

Statement to Adult Scrutiny Committee (19.01.25) Alan Carter

Chair, Members of the Committee,

Thank you for the opportunity to speak. I am here as a Dad and as Court of Protection appointed Joint and Several Deputy for my son, who has a profound learning disability and complex health care needs. He lives in supported living and relies on commissioned care and support to meet his needs safely and lawfully.

The Committee will be considering proposed local authority budget proposals, which include changes affecting people with learning disabilities through care package reviews and the recommissioning of services. These proposals sit alongside financial pressures within the Integrated Care Board, which also impact learning disability services.

In this context, we are seeing challenges between B&NES Council and BSW ICB in determining which organisation is responsible for meeting assessed needs under the Care Act. These are not abstract issues—they arise in day-to-day care planning. While funding responsibilities are clarified:

- Care can be delayed or questioned,
- Families and deputies are placed in the position of helping resolve funding disputes between B&NES Council and BSW ICB, causing uncertainty and stress,
- And people with learning disabilities may face increased risk.

The law is clear: Care Act assessed needs must be met, and funding disagreements must not disrupt care. We recognise the pressures on both organisations, but these duties remain critical and statutory.

We would encourage the Committee to consider not only the cumulative impact of proposed budget changes on people with learning disabilities, particularly those living on the minimum income guarantee, which is below the poverty line, but also the potential equality impacts on those with profound learning disabilities and complex health care needs. It is equally important to consider how joint working between the local authority and ICB can be strengthened so that care delivery is not adversely affected.

Specifically, we would ask the Committee to explore:

- How joint responsibilities are defined and consistently applied,
- What mechanisms exist to resolve disputes without impacting care,
- And what assurances can be given that people with learning disabilities are not left with unmet statutory needs due to cost-shifting.

This is not simply a financial issue—it is about ensuring that public bodies work together effectively to uphold their legal and ethical duties to some of our most vulnerable citizens. By approaching these challenges collaboratively, we can ensure that care remains safe, reliable, and person-centred.

Thank you for your time and consideration.