the first half of the year. If the activity in growth and price could be prevented in the second half of the year that should bring the overspend down by £4m.

Officers advised Members that the needs of those with most significant social care needs and disabilities, are factored into projections. Officers had commissioned modelling to be undertaken on the demand on Adults and Children's to the end of the decade, in order to get a better understanding of what will happen year-on-year. A key driver of demand and expenditure in adult social care is the proportion of the population over the age of 85, which has increased in Cheshire East over the last 5 years, at a faster rate than the English average and will continue to the end of the decade.

Members were advised that work around the Better Care Fund (BCF) was conducted in a way to support all parties who were dealing with discharge and significant investment in reablement services from the BCF is taking place and will need to be expanded to reduce the number of people going into hospital.

Members asked whether difficult conversations were being had with partners, such as the NHS. Officers informed members that NHS

colleagues were clear of the consequences of Cheshire East Council's financial situation and that if it were to deteriorate, it would have a detrimental effect on the local NHS provision. However, the NHS were themselves facing deficit of £160m and were seeking how to minimise expenditure. Cheshire East Council has made clear to the Ministry of Housing, Local Government and Communities, the impact of the NHS national policy on local authorities.

Members were advised that the £500k Public Health Grant could not be used to offset a reduction in expenditure but would be for an overall increase in substance misuse support.

In response to a question raised as to whether officers could tell if the mitigations put in place were working, officers reported that it was too early to tell, however, there had been some stabilisation in respect of price and a levelling off of activity.

Officers committed to providing a response to the questions raised by committee members, as summarised below:

- The rate at which the population of those over 85 in Cheshire East was increasing.
- Would Cheshire East Council be asking for permission to use Exceptional Financial Support funding for other means which were not initially requested for in March when we were going to draw that money down?

RESOLVED: by Majority

That the Adults and Health Committee:

1. Review the factors leading to a forecast adverse Net Revenue financial pressure of:

Council: £26.5m against a revised budget of £387.6m (6.8%)

Adults and Health: £20.7m against a revised budget of £138.0m (15.0%)

Scrutinise the contents of Annex 1, Section 2 relevant to services within the committee's remit, and review progress on the delivery of the MTFS approved budget policy change items, the RAG ratings and latest forecasts, and to understand the actions to be taken to address any adverse variances from the approved budget.

2. Consider the in-year forecast capital spending of:

Council: £164.5m against an approved MTFS budget of £215.8m, due to slippage that has been re-profiled into future years.

Adults and Health: £0.8m against an approved MTFS budget of £0.8m

3. Note the available reserves position as per Annex 1, Section 5.
4. Approve the Supplementary Revenue Estimate Request for Allocation of Additional Grant Funding over £500,000 up to £1,000,000 as per Annex 1, Section 3, Table 2.
5. That the Adults and Health Committee acknowledge the request of the Finance Sub committee at its meeting on the 12th September 2024 for the Corporate Policy Committee to undertake an examination of children services and adults as areas for consideration as their performance lies outside the parameters of the MTFS.

18 DIRECT PAYMENT - PERSONAL ASSISTANT (PA) UPLIFT HOURLY RATE FEES

The Committee considered a report which sought approval to uplift the direct payment personal assistant (PA) hourly rate paid to those recipients who employ a personal assistant through a direct payment arrangement and continue to align the hourly rate for adults and children direct payments. It also sought approval to delegate authority to the Executive Director of Adults, Health and Integration to undertake annual reviews of direct payment personal assistant (PA) hourly fees that would track annual increases to the National Living Wage (NLW) as part of the council's financial planning cycle including authority to make decisions to implement the financial uplifts.

Members were updated that the Council has a contract to support those who would be acting as employers. The money to fund the uplift had been built into the budget, and financial modelling had taken place factoring in the increase to the National Living Wage. The increased rates would be backdated to the beginning of the financial year.

When asked about the scrutiny of the direct payments, Members were advised that as part of the new policy, Cheshire East Council was implementing new technology to record and monitor how recipients of direct payments were spending the money. Recipients would be given a card to be used to make payments, which is reported to the Council. An exercise is undertaken twice a year to check and see if there has been any underspend, and why. Underspends are clawed back by Cheshire East Council. This information was also monitored via annual National Statutory Returns. Members were advised that direct payments would be incorporated into the MTFS in the future when carrying out the budget setting process, which will come back to the committee for scrutiny.

Officers committed to providing a response regarding how many people would be in receipt of direct payments.

RESOLVED: By Majority

That the Adults Health and Integration Committee:

1. Approve to set the direct payment personal assistant hourly rate fee for those residents who employ a personal assistant at £15.31 based on the current NLW.
2. Delegate authority to the Executive Director of Adults, Health and Integration to undertake annual reviews of direct payment personal assistant hourly rates, tracking increases to the NLW and to approve and implement uplifts to the rates alongside the MTFS budget setting process.

19 BETTER CARE FUND SECTION 75 AGREEMENT 2024-25 & 2025-26

The Committee considered a report which sought approval to enter into a new Section 75 Agreement for one year, between Cheshire East Council and Cheshire and Merseyside ICB from 1 April 2024 until 31 March 2025. With the possibility of an extension for the period of an additional year from 1 April 2025 until 31 March 2026.

Members queried why Cheshire East Council would be entering into a Section 75 agreement with the Cheshire Integrated Care Board (ICB), and how Cheshire East Council could guarantee that it received a fair share of the Better Care Fund (BCF). Officers reported that it was necessary to enter into a Section 75 agreement with the ICB because it was the statutory organisation; there is no longer a statutory organisation at Cheshire East Place level. However, the BCF grant is delineated by local authorities, so there is a sum of money in the national guidance identified for Cheshire East which is identified for pooling in the BCF.

Members were updated that officers were looking to ensure that money is spent on programmes which have the greatest impact; the amount of money is increasing and a significant proportion of it will be spent on reablement.

RESOLVED: Unanimously

That the Adults and Health Committee:

1. Authorises the Council to enter into a new Section 75 Agreement with Cheshire and Merseyside ICB for a period of one year from 1 April 2024, for the council's minimum required budget, together with the option to extend that agreement for a further period of one year (subject to there being a national requirement to operate the Better Care Fund as a Section 75 pooled budget agreement until 31 March 2025).

2. Delegates authority to the Executive Director of Adults, Health and Integration (in consultation with the Director of Governance and Compliance) to agree the terms of the Section 75 Agreement.

3. Delegates authority to the Executive Director of Adults, Health and Integration (in consultation with the Director of Governance and Compliance) to extend the Agreement for 2025/26.

4. Authorises the Director of Finance and Customer Services to continue with pooled budget arrangements for 2024/25 for the council's revised minimum requirement.

5. Approves that the services identified in the appendix 2 can be considered and reviewed with the potential that they are included in the Better Care Fund Section 75 Agreement.

20 CQC ASSURANCE BRIEFING

The Committee received an update on the Council's preparations for a local authority assurance visit by the Care Quality Commission (CQC).

Following a change in legislation the CQC had a new duty to assess all local authorities in delivering Part 1 of the Care Act 2014.

CQC would identify what's working well, what's not working well and how Cheshire East compare to other local authorities. Both the overall rating and the score for each quality statement would be published.

Following the notification received for the CQC's visit to Cheshire East Council preparation included:

- submission of a self-assessment form and evidence.
- Social Care Reform, Practice Assurance and Development Team established.
- Senior Managers appointed as Workstream Leads
- Briefing to Members, Staff and Partners
- Ongoing communication plan
- Ongoing support from Partners in Health and Care

As part of the briefing for members regular updates would be brought back to the Adults and Health Committee for scrutiny, along with monthly briefings to provide insight into the ongoing preparation. This would include representatives from each group represented on the Committee.

In response to a question raised about the difference in provision between rural and urban communities officers confirmed that the assessment was the same for both although the outcomes would differ slightly depending on services available and services that were accessible in the area.

RESOLVED: Unanimously

That the Adults and Health Committee:

1. Agree to papers being regularly brought to the Adults and Health Committee between now and the onsite visit for update and scrutiny.
2. Agree to monthly briefing for members to be established to provide insight into the Council's preparation, whilst ensuring check and challenge. This would include representatives from each group represented on the Committee.

21 FALLS PREVENTION STRATEGY UPDATE

During consideration of this item Councillor A Kolker declared that he was the Chair of Trustees of Everybody Health and Leisure.

The Committee received an overview of the recent work stemming from the fall's prevention strategy in Cheshire East. The strategy aimed to reduce risk of falls amongst residents aged 65 and over, thus supporting people to live independently.

Highlights of the work undertaken included:

- The recommissioning of 'One You Cheshire East'
- An increase in capacity of places on the fall's prevention programme
- An annual falls awareness week
- Over 10,000 leaflets on falls prevention had been distributed through partners.

In response to ensuring advertising the strategy was appropriate for all audience's officers reported that various mediums were being used such as posters, radio, attendance at older people's groups and leaflets.

In response to concerns over duplication within care communities officers reported that there would be a specific session held for care communities in the next few weeks which would aim to be prevent duplication.

Officers would take into consideration the suggestion that all over 65's should be receiving a leaflet on falls prevention to prevent longer term issues.

RESOLVED: That the Adult and Health Committee:

1. Endorse continuing work on the strategy and action plan to help reduce falls amongst older people in Cheshire East.

22 MINUTES OF THE CHESHIRE EAST HEALTH AND WELLBEING BOARD

RESOLVED:

That the minutes of the Cheshire East Health and Wellbeing Board be received and noted.

23 WORK PROGRAMME

The committee considered the Work Programme.

Members were asked to review the work programme and contact the Chair or Democratic Services with any suggestions of scrutiny items that they would like to put forward for the Committee.

The following was noted:

- An update on the Care Quality Commission would be scheduled for committee.
- The Smoking Cessation update would be added to the November committee.
- A review on the Right Care Right Person initiative to be brought back to Committee once dates for each phase were confirmed.
- Officers would check whether the two papers on substance misuse were for decision or scrutiny by the committee.

RESOLVED:

That the work programme be noted.

The meeting commenced at 10.00 am and concluded at 11.41 am

Councillor J Rhodes (Chair)