



Scrutiny (Economic Growth, Communities and Health) Committee

Scrutiny Review of Adult Social Care

Committee Members

A Johnson (Chairman)
E W R Barker
R A Faulkner
D Florence-Jukes
Mrs V J Gould
S A Hussain
C B Jones
Mrs J A Killoran
G E Marjoram
S McGarry
S McKiernan
B G Peters
Mrs L Shelton
P Walker
C Wileman
Vacancy
B G Peters

Members and dates of sub group meetings

S McGarry (Review Lead)
C B Jones
Mrs J A Killoran
E W R Barker
Mrs V J Gould

Dates: 11/10/17, 15/11/17, 14/3/18, 7/6/18, 10/7/18, 14/8/18, 17/10/18. Please note these dates do not include meetings with internal and/or external partners but represent dates for organised meetings of the full sub group.

Declarations of interest

Cllr S McGarry: Governor Fountains Special School and parent of Fountains pupil.

1. **Purpose of the Report**

- 1.1. This report presents a scrutiny review of Adult Social Care (ASC) services with a particular focus on young people transitioning from Children's to Adults care.

2. **Executive Summary**

- 2.1. Transitioning from Children's to Adult Social Care (ASC) can be a difficult period for both the child and parent/carer. Fortunately, schools such as Fountains special school prepare young people and their family for this transition. Mainstream schools also prepare children/parents/carers for this change but the support is less detailed. Even with this detailed preparation there can be a dearth of work opportunities for young people with care needs. Additionally, providers of ASC services are not regulated by Care Quality Commission (CQC) which leads to concerns about the control and monitoring of service provision. Selecting a provider is left to the individual and/or their carer, which with a plethora of unregulated providers can be difficult and frightening to navigate through.
- 2.2. Moving forward the County Council's Whole Life Disability Strategy sets out the future direction of ASC with costs for the service expected to rise. Although, this review has looked at value for money measures it has been difficult to give a definitive judgement on value. However, research indicates that for Band D property paying a rate of £1,210.52 the ASC precept is £87.89
- 2.3 Much of the findings from this review are related to services that fall outside of the control of ESBC. However, given the lack of work opportunities for young people there may be an opportunity to look at supported internships in greater detail. Similar examples of this approach already exist at the Horticulture Centre with Fountains School delivering the Potting Shed project. Subsequently, there is possible scope for supporting young people with internships across a range of council services.

3. **Background**

- 3.1. The scrutiny review commenced on 11th October 2017 and consisted of the following Council Members: Cllr Sue McGarry (lead), Cllr Julie Killoran, Cllr Craig Jones, Cllr Vicki Gould and Cllr Ed Barker. Sub group members subsequently agreed on a scoping paper (see appendix A) that agreed the following lines of investigation:
- Identification of the range of services available to young people
 - How do young people transition into ASC?
 - What is the future direction of ASC?
 - What regulatory systems are in place for ASC?
 - Do services provide value for money?
- 3.2 Investigation processes involved each Councillor researching (with help from officers where required) a particular theme within the scoping paper. The report set out below is a direct consequence of those findings

4. Contribution to Corporate Priorities

4.1. Protecting and Strengthening Communities

5. Scrutiny Review of Adult Social Care

5.1. **Services available to young people**

- 5.1.1. Initially as part of the research programme Cllr Killoran undertook a desk top review of the available services through searching the internet and viewing the web pages of various providers. In conjunction with this piece of work Cllr Barker undertook a similar telephone based enquiry in order to assess the availability of these services to those without access to the internet.
- 5.1.2. Research identified that children remain under the auspices of child care until 19, however, between the ages of 16-19 is described as a transitional period which should involve a range of services such as education and Mental Health.
- 5.1.3. Planning for the transitional phase should commence with the individual and their family from year 7 (12-14 years old) and is an ongoing process rather than a single event. However, it should be noted that there is no set age for an assessment to commence. Parents or carers may ask for an assessment as a child approaches 18 and the local authority has a duty to carry out this assessment. Should the authority refuse there is a requirement to set out the reasons in writing. Each assessment should look at how to reduce a person's needs but also ensure that they remain safe and well and/or prevent/delay the development of further needs. Child service provision will remain in place until the transfer to ASC is complete.
- 5.1.4. Transitioning to ASC is recognised as a difficult time for young people and CAMHS (Child & Adolescent Mental Health Service) should work closely with the family to support transition. CAMHS do not get involved with every child especially as this revolves more around mental health. Further emotional support is available through the charity Young Minds.
- 5.1.5. All young people who require specialist care have an Education, Health and Care Plan (EHCP) which stays with the individual through their education life and beyond into ASC. EHCPs and other personal budgets as result give families greater control over the care they receive.
- 5.1.6. Parent Carers can claim Direct Payments for their child if that person has a social worker to help with respite and to do this the parents employ a personal assistant with help and support up to the age of 16. Post 16 the young person can transition into Personal Independent Payments (PIP) and claim these in their own right. However, on some occasions young people may need an appointee to help manage payments. Prior to turning 16 a parent or carer can claim for a child under 16 through Disability Living Allowance (DLA) benefit.
- 5.1.7. Finally, information is provided for young people wishing to transition into work or to enter supported housing. Schemes such as Access to Work and Work Choice are available.
- 5.1.8. Cllr Killoran's investigation via the internet identified the necessary information relatively quickly and easily. Cllr Barker identified consistent information via his

telephone enquiries, however this was less straightforward and was more time consuming. Some of his telephone enquiries were directed to the internet in the first instance.

5.1.9. From Cllr Barker's initial telephone enquiry he was directed to information available from Uttoxeter Library, and his visit to the Library was subsequently very productive in him finding the necessary information.

5.2. **How do young people transition into ASC?**

5.2.1. Fountains School is a Special School and is at the forefront of preparing young people for transition into adulthood and possibly ASC. Independently, Cllr Sue McGarry spoke with leaders at the school about the challenges faced and the processes used to ensure young people are thoroughly prepared.

5.2.2. Fountains prepare students for leaving from the moment they enter the High school. The Special Educational Needs Co-ordinator (SENCO) produces a detailed file on the individual and gets to know them and their families and the school supports them throughout their educational life. Parents tend to be proactive and have a good knowledge of the system and have an understanding of their entitlements. However, constant social worker changes (One family reported having 6 different social workers over a period of time) does not help to foster strong relationships with families and young people. Students with a social worker are entitled to Direct Payments (DP) where parents employ a Personal Assistant to whom they pay to help support their son or daughter.

5.2.3. Many students have no concept of life beyond the school and view it as lasting forever. Consequently, there is the potential for little comprehension of how life will change once they become an adult. Therefore, a good quality transition is critical. School leaders expressed disheartenment that many students become house bound and become reliant on expensive unregulated private day care provision.

5.2.4. Methods used to support students are enterprise schemes such as the Potting Shed (delivered in partnership with ESBC) and The Coffee Bean café. Additionally, day release schemes are offered to year 12 students. Some students once they leave the education system go onto further education via a college route. However, this only covers 2 and half days of the week, therefore the student remains in the care of family for the remaining time.

5.2.5. In contrast Cllr Gould spoke with a mainstream school John Taylor High to compare and contrast findings.

5.2.6. The starting point of Cllr Gould's focus was with the SENCO. She asked her how the school signposts services or support students as they progress towards adulthood and what to expect after they leave school. The following information was given:

- If the student has an Educational Health and Care Plan (EHCP) this is forwarded to their next supplier so that the support package continues. The EHCP lasts whilst they are in education.
- If the student is on Special Educational Needs (SEN) support then the next provider may ask for details of their needs so that any provision can be continued.

- Parents are made aware of local and national support groups (where they exist and the school team knows about them).
- Contact details for a parent of a supported student in school who runs a support group herself.
- Contact details for one of the schools Inclusion Managers

5.2.7. Cllr Gould then contacted the Inclusion Manager who uses social care links but only in the context of safeguarding. These students may already be known to Social Services so any transition from school to beyond may be covered by them. For work with students with Mental Health concerns the Inclusion Manager would ensure that by working with the parents they would make sure that appropriate support was in place once the child had left school.

5.2.8. She was informed that there was a lot of transition work done with the supported students and their parents to ensure that they were aware of support for afterwards, making them aware of the services available.

5.2.9. Cllr Gould also contacted the parent that runs the Staffs Autism Spectrum Disorder support group, who has also worked with the Staffordshire County Council on the EHCPs and the new version of the local offer. It was confirmed that finding out information has been and still is difficult and that the Local Offer could be utilised to help both parents and professionals. This individual is happy to discuss this further with Cllr Gould if necessary.

5.2.10 Furthermore Cllr Barker visited the SEN department at Thomas Alleyne's High School, Uttoxeter and found that they also provided as much support as possible. In an extreme case they provided one student with full support through A-levels and assisted them with starting at University. They would love to be able to do more and would like some specialist apprenticeships to help with transformation.

5.3. What is the future direction of ASC?

5.3.1. Cllr Barker requested information directly from Staffordshire County Council with regards to the future direction and strategy for ASC.

5.3.2. Strategic Assessment statistics suggest that East Staffordshire has a young population in comparison to other districts (under 16s make up 19.4% of the population; the Staffordshire average is 17.2%), and Cllr Barker requested information on how SCC is going to take into account these circumstances with future planning and budget allocation, and their strategic direction for the next 5 years. SCC provided this information via their Whole Life Disability Strategy and available from:

<https://www.staffordshire.gov.uk/health/Whole-Life-Disability-Strategy/Draft-Whole-Life-Disability-Strategy-2018-following-engagement.pdf>

And their Access to Learning and Education Local Offer available from:

<https://www.staffordshire.gov.uk/education/Access-to-learning/Local-Offer-SEND-Pathway.aspx>

- 5.3.3. The Whole life disability Strategy sets out the general direction for services across SCC. The next phase of implementation will include consideration of delivery in specific districts.
- 5.3.4. Their commissioning intentions will be set out in the Market Position Statements later this year.
- 5.3.5. SCC offers long term services in East Staffordshire to 293 people with a learning disability per 100,000 population, which is the second highest rate in the county. More work is being done by SCC on understanding this, as it is likely to be related to the types of provision in East Staffordshire rather than a reflection on the level of need in the area.
- 5.3.6. Cllr Barker requested information on what the pressures are (present and future) on ASC and how this is impacting on services to younger clients. Information was also requested on how this manifests itself in East Staffordshire.
- 5.3.7. SCC provided a response stating increased cost because of market pressure (wages and return on investment), and increased cost because of the intensity of support required.
- 5.3.8. SCC suggest that overall, numbers of people receiving services are relatively stable and predicted to remain so, and that it is difficult to extrapolate any manifestation of this pressure just for East Staffordshire. SCC have stated that in budget terms, East Staffordshire people in residential services cost about £200 more than the county average.

5.4. What regulatory systems are in place for ASC?

- 5.4.1. Cllr Gould investigated information around the regulatory systems in place regarding ASC.
- 5.4.2. This is not a compulsory regulatory service and ASC providers could not be registered with the CQC and therefore are not checked. The Care Quality Commission are the independent regulator of health and social care in England. Additional specific information is available from their website www.cqc.org.uk.
- 5.4.3. There were new changes to regulating adult social care that were implemented in November 2017. The CQC inspect and regulate different care services in different ways, but there are some things that they do that apply across all services.
- 5.4.4. The way the CQC regulate care services involves:
- Registering people that apply to them to provide services.
 - Using data, evidence and information throughout their work.
 - Using feedback given to them to help reach their judgements.
 - Inspections carried out by experts.
 - Publishing information on their judgements. In most cases they will also publish a rating to help people choose care.
 - Taking action when they judge that services need to improve or to make sure those responsible for poor care are held accountable for it.
- 5.4.5. There are four ratings that they give to health and social care services:

- 5.4.5.1. Outstanding: The service is performing exceptionally well.
- 5.4.5.2. Good: The service is performing well and meeting CQC expectations.
- 5.4.5.3. Requires improvement: The service is not performing as well as it should and the CQC have told the service how it must improve.
- 5.4.5.4. Inadequate: The service is performing badly and the CQC have taken action against the person or organisation that runs it.

5.4.6. The five key questions asked by the CQC are:

- Are they safe?
- Are they effective?
- Are they caring?
- Are they well led?
- Are they responsive to people's needs?

5.5. Do services provide value for money?

5.5.1. Cllr Jones undertook an investigation into a number of financial considerations, including whether the government has allowed the statutory authority (i.e. Staffordshire County Council) to raise a precept specifically for Adult Social Care.

5.5.2. The Adult Social Care precept was introduced by the Government in 2016/17 and in that particular year, the County Council was allowed to raise an additional 2% of council tax to fund adult social care.

5.5.3. For the current financial year, the Government allowed local authorities to raise up to 3% for adult social care and the Members of Staffordshire County Council approved this increase at their meeting on 15th February 2018.

5.5.4. These percentage increases are calculated on the total Band D rate for 2017/18, which was £1,142.54. The table below sets out the split between the ASC part of the council tax and the 'general' part. This table shows the increase more clearly than the regulated format of the bills.

	General Precept	Adult Social Care Precept	Total
2017/18	£1,088.93	£53.61	£1,142.54
2018/19 increases	£33.70	£34.28	£67.98
2018/19 total	£1,122.63	£87.89	£1,210.52
	This is an increase of 2.95% on the 17/18 total of Band D of £1,142.54	This is an increase of 3% on the 17/18 total of Band D of £1,142.54	

5.5.5. To illustrate, the total Band D council tax rate for 2018/19 is £1,210.52 and this can be split into a 'general' amount of £1,122.63 and an Adult Social Care precept of £87.89.

5.5.6. Cllr Jones also investigated how much has been raised so far, from East Staffordshire, and what this has helped to fund/keep funded. The investigation suggested that other borough councils in the county such as Staffordshire

Moorlands and South Staffordshire have easy to find information regarding how much money is raised in their boroughs from the ASC precept, but no information could be found on the ESBC website.

5.5.7. The range of services maintained by this grant are available in the portal in the link below:

<https://www.staffordshire.gov.uk/yourcouncil/counciltaxandfinance/faqs/Untitled.aspx>

5.6. Summary: What does this mean in an East Staffordshire Context and what are ESBC's Responsibilities?

5.6.1. East Staffordshire Borough Council has a duty of care for adults that access its services, and the Council is committed to ensuring that all adults that are at risk are protected and kept safe from harm whilst engaged in Council services.

5.6.2. The safeguarding page on the Council's website highlights how people who are concerned about a vulnerable person's safety and welfare can report this. I.e. if someone is in immediate danger they should call 999; if not then they would be signposted through Staffordshire County Council's reporting mechanism as well as provided with information about the Staffordshire Safeguarding boards and ESBC's designated safeguarding officer.

<http://www.eaststaffsbc.gov.uk/safeguarding>

[http://www.eaststaffsbc.gov.uk/sites/default/files/docs/safeguarding/Safeguarding policy.pdf](http://www.eaststaffsbc.gov.uk/sites/default/files/docs/safeguarding/Safeguarding%20policy.pdf)

5.6.3. ESBC is most likely to come into contact with people accessing adult social care services indirectly, either through the revenues and benefits team (for example processing benefits claims) or that they have a housing need and have accessed the Housing Options service, or are applying for Disabled Facilities Grants. The policies above also cover members of the public accessing other Council's functions such as the leisure centres etc.

5.6.4. Staffordshire County council has a more direct responsibility with adult social care and commissions a wide range of services, from issuing blue badges to carrying out care assessments as well as providing support for carers. The SCC website has an adult social care portal where information can be found as well as ways to apply for various services. It also provides links to local charity / aid / community groups that provide a service (for example local luncheon clubs).

<https://www.staffordshire.gov.uk/health/care/Adult-Social-Care.aspx>

5.7. Supported Internships

5.7.1 Enterprise schemes such as supported internships are one possible avenue the Borough Council could explore when helping young adults with special educational needs transition from children's services into the adult workforce. Currently, the Council, in partnership with Fountains School, support the delivery of the Potting Shed programme which enables young people to gain vocational skills and experience in gardening, retailing and logistics. To fully understand the potential costs, benefits and ramifications of supported internships is beyond the scope of this

scrutiny report and therefore requires a separate more detailed review should Council wish to pursue this scheme.

6. Financial Implications

6.1. There are no financial issues arising from this report.

7. Background Papers

7.1. None.

8. Equalities and Health

8.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

8.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed.

9. Human Rights

9.1. There are no Human Rights issues arising from this Report.

10. Sustainability (including climate change and change adaptation measures)

10.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

11. Recommendations

11.1. The Council investigates if additional information could be added to the East Staffordshire Borough Council Website in relation to the total amount of money raised in East Staffordshire from the Adult Social Care precept.

11.2 The Council conducts a review into the feasibility of a supported internship scheme.

12. Appendices

12.1. Appendix A - Review Scoping Paper

Appendix A - Scoping Paper

Economic Growth, Communities and Health Scrutiny Committee

Review Scoping Document

Sub-group Review Subject

Adult Social Care (ASC)

Date Review Commenced

11th October 2017

Sub-group Members

Cllr S McGarry (Lead Member)

Cllr J Killoran

Cllr S Smith

Cllr D Florence-Jukes

Cllr C Jones

Background

It was agreed at the EGCH Scrutiny Committee meeting held on 20th September 2017 that a sub-group consisting of the Committee Members listed above be established to review Adult Social Care. An initial sub-group meeting was held on 11th October 2017 to identify a specific scope for the review as collated by the sub-group. This document has been compiled in order to provide a focus for this review, with the overarching objective of identifying how the subject matter impacts on the borough. This will be considered by analysing the current user experience of the service and what they can expect, in addition to considering the future strategic direction of ASC and how this will impact upon client users in East Staffordshire.

Please note that the information listed is not exhaustive and the sub-group is not limited to answering only the questions contained within this scoping paper, however additional considerations should be focussed within the general scope of the topic identified for review.

Scope

It was agreed by the sub-group that the broad topic of Adult Social Care be narrowed to initially focus on younger people with social care needs i.e. those joining the Adult Social Care system as they leave the education system at age 19 up to 55 when the focus of their social care needs may be likely to shift towards “elderly” care. However it is recognised that upon collation of initial background information there may be natural brackets that allow for the scope to be further focussed.

The sub-group anticipates that social care in later life could potentially be a subsequent, follow up review for inclusion in the future work programme.

Key Considerations

1) Identification of the range of services available to young people.

- a) Understanding what services are out there, including voluntary groups / privately run provision.
- b) Identification of the organisations providing these services, including private and public sector provision.
- c) How do people join the system, including identification of the pathway ahead, from leaving the education system until supplementary care is unavailable (for example until family members acting as carers are “too old”)?
- d) What are the responsibilities of the County Council and Borough Council and how does the relationship between the organisations work?
 - i) Has the government allowed the statutory authority (i.e. Staffordshire County Council) to raise a precept specifically for Adult Social Care?
 - ii) How much has been raised so far, from East Staffordshire, and what has this helped to fund/keep funded?
 - iii) Can clarity be provided on all sources of income available to ESBC for ASC provision?
- e) What can the Borough and its Members do to support service provision?
- f) Are there services that are not being provided directly by Health providers (such as Virgin Care), and if so are there organisations providing these services?
- g) How are residents in the rural areas of the Borough accommodated
- h) If a person is not able to socialise within a social care environment how are they supported within the family unit?

2) Transition into Adult Social Care

- a) How are young people prepared for the transition into ASC?
- b) How many young people transition to ASC each year in East Staffordshire?
- c) How many young people are likely to transition in the next 5 years? Is this increasing, decreasing or stable?
- d) How many under 25s from East Staffordshire have direct payments?
- e) What is the process for ASC receiving entrants into the system?
- f) How is the level of direct payment decided and what assessment tools are used?
- g) What control does the client/user have over that money? What restrictions are in place?
- h) What providers can be selected, how are these choices presented to clients/users? What flexibility do they have outside of these recommended providers?

3) Future Direction

- a) East Staffordshire has a young population in comparison to other districts. How is SCC going to take into account these circumstances with future planning and budget allocation?
- b) What is the strategic direction for ASC in the next 5 years? How will this impact upon young people entering the system for the first time? Are there any other future challenges?
- c) What are the pressures (present and future) on ASC? How is this impacting on services to younger clients? How does this manifest itself in East Staffordshire?

4) Regulatory Systems

- a) Is there a “policeable” regulatory system?
- b) Is there a rating system and / or inspection regime relating to young persons’ care facilities? If so, what is the regularity of any inspection regime?
- c) Are Social Care staff governed by a professional body (i.e. similar to nursing staff)?
- d) What is the skillset / qualification required to undertake social care work?

5) Value for Money

- a) How is value for money ensured in private provision?
- b) Is there any scope for co-ordination of services (for example are there multiple vehicles from multiple service providers visiting the same person)?

Key Stakeholders

Staffordshire County Council
Local Service Providers