

BRIGHTON & HOVE CITY COUNCIL

OLDER PEOPLE'S COUNCIL

10.15am 17 FEBRUARY 2015

ROOM 122, KING'S HOUSE

MINUTES

Present: Mike Bojczuk (Chair), Colin Vincent, Jack Hazelgrove, Francis Tonks, Harry Steer and Councillor Geoffrey Bowden

Co-opted Members: Penny Morley

Others Present:

PART ONE

65 PROCEDURAL BUSINESS

65.1 Apologies were received from Val Brown, Janet Wakeling and John Eyles, and from Jess Sumner of Age UK.

66 MINUTES

66.1 The following changes to the draft minutes of the 20 January 2015 meeting were agreed:

- 57.1 change 'UP' to 'UK'
- 64.10 change 'elevate' to 'alleviate'
- 64.32 change wording from "not to have an election" to "to postpone the election"
- In the fourth paragraph of the Members' Update, change '19,000' to '1.9000'
- Remove 'Pensioner Action' from the cover page of the OPC agenda.

66.2 Subject to these amendments the draft minutes of the 20 January 2015 meeting were agreed as an accurate record.

67 FEES PAID TO PROVIDERS 2015-16

67.1 This item was introduced by Jane Macdonald, Adult Social Care (ASC) Commissioning Manager.

67.2 Ms MacDonald told OPC members that the report was concerned with the fees that the council paid to ASC providers for residential and home care services delivered to older people, people with physical or learning disabilities and people with mental health problems. This is an annual report which has already been approved by the Health &

Wellbeing Board and which will be considered by Full Council at its annual budget setting meeting.

- 67.3 Significant service pressures include preparations for implementation of the Care Act in 2016; an increase in service users with more complex needs; and the growth locally in self-funders, which impacts on the council's ability to purchase beds at council rates.
- 67.4 For 2015-16 the council will uplift the fees it pays to most residential homes by 1%. For dementia specialist homes the uplift will be 2%, reflecting the increasing complexity of dementia care (as more people with dementia are supported in generalist homes, specialist dementia homes have to take on a greater percentage of complex cases). There will be a 0% uplift for beds that are negotiated individually with providers, reflecting the fact that these beds are typically relatively generously funded.
- 67.5 Where providers are experiencing financial difficulties, the council will offer what support it can. However, providers are generally unwilling to open their books for inspection – this is a national as well as a local issue.
- 67.6 Homecare providers will receive a 2% uplift in 15-16, reflecting problems in recruiting and retaining staff to the local market. There will be a 1% uplift to Shared Lives providers and a 1% uplift to people receiving Direct Payments (there appear to be no problems recruiting workers for Direct Payments at the moment). These uplifts are in line with other local authority practice and have been endorsed by the CCG and shared with Healthwatch.
- 67.7 In response to a question from Cllr Bowden, members were told that the council does not currently require providers to pay a Living Wage to non-directly employed staff including homecare workers. Legal advice is that providers can not be made to pay the Living Wage under the current contractual requirements. Ms Macdonald agreed to forward this legal advice to Cllr Bowden. Ms Macdonald also agreed to seek information from commissioners on whether this situation was likely to change when new contracts are negotiated. People employing personal assistants can decide what rate to pay them, this includes the Living Wage.,
- 67.8 In answer to a question from Mike Bojczuk on capacity for dementia going forward (given the push to improve diagnosis rates), members were told that the main focus is on making mainstream care homes fit for everyone, including people with dementia. Specialist dementia beds can then be reserved for the most complex cases. The council is also exploring how best to use Extra Care housing to support people with dementia.
- 67.9 The number of out of area placements remains high, with 174 dementia beds and 179 older people beds being funded outside the city. This may be because people choose to live near their family; because people who live on the borders of the city prefer to live in a local home that is outside city boundaries; because people may choose a more attractive out of area home over those on offer in the city; or because there is insufficient city capacity. The city council funds all out of area placements for city residents who are not self-funding. However, self-funders who choose an out of area placement are deemed to have moved to that area and will be that council's responsibility should they become eligible for local authority funding.

67.10 In response to a question on short (15 minute) visits as part of a homecare package, members were told that these were permitted as part of current contracts, and were appropriate in certain circumstances – e.g. to check that people had remembered to take their medication. Short visits are only used when appropriate, and never when more care is required (e.g. to assist people in getting up and getting dressed).

68 ADULT SOCIAL CARE CHARGING POLICY 2015

68.1 This item was introduced by Angie Emerson, Head of Financial Assessment & Welfare Rights, ASC.

68.2 The Charges report details the council's charges to users of social care services for 2015-16. It has been agreed by the Health & Wellbeing Board but awaits ratification at Budget Council. The Care Act has changed local authority obligations in regard to charging and these changes are reflected in the report. In simple terms, the report recommends uplifts in charges; recommends that direct services to carers are not charged for (although this will be monitored in light of the recent broadening of the definition of a carer); and recommends arrangement fee and interest levels for the now compulsory deferred-payments scheme.

68.3 Mike Bojczuk noted that he was uncomfortable with use the use of compound interest in deferred payments, although accepted that this was required by law. Ms Emerson pointed out that a deferred payment could only be made against the net equity in a property, disregarding the first £23k of equity. No charge can be made if someone's partner continues to reside in the property.

68.4 In response to a question from Penny Morley, members were told that it was illegal to deliberately dispose of assets to evade social care charges, and perpetrators would be pursued.

68.5 The uplifts in charges for care services are quite considerable. However, it is important to bear in mind that only a relatively small number of people actually pay these charges (e.g. for in-house council homecare services), and that even with the uplifts these services are still subsidised.

68.6 Much work has already taken place – and more is ongoing – on working across the health and care system to jointly support and fund services.

68.7 Ms Emerson also explained that the Care Act introduced (from April 2016) a cap on care costs for self-funders of £72K. This applies to both residential and non-residential care, but covers only the care component of services to which individuals have been assessed as being eligible – i.e. it does not cover 'hotel' costs or support that people are not assessed as needing. The cost cap will not be back-dated, so self-funders will need to register in order to have their post April 2016 care payments registered as part of the £72K capped amount – if they do not register they will be unable to count any care payments towards the cap figure.

68.8 The council has a duty to publicise the new care cost rules and will begin to do so over the next few months.

69 SECRETARY'S UPDATE

69 SECRETARIAL REPORT OPC - FEBRUARY 2015

- **Keep Warm & Save Money this Winter** - 22nd January with BHESC. An excellent event - with speakers from BHESCO, CAB & National Energy Action. Age UK ran a stall. Suggest we write to Kayla Ente to thank her for all the work
- **Budget proposal for dissolution of OPC** - Meeting with OPC officers and Head of Policy (Richard Butcher Tuset) & ASC (Jessica Harper) on 27th January. Minutes circulated. Briefing about OPC & impact for older people of budget proposals sent to Leaders of all 3 groups and also a number of Councillors. Contact with Community Works. A double page article in The Argus re the work of OPC on February 4th "Vital service for elderly under threat" by Henry Holloway. Article in B&H Independent. Revised budget papers issued and P&R discussed. Colin, Frances & myself attended. The OPC is not now proposed for dissolution in the 5.9% or 2% budget option. Final decision at Budget Council on 26th February.
- **Singing for Fun for over 60s** - Tuesday mornings 10 to 12 at Brighton & Hove Music & Arts, County Oak Avenue, Brighton. No fee carers can come.
- Labour & older women - details of event 26th January circulated
- Workshop about delivery of daily living equipment CCG & BHC 4th February
- **CCG** - Records Sharing Patient Reference Group - looking for lay members. Reimbursement for travel & £20 of vouchers for half day. Contact Becky Gayler 01273-574718 becky.gayler@nhs.net
- **Mind Body Connection** - nutrition - 3rd February Corner Stone Community Centre Hove
- **Sick Festival** - calling for volunteers & focus group members by 23rd February 01273-699733 tim@sickfestival.com. Festival 2nd -25th March
- **Sussex Police Commissioner** - Sussex Elders Commission on Police & Crime - seeking applications from people 60+. Closing date 27th February 2015.
- **Age Friendly City** - A Forum meeting was held on 16th February. It was well attended and an update on the OPC was provided. The communication domain is under consideration for this and the next meeting. The next steering group meeting is March 4th. We have been asked how many hard copies of the AFC newsletter we would like – any views?
- **OPC Elections** - Mike has obtained figures from Democratic Services which have been circulated 1,900 60-69 years & 22,500 70+. We need to plan for the forthcoming elections.

- **Health & Well Being Overview & Scrutiny Committee** - they have been notified that Colin Vincent has replaced Jack Hazelgrove.
- **Care in the City** - Newsletter from ASC circulated with details about Care Act
- **Queens Park Books** - Transgender Awareness as part of the LGBT month. Book "Tango My childhood backwards in high heels" - book launch Tuesday 19th Feb 8pm The Marlborough - 4 Princes St
- **Later Life Newsletter** - highlights Age UK publication Promising approaches to reducing loneliness and isolation in later life.
- **European Project** - Fraud Prevention in the Elderly - from International Team being asked if we would like to partner this project with University of Valencia. Would suggest that this sounds an useful project for older people in the City.
- **Managed parking at Brighton General Hospital** - details circulated, they are proposing to charge £2.50 for up to 2 hours. Any views?
- **NHS CCG** - How to shape the health service to be open & transparent - and how to involve groups from Head of Engagement Jane Lodge BHCCG on Thursday 5th March at The Brighthelm
- **Inside Out** - and Older LGBT Housing Workshop - Monday 16th March at Community Base Queens Road. Contact helen.bashford@switchboard.org.uk -01273-234009.
- **Iceland** - had correspondence wanting information about day care in Brighton - proposed they contact Somerset Day Centre
- **Age UK IOW**. Requested Age Friendly City information
- **Healthwatch** - February issue - Dementia Friendly Guide information
- **Energy Efficiency** - Cold Homes Week - update from Caroline Lucas

70 MEMBERS' UPDATE

- 70.1 **Harry Steer** told members that the police advisory group has now been revived following his complaints, although he had unfortunately not been able to attend the most recent meeting. However, a broad cross-section of the community had been invited to attend, and this was good news. The police should be commended for reviving this group.
- 70.2 **Francis Tonks** told members that he had attended the recent energy meeting where he had spoken with Caroline Lucas MP who had asked why the council was planning to abolish the OPC. He also attended and spoken at the hustings organised by the B&H Independent. In addition Francis had attended the Age Friendly City event and budget Policy & Resources Committee, though sadly the latter was farcical.

- 70.3 **Jack Hazelgrove** paid tribute to all the hard work that the Chair, Vice Chair and, particularly, the Secretary, had put into making the case for the retention of the OPC. Jack had also been at budget P&R, and agreed that the proceedings showed local democracy in a very poor light, despite the best attempts of the council's Head of law to encourage members to behave sensibly.
- 70.4 **Colin Vincent** told members that he had attended the energy event, which had been very well organised, although the turn-out was unfortunately poor. He has also been at the P&R meeting; had met with the council's Head of Policy to discuss the future of the OPC, had attended a meeting about the Integrated Community Equipment Stores (ICES); a Community Resilience meeting in Hollingdean; and had attended the Health & Wellbeing Overview & Scrutiny Committee (HWOSC) as the OPC co-optee, replacing Jack Hazelgrove, where items had included the hospital trust's plans to decant some services to the Brighton General Hospital site when the 3T works begin. These plans, particularly in terms of parking arrangements have been circulated to OPC members for comment.
- 70.5 **Mike Bojczuk** told members that he had attended the energy meeting, and has circulated photos from the meeting. He had also met with the Head of Policy, and had spoken with the Argus, about the future of the OPC. The OPC has put in a bid for lottery funding with regard to isolation, but it would appear that the lottery fund is interested in funding specific, localised projects rather than more strategic initiatives. Mike also spoke about the desirability of mapping, or having access to data which maps, the spread of over 60s across the city, but noted that it was difficult to ascertain who held what data and whether it could be modelled for areas smaller than Super Output Area size.
- 70.6 **Sue Howley** told members that she had attended the Age Friendly City forum. The scheduled meeting about the Pensioner had not taken place, but Sue did meet with Jess Sumner of Age UK, who is keen to support the Pensioner, but does not want to take it over or make any long term funding commitment. Jess is going to discuss the matter with the Age UK board, including exploring whether there is any scope to fund a short term post to help put in place effective new arrangements.
- 70.7 **Cllr Geoffrey Bowden** told members that he had been busy lobbying for the retention of the OPC, and was delighted that he had been successful in so doing.

71 OPC WORK PROGRAMME

- 71.1 Members agreed that officers from Transport should be asked to the April meeting to present on LTP4.
- 71.2 Members also agreed that the Clinical Commissioning Group should be asked to attend the March meeting to talk to the Better Care Fund item alongside Philip Letchfield from ASC.
- 71.3 Members agreed that Brighton University should be invited back to a future meeting to present their completed design project.

72 ANY OTHER BUSINESS

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of

