

**Bath and North East Somerset Council
Response to the Government's Engagement Exercise
on Changes to the Care and Support System**

**A review by the Healthier Communities and Older
People Overview and Scrutiny Panel**



Review Panel Members

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Dear Sir/Madam

RE: The Government's Engagement Exercise on the Future of the Care and Support System

This is the formal response of Bath and North East Somerset Council through its Healthier Communities and Older People Overview and Scrutiny Panel to the above Government engagement exercise. The cross-party group of Elected Members who make up the Panel resolved to undertake their own review into these issues, in their capacity as community leaders, and have undertaken a wide range of consultation activities in order to listen to and reflect the views of the local population.

The Panel's response is structured around the questions posed by Government around the three key topics of:

- » The Government's vision for a new Care and Support system
- » How to share out the responsibility for meeting Care and Support needs
- » How Government funding should be spent

As Chair of the Panel I have pleasure in sending you this response, and trust that you will take on board the comments and recommendations made within it.

Yours sincerely

Cllr Adrian Inker
Chair, Healthier Communities and Older People Overview and Scrutiny Panel

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Introduction

In May 2008 the Government launched a period of engagement with the public, which will run until 28th November, regarding the future of care and support services. They have set out their vision for the future of care and support services, and invited people to put forward their views.

At their meeting on 8th July 2008 the cross-party group of Elected Members on the Healthier Communities and Older People Overview and Scrutiny Panel resolved to undertake a review in their capacity as community leaders, in order to facilitate discussion on these issues in the local area, and to put forward to Central Government the views of the local population.

Care and support is described by the government as comprising of "the activities, services and relationships that help people to be independent, active and healthy - as well as to be able to participate in and contribute to society".

Expressed in simple terms, care and support is about helping people to do day-to-day things such as:

- Living in their own home
- Working
- Cooking
- Shopping
- Caring for a family

People might need these kinds of services for a variety of reasons. They may have had an accident, have a long-term illness, be disabled, or become in need of services as they grow older.

Purpose

The aims of the review process have therefore been to:

- Consider the engagement exercise being carried out by the Government
- Act as community leaders to facilitate debate amongst local residents on the issues raised by the engagement documents and process
- Respond to the government on behalf of the local population

Objectives

The objectives of the review were to make representation to the Government on behalf of the local population in response to the key questions as set out in the Government's engagement documents. The questions put forward by the Government changed somewhat during the period of the Panel's review, however they remained broadly speaking the same and covered the following areas:

- The Government's vision – what the Government wants from a new care and support system
- How the responsibility for meeting care and support needs in the future should be shared out between individuals, families, society, Local Government and Central Government
- How Government funding should be spent, who should decide and should some people get more than others

Review Methodology

The Panel have undertaken a number of research and evidence gathering activities in order to inform their findings.

Background Information

The Panel drew on the information available on the Government's dedicated website for this issue at www.careandsupport.direct.gov.uk, as well as various media articles, and briefings from Council officers.

Stakeholder Event

A representative of the Panel attended the regional stakeholder event, held in Bristol, and organised by central Government, and was thus able to engage in debate with other stakeholders from around the region, and feed back their views to the rest of the Panel.

Engagement with the public

The Panel sought the views of members of the public in a variety of ways. They issued a press release, wrote an article in Council News, published a web page setting out the details of the review and inviting comments and views, and set up an online consultation on the Council's Consultation Calendar.

They also distributed a flyer and poster to local GP surgeries, libraries and Community Resource Centres in order to publicise the review. In addition the Panel

were extremely grateful for the help of the Care Forum who further publicised their review through their newsletter.

The Panel were acutely aware that one of the hardest of the hard to reach groups in consultations of these kind are people who do not currently use services. They therefore sought actively to engage people who might not usually have got involved in this review by going out to community meetings, holding face to face interviews in the Atrium of the Royal United Hospital, attending meetings of voluntary organisations, making contact with local universities, and seeking the views of Council staff. As with any attempts to engage with seldom heard groups, the Panel's approach was not without challenges, however they found it to be a rewarding method of hearing from people who might not otherwise have had their voices heard.

Interviews with key local groups

Members of the panel contacted a number of key local groups such as housing associations and voluntary organisations in order to elicit their responses to the key questions set out by the Government (See Appendix 1). Interviews were conducted either face to face, over the telephone or via e-mail.

Contributor Session

The Panel held a public meeting to which they invited a number of key local stakeholders. Representatives were invited from a range of local voluntary organisations and housing associations, as well as Council Officers, and members of the public also attended.

A full list of contributors is attached at Appendix 2, and the notes of the Contributor session are attached at Appendix 3.

Stakeholders who were unable to attend were invited to make written submissions.

At the Contributor session the Panel were able to ask questions of key stakeholders, and hear their views. It therefore provided the Panel with an excellent opportunity to gather evidence and also to facilitate discussion of the issues.

Findings

Topic 1 – A New Care and Support System

The Government asked two questions in relation to this topic which explored their vision for a new care and support system. The questions were:

- a) Do you agree with the Government's vision for a new care and support system? Is there anything missing from the vision that you would like to add?
- b) What do you think should be done or changed to make sure that the new system really does give people the care and support they want and need?

The Vision

In the Government document "Thinking about a new care and support system: an opportunity for debate" the Government's vision is set out as follows:

"The Government's vision is that people are supported to:

- live independently
- stay healthy and recover quickly from illness
- have as much control over their own lives as possible
- live with or look after their own family
- participate as active and equal citizens
- have the best possible quality of life"

During the Contributor Session the Care Forum noted that as this vision is set out it is "hard to disagree with", and this is a view the Panel share. However they also agree with the Care Forum's view that the vision should be changed to make it outcome-focused, rather than process-based, so that the outcomes people want from their care and support services are clearly expressed.

It is important to remember that what can seem to be a positive development from one perspective, may be viewed with scepticism or even trepidation by some service users. A clear example of this was given by the representative from Somer Community Housing Trust who noted that the use of the word "independence" in the vision may not be welcomed by all older people, some of whom feel that this means "you're on your own Jack".

The Panel feel that the vision lacks hard benchmarking, and that there is a strong need for independent monitoring which should be undertaken nationally and managed by Central Government.

The Panel also wish to stress that whilst they agree with the need for personalised care with good quality core standards set down by Government, they would not wish there to be any expectation that this would be a money saving exercise in itself.

However, on the other hand they recognise that there are ongoing limits to funding care and that it will be important to manage people's expectations to ensure they are aware of these limitations.

Ensuring the new system provides what people want and need

In order to ensure the system provides what people want and need, the Panel note that it will first be necessary to establish exactly what this is. An important tool for highlighting local needs would be the Joint Strategic Needs Assessment, however at the Contributor Session the Care Forum pointed out that this does not currently cover all the voluntary and community groups active in the area. It would be important therefore to ensure that this omission was addressed. However, establishing need is not sufficient, and it is important to also hear what people *want*, and the ways in which they want it delivered. One speaker at the Contributor session highlighted the importance of bottom-up feedback, giving the example of the large scale provision of Day Centres for older people, despite the fact that Day Centres are not, in reality, very popular with older people. Giving people genuine choice would therefore be vital.

It is also important to recognise that not all those in need of services are able to articulate those needs, or may not even be aware that they have them. Several contributors cited the existence of "hidden" carers who might not know that they are classified as carers, or that they are entitled to services and support. The unmet needs of young carers were particularly highlighted as an area of concern, and this would have to be given due attention.

One of the issues the Panel came across whilst trying to engage local people in debate on this matter, was that many people did not know how the current system of care and support worked, so were therefore not well equipped to make a judgement on proposed changes to it. Indeed, many of those spoken to also seemed unaware that there was a current Government engagement exercise on this issue. A recurring theme from the Panel's consultation activities was that of the need for more information, on the system itself and also how people can access it. There was particular need for clarity about the distinctions between social care, health and housing provision. The Panel wish to stress therefore the importance of making the system easier to access, with a single point of access for information, and good quality advocacy. This would be vital in facilitating users in negotiating what can currently be a confusing system of entitlements, with many people being unsure what they can claim.

The Panel would also like to recommend that the Government give consideration to addressing the various contradictions and anomalies within the current system of payments and benefits for family carers, with one carer who spoke to the Panel relating how she had lost her carer's allowance once she had started to receive her pension.

One of the issues which the Panel heard about with some frequency was that some people felt there was a stigma attached to accessing social services, and were happier to access support and care via the voluntary sector. One contributor

explained that in her own personal circumstances this was because she had initially wanted emotional support and advice, rather than practical services. Whatever the reasons, it seems clear that there is a tendency for some people to go directly to the voluntary sector, or third sector as they are also known. The Panel therefore wishes to stress the importance of partnership working, and recognition of the voluntary sector role. In Bath & North East Somerset the Voluntary Sector is well developed, however in areas where a strong voluntary sector does not exist, it might need to be developed if necessary. Given the importance of the voluntary sector the Panel felt that secure funding for such organisations would be key in order to allow them to plan effectively for future provision, and to maintain a breadth of provision.

A core part of the Government's agenda for the future of care and support is the individualisation and personalisation of services, with Individualised Budgets being given to service users who can then choose how and when to spend this money. While the Panel note the many positive aspects of this, one issue that was raised by contributors was that there can sometimes be conflicts between the individual's and the carer's needs. It was therefore felt to be important that family/carers should be involved in assessments, providing of course the individual service user is happy with that.

Topic 2 – How to meet care and support needs

There were two questions set by the Government within this topic which were:

- 1) How should the responsibility for meeting care and support needs in the future be shared out between the following groups:
 - People who need care and support?
 - The families of people who need care and support?
 - Everyone in society?
 - Government?
 - Anyone else who you think should have a role?
- 2) Who should contribute more for care and support in the future?
 - People who need care and support (by paying for their own care and support)? How could this work?
 - The families of people who need care and support (by looking after them or paying for their care and support)? How could this work?
 - Everyone in society? How could this work?

How should the responsibility for meeting care and support needs be shared out?

The Panel feel that there is a clear role for all of the groups mentioned above, but that the key factor is getting the balance of responsibility between them right. In their view the major share of responsibility must remain with Central Government, but individuals, families and society all have their part to play.

Taking a broader view, the Members of the Panel concluded that society as a whole needs to find a method of paying for care which is fair and equitable. This is to some degree a cultural issue, with different nations having different approaches to how they fund care. In Japan, people over 40 pay more towards the cost of care, whilst in America citizens have been encouraged to take out private insurance (with limited success). Similarly in France those with more income and assets need to pay some of their own costs, and some take out private insurance to do so.

The possibility of an insurance system was discussed with several different contributors, who raised some very interesting points. The Disability Equality Forum were concerned that their members would not be able to secure private insurance, as they highlighted that it was already difficult to get other kinds of insurance such as travel insurance. Other contributors stressed the importance of Central Government guarantees to make sure that the market was able to deliver.

The Panel feel strongly that there needs to be a greater acknowledgement of the role of the family in providing care, whilst also recognising that families are not always in geographical proximity to one another, and that sometimes family members do not feel able to provide care. However the Panel believe that greater levels of informal care will naturally occur when high quality local services are delivered in a reasonable environment.

One contributor noted that care and support needs to be seen holistically, rather than in isolation from other services, and the Panel agree that there is a key role to be played by housing and health services, voluntary organisations, community groups, and Church organisations. Local Authorities it is felt, have a role to play here in signposting individuals and families to the organisations which can best meet their needs, or are best suited to the way in which they would like those needs met.

Who should contribute more in the future?

The Panel agree that there must be some responsibility upon the individual in terms of contributing to their care. However several contributors to the review, such as Action for Pensioners, were concerned to ensure that individuals who have saved, but are not wealthy, are not penalised for having done so. For many people a key concern is that they do not want to have to sell their house in order to pay for care. This is often because they wish to remain living in their own homes, but many also wish to safeguard their house as part of any inheritance they may have to pass on.

Members of the Panel take the view that as a society we need to be sure that there is adequate funding to provide care for those who need it, and it would perhaps be helpful to ensure the public are clear about what tax and national insurance currently

pay for, and what outcomes they could expect to see from any additional forms of payment in the future.

Given the limited resources available to fund care and support services, the Panel feel that securing best value should be a high priority, as if the best possible use of resources could be achieved, those resources would go further.

Topic 3 – Setting rules for government’s contribution

There were three questions posed by the Government in relation to this topic:

- 1) Who should decide how to spend the money? In the future, should central government or local government decide who is entitled to help and what they are entitled to?
- 2) Should more support be given to those with low incomes and assets? In the future, should the same help be given to everyone who needs it or should government give more help to people who have low income and assets?
- 3) Should the care and support system be the same for people with different needs? In the future, should the same help be given to everyone who needs it or should government give more help to people who are unable to plan and prepare for their own care and support?

Who should decide how to spend the money?

The Panel recommend that Central Government should provide Local Government with adequate funding to enable them to provide appropriate services for the needs of local people. It is seen as vital that funding is available to support a core baseline level of provision which could then be built on, and it was felt that Local Government were best placed to understand and respond flexibly to local needs. This was supported by the comments made by those who contributed to the review.

Should there be more support for those with low income and assets?

The Panel expressed concern that providing more support for those with low income and assets could lead to a two tier system, and could also discourage those people who might otherwise save for their future. They therefore endorse the provision of services based on need (the need for services rather than financial need), but individuals could then choose whether they wished to access them or not. Some people might choose to opt out and make their own private provision, but it was felt to be important that those who could not afford to opt out should get as good a service in terms of outcomes. There would therefore need to be strong regulation to ensure that everyone gets the same good level of core standards. This would mean

that everyone would have equal access to a core level which would be of good quality, but they could then top this up if they wished to.

Training and recognition for carers would be vital in ensuring that such a good quality service was consistently provided, as well as ensuring that there were no financial penalties for unpaid carers.

Should the care and support system be the same for those with different needs?

The Panel feel that if distinctions were to be made between those with different needs there would be a risk of stigmatising individuals and groups. They also questioned how possible it would be to categorise people, and who would decide who was and was not capable of planning and preparing for their own care.

It was felt strongly that as a caring society it is our duty to support all according to need, and not to differentiate between different types of need. The Panel therefore felt that there should be good generic services which provide the required levels of care for the at risk population but with specialist services and expertise available if necessary, in conjunction with neighbouring authorities.

Conclusion

In undertaking this review the Panel have been pleased to be able to hear the views of local people, voluntary organisations, community groups and Council officers. They have listened to the concerns of carers, those in receipt of care and support, and those who currently are not users of these services. They have given much consideration to how the Government can best achieve a care and support system for the future which is fit for purpose. They have recognised that in a civilised society we have a moral duty to ensure that those in need are not left without care and support; and that individuals, families and both local and Central Government all have key roles to play in achieving this. Panel Members have also in this report highlighted the important role of the voluntary sector, and of community organisations, church groups and so on. They have argued that whilst Central Government must maintain a large share of responsibility and provide adequate funding, it is Local Authorities who are best placed to assess what the local population want and need from care and support services.

Arguably most important however, is the need for society as a whole to find consensus on a fair and equitable method of paying for the care and support needs of the future. The Panel have not identified any specific recommendations for how this could be achieved but feel that any method needs to reflect the balance of responsibilities outlined above. Whatever our age or circumstances, any of us might need care and support services at any time in our lives. The future of care and support services is therefore truly an issue for everyone.

The Panel are pleased to have had this opportunity, on behalf of the local population, to feed into the proposals to shape care and support services for the future. Members of the Panel hope that the Government will take on board the views

expressed in this report, and look forward to seeing the Green Paper when it is published in 2009.