

Making the case for adult social care reform

Purpose of report

To inform the LGA Executive on the proposals developed by the Community Wellbeing Board to continue the LGA's campaign for a reformed and properly funded adult social care system.

Summary

With just a few months to go before the publication of the Government's care and support White Paper it is important for the LGA to be proactive and visible on the debate about funding and reform.

This paper provides some brief background on the events over the last eighteen months that will culminate with the Spring White Paper. It also sets out the LGA's headline positions on funding and reform, and details five pieces of work that will be completed and published in the weeks leading up to the White Paper, as agreed by the Community Wellbeing Board on 18 January 2012.

Recommendation

The LGA Executive confirms the proposals for the LGA's campaign work on adult social care reform and funding.

Action

LGA officers to action as necessary.

Contact officers: Andrew Cozens/Sandie Dunne
Position: Strategic Adviser/Head of Programmes
Phone no: 07917 831 704/020 7664 3070
E-mail: andrew.cozens@local.gov.uk
sandie.dunne@local.gov.uk

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Background

1. Following a number of key developments over the last eighteen months a White Paper on the future of adult social care looks set to be published in Spring 2012. Chief among these developments is the work of the Law Commission, the Dilnot Commission on Funding of Care and Support and the Caring for our Future engagement exercise.
2. Respectively, the two Commissions explored how to make the adult social care system simpler in terms of its legal framework, and fairer and more sustainable in terms of its funding arrangements. The engagement exercise, which concluded in December 2011, sought to bring the recommendations from both Commissions together, alongside the Government's Vision for Adult Social Care, to help shape the priorities for care and support reform ahead of the White Paper.
3. The engagement exercise was based around six themes which the Government believes have the greatest potential for improving the care system. These are set out below and it is likely that they will form the basis, at least in part, of the White Paper:
 - 3.1. Quality and workforce.
 - 3.2. Personalisation.
 - 3.3. Shaping local care services.
 - 3.4. Prevention.
 - 3.5. Integration.
 - 3.6. Role of financial services.
4. Whilst it will be interesting to see what the White Paper says on the above we do not anticipate anything fundamentally new from Government in terms of policy or messaging. This reflects the broad consensus across the sector that these are the right foundations on which to base a reformed system. What will be of real interest – particularly to councils – is what the White Paper says on three issues:
 - 4.1. Funding reform.
 - 4.2. Funding the system.
 - 4.3. The balance between local and national.

The LGA position

5. The LGA has been heavily involved in debates about reform of care and support during the last eighteen months, working closely with both the Dilnot and Law Commissions to share the sector's views and influence the final recommendations. We have also been heavily engaged with Parliamentarians and stakeholders, giving a range of evidence and briefings. Our views feature prominently in the recent Health Select Committee report on Public Expenditure, and much of the evidence of the LGA is endorsed by the Committee. We have joined forces with other stakeholders including Age UK, the Association of Directors of Adult Social Services (ADASS) and the Care and Support Alliance.
6. Our headline positions can be summarised as follows:
 - 6.1. There are four 'pillars' to reform:
 - 6.1.1. **Fairness**: fairer funding arrangements for individuals meeting the cost of their care and support needs.
 - 6.1.2. **Simplification**: a simpler legal framework for social care and support to make the system easier to understand and navigate.
 - 6.1.3. **Integration**: making the right links with health and public health to improve services for individuals and efficiency for the taxpayer.
 - 6.1.4. **Funding**: adequate resource for the system (separate to the resources needed for reform) and recognition that funding and reform go hand in hand.
 - 6.2. We have been consistently clear that the current climate presents the best opportunity for meaningful reform, with workable proposals from both the Dilnot and Law Commissions to make funding fair and the system simpler.
 - 6.3. We are pleased that cross-party talks on the future of care and support have resumed. Reform and funding are both urgently needed to address the triple pressures of insufficient funding, growing demand and escalating cost.
 - 6.4. There is no magic bullet solution to the care and support question based on changing who is responsible for commissioning care. When care was last nationally funded prior to 1993, the budget was wildly out of control and if there is a problem now it is arguably because councils have managed an underfunded system too well and the lid has consequently remained on for too long.
 - 6.5. We want to see a part national, part local system with a national, portable assessment of need that is acknowledged anywhere in England but with

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local decisions about the services to meet need and the amount to pay for them.

- 6.6. The emphasis should be on the portability of outcomes and the local response must look both ways; drawing down from universal services (such as health, leisure and transport – those that support a focus on prevention and wellbeing) but including, where appropriate, more specific care and support interventions.

Maintaining momentum up to the White Paper

7. With just a few weeks to go before the White Paper we want the LGA to be highly visible in the run-in. The Community Wellbeing Board has endorsed five separate pieces of work that, together, allow us to set out a clear overall message on the need to reform and fund adult social care and support. These pieces of work include:
 - 7.1. A 'spotter's guide' to the White Paper

This publication will set out what we hope to see in the White Paper and in so doing will identify 'tests' against which we will judge its effectiveness. This will be a useful vehicle for disseminating all of our main messages and, coming before the White Paper, will provide Parliamentarians and the media with an easy route back to the LGA to get our reaction.
Audience: Ministers, MPs, Whitehall, media.
Success measures: Significant media exposure with positive coverage.
 - 7.2. Understanding the finances

There have been numerous recent stories at national and trade level on the adequacy of funding for adult social care. This is a complicated subject with several leading organisations quoting a different funding 'gap' and the Government denying the existence of any funding problems. We therefore propose doing some detailed analysis of the current funding situation facing adult social care along with projections of future costs. This information will be invaluable in discussions with both Government and the media.
Audience: Ministers, MPs, Whitehall, media, stakeholders.
Success measures: Media coverage and use of figures by stakeholders.
 - 7.3. The cost of reform

Much has been made in the press about the Government's willingness to fund the recommendations made by the Dilnot Commission (a cost of about £2 billion depending on the calibration of one of the Commission's central proposals – a cap on the amount individuals are required to pay towards their care costs). Given our long-standing and in-principle support of the cap we propose doing some work comparing the cost of reform to other areas of wasteful public spending. Our central message is that the

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cost of reform is a cost worth paying.

Audience: Whitehall, media, general public.

Success measures: 'Must have' elements of reform fully funded.

7.4. The economic case for reform

We are aware of the Treasury's hesitancy on funding the Dilnot proposals and believe work that highlights the economic benefits of reform could be a very useful contribution to the debate and the more conventional messages that simply advocate urgent reform. We propose commissioning, or working with, Skills for Care on this work and focusing on workforce (with links to quality) in terms of current/future numbers and potential job creation and market development.

Audience: Whitehall, Ministers, MPs, media.

Success measures: Media coverage and use of findings by stakeholders.

7.5. Raising awareness amongst the public

Linking to activity '7.3 – The cost of reform' above we propose conducting some simple polling of the general public to gauge their understanding of how the system works, where they think spending should be prioritised and what they think would be a 'fair' system.

Audience: General public, Ministers, MPs.

Success measures: Media coverage and use of findings by stakeholders.

8. As much of this work is about being highly visible in the run up to the White Paper, we propose holding briefing meetings with journalists to discuss our work and findings before publishing. Given we have five specific pieces of work we are considering giving exclusivity to particular media outlets to maximise impact.
9. Once the White Paper is published, and we have a clear understanding of its strengths and weaknesses, we will develop a further programme of work to lobby for a Bill and legislation.

Financial implications

10. The exact detail of the activity outlined above is currently being worked out. Some elements will almost certainly be commissioned externally (such as the public polling) incurring a cost for the Community Wellbeing Board. We anticipate this being in the region of £10,000. The issue has profound implications for council finances, as adult social care is the largest controllable budget of all top tier councils.