

**DERBYSHIRE COUNTY COUNCIL
PEOPLE IMPROVEMENT AND SCRUTINY COMMITTEE**

131 July 2013

Report of the Director of Legal Services

**PEOPLE IMPROVEMENT AND SCRUTINY COMMITTEE
ROUND-UP REPORT**

1. Purpose of the report

To provide the Committee with a round-up of issues and projects relevant to the role and remit of the Committee that is not covered elsewhere on the agenda.

2. Information

Spending Review 2013

On 26 June the Chancellor announced details of the Spending Round 2013, also known as the Spending Review, which sets out the Government's spending priorities for the remainder of the current Parliament and into 2015/16. The main headlines for the Committee to be aware of are:

- £3.8 billion will be placed into a pooled budget for health and social care services to work more closely together in local areas, in order to deliver better services to older people and disabled people. According to the Secretary of State for Health this pooled budget can, however, only be accessed by Local Authorities and Clinical Commissioning Groups, through Health and Wellbeing Boards, putting forward 'ambitious plans' to spend the money. It has also been suggested that social care would have to consider moving some services to seven day working arrangements to access these funds. Any plans put forward will have to be signed off by the Health Minister and a member of the Communities and Local Government team;
- To ensure change can start immediately the NHS will make £200 million available in 2014/15 for Social Care Services;
- A further £200 million will be invested into extending the 'Troubled Families' programme and help change the way that local authorities, health, education and criminal justice services work with a further 400,000 vulnerable families.
- £335million is to be made available to Local Authorities in 2015/16 to prepare for reforms to social care funding including the cost of care cap in April 2016.

The Committee should be kept informed of any plans devised locally to access these funds and consider the implications they may have on improving the care of the local population.

Department for Education Consultations

The Department is currently consulting on a number of changes to strengthen existing regulations covering children's homes and the safeguarding of looked after children. Through these changes the Department is aiming to improve quality of provision in children's homes and to make local authorities and children's homes more accountable for their decisions.

The reform of children's home care puts forward changes to The Children's Homes Regulations 2001 and The Care Standards Act 2000 (Registration) (England) Regulations 2010 and a minor amendment to the fostering Services (England) Regulations 2011. The amendments reflect the commitments made by Ministers in their response to the report of the Expert Group on Children's Homes Quality published in December 2012.

The Improving Safeguarding for Looked After Children consultation proposes changes to the Care Planning, Placement and Care Review (England) Regulations 2010. They have taken into account concerns raised by the All Party parliamentary Inquiry and the Office of the Children's Commissioner which highlighted vulnerability of children in out of authority placements. Both consultations close on 17 September 2013.

Department for Health Consultations

The Department for Health have two consultations underway that are of relevance to the remit of this Committee:

- Improving Corporate Accountability in Health and Social Care; and
- Caring for our future: implementing funding reform.

The first consultation, which runs until 6 September 2013, seeks views on proposals to make Directors of health and social care services more accountable for the care their services provide. The consultation proposes that Directors should be subject to a 'fit and proper' persons test; with Director referring to Executive Directors, Non-Executive Directors and Trustees. This consultation follows on from a number of high profile incidents where it was felt that corporate accountability failed e.g. Winterbourne View, Mid Staffordshire Hospital and North Cumbria University Hospitals.

The second consultation, which runs until 25 October 2013, seeks views on proposed changes to the way people will pay for their care and support. From April 2016 onwards the new proposals state there will be a cap of £72,000 on the amount an individual will have to pay for their care. Local authorities will be responsible for the care and costs of individuals whose requirements exceed this cap. From April 2016 anyone living in a care home and has less than £118,000 in assets (including their own home) could get some care paid for by the local authority; and from April 2015 people can delay paying for care home fees through a universal deferred payment agreement. The proposed changes should enable people to know how much they have to pay for their care; get the care they need; and ensure support goes to those who need it most.

3. Considerations (to be specified individually where appropriate)

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

4. Officer's Recommendation

1. That the People Improvement and Scrutiny Committee receives and notes the update report; and
2. The Committee is kept informed of any developments relating to issues outlined in this report.

John McElvaney
Director of Legal Services