

Other Business Report

Decisions

1. *Members are asked to:*

- *Note updates on social care reform, the Health and Social Care Bill, learning disabilities, Supporting People funding, the Healthy Communities Programme and adult learning and education.*
- *Receive an EU Update on Social Workers and note the discussion points on social services and EC public procurement rules.*
- *Feedback from meetings attended since the last Board meeting*

Actions Required

2. *Secretariat to take necessary action.*

Action by: *Secretariat*

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Other Business Report

Summary

1. *This report provides a summary of other business relevant to the Board and also deals with issues relating Community Well-being Board representation on LGA groups. Members are also asked to feedback on meetings attended since the last Community Well-being Board meeting.*

Other Business

2. 'Putting People First'

On 10 December Sir Simon Milton signed a protocol with 6 central government Departments, ADASS, SOLACE, the Chief Executive of the NHS, the NHS Confederation, CSCI, SCIE, the GSCC and Skills for Care, and organisations representing social care providers, agreeing a shared vision and commitment to the transformation of Adult Social Care. The text can be found at http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_081118

The protocol envisages a transformation of local services to become person-centred, with maximum control and choice for the individual and recognises that the sector will work with users and carers to transform people's experience of local support and services. Success will be measured through improved outcomes for local people. Progress should include:

- *Giving the vast majority of people who receive council funded care their own personal budgets so they can choose the support services they want for themselves or a family member, including an increase in direct payments.*
- *Initiatives such as "first-stop shops" becoming common place so that everyone, including people who don't have support from social services, will have access to advice and advocacy about community services.*
- *Investing in support that keeps older people independent and healthy and tackles loneliness and isolation*
- *Closer collaboration between the NHS and local government so that people receive more coordinated and efficient support in the community.*

A 'Social Care Reform Grant' to support councils to redesign and reshape their systems was announced to support this change programme. It includes money from the NHS, in recognition of the positive impact investing in social care through early intervention and re-ablement can have on peoples' health and the demand for healthcare. The new Grant is worth £85 million in 2008/09, £195 million in 2009/10 and £240 million in 2010/11. The LGA is working on details of a sector-led support programme for this change.

3. Health and Social Care Bill

The Health and Social Care bill had its second reading on 26 November. The bill will create the Care Quality Commission, the new health and adult social care regulator merging the Commission for Social Care Inspection and the Healthcare Commission. There will be a strengthened approach to infectious diseases and contamination, updating legislation to take into account scientific and international developments. It also provides for a one-off payment to expectant mothers and changes to some charging rules. It will implement, following the inquiry into the case of Harold Shipman, the Government's manifesto commitment to strengthen clinical governance and to ensure professional activity is more accountable to the public. Further information can be found on the LGA website - <http://www.lga.gov.uk/Legislative.asp?lsection=64&ccat=1385>

The IDeA and LGA, in association with colleagues from CSCI, are collaborating on arrangements for a one day event in early 2008 that will consider emerging issues in the establishment and development of the Care Quality Commission in 2008. The event will be of particular relevance to lead members of Adult Social Care and will also provide an opportunity to consider the increasingly important role assigned to members in delivering improved outcomes for individual service users and the wider community.

4. Update on learning disabilities

Valuing People Now – From Progress to Transformation, a cross-government consultation, published on 4 December, sets an agenda for people with learning disabilities across a range of issues, including health and well-being, housing, employment, education and community inclusion. It builds on the vision set out in Valuing People (2001) which was the first white paper on learning disability for thirty years – a vision based on the four main principles of rights, independence, choice and inclusion. The key areas the consultation focuses on are:

- **the personalisation agenda** – having choice and control through individual budgets, direct payments, person centred planning and advocacy;
- **what people do** – helping people to be socially included in their local communities, with a particular focus on paid work;
- **better health** – ensuring that the mainstream NHS provides full and equal access to good quality healthcare and that specialist healthcare services are modernised;
- **access to housing** – ensuring that people have access to housing that they want and need with a focus on home ownership and real tenancies;
- **making sure that change happens** – making learning disability partnership boards more effective and checking that the things we say should happen do actually happen.

In the 'making sure that change happens' section, a key proposal is to transfer commissioning responsibility for learning disability services to councils by 2009/10. However the detail, impact and risks of such a transfer have still to be considered and this is obviously a major transfer of responsibility and funding for local government which we need to ensure is well handled. Officers are already engaged with a DH working group and are planning a meeting for councils concerned on 15 February to share experience and views which can be fed into the consultation.

Following a meeting between a group of senior managers of provider organisations and experts in the learning disability field, hosted by the DH's Valuing People Support Team, it

has been proposed that a Commissioning Group is established under the auspices of the LGA/IDeA.

The proposal is to develop guidance for commissioners and providers of learning disability services that addresses the need to improve the quality of many services and extend support to more people, whilst recognising the challenges of increasing numbers of people with learning disabilities, higher demand and changing expectations for families.

The commissioning would consist of fourteen members, together with a chairperson. Two members would be chief executives or directors of adult services in local authorities, two would be local authority representatives, one would be a chairman of a PCT and one either a chief executive or a director of a PCT, together with five provider representatives and representatives from the Valuing People Team. There would also be a family carer and a service user representative. The guidance would be badged by either the LGA or ADASS and launched at the National Children and Adult Services conference in Liverpool next October.

5. Supporting People update

On 7 December, CLG announced Supporting People grant allocations for the three years of the CSR07 spending review period, 2008-09 to 2010-11. The programme budget faces a cash cut in each year, as shown in the following table:

Year	Amount £m	Change on 2007-08 %	
		Cash	Real
2007-08	1696		
2008-09	1686	-0.6	-3.2
2009-10	1666	-1.77	-6.8
2010-11	1636	-3.5	-10.9

The Department also announced an administration grant of £38m, £35m and £30m for the three years, to be paid through Area Based Grant. The reduction in administration grant reflects the Government's intention that provision of housing support should become a mainstreamed activity for authorities.

The Government also confirmed its commitment to the Supporting People distribution formula which will continue to be phased in. In moving to the full implementation of the formula there will be limits placed on grant losses of 5% cash per annum and ceilings on cash increases of 7% pa.

On 7 December the Government also published a response to the consultation on the supporting people distribution formula and invited authorities to refresh their responses given the period of time that has elapsed since the consultation took place. Further responses are required by 14 January.

6. Healthy Communities Programme Update

Recent activity in the programme has concentrated on developing our contribution to the IDeA's commitment to support local authorities in their work on new LAAs. A new Community of Practice (CoP) has been established to provide a specific platform for practitioners to discuss the how to address health inequalities more broadly across their agreements.

A new publication healthy people, healthy places – LAAs and health was sent to local authorities 12th December. This is designed to help local authorities realise the opportunity available through LAA negotiation to tackle the wider determinants of health. This is the second in a series from the programme and follows the new landscape in social care and health which was distributed at the national Children and Adults Services Conference in October.

As part of developing links with key stakeholders and support the sector, a range of conferences were attended, including the National Institute for Clinical Excellence conference in December. The programme is also exploring new work areas, including health within coastal regions and hopes to hold a national event next year. Other key events planned for next year include sponsorship of the UKPHA Annual Forum in Liverpool, including a workshop on the Beacon for health inequalities, and a members fringe event for councillors in the northwest. The programme will also be taking part in the IDeA activity at the LGA Sustainable Communities Conference in February.

7. Adult Education and Family Learning

The work of the Basic Skills Agency (BSA) has been merged with the National Institute of Adult and Continuing Education (NIACE) in order to form one organisation from April 2008. The new organisation has already been successful in winning a number of government contracts from the Quality Improvement Agency to further support develop and improve family literacy, language and numeracy. This work will include a focus on reaching and engaging more marginalised groups particularly young parents, parents in longstanding migrant communities, young people in and leaving care, and those involved in or at risk of offending.

The further education sector, encouraged and supported by Ministers, is actively pursuing becoming self regulating. Discussions are being held with local government in order to ascertain how the concept of self regulation plays out for those local authority sector organisations funded by the Learning and Skills Council, such as schools and adult, community and family learning services.

The Learning and Skills Council is to undertake a review of the strategic role of local adult learning providers in order to ensure that funding and performance management mechanisms are appropriate. The review has been prompted in part by the larger than expected number of 'Notices to Improve' that have been issued by the LSC to local adult learning providers, based on performance data on their success rates. NIACE has been looking into the reasons behind this apparent underperformance and the LGA may wish to contribute to the Review in conjunction with NIACE

The Department for Innovation, University and Skills (DIUS) has also announced that it plans to undertake a consultation in the New Year on what they refer to as 'informal adult learning'. A recent paper from the DIUS, Adult Learning and Skills - Investing in the First Steps, published last month suggest the Department is thinking of undertaking some wider exploration which could affect the way all provision below Level 2 is planned and funded.

8. EU Update on Social Services

More than ever before, Brussels is turning its attention to how local public services can be funded and how competition amongst service providers can be increased. In its Communication on public services published in November 2007¹, the European Commission has proposed a number of initiatives on social services:

- *development of a standardised EU methodology to help set, monitor and evaluate quality standards in social care*
- *more EU work to promote national and local quality initiatives*
- *more training of public authorities in public procurement of social services via the EU 'progress' programme*
- *more exchanges on an intergovernmental level of good practices on social protection and social inclusion*
- *and a bi-annual report on the state of social services sectors EU-wide.*

In parallel, the Commission has published guidance (an FAQ) on social services and EC public procurement rules. The guidance confirms that social services remain excluded from the main requirements of the EC public procurement directives but must nevertheless be procured in a transparent manner.

A second FAQ on providing financial support (grants) to social services providers was also published. The guidance confirms that state aid to a service provider of less than €30 million per annum need not be notified to the Commission. This is more generous than the previous regime and the LGA has reacted positively to this

The EU's approach to local social services does not require local authorities to outsource or liberalise any services they currently provide themselves on an 'in house' basis. The LGA wishes to respond to these proposals to help shape their future development. Members' views on the following points for discussion would be welcomed:

- *Do you agree that the social services sector in the UK now functions as an economic market and should be subject to Internal Market principles, and the associated EU rules?*
- *What role, if any, should the EU have in setting and monitoring standards of social care?*
- *Would it be desirable to allow community and voluntary groups, or enterprises with social goals greater exclusions from the rules than 'normal' providers of social services operating on a purely commercial basis?*
- *It is desirable to have EU rules which make it easier for social services providers from abroad to set up or operate in the UK?*

A full board paper for discussion can be brought to a future meeting if members feel this would be helpful. Contact: heleen.jalvingh@ga.gov.uk

¹ http://ec.europa.eu/services_general_interest/docs/com_2007_0725_en.pdf

9. Meetings attended by Members since last meeting

- *Anne McDonald and a number of members of the Board attended the Lord Darzi International Clinical Summit on 21 and 22 November.*
- *Councillor Michael Colston has been at SE Counties Adult Social Services Group and has joined the board of SEEP.*
- *Councillor Mary Aspinall attended the Urban Commission Steering Group in October, which received a presentation from Peterborough Council on how they had developed a system for improving the data collected and used to assist migrant workers settling in the city. A copy of the presentation is available. The LGA are planning a conference on 30th January on Migration.*
- *Councillor Gareth Barnard spoke at the Tackling Social Exclusion: Raising Aspirations and Removing the Barriers conference on 12th December.*

Implications for Wales

10. *There are no specific implications for Wales in this report.*

Financial/Resource Implications

11. *None*

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