

2 October 2018

**Name of Cabinet Member:**

Cabinet Member for Public Health and Sport – Councillor K Caan  
Cabinet Member for Adult Services – Councillor F Abbott

**Director Approving Submission of the report:**

Deputy Chief Executive (People)

**Ward(s) affected:**

All

**Title:**

Local Government Association Green Paper 'The lives we want to lead' – Response to Consultation

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**Is this a key decision?**

No – Although this matter affects all wards, it is not considered to be significant

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**Executive Summary:**

On 31 July 2018 the Local Government Association (LGA) launched its own green paper for adult social care and well-being for consultation. The publication of this paper is as a result of the Government's recent decision to delay its long-awaited green paper on Adult Social Care until the autumn.

Important issues are raised in the consultation in terms of the role of Adult Social Care in helping people live the life they want to lead and how this is funded. These issues affect all stakeholders in Adult Social Care and it is important that the City Council contributes to the national debate on these issues. It is particularly important in the context of resourcing challenges facing Adult Social Care. The short term funding arrangements from central government currently in place through the Better Care Fund and improved Better Care Fund come to an end in 2020/21.

As well as the issue of achieving sustainability in Adult Social Care much of the consultation seeks views on the role of local government in improving the well-being of its population. The responses given emphasise that local government is fundamental to achieving this goal. This needs to be considered in the wider role of local government by including public health, housing and leisure.

Throughout the consultation response, and to demonstrate the points made, examples are provided of work underway in Coventry that demonstrates the progress being made to improve well-being. Examples include the Health and Well Being Concordat, year of well-being, our work on improving Delayed Transfers of Care and the Community Promoting Independence programmes.

**Recommendations:**

Cabinet is requested to:

- 1) Approve the submission of the consultation response to the LGA Green Paper

**List of Appendices included:**

Appendix 1 - Consultation response to LGA green paper

**Background papers:**

None

**Other useful documents**

The green paper and supplementary information and be viewed by following the link: <http://www.futureofadultsocialcare.co.uk/>

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:** Local Government Association Green Paper 'The lives we want to lead' – Response to Consultation

## **1. Context (or background)**

1.1 On 31 July 2018 the Local Government Association (LGA) launched its own green paper for Adult Social Care and Well-being for consultation. The publication of this paper is as a result of the Government's recent decision to delay its long-awaited green paper on Adult Social Care until the autumn. The LGA green paper is endorsed by a range of organisations including the Society of Local Authority Chief Executives (SOLACE), the Association of Directors of Adult Services (ADASS), NHS Confederation, Care Quality Commission (CQC), Public Health England, provider representatives and the voluntary sector.

1.2 Important issues are raised in the consultation in terms of the role of Adult Social Care in helping people live the life they want to lead, and how this is funded. These issues affect all stakeholders in Adult Social Care and it is important that the City Council contributes to the national debate on these issues for which the LGA consultation is a first step. Equally, the outcome of the LGA consultation is intended to influence the forthcoming Government green paper and as such provides an opportunity to influence policy from inception.

## **1.3 Why these issues are important to Coventry**

1.4 The issues raised in the green paper are important to Coventry Adult Social Care. Despite being a low spend service compared to similar local authorities, and having delivered significant savings over the past few years, the service remains financially challenged. If it had not been for the short term resources provided through the improved Better Care Fund (£8.1m 17/18), and the continuing support of the Coventry and Rugby Clinical Commissioning Group (CRCCG) in the use of this resource, alongside resources required to be transferred to the Council by the CCG (£8.3m 17/18), the position would be significantly worse. In addition the Council Tax Precept has raised £3.7m that has provided additional essential resources to meet cost pressures in the market.

1.5 In terms of our demand we have not seen increases in overall numbers of people supported by Adult Social Care but within this there has been an increase in the number of working age adults compared to older people. Furthermore, the costs of supporting working age adults are often greater, as is the period of time over which support is required.

1.6 The effective relationships between health and care agencies in the City were highlighted in the CQC system review completed in 2018 and these relationships have enabled us to make significant progress on key performance measures including Delayed Transfers of Care. However this progress is underpinned by BCF resource which currently expires in 2019/20. These relationships are also enabling the health and care system to make positive progress in developing preventative approaches and tackling long term demand. This is observed both through health and active lifestyle approaches and community capacity building, all of which is underpinned by a Health and Well-Being Concordat across Coventry and Warwickshire.

## **1.7 The Green Paper – Key Content**

1.8 In summary the contents of each key section of the paper along with the issues raised for consideration are as follows:

1.9 Chapter 1 – The voice of people who use services

This section contains a number of case studies or stories from people who use social care and support services. There are no specific consultation questions associated with Chapter 1.

1.10 Chapter 2 - Delivering and Improving Well-Being

The section considers the role of local government more broadly in helping improve health and well-being. This goes beyond Adult Social Care and implies the whole of local government having responsibility for working with partners and stakeholders to improve wellbeing. The section seeks views on the role of local government in improving health and well-being within the City.

1.11 The consultation responses within this section stress the point that local government is best placed to improve the local population's well-being. Not just through social care and public health but also through its wider remit in respect of housing, education, leisure, parks and green spaces. The role of health and other public sector partners are also important in improving wellbeing. The importance of local government's role as an enabler in stimulating resilient communities that can use local assets to support themselves including wider voluntary and third sector support is referenced. Examples demonstrating the City Council's commitment to improving the health and wellbeing of local people are given.

1.12 Chapter 3 - Setting the scene

This section sets out the key challenges facing Adult Social Care in respect of funding, workforce and the ability to deliver the intentions of the Care Act 2014 in the context of reducing funding. The section also highlights the role of social care in helping sustain the NHS and the economic benefits of Adult Social Care through the employment it creates. Within this section are references to innovations delivered in Adult Social Care including the use of technology and data sharing. The funding issues facing Adult Social Care are described along with the consequences of underfunding. Reference is made to the Care Act 2014 Part II reforms that have not been implemented. These would introduce a cap on the amount people might have to pay along with an extension to the financial means test limits. The section also seeks views on the importance of decisions in respect of Adult Social Care being made at a local level.

1.13 The responses to this section are wide ranging but in summary examples are provided of how social care is supporting the NHS through approaches that both prevent admission to hospital and facilitate discharge. The work led by the City Council to support carers and invest in the voluntary and third sector also plays a key role in sustaining the health and care system. In terms of decision making this is considered key in order to ensure local needs are met and there is local accountability for doing so. Issues facing the local delivery of Adult Social Care, including changing demographics and increasingly complex service user needs, are also highlighted. The importance of a longer term funding announcement to aid planning and ensure impact of long term programmes of work is emphasised within the response to this section.

1.14 Chapter 4 - Options for change

This section starts by describing some of the complexities of Adult Social Care particularly in respect of resourcing and how the system can be difficult to navigate. A set of options are described to help improve Adult Social Care with estimated costings. Views are sought on these options along with seeking alternative suggestions.

Views on a number of options for funding these changes are also sought along with opinions on what the Government should take into account in judging the merits of any proposed funding solution.

1.15 Responses in this section identify that urgent attention needs to be given to sustaining the care market and ensuring that Adult Social Care and support is sufficiently resourced to ensure care and support is provided to everyone who needs it. In respect of options for funding no specific preference is given as no information on impact is provided and it is suggested that there is already sufficient resources at a national level but we are facing a shortfall due to national prioritisation decisions. As a principle it is indicated that any proposal to raise additional resources through taxation should not impact disproportionately on those that are less able to pay. In respect of the suggested tests the notion of fairness should play a key part in the eventual option due to the inherent unfairness experienced by many people who require social care as a result of the current regime for personal contributions. Any proposals to bring wider benefits together with adult social care i.e. Attendance Allowance require careful consideration.

1.16 Chapter 5 - Adult Social Care and wider well being

This section sets out the proposition that a shift in focus to prevention and well-being is required in order to tackle long term system demands. The essential role of Public Health and contribution of partners if this shift is to be achieved is described. Views are sought on the role of Public Health services in improving population health and well-being and supporting examples of where local services have improved health and well-being.

1.17 The responses within this section confirm the essential role of Public Health in tackling long term demands with examples provided of how this is taking place in Coventry through initiatives such as “Coventry on the Move” and upscaling prevention. This does, however, also raise the point that to achieve system ambitions there is a need to ensure Public Health as well as Adult Social Care are appropriately resourced.

1.18 Chapter 6 - Adult Social Care and the NHS

The need to improve the system so that people experience more seamless care and support is the fundamental proposition put forward in this section. Integration is seen as a means to delivering improved health and well-being, by improving planning and making the best use of resources. The paper suggests the primary role of central government and national bodies is to support and enable local leaders by removing barriers – whether these are financial, structural or cultural. Views are sought on the principles that should underpin how health and social care organisations work together. This section also describes the benefits of care being centred on the person and the role of local leadership in delivering improvements.

1.19 The consultation responses to this section are supportive of integration where it improves outcomes for people but not integration for its own sake. References are made to NHS led programmes that impact on local government but in which local government is not involved from the outset. The Sustainability and Transformation Programme is one such example that should not be repeated. Care and support centred on the person is of course supported and it is suggested that greater responsibility and ability to effect improvement across organisations should rest with local Health and Well Being boards. The requirement for investment over a period of time in order for results to be achieved is highlighted.

## **2. Options considered and recommended proposal**

2.1 As the LGA Green Paper is a consultation document there is no requirement on the City Council to respond. However, the issues raised are significant and impact on core functions of the City Council which include Public Health as well as Adult Social Care both in terms of funding and expectations.

2.2 It is, therefore, recommended that the City Council responds to the consultation and 'joins the debate on these important issues.

### **3. Results of consultation undertaken**

3.1 There are 30 questions that the LGA are seeking responses to through the consultation. In order to compile a consultation response the following was undertaken:

- A member seminar was held on **Friday 7 September 2018**. This seminar provided background to the LGA green paper, shared draft responses, obtained views from those in attendance and fed these into the proposed response to the LGA.
- Members that wished to provide comment for consideration in the consultation response but were unable to attend the seminar were provided with a consultation question template and invited to input comment to be considered in the response.

3.2 Although the report is in respect of a Council response it should be noted that the LGA were inviting contributions from all stakeholders, whether individuals or organisations. The LGA consultation has also been brought to the attention of Coventry Health and Well-Being Board members and providers of social care services.

### **4. Timetable for implementing this decision**

4.1 The consultation closed on 26 September 2018 and the LGA has allowed a Coventry response to be submitted following Cabinet on 2 October 2018. The responses received by the LGA will feed into the Green Paper on Adult Social Care and Support expected from the Department of Health and Social Care in Autumn 2018.

### **5. Comments from Director of Finance and Customer Services**

#### **5.1 Financial implications**

There are no specific financial implications associated with responding to the consultation. However, many of the themes raised in the consultation relate to ongoing resourcing of Adult Social Care and as such, dependant on how proposals are progressed, significant financial implications could arise. The consultation looks at both the level of care provided as well as the resourcing options, from a perspective of resourcing the existing system to moving to a system of free personal care which could potentially cost up to £10 billion nationally by 2024/25.

The report makes no specific recommendation for how the system is resourced and this will be a key aspect of the proposed Government green paper now expected in the autumn.

#### **5.2 Legal implications**

The Care Act 2014 makes it clear that in performing its functions under the Act,

*"The general duty of a local authority, in exercising a function ... in the case of an individual, is to promote that individual's well-being".*

Subject to certain specific requirements, the local authority has considerable discretion in how it chooses to meet this responsibility so as to be able to flexibly respond to the specific requirements of adults and carers in its area. In addition, the Act and its supporting Statutory Guidance, encourages co-operation between the Local Authority and its relevant partners and the integration of services where possible and appropriate to achieve this objective.

Whilst there are no specific legal implications associated with responding to the consultation, the consultation itself considers issues regarding how the authority's duties are met and resourced as opposed to proposing any fundamental changes to the duties.

The consultation addresses issues regarding how these duties are met and resourced as opposed to proposing any fundamental changes to the duties.

## **6. Other implications**

### **6.1 How will this contribute to the Council Plan**

Delivering effective Adult Social Care makes a positive contribution to the delivery of the Council's priorities, particularly in relation to: citizens living longer, healthier, independent lives; support improved health and wellbeing and support the City to reduce health inequalities.

### **6.2 How is risk being managed?**

There are no specific risks associated with the consultation at this point, however, risks may emerge as work progresses on the long term future and funding of Adult Social Care. Key risks to Adult Social Care are contained in a risk management plan and escalated accordingly.

### **6.3 What is the impact on the organisation?**

There are no direct implications at this stage.

### **6.4 Equalities / EIA**

Adult Social Care services in Coventry support people with a range of protected characteristics. No specific analysis of equality impacts was completed in the course of responding to this consultation.

### **6.5 Implications for (or impact on) the environment**

None

### **6.6 Implications for partner organisations?**

The consultation raises a number of issues regarding adult social care and support. Dependant on how these issues are progressed there may be implications on partner organisations. Partner organisations have been made aware of the consultation through the Coventry Health and Well Being Board and the City Council response to the consultation will be shared with the Health and Well Being Board on 8 October 2018.

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