

Other Business Report

Decisions

1. *Members are asked to:*
 - *Note updates on Health and Social Care Bill, CSCI review of eligibility criteria, LGA Health Commission, Transforming social care, High Impact Changes for Health and Social Care, Valuing People Now and the Asylum and Migration Task Group.*
 - *Receive update on the EU and from the IDeA.*
 - *Note 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. Health and Social Care Bill.

The Bill will be debated in the Lords' Grand Committee starting on 21 April. The LGA will be lobbying for clear regulatory objectives for the Care and Quality Commission (CQC) to be set out on the face of the bill and for the range of expertise of Commissioners to reflect the full breadth of the services in the scope of the CQC. The LGA is also calling for amendments to ensure that public health powers enable swift action from councils in public health emergencies and for only most intractable disputes over who pays for an individual's care to be referred to the Secretary of State. Minister Ivan Lewis has also announced that there will be an amendment to the Bill to extend the direct application of the Human Rights Act to publicly-funded care home residents living in independent sector care homes. The minister also proposed setting up an independent adjudicator to support those who are privately funding their care when making a complaint. In addition, £2 million funding has been made available for research to be carried out jointly by Comic Relief and the Department of Health to investigate the dignity and safety of older people being cared for in institutional settings

3. CSCI review of eligibility criteria

The Commission for Social Care Inspection (CSCI) is carrying out a major review of the issues and problems associated with the current system for deciding who is eligible for council funding and support for social care services.

Care Services Minister Ivan Lewis asked CSCI to carry out a review to see how 'Fair Access to Care Services' (FACS) could be improved, following the third annual State of Social Care report in January. This found that that most councils now assist people with 'substantial' or 'critical' needs. The consultation stage of the review will close on the 9 May 2008.

More information can be found at:

http://www.csci.org.uk/about_us/news/review_of_eligibility_criteria.aspx

The LGA will be submitting a joint response to the consultation with the Association of Directors of Adult Social Care. This response will be informed by Members' views gained at the recent Green Paper summit and research currently being undertaken seeking the views of individual councils.

We'd still be very grateful for member's views on how FACs could be revised. In particular, we'd be interested in any case studies that illustrate how local authorities are

trying to provide solutions to budget restrictions whilst still seeking to improve well-being locally. Please contact emma.jenkins@lga.gov.uk with any comments or information.

4. LGA Health Commission

The first three meetings of LGA Health Commission focused on accountability in commissioning and providing health services, and in public health. Witnesses attending meetings have included the NHS Confederation, the Ficker Institute, Sir Ian Kennedy, Chairman of the Healthcare Commission, the UK Faculty of Public Health, representatives of NHS Foundation Trusts and GPs.

A call for evidence was placed on the LGA's website, and responses were considered at the Commission's March and April meetings. In addition to the monthly meetings scheduled until May, a special seminar was held in Sheffield on 31 March, attended by over 40 representatives of health agencies, local authorities and voluntary organisations. Participants discussed the 'call for evidence' questions. A survey was carried out in April amongst a nationally representative sample of adults aged 16 and over, living in England. This covered interviewees' awareness of, and knowledge about, local councils and primary care trusts, and their views on issues relating to funding and accountability in health. The commission's final report will be produced in June, and presented at the LGA annual conference, in July.

Information about the commission, and witness papers, can be found on the commission's web pages at:

<http://healthcommission.lga.gov.uk/lga/core/page.do?pageld=1>

5. Transforming Social Care

The Putting People First concordat in December 2007 established a collaborative framework between central and local government, the sector's professional leadership, care providers and the social care regulator. It sets out the shared aims and values to transform people's experience of local support and services for all adults who need care and support.

Putting People First sets out not just the vision and the principles, but also the key actions to meet this aspiration through a radical reform of public services. It means transforming the system to improve outcomes for people and actively shaping localities to ensure strong and cohesive local communities.

The Social Care Reform Grant is a ring-fenced grant, which provides £520million over 3 years to support councils to deliver the necessary changes in their systems and process to undertake this transformation. The expectation is that by 2011 the majority of councils will have in place the core components of a transformed system as set out in the Grant determination (LAC (DH)(2008)1).

The Department of Health has set up a Transforming Adult Social Care Programme, as the means by which the Department of Health will ensure that this vision becomes a reality. This will be overseen by a Programme Board, of which both Anne McDonald and Andrew Cozens will be members. LGA and IDeA, with ADASS, represent the sector leadership of this programme.

This Board will decide on national elements of the programme and LGA/IDeA are putting together a proposal to lead a strand on Information and Advocacy.

In addition DH have advertised for a Director of Adult Services to be seconded for one or two years to coordinate and lead national implementation. The closing date for applications is 19 May with interviews in early June. The LGA is on the appointment panel and the post holder will report to the ADASS/LGA/IDeA consortium. It is proposed that the reports that the postholder prepares for the Programme Board and any other matters requiring advice, support or leadership from Members become a standing item at the Community Wellbeing Board.

6. High Impact Changes for Health and Social Care

David Behan, Director General of Social Care, has launched the Care Services Improvement Partnership's (CSIP)'s 'High Impact Changes for Health and Social Care', with an accompanying publication. It is designed to help achieve the seven positive outcomes for people using health and social care services, based on the following key themes of involvement, dignity and respect, meeting fundamental needs, accessible information and support, partnership working, personalised services, effective commissioning, flexibility/challenge/creativity, inclusion and carers as partners in care.

7. Asylum and Migration Task Group

The meeting of the Task Group on 10 April had a focus on support for unaccompanied asylum seeking children, whom local authorities have a statutory duty to support. This included a presentation by the Chief Executive of the Refugee Council on current government proposals for changing support, including moving the current local authority provision to 'specialist authorities'.

The meeting was also attended by the Leaders of Kent and Hillingdon, representing 10 Local Authorities who are lobbying for funding shortfalls incurred in supporting unaccompanied asylum seekers leaving care, to discuss how their work could link up with ongoing LGA activity on this issue.

The LGA and London Councils hope to discuss this issue with the relevant Ministers from the Home Office and DCSF, Liam Byrne and Kevin Brennan, at a meeting on 22 April. The delegation will be led by Cllr Roger Lawrence, the chairs of the Task Group; accompanied by Cllr Merrick Cockell, Leader of London Councils; Cllr Paul Carter, Leader of Kent County Council; and John Ransford, Deputy Chief Executive of the LGA.

Representatives from the Home Office also outlined their Green Paper Paths to Citizenship: next steps in reforming the immigration system and highlighted the wish to work with local authorities more closely on issues around enforcement and removals.

8. Valuing People Now – from progress to transformation

The 'Valuing People' white paper (2001) was the first major policy document in relation to Learning Disability services for 30 years and set out a vision across a range of services based on four key principles of legal and civil rights, independence, choice, and inclusion. It covered a range of issues including health, housing and employment and a range of actions for local areas through which the vision might be achieved. An update issued in 2005 (Valuing People – the story so far) indicated progress in a number of areas – more people living independently, and better approaches to inclusion – though less progress had been made in relation to securing paid work and good quality healthcare. There were also concerns that some people with high support needs and those from minority communities had not seen the same levels of progress.

“Valuing People Now” was issued as a consultation document to “Refresh” the original policy set out in 2001 and identifies action which is required over the period 2008 to 2011 in order to ensure that people have real choice and control over the services and support they need. It identifies action in relation to four “Big Priorities”:

- *Personalisation – more choice and control delivered through person centred planning, individual budgets and direct payments;*
- *What people do during the day – with a particular emphasis on paid work achieved through better co-ordination between social care, education and employment rather than “traditional” day services;*
- *Better Health – although the health profile of people with learning disabilities is not as good as the general population, access to NHS services (including primary care) can be problematic;*
- *Housing – with a particular emphasis on home ownership and assured tenancies.*

In addition to the “Big Priorities”, Valuing People Now also identifies a number of actions relating to the wider agenda – the infrastructure through which the priorities might be delivered – including advocacy and rights, partnership with families, “Including everyone” (in particular people with complex needs and people from minority communities), people as citizens (with an emphasis on hate crime & improving accessibility of transport), the transition to adulthood, and improving the workforce.

The final section of the report – “Making it happen” is described as the biggest challenge – ensuring that people benefit from the changes set out. This is dealt with in three sections:

- *National & local leadership and support with a particular emphasis on the importance of Learning Disability Partnership Boards decisions;*
- *Better Commissioning – with a key proposal to transfer social care commissioning (and associated budgets) from FCT’s to local authorities from 2009/10;*
- *Getting better at checking what we are doing, including an enhanced responsibility on learning disability partnership boards in measuring; and*
- *Reporting on performance.*

The LGA responded to the consultation in March 2008. This:-

- *Welcomed the focus on four main priorities and – with a number of caveats – the intention to transfer commissioning responsibility and associated budgets to councils. The LGA is involved in working on the detail of how the transfer might be achieved.*
- *The focus on leadership was welcomed, though the need for better clarity around tensions in “National and Local” leadership was identified, and in particular the role of the DAS in achieving this should be given greater emphasis.*
- *The response welcomed the recognition given to the range and scope of changes that will be needed to achieve the required outcomes, though expressed reservation that the limited additional funding would be sufficient to achieve this.*
- *In particular, the response draws attention to the particular funding pressures identified in relation to learning disability services which, in itself, presents a significant risk to achieving service improvements.*

The LGA’s full response to the consultation can be found on our website at: <http://www.lga.gov.uk/lga/core/page.do?pagelid=515790>

9. EU Update

Patient Safety

The European Commission is consulting on general patient safety issues to inform the development of proposals to be published later this year for European work in this area. The proposals could lead to the development of EU patient safety standards and could impact upon the education and training of social services staff and how patient safety issues are addressed locally.

The Commission's objectives in bringing forward proposals will be to:

- *support EU Member States in their efforts to minimise harm to patients from adverse events in their health systems, through appropriate policies and actions to improve safety, and therefore, quality of care;*
- *improve EU citizens' confidence that they will receive sufficient and comprehensible information on levels of safety and available redress in EU health systems, including healthcare providers in their own country and in other Member States.*

*The Commission is defining adverse events affecting patient safety as including unsafe care, medical errors, clinical errors and healthcare-related harm and as taking place in all settings where healthcare is delivered, including in primary care, secondary care, **community care, social care** and private care, and in acute and chronic care.*

The consultation covers issues including:

- *actions at local, national and EU level to promote patient safety;*
- *public and patient involvement in patient safety improvements;*
- *training of health professionals; and*
- *patient safety information and reporting and learning systems.*

There are also questions about the need for a national compensation payment scheme and an EU level system of redress.

The LGA will be drafting a response to the relevant questions in the consultation.

Cross-Border Health Care

The European Commission is expected to publish proposals for a Directive on cross-border health care in June 2008. It is likely that the proposals will allow patients to be treated anywhere in the EU, funded by their home state (with prior authorisation). The E&I Unit will provide a briefing on the content of the proposals as soon as they are published

EU social inclusion policy – UK response

The LGA European and international unit has developed close links with the DWP on EU employment and social policy, and has been invited to contribute a local government dimension to the UK's national strategy for social inclusion. Social inclusion has since become one of the EU's key social policy goals.

The next UK strategy will need to be submitted to the European Commission in October 2008. It will focus on the following areas: Active Inclusion; Child Poverty; Equalities; Access to quality services; Education; NHS-tackling health inequalities; Reducing re-

offending; Services for older people; Access to decent and affordable housing; Transport; Fuel Poverty; Financial inclusion and Governance.

As such, it is important that EU policy development in this field, and the UK government's response to it, takes into consideration the role that local authorities play in helping those most vulnerable in society. It is also important to highlight local councils' role as community leaders, key players in local regeneration partnerships, service providers, helping those at risk of social exclusion, catalysts of economic activity and employment, major local employers, and their knowledge of local information.

The LGA has fed into this process in 2001, 2003 and 2006. The LGA will submit a response to this drawing on the views of the LGA's advisory groups.

2010 - European Year for Combating Poverty and Social Exclusion

The EU designates specific themes for each year and has selected poverty and social exclusion for 2010. The European Year will seek to raise awareness about poverty and exclusion in Europe and to convey the message that poverty and exclusion are disruptive to social and economic development. The budget for the year is proposed at €17 million. Actions on a Community (EU) scale will be subsidised up to 80% and actions at local, regional or national level may be co-financed up to a maximum of 50%. It is not yet clear what the Year will focus on.

EU Social Policy Agenda

The European Commission is currently preparing a Communication on strengthening the open method of coordination (OMC), which is the EU policy mechanism for social inclusion and social protection. The proposals are expected to be published in July 2008. The Communication will be part of a package including the Communication on the renewed Social Agenda. OMC in social inclusion policy development involves:

- *developing commonly agreed EU objectives and indicators;*
- *national governments writing a national strategy for social inclusion to span 3 years;*
- *European Commission analysing all national strategies and presenting its findings in a joint report recommending individual Member State action;*
- *Peer reviews organised by the European Commission to highlight a particular policy identified by a Member State; and*
- *Roundtables on social inclusion take place annually usually in the EU member state which is holding the EU presidency.*
- *An EU funding programme called Progress which promotes joint working across EU member states on social inclusion actions;*

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10. Update from the IDeA

The IDeA is completing the development of its must knows series for Lead Members. These will be launched in May. They will be continuously revised as issues emerge. They have been developed and tested with councillors, and are proving very popular.

The Agency is tracking the progress of councils where the role of Director of Children's Services and Director of Adults' Services is held by the same person. Four councils (West

Sussex, Havering, Medway and Bracknell Forest) have chosen this model recently. We have a policy session on this theme scheduled at the National Conference in October.

The next IDeA/LGA National Councillor network for adult social care and health is taking place on 8 July at DeVere Holborn Bars in London. The meeting will take place from 10am to 2.45 pm and will focus on the developing performance framework for adult social care. Contact Sally Scarlett at IDeA at sally.scarlett@idea.gov.uk to book a place.

11. Feedback from meetings attended since the last Board meeting

Cllr Mary Aspinall attended the meeting of the LGA's Urban Commission on 10 March in Liverpool. Presentations were received from Colin Hilton (CE Liverpool City Council) on Multi Area Agreement Pilots in the North West and from Paul Schofield (Head of Housing, Government Office for North West) on their Housing Market Renewal Programme. The slides from both of these presentations can be viewed at:

<http://www.lga.gov.uk/lga/core/page.do?pageld=311979>

Other key issues considered by the Commission were: Concessionary Fares, Post Offices (meeting planned at LGA House for 14th May 2008) and Prosperous Communities and the Sub National Review (the consultation and emerging LGA response will be brought to the Steering Group on May 19th).

Cllr Dawn Cousins attended a SECAS meeting in March (regional Lead Members of County LA and the IOW UA and Directors of Adult Social Care) and on 22 April gave evidence to the Parliamentary Local Government Committee - Inquiry into Older Peoples Services.