

## CABINET

### Subject Heading:

**13<sup>th</sup> December 2017**

Outcome of consultation on the draft Adult Social Care & Support Planning policy for approval.

### Cabinet Member:

Councillor Wendy Brice-Thompson, Cabinet Member for Adult Services & Health

### SLT Lead:

Barbara Nicholls, Director of Adult Social Care & Health

### Report Author and contact details:

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### Policy context:

This report asks Members to approve the Adult Social Care & Support Planning policy in the light of consultation that took place between 17<sup>th</sup> July and 8<sup>th</sup> October 2017.

### Financial summary:

There are no direct financial implications.

### Is this a Key Decision?

Yes.

(a) The policy will have an impact on people who need Adult Social Care and their carers (now and in the future) in all Wards throughout Havering.

(b) The policy does not reflect a major change in our approach. However, it does clarify and organise the Council's existing duties under the Care Act 2014 and it will have a positive influence on practice and decision making within Adult Social Care Services.

### When should this matter be reviewed?

December 2019

### Reviewing OSC:

Individuals

### The subject matter of this report deals with the following Council Objectives

Communities making Havering

[X]

Places making Havering

[]

Opportunities making Havering

[]

Connections making Havering

[X]

## **SUMMARY**

A draft Adult Social Care and Support Planning policy was drafted earlier this year. This is not a new policy but it has been produced to clarify and organise best practice in line with the Council's existing duties under the Care Act 2014. It is designed to provide people in need of adult social care and support now and in the future, as well as staff within the Council and our partner agencies, with a helpful summary of the Care Act (and associated statutory guidance) to help people understand the Council's duties and responsibilities. This will increase accountability for the delivery of adult social care, help manage expectations, and ensure care and support is provided fairly to local people. A 12 week consultation was held (17<sup>th</sup> July – 8<sup>th</sup> October 2017) to ensure the policy is easy to understand and makes reference to the parts of the Care Act local stakeholders feel are important. This report summarises the outcome of the consultation and seeks Members decision to approve the Adult Social Care and Support Planning policy in the light of the outcome of the formal consultation.

## **RECOMMENDATIONS**

That Cabinet:

1. Note and consider all of the comments and results of the formal consultation on the draft Adult Social Care & Support Planning policy.
2. Note the changes made to the policy in response to the comments and views expressed during consultation.
3. In accordance with part 3, Section 2.1 (d) of the Constitution to determine the Council's policy in relation to all Executive matters, approve the Adult Social Care and Support Planning policy, which has been amended to take account of the comments and views expressed during consultation.
4. Note in response to issues raised in the consultation Adult Services will prepare plans to re-draft the Easy Read version of the policy (in further consultation with local people with a learning disability) to make it more accessible, and to develop other ways of making the policy more accessible to people with sensory disabilities.

## **REPORT DETAIL**

1. In spring and early summer this year Adult Social Care Services drafted an Adult Social Care and Support Planning policy, the policy is designed to ensure:

- the adult social care process in Havering is undertaken in a manner that is compliant with the Council's duties under the Care Act 2014;
  - there are equitable outcomes and fairness in the provision of funded care and support;
  - sufficient and appropriate regard is given to individual circumstances and personal preference, as well as the resources available to the Council, when determining the value of an individual's personal budget;
  - adult social care has a focus on prevention, improving and maintaining wellbeing, and equity;
  - assessments and care plans are integrated with healthcare services where people have health as well as social care needs.
2. It is important to note that the Adult Social Care & Support Planning policy does not reflect a major change in our approach. It is designed to clarify and organise best practice in line with the Council's existing duties under the Care Act 2014.
  3. The policy will, however, exert a positive influence on practice and decision making within the Council's Adult Social Care services, and because of this it was felt necessary to give people who receive adult social care (now and in the future), their carers, and advocates, as well as professionals and practitioners working in adult social care services, every opportunity to influence the final version of the policy and so a formal consultation was held between July and October this year.
  4. The purpose of the consultation was to ask people about the following aspects of the draft policy:
    - is the draft policy clear;
    - is the draft policy open and transparent;
    - is the draft policy sufficiently informative (i.e. does it provide people with enough information);
    - do people have any comments on the content of the policy?
  5. The process and outcome of the consultation is described in appendix 1,
  6. A number of changes have been made to the original draft of the policy to take account of the views expressed during consultation. The views expressed during consultation and comments/actions taken in response to these views are attached as addendum 2 to Appendix 1 which provides more detail about the outcome of the consultation.
  7. The revised policy is attached as Appendix 2 for approval.

## **REASONS AND OPTIONS**

### **Reasons for the decision:**

A local policy that summarises the core duties and responsibilities of the Council under the Care Act 2014 is required to provide the residents of Havering, and the professionals and practitioners in Adult Social Care services, with a guide to ensure individual assessments, support plans and reviews, and the general operations of adult social care, are undertaken in a consistent and transparent manner in line with the duties of the Council under the Act.

### **Other options considered:**

The alternative to a local Adult Social Care & Support Planning policy is to direct people to the Care Act and Care Act Guidance when they need to understand the Council's policy on Adult Social Care. This has been rejected as the Act and Guidance are very long, complicated, with technical jargon, and is not easily accessible to many people.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

There are no immediate financial implications or risks from the introduction of the Adult Social Care & Support Planning Policy. Any financial implications resulting from the development of best practice influenced by the policy will feed into financial modelling for future financial forecasts and will consider the impact of any material changes on both client contributions and cost of care in determining the Adult directorate's future budget requirements. This will ultimately feed into the Council's overall Medium Term Financial Strategy (MTFS).

### **Legal implications and risks:**

The content of the policy is consistent with the Council's statutory duties. However, the decision was taken to keep the policy as concise as possible to aid accessibility and therefore not all of the detailed guidance provided by the Government in relation to the Care Act 2014 has been included. Staff from Adult Services will continue to need to refer to this policy in conjunction with the Care Act and associated national guidance when required.

The Policy has been the subject of an extensive consultation and the responses to that consultation should be fully considered before Members take a decision as to whether or not to adopt the policy either as it is or with any modifications they may recommend.

**Human Resources implications and risks: (for approval/amendment by HR Business partner)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**Equalities implications and risks:**

As well as supporting the Council's duties under the Care Act 2014, the policy also upholds our responsibilities under the Equality Act 2010.

The Equality Impact Assessment in (EIA) relation to the Adult Social Care & Support Planning policy is attached as appendix 3.

No negative impacts on protected characteristics were identified by the EIA.

<b>BACKGROUND PAPERS</b>
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**Appendix 1:** The consultation process and the outcome of consultation.

**Appendix 2:** Final draft of the Adult Social Care & Support Planning policy for approval following consultation.

**Appendix 3:** Equality Impact Assessment.