



Notice of meeting of

Decision Session - Executive Member for Housing & Adult Social Services

To: Councillor Morley (Executive Member)

Date: Tuesday, 26 January 2010

Time: 4.00 pm

Venue: The Guildhall, York

AGENDA

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10.00 am on Monday 25 January 2010 if an item is called in before a decision is taken, or

4.00pm on Thursday 28 January 2010 if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm** on **Friday 22 January 2010.**

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.



2. Minutes (Pages 3 - 6)

To approve and sign the minutes of the meeting held on Tuesday 27 October 2009.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Monday 25 January 2010**.

Members of the public may register to speak on:-

- an item on the agenda;
- an issue within the Executive Member's remit;
- an item that has been published on the Information Log since the last session. Information reports are listed at the end of the agenda.
- 4. Comments from the Health Overview & Scrutiny Committee Regarding the Referral from the Executive on overspends in Adult Social Services (Pages 7 22) This report details the comments from the Health Overview & Scrutiny Committee on the referral from the Executive regarding overspends in Adult Social Services.
- 5. Petition relating to the provision of double glazed windows (Pages 23 26)
 This report advises the Executive Member of the petition received relating to the provision of double glazed windows and provides an update on the current provision.
- 6. Non Residential Charging Policy (Pages 27 50)
 This report asks the Executive Member to amend the Non
 Residential Charging Policy, following consideration of the
 consultation outcomes and the Equalities Impact Assessment.

7. Revenue Budget Estimates 2010/11 - Housing and Adult Social Services (Pages 51 - 70)

This report is part of the consultation on the 2010/11 budget process and provides details of proposed growth and savings within the Housing and Adult Social Services Directorate. Full details of the budget will be considered by the Executive on the 16 February 2010 and then at Budget Council on the 25 February 2010.

8. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972

Information Reports

There have been no information reports listed on the information log since the last meeting.

Democracy Officers

Catherine Clarke and Louise Cook (job share) Contact details:

- Telephone (01904) 551031
- Email <u>catherine.clarke@york.gov.uk</u> and louise.cook@york.gov.uk

(If contacting by email, please send to both Democracy officers named above).

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.



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Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) no later than 5.00 pm on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

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Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. Please note a small charge may be made for full copies of the agenda requested to cover administration costs.

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council	Committee Minutes
MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR HOUSING & ADULT SOCIAL SERVICES
DATE	27 OCTOBER 2009
PRESENT	COUNCILLORS MORLEY (EXECUTIVE MEMBER)
IN ATTENDANCE	COUNCILLOR T SIMPSON-LAING

5. DECLARATIONS OF INTEREST

The Executive Member was invited to declare at this point in the meeting any personal or prejudical interests he might have in the business on the agenda. No interests were declared.

6. MINUTES

RESOLVED: That the minutes of the meeting of the Decision

Session - Executive Member & Adult Social Services held on 23 June 2009 be approved and signed by the

Executive Member as a correct record.

7. PUBLIC PARTICIPATION - DECISION SESSION

Councillor Simpson-Laing had registered to speak on agenda items 4, 5 and 6. She also commented on the minutes from the previous meeting and thanked officers for the report on the Progress on the Improvement Plans for Adult Social Services and she looked forward to receiving the next update.

Regarding agenda item 4 (Former Tenant Arrears – Write Off) Councillor Simpson-Laing suggested officers:

- Include a case study on former tenant arrears in the next report.
- Liaise with the private sector to compare how they chase arrears.
- Include the total numbers at the end of six months and the total owed in future reports.

Regarding agenda item 5 (Local Authority Challenge – Building New Council Houses) she commented on the possible funding bids discussed at a meeting with the Homes and Communities Agency (HCA) and sought clarification on the mix of rented and low cost homes for sale.

Regarding agenda item 6 (Consultation Response – Reform of Council Housing Finance) she felt officers could go into more detail when answering question 4 in annex 1 and suggested officers state that homes should meet environmental standards such as cavity wall insulation.

8. FORMER TENANT ARREARS - WRITE OFF

The Executive Member considered a report which sought agreement to write off a number of former tenants arrears.

Officers responded to Councillor Simpson-Laing's comments and informed the Executive Member that:

- case studies could be included in future reports but would need to be sufficiently anonymised and officers felt this may be more appropriate to go to the Economic & City Development Overview & Scrutiny Committee, if requested by Scrutiny.
- the total account figures were raised at the Economic & City Development Overview & Scrutiny Committee. Officers stated that it could be difficult to give a true comparison of the total debt levels until year-end due to reasons such as free rent periods over Christmas.
- officers do contact tenants who are in 3 weeks arrears but that the court process could take between 6 to 8 months. Officers do try to limit high debt and the overall list had been reduced which was sending out a positive message.

The Executive Member was informed that currently officer's delegated powers were restricted to writing off debts of £2000 or less and currently there were 8 accounts in access of £2000.

The Executive Member felt this was a very positive picture on balance and had no reason for concern.

RESOLVED: (i) That the Executive Member approves option B

which involves writing off Former Tenant Arrears of

£20,719.28 as detailed in Annex A.

Reason: This is in line with the recommendations of the audit report

detailed in paragraph 1 and also for the financial implications

listed above.

9. LOCAL AUTHORITY CHALLENGE - BUILDING NEW COUNCIL HOUSES

The Executive Member consider a report that sought his support for a bid to the Homes and Communities Agency (HCA) for a grant to build approximately 18 new family council houses on the land off Lilbourne Drive and for the submission of the bid to be delegated to the Director of Housing and Adult Social Services.

Officers responded to Councillor Simpson-Laing's comments and informed the Executive Member that the funding mentioned at the HCA meeting was related to a different funding pot. Properties at Lilbourne Drive would be for rent. Officers stated that the land was owned by the Housing Revenue Account and a feasibilty study had been taken which had resulted in the potential new homes rising from 18 to 21. This would include 9 two bedroom houses and 12 three bedroom houses.

Officers had discussed the site with Local Ward Councillors and the responses received were in support of the bid and it was agreed that it would bring a significant benefit in providing much needed affordable family homes.

Officers informed the Executive Member that the homes would be built to code for sustainable homes level 5 i.e. higher levels of energy conservation and successful bids would be announced in December 2009.

The Executive Member welcomed the report and the increase of homes to be provided and felt the site would be suitable for this development.

RESOLVED:

- (i) That the Executive Member approves a bid for HCA funding to develop the site proposed in this report for affordable housing. (Option 1)
- (ii) That the Director of Housing and Adult Social Services be given delegated authority to submit the final bid.

Reason: To enable the council to reduce the gap between affordable housing need/demand and supply.

10. URGENT BUSINESS - CONSULTATION RESPONSE - REFORM OF COUNCIL HOUSING FINANCE

The Executive Member considered a report which informed him that the Government was consulting on a proposal to dismantle the current Housing Revenue Account subsidy system and replace it with a devolved system of self financing for all local authorities. The system would depend on a national reallocation of housing debt, after which councils will be able to retain all their rental income and capital receipts.

Officers stated that until the outcome of the consultation and the detail involved were announced they were unable to assess the financial impact it would have on the business plan.

RESOLVED: That the Executive Member agrees that Annex 1 of the

report be submitted as the council's response to the

government's consultation paper.

Reason: In order that the Council is able to contribute towards the

consultation exercise.

Councillor Morley, Executive Member [The meeting started at 4.00 pm and finished at 4.30 pm].

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Decision Session - Executive Member for Housing & Adult Social Services

26th January 2010

Report of the Interim Head of Civic, Legal & Democratic Services

Comments from the Health Overview & Scrutiny Committee Regarding the Referral from the Executive on overspends in Adult Social Services

Summary

1. This report details the comments from the Health Overview & Scrutiny Committee on the referral from the Executive regarding overspends in Adult Social Services.

Background

- 2. At a meeting of the Executive held on 22nd September 2009 information was received on the First Performance and Financial Monitor for 2009/10. On consideration of the information the Executive highlighted the increased demand levels for adult community care packages and care packages as having an impact on the Council's budget. As a result of this they requested that the appropriate Scrutiny Committee review the reasons for and possible options for offsetting the increase in demand for these services. A discussion took place on the adult social care budget pressures at the meeting of Health Overview & Scrutiny Committee on 23rd September when they received finance and monitoring report for Housing & Adult Social Services.
- 3. The context for the referral from the Executive is set out at Annex A to this report and this was originally included with the Executive papers dated 22nd September 2009.
- 4. Subsequently it was decided to refer this matter back, in the first instance, to the Executive Member for consideration alongside the budget papers for 2010/2011. This paper will also be referred to the Executive at their meeting on 16th February 2010.

Consultation

5. The Director of Housing & Adult Social Services and the departmental Head of Finance provided a further monitor report for Members of the Health Overview & Scrutiny Committee at their meeting on 14th December 2010. This showed that the projected overspend on adult social care had risen to about £1.1m from £589k at the last report.

6. Officers provided a further report to the Health Overview & Scrutiny Committee at a specially convened meeting to discuss this issue. This is attached at Annexes B, 1 & 2 to this report.

Comments from Health Overview & Scrutiny Committee

7. At a special meeting on 13th January 2010 the Health Overview & Scrutiny Committee considered further information provided by officers in the Housing & Adult Social Services Directorate and made the following comment to the Executive Member for Housing & Adult Social Services:

'That the Health Overview & Scrutiny Committee forward the paper they have received to the Executive as the reasons for the overspends (Annexes B, 1 & 2 refer).

They also report to the Executive that the Committee was unable to make any comments on savings at this point in the financial year as options suggested by officers could have an impact on residents in the city. Such changes to services would require consultation and further information on their impact for clients, staff and partners and Councillors would need to understand any implications. Furthermore, the non-attendance of the Executive Member for Housing & Adult Social Services meant that the Committee were unable to ask his views on the impact of possible changes to services.'

Options

8. This report is to inform the Executive Member for Housing & Adult Social Services of the comments made by the Health Overview & Scrutiny Committee. It is for information only and there are no options associated with the recommendations within this report.

Analysis

9. When considering their comments Members of the Committee discussed the paper provided at length.

Corporate Strategy 2009/2012

10. This relates to both the Effective Organisation theme and the Healthy City theme the current Corporate Strategy 2009/2012.

Implications

- 11. **Financial** There are no financial implications associated with the recommendations within this report. However, clearly there are future budgetary implications arsing from the overspends.
- 12. **Human Resources** There are no known Human Resources implications associated with the recommendations within this report.

- 13. **Legal** There are no legal implications associated with the recommendations within this report.
- 14. **Other** There are no known equalities, property, crime & disorder or other implications associated with the recommendations within this report.

Risk Management

15. In compliance with the Council's risk management strategy there are no risks associated with the recommendations within this report. However, clearly there are continuing budgetary risks if satisfactory ways of managing the overspend are not put in place.

Recommendations

16. The Executive Member is asked to note the contents of Annexes B, 1 & 2 to this report and the comments of the Health Overview & Scrutiny Committee set out in paragraph 7 of this report.

Reason: To address the concerns raised by the Executive referral

Contact Details

Author: Tracy Wallis Scrutiny Officer Scrutiny Services Tel: 01904 551714	Chief Officer Responsible for the report: Alison Lowton Interim Head of Civic, Legal & Democratic Services Tel: 01904 551004 Report Approved Date 14.01.2010
Specialist Implications Officer(s	5)
Wards Affected:	All 🗸

For further information please contact the author of the report

Background Papers:

Minutes from the Executive meeting held on 22nd September 2009

Annexes

Annex A – Context for the referral **Annexes B, 1 & 2** – Adult Social Services – Current Financial Pressures (13th January 2010)

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Annex A

Housing & Adult Social Services Context

The main areas causing the overspend on Adult Social Services are;

- An increase in the expected number of Mental Health residential and nursing placements – this was an area where the budget was reduced for 09/10 based on previous years' activity
- A continued increase in the volume and complexity of community based support for Learning Disabilities
- A continued increase in the number of Older People needing community based supports
- An agreed budget saving to deliver additional customer income of £180k has not yet been implemented due to the need to complete a full Equalities Impact Assessment (EIA) and lack of sufficient resources to complete all the work needed.

The increase in demand from older and disabled people was anticipated and the York Long Term Commissioning Strategy reported to members in October 2007 projected that by 2020 there would be an increase of 31% in the over 65 population, and within this number, an increase in the over 85s of 60%. People over 85 are more likely to need support from health and social care services. The strategy also went on to project the likely impact on service demands and costs.

The table below shows the numbers of people accessing services in 2007, the projections that were made at the time about the increased capacity that was likely to be required by 2010 set alongside the current number of packages in place. This shows that increases are happening broadly in line with the forecast although at a higher rate with a 25% increase in community care packages and a 22% increase in care home placements over the past 2 years.

	Baseline snapshots (as at 17/7/07)	2010 forecast of capacity needed	Actual packages (as at 31/7/09)
Community Based	2635	3104	3322
Residential & Nursing	653	761	797

It is for this reason that the major reviews of direct services were agreed by members and these are being brought within the broader More for York programme. However, within this context of increasing demand it will be very difficult to produce a balanced outturn position in 09/10 in advance of the completion of the major reviews.

As part of the budget setting process for 09/10 savings were offered in a number of areas that did not affect service delivery. They included:

- in increase in the existing vacancy factor by 1% saving £85k.
- a 1% efficiency against premises, supplies & services budgets and a minor base budget exercise that had been undertaken to drive out further efficiencies saving £200k.
- Further savings identified corporately in administration, use of external consultants, energy budgets, transport, and improved staff attendance totalling £167k.



Health Overview and Scrutiny Committee

13th January 2010

Report of the Director of Housing & Adult Social Services

Adult Social Services - Current Financial Pressures

Summary

1. This report sets out the current financial pressures within Adult Social Services along with details of the mitigating actions being taken and likely future issues.

Context and Background

- 2. The vision for adult social care has 4 main elements in terms of what we are trying to achieve for citizens in York:
 - Services that are customer focused simple to understand and accessible
 - Personalised approach and Choice customers who are eligible for services will know how much money is available to fund their care and have the opportunity to control that directly if they want to.
 - Maximisation of independence and optimising people's health and well-being – support that enables rather than disables, intervenes early to prevent problems becoming acute and uses assistive technology.
 - □ Universal support for everyone all citizens to get the information, advice they need to live independently even if they are self-funders

(Although this is seen as the prime responsibility of social care it touches upon the full range of local authority responsibilities [housing, community safety, neighbourhood services, transport, learning, employment advice etc] as well as the critical partnerships with the NHS, care providers and the voluntary sector.)

- 3. For many years this has meant shifting the balance away from reliance on residential and nursing care in favour of investment in community based support. This has the value of not only providing support in the way most people want but also in a way that is generally much cheaper in unit cost terms. This has been reinforced by a strong commitment to giving people more control over their care and, in a growing number of cases, control over the money to fund that care (the "Putting People First" programme).
- 4. More choice has meant that many more severely disabled people and those with long-term mental health problems have been able to move into independent living with their own tenancies. For example, the council has, on behalf of the NHS in North Yorkshire and York, de-commissioned all the long-stay NHS units for people with learning disabilities in the area and replaced them with supported housing schemes. We are half way through a joint project with the Joseph Rowntree Trust to de-commission their

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residential care units on the same basis. These are very positive initiatives but it must be recognised that the costs of care remain comparatively high and are likely to rise as people become older.

- 5. At the same time as these policy changes have been put into effect the demand for care has risen in line with demographic changes. The growing demand for adult social care was first set out for members in 2007 as part of the Long Term Commissioning Review. This forecast that expenditure on older people would continue to increase in line with demography-led demand resulting in additional annual costs of £10m by 2020. (This presumed no change in the configuration of services, which was how the reviews of home care and residential care came to be authorised recognising that radical changes were needed.) Significant cost increases were also forecast for younger disabled people coming into adult care.
- 6. A key question that still needs to be addressed is the right level of expenditure on adult social care necessary to achieve the council's ambitions to support vulnerable people. That is essential in terms of securing the right level of investment alongside More For York's savings proposals and identifying areas where expenditure may be too high and need more scrutiny. The Care Quality Commission have commented in the last 3 successive years that they have concerns that the council's per capita expenditure will not enable it to achieve the levels of performance it aspires to.
- 7. We know from CIPFA statistics that we spend less per capita on personal social services in every category compared to England and Family Group councils. It is particularly marked in older people where the 07/8 figures are England £979, Family Group £810, York £696. Similarly, if we look at the annual cost of average packages of care York is a low spending authority with 07/08 figures for England of £7.2k per package compared to £5.8k in York. The fact that York starts from such a low budget base makes the council vulnerable to rising cost pressures and increased demand.

Analysis

- 8. The major areas of overspend, as included in the most recent monitoring report, and an analysis of spend in key areas over recent years are set out in the attached annexes. Members will be aware that the 3rd and final monitoring report for this financial year is due very soon after this meeting and if the figures have been finalised it may be possible to provide a verbal update at the meeting. The information in the annexes shows that despite increased demand the policy of shifting the balance from residential and nursing care to community care has been taking place. New admissions to care are projected to be lower than in 2008/9 and the overall proportion spent of the budget spent on care homes is forecast to fall below 40% in line with recommended good practice.
- 9. However, 'snapshot' figures do need to be treated with some caution as they can mask significant variations within the year. Within this trend of reduced reliance on care homes there have been spikes in the numbers at certain times during the year e.g. 653 customers in residential

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placements in July 2007 compared to 797 placements in July 2009. Although numbers of admissions are being managed the unit cost of this care has increased significantly. This is due to an increase in the complexity and needs of those customers.

- 10. In terms of home care there has been an increase in the number of home care hours purchased and providers are now operating at the limit of their capacity. At the same time the average cost of an individual package has also risen from £137 in 2006/07 to £151 in 2008/09. The most marked area of increased cost is in relation to Learning Disabilities customers, where there has been both an increase in the number of customers and the cost of those customers.
- 11. In addition there has been an increase in the numbers of referrals made to the department, which has resulted in an increase in the number of care packages being delivered. During 2007/08 there were an average of 703 referrals per month and in 2009/10 this has increased to 813 per month. In particular there has been a sharp increase in adult safeguarding referrals (from 95 in the first half of 2008/9 to 173 in the first half of 2009/10). This almost certainly reflects better practice and awareness and previous under-recording of cases but additional staffing resources have had to be put in place to fulfil the council's statutory duty to assess needs.
- 12. The council remains a major provider of residential care and still provides almost 25% of the home care required. A recent report to the Executive on the More For York Adult Social Care Blueprints (15th December) highlighted the costs associated with direct care provision and the need to seek further efficiencies. The blueprints also emphasised the crucial importance of investing in 're-ablement' (a term used commonly across the country to describe services or interventions that are aimed at enabling people to regain their health and their independent living skills e.g. after a fall or a stay in hospital). As the demand for care rises it is imperative that everything is done to maximise people's independent living skills and this needs to be done in very close partnership with the NHS.
- 13. Direct staffing costs have risen following the implementation of the council's pay review and there has been an increased reliance on temporary staff. The analysis of staffing costs shows that the action currently being taken to reduce the use of agency staff has started to impact on the spend and the agency spend is forecast to outturn at a lower level than in 2008/09. Further work is ongoing to examine the use of overtime and other allowances to see if spend can be reduced in this area.
- 14. Target budget savings of £1.36m were agreed by members for 2009/10. Offset against this were approved growth items for service pressures of £752k giving a net effect of a reduction of £608k in funding. In addition to this as a result of changes agreed at Full Council savings of £168k were allocated to HASS. Given the overall context of funding in York and the increased demand projected for 09/10 we entered the year at risk in terms of being able to contain expenditure within the approved budget.
- 15. Concerns remain around transitions and cases that are due to come in to care from 2010/11. There are 70 young people, many with very complex

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needs, who we already know will be coming into adult services over the next 3 to 5 years and who will have a statutory right to have a service, with the annual cost of care likely to be in excess of £3m.

Financial Implications

- 16. The cost pressures currently being seen on the adult social care budgets are largely due to increased demand related to demographic changes and to the increasing care needs of those eligible for services. These factors will be prominent in future years and given that much of the financial mitigation in 2009/10 is one off, this pressure needs to be recognised in the 2010/11 budget.
- 17. The current areas of mitigation are outlined in Annex One. Much of adult social care operates within a statutory framework and this conditions options for cost savings. Further options for reducing the overspend could be considered by members and examples are listed below. However these would have a direct impact on service response times to customers, some service levels and the performance rating of services by the Care Quality Commission. The legal implications would also need to be carefully considered. Further options that could be considered are:
 - Rationing of placements into residential and nursing care
 - Extended use of waiting lists for services such as home care
 - Extending the time taken to complete care assessments and packages
 - Review of care service levels to existing customers especially for nonstatutory services such as day care or respite care
 - Changes to eligibility criteria for services. (York currently operates a relatively generous system whereby people with Moderate needs and above are eligible for services)
 - Recruitment freeze for front line posts
- 18. The Adult Social Care vision agreed by the Executive on the 20th October and the subsequent blueprint agreed on the 15th December 2009 could realise savings in excess of £2m. However, the exact savings still need to be verified once the overall strategy is clear and it is unlikely significant savings will be realised until 2011/12. Even then, some initial investment may be needed to ensure the full savings are realised and good performance is maintained and improved where possible.
- 19. Further budget pressures are anticipated following the recently announced proposals to offer free personal care to those with critical needs, although it has not yet been possible to quantify the financial impact of this proposal until further details are given by Government.
- 20. The Councils Medium Term Financial Strategy sets out the need for significant efficiency savings in coming years and further pressures on public funding are likely to require the council to have to seek additional savings in coming years over and above those already set out in the current Financial Strategy.

Other Implications

21. There are no human resources, equalities, legal, crime & disorder, information technology, property or other implications associated with this report.

Risk Management

- 22. The current financial position of Adult Social Services exposes the council to a number of different risks, including
 - financial risk if the overspend continues and no corrective action is taken
 - □ risk to the safety and wellbeing vulnerable adults if services withdrawn or restricted
 - longer term risk to future financial viability of external services
- 23. The budget setting process always entails a degree of risk as managers attempt to assess known and uncertain future events. The risks outlined above will continue to be mitigated by prompt monitoring of the budget position with regular updates being provided to the Directorate Management Team, Council Management Team and monitor report to the Executive.

Recommendations

24. The Scrutiny Committee is asked to consider the content of this report and the comments it wishes to make to the Executive.

Reason:

To update the Committee on the current financial pressures in order for them to make a response to the Executive.

Contact Details

Authors:

Debbie Mitchell Head of HASS Finance (01904) 554161 **Chief Officers responsible for the report:**

Bill Hodson

Director of Housing & Adult Social

Services

(01904) 554001

Specialist Implications Officer(s) None

Wards Affected: List wards or tick box to indicate all All

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Background Papers

Second Performance and Financial Report for 2009/10, Executive 17th November 2009 and Health Scrutiny 14th December 2009

Annexes

Annex One – summary of main areas of overspend and mitigation Annex Two – analysis of spend in key areas

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Adult Social Services 2009/10

	£'000
Main areas of overspend	
Direct Payments & Community Support	+773
Residential & Nursing	+150
Elderly People's Homes (EPHs)	+232
Home Care	+472
Mental Health Residential & Nursing	+120
Mental Health Community Support	+74
Mental Health staffing	+60
22 The Avenue	+40
Total overspend	+1,921
Mitigation	
Restrictions on non essential spend	
 Training 	-52
Recruitment costs	-7
 Holding vacant posts 	-127
 Stationery, postage & other office running costs 	-60
Redirection of grant funding to pressures	-514
Other miscellaneous efficiencies	-62
Total Mitigation	-822
Net overspend	+1,099

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Adult Services

2007/08

Types of Placements	Average Number	%	Budget £'000	Actual Expenditure £'000	Actual Per Adult £'000
Residential & Nursing Care	585 *	37.28%	16,615	15,760	26.94
EPH's	258 *	16.44%	6,873	7,177	27.82
Community Support & Direct Payments	726 *	46.27%	4,363	5,610	7.73
Total	1,569	100%	27,851	28,547	18.19

* Average number excludes:

Equipment

Customers within the block contracts who do not contribute to the cost of care

2008/09

Types of Placements	Average Number	%	Budget £'000	Actual Expenditure £'000	Actual Per Adult £'000
Residential & Nursing Care	576 *	36.16%	16,436	16,736	29.06
EPH's	263 *	16.51%	7,276	7,909	30.07
Community Support & Direct Payments	754 *	47.33%	5,672	6,635	8.80
Total	1,593	100%	29,384	31,280	19.64

* Average number excludes:

Equipment

Customers within the block contracts who do not contribute to the cost of care

2009/10 Estimate (forecast as at month 6)

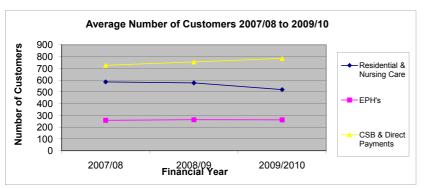
Types of Placements	Average			Actual	Outturn	
	Number	%	Budget	Expenditure	Per Adult	
			£'000	£'000	£'000	
Residential & Nursing Care	519 *	33.16%	16,642	17,053	32.86	
EPH's	262 *	16.74%	7,447	7,819	29.84	
Community Support & Direct Payments	784 *	50.10%	6,444	7,714	9.84	
Total	1,565	100%	30,533	32,586	20.82	

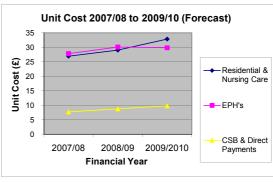
* Average number excludes:

Equipment

Customers within the block contracts who do not contribute to the cost of care

Note: All costs are gross





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Executive Member Decision Session – Housing and Adult Social Services

26th January 2010

Report of the Head of Housing Services

Petition relating to the provision of double glazed windows

Summary

1. This report advises the Executive Member of the petition received relating to the provision of double glazed windows and provides an update on the current provision.

Background

- 2. A petition presented to Council on 3rd December 2009 with 133 signatories requests that council owned homes in the Monkton Road area be fitted with energy efficient double glazed windows.
- 2.1 Investment in improving homes has been based on the national Decent Homes standard which covers both internal fixtures and fittings, i.e. kitchens, bathrooms etc, and external building elements such as windows and doors. For the internal elements the standard sets out what it terms 'reasonable modern facilities' and set out life expectancies for these facilities. For the external building elements the definition states that for a property to fail decent homes standard it has to have 'key building components that are old and, because of their condition, need replacing or major repair'. The key building component regarding windows is the window frame not the type of glazing. If the window frame is in a good state of repair, regardless of the type of glazing it does not fail the decent homes standard.
- 2.2 The current housing capital programme, approved by members, is designed to ensure that 100% of the councils housing stock meets the government Decent Homes target by the end of 2010, within its own resources and thereby meeting the undertaking made to tenants when the decision was made to provide a retained housing management function. The council is on target to achieve the Decent Homes standard.
- 2.3 The decision as to which properties have their windows replaced and which don't is based on the actual condition of the windows. This information forms part of the stock condition database and it is from this database that the capital programme is developed.

2.4 The windows in the homes in Monkton Road area are not the only ones that have not met the criteria for replacement. The council has approximately 8000 homes of which approximately 1900 do not have double glazing. Assuming an average cost £2,500 - £3,000¹ per home to replace the windows, the total cost to the council of double glazing all homes would be approximately £4.75m - £5.7m

Consultation

 Consultation with customers was carried out as part of the Housing Revenue Account (HRA) Business Planning Process in 2006/7 where the priorities for investment were set out. No other consultation regarding the replacement of windows has been carried out.

Options

4. The petition is presented for the Executive Member's comments and consideration.

Analysis

- 5. A move away from the agreed capital programme to include the replacement of single glazed windows would, at this point in time, significantly deplete the balance on the housing revenue account and would precipitate a review of the HRA Business Plan and the council's ability to continue to directly maintain and manage the overall stock.
- 5.1 The properties in question were last painted and repaired in 2005/6 as part of the council's seven year painting programme and are due to be reassessed in 2012/13.
- 5.2 There are no particular reasons why the windows in these properties should be replaced as a one off programme compared to any other homes still with single glazing.
- 5.3 Within the petition it sets out that the provision of double glazing would result in a £130 per annum per household saving on energy bills and would reduce the level of CO2 from the heating system as a result of more fuel effective systems. These figures are roughly correct, based on a traditional family home. However, the Energy Savings Trust have stated that 'whilst double glazing does help make a household more energy efficient, the Energy Saving Trust believe there are a number of other measures that should be considered first before this. Loft and cavity wall insulation is much cheaper and provides more insulation to a home than double glazing'. The council properties in question have got cavity wall insulation and loft insulation.

¹ The 1900 homes is a combination of houses and flats, which results in a lower average cost than just replacing windows in traditional 3 bed family homes. The estimated cost per unit also assumes economies of scale as a result of tendering for works on a large contract.

5.4 The council will, following the outcome of the governments HRA Subsidy Review, be carrying out a review of its HRA Business plan. A key part of this review will be to assess the long term investment needs of the housing stock, including the replacement of single glazed windows. It is recommended that this issue be considered as part of that process so that an overall perspective is reached.

Corporate Priorities

The provision of warm affordable housing is set out within the council's corporate strategy under its Inclusive City & Sustainable City themes. This is further emphasised by the choice of National Indicator target 187, Reducing Fuel Poverty.

Implications

- 7. The implications arising from the report are:
 - Financial None
 - Human Resources (HR) None
 - Equalities None
 - Legal None
 - Crime and Disorder None
 - Information Technology (IT) None
 - **Property** None
 - Other None

Risk Management

The risks associated with the proposals in this report are low and score less than 16. In compliance with the Council's risk management strategy there are no direct risks.

Recommendations

9. That the Executive Member note the information in this report and consider the petition.

Reason: To ensure that a strategic planned approach is taken to reviewing the HRA Business Plan and stock investment decisions.

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Contact Details

Author:

Steve Waddington Head of Housing Services **Chief Officer Responsible for the report:**

Bill Hodson

Director of Housing and Adult Social Services

Report Approved

✓

Date 13th Jan 2010

Specialist Implications Officer(s) None

Wards Affected: List wards or tick box to indicate all

ΑII

✓

For further information please contact the author of the report

Annexes - None



Decision Session – Executive Member for Housing & Adult Social Services

26th January 2010

Report of the Director of Housing & Adult Social Services

Non Residential Charging Policy

Summary

 During the 2009/10 budget setting process members agreed in principle to amend the current Non Residential Charging Policy, subject to carrying out a full Equalities Impact Assessment and consultation with customers. This report asks the Executive Member to amend the policy, following consideration of the consultation outcomes and the Equalities Impact Assessment.

Background

- 2. The Department of Health guidance states that when a council charges for non residential services, it must offer a benefits check to those customers to ensure their income is maximised. It also states that if the individual financial assessment includes income from disability related allowances or benefits, then any disability related expenditure incurred by that individual must also be taken into account. In many cases this expenditure relates to social services being provided by the council. However, there are cases where other expenditure is incurred as a result of their disability, eg if someone has special dietary needs because of their disability meaning they have to spend more on food than an average person.
- 3. As part of the 2009/10 budget process members agreed in principle to change the policy to take into account 80% of these allowances, instead of the current policy of 65%, thereby increasing the amount individuals would contribute to the cost of their care. This decision was subject to carrying out a full Equalities Impact Assessment and consultation with customers affected by the policy change. Due to a lack of capacity within the department this work has not yet been completed, meaning the original member decision has not been implemented.
- 4. Approximately 1300 customers are in receipt of non residential care services, of whom 757 will be affected by the proposed changes. Of these 757 customers 282 do not currently have to contribute anything to the cost of their social care services. The proposals contained in this report do not change the current situation whereby all customers receive a welfare benefits check and full financial assessment, meaning that no-one will be asked to contribute more than they can afford.

Consultation

- 5. The proposals have been presented to meetings of the York Racial Equality Network, York Older People's Assembly and the Independent Living Network. A public event held on the 13th January was open to customers, carers and other interested organisations although unfortunately this event was not well attended. A questionnaire was sent to all customers affected by the proposals with a covering letter and this questionnaire was also available on the councils website. A small number of visits have been made by the Customer Finance Team to individual customers to explain the proposals and ensure views were gained from as wide a range of customers as possible.
- 6. Out of 757 questionnaires issued, 204 have been returned at the time of writing, a response rate of 27%. Only 23% of respondents did not agree that it is fair to charge for social care services, provided a financial assessment has been completed and individual customers are only asked to contribute an amount they can afford. 43% of respondents thought the council should take all Disability Related Allowances (DRA) into account when calculating the individual charge to customers compared to 41% who disagreed. Only 27% of respondents felt that providing fewer services would be preferable to an increase in fees and charges.
- 7. The comments received from individual customers varied depending on their particular circumstances. A number of respondents felt that the council should be looking at areas other than Social Services for generating savings. A more detailed analysis of the consultation responses received is attached at Annex One.

Options

- 8. The council's financial position has changed substantially since the original in principle decision was taken by members in January 2009 and Adult Social Services is currently forecasting a net overspend for 2009/10. As a result, it was considered appropriate to consider 2 options as part of the consultation. As well as the original proposal of reducing the standard disregard we have also consulted on a proposal to remove the standard disregard altogether and carry out individual Disability Related Expenditure (DRE) assessments for all customers.
- 9. **Option 1** to reduce the standard disregard from 35% to 20% of disability related allowances ie to take into account 80% of these allowances.
- 10. **Option 2** to remove the entire standard disregard and carry out individual DRE assessments for all customers

Analysis and Financial Implications

- 11. The council's current non residential charging policy disregards 35% of Disability Related Allowances (DRA) in lieu of an individual assessment of Disability Related Expenditure (DRE). In financial terms this is equivalent to anything between £7 and £40 per week depending on the individual circumstances, with an average for current customers of £36 per week. A benchmarking exercise has been completed and the results of this confirm that the York policy remains one of the most generous policies with regard to disability related expenditure, as the average amount allowed in other authorities who take 100% of disability related benefits is £16 per week.
- 12. The allowances considered by this proposed policy change are Disability Living Allowance (for working age adults), Attendance Allowance (for people over 65) and Severe Disability Premium.
- 13. All customers in receipt of social care services receive a benefits check and full financial assessment of their individual circumstances. This means that no one is ever asked to pay more than they can afford to contribute. In exceptional circumstances the council operates a waiver policy whereby the Assistant Director can waive the charge if they feel that to enforce it would cause hardship to the individual concerned.
- 14. Additional investment of approximately £100k will be required if the current disregard is removed completely and replaced by individual assessments. This is because we currently only do a very small number of individual assessments and it is expected that any change in the current policy will result in a substantial increase in the numbers requiring one off individual assessments. New processes will need to be developed to record these assessments and some additional temporary care management staff needed to carry them out. At this stage it is anticipated that some additional temporary resource will be needed to review all existing customers, but that in future the DRE assessment will form part of the annual review. The need for any additional staff will be monitored very closely to ensure this policy change does not adversely impact on the department's performance targets to ensure all assessments are carried out within 28 days.
- 15. Additional investment will still be required under option 1, although it is expected that fewer individual assessments will be required.
- 16. If this disregard is reduced to
 - 20% (Option 1) it could generate additional income of £250k. Costs of carrying out individual assessments would also increase (estimated at £100k) leaving a net income gain of £150k. 477 customers (out of a total of approximately 1,300) would see an increase in their weekly charge of between 33p and £14.99 per week and the level of standard disregard would reduce to between £3 and £22 per week.
 - **0**% (Option 2) it could generate additional income of £570k. Costs of carrying out individual assessments would remain at £100k. 471

customers would see an increase in their weekly charge of between 20p and £34.98 per week. The income would be further reduced by customers receiving an allowance for disability related expenditure following an individual assessment. Assuming that 50% of customers had an assessment of £15 per week this would leave a net income gain of £300k.

17. The table below summaries the financial impact of the 2 options

	Net income gain to council £'000	No of customers where charge increases	Average weekly increase £ per week	Maximum weekly increase £ per week
Option 1	150	477	8.17	14.99
Option 2	300	471	18.27	34.98

Equalities Implications

- 18. The Executive Member is advised that the proposals in this report relate only to the provision of services to elderly, disabled and vulnerable adults and therefore full consideration must be given to how the proposed changes would affect disabled people in the city as a whole. The Fairer Charging Guidance ensures that customers are charged only an amount they can afford to pay and in many cases this will result in no charge. The assessment of an individual's ability to pay is completely separate from the assessment of need for services so disabled people should not receive fewer services as a result of any change in the charging policy. However, it is possible that some customers will choose to purchase their care from private providers or decline to receive services at all rather than pay increased charges to the council.
- 19. An equalities impact assessment has been undertaken by officers. Key actions include
 - ensure continue to provide welfare benefits advice with a view to income maximisation
 - assessments of disability related expenditure should be consistent, simple and carried out by as few people as possible
 - training of staff across the department is needed to promote consistent, fair and correct application of the non residential charging policy

Other Implications

20.HR implications – Additional staff will need to be recruited to carry out the individual DRE assessments. These staff will be recruited on a temporary basis until the assessments are fully integrated with the care assessment process.

- 21. There are no specific legal implications to the proposals contained within this report, however the risks outlined in paragraph 23 include the risk of a legal challenge to any change in current policy. The risk of any legal challenge can be mitigated by ensuring full consideration is given by the Executive Member to the Equalities Impact Assessment and the outcome of the consultation when making his decision.
- 22. There are no crime & disorder, Information Technology, Property or other implications.

Risk Management

23. There is a risk that the policy change could be subject to a legal challenge. This risk has been mitigated by carrying out a full consultation with all customers affected by the proposed policy change. An equalities impact assessment has also been prepared alongside the consultation to ensure all equalities issues are considered. As a number of customers will be asked to pay more for the same level of care there may be an increase in complaints and a decrease in customer satisfaction. Due to the need to carry out individual assessments of disability related expenditure the change could have a detrimental impact on performance. There will also need to be training for care managers in carrying out DRE assessments which could lead to a drop in performance.

Recommendation

24. The Executive Member is asked to consider the outcome of the consultation and the Equalities Impact Assessment and agree Option 2, amending the current non residential charging policy with effect from April 2010.

Reason: To generate additional income whilst still ensuring consistent application of the Fairer Charging Guidance.

Contact Details

Authors:

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Specialist Implications Officer(s)

Debbie Mitchell, Head of HASS Finance Laurence Lennon, Equalities & Information Manager

Wards Affected: List wards or tick box to indicate all All

1

Background Papers

Fairer Charging Policies for Home Care and other non residential Social Services – Dept of Health, September 2003 Review of Non Residential Charging Policy, HASS EMAP, 15th January 2007

Annexes

Annex 1 - Summary of consultation responses Annex 2 - Equalities Impact Assessment

Social Care Fairer Charging Survey

Total Number of Surveys Posted = 757 (+ those left at consultation events)
Total Number of Responses = 204

Q1. Do you agree that it is fair to charge people for the cost of services so that we can then offer a wide range of services for as many people as possible?

Strongly	Tend to	Neither / nor	Tend to	Strongly	Don't
agree	agree		disagree	disagree	know
27	103	20	25	21	11

Q2. At the moment we only take into account 65% of either Disability Living Allowance or Attendance Allowance, and Severe Disability Premium when working out what to charge you for home care, day care and transport services. Do you agree that in the future we should take all of these allowances into account?

Strongly	Tend to	Neither / nor	Tend to	Strongly	Don't
agree	agree		disagree	disagree	know
12	74	20	31	54	10

Q3. The council has to balance its budget in this difficult economic climate. Which one of the following would you most prefer?

Increase in fees and charges 94
Providing fewer services 57

Q4. Do you agree that after giving everyone the same amount of funding, we should take into account the rest of their income when working out what to charge them?

Strongl	Tend to	Neither / nor	Tend to	Strongly	Don't
y agree	agree		disagree	disagree	know
22	91	17	33	27	9

Q5. As part of its Fairer Charging policy, the council helps people identify and claim all benefits that they are entitled to. Have you used this service?

Yes 105 No 54 Not sure 34

Q6. Some people have additional expenses because of their disability. Examples might include extra heating costs, or laundry costs, or additional costs of special diets. How strongly do you agree or disagree that it is fair to take this into account when assessing what they can afford to pay?

Strongly	Tend to	Neither / nor	Tend to	Strongly	Don't
agree	agree		disagree	disagree	know

49 91 14 22 9 4

Q7. How strongly do you agree or disagree that people who can afford (after a full financial assessment) to pay should be charged the full amount of service costs?

Strongly	Tend to	Neither / nor	Tend to	Strongly	Don't
agree	agree		disagree	disagree	know
17	83	25	32	28	7

Q8 comments:

- I, as my wifes husband and carer have had to fill in this form as my wife suffers, amongst other things, with dementia. I can assure you that any further increase in costs except for inflation, RPI etc will mean that I will cancel any help from the council and will attempt at the age of 87 to look after my wife. I find it abhorrent that the council should attempt to increase cost of help for older people.
- People who have bought their own property through self denial and sacrifice, no car, no overseas holidays, no telephone, and who have the upkeep of this property, and saved over the years should not be penalised!
- Q4 & Q7 Take full account of disabled persons income, but unfair to penalise spouse, who
 may be trying to manage full cost of living and household
- I am over 90 yrs old, have my husbands Bucks Police Widows pension and my own old age pension so don't know how I stand. I pay income tax.
- I think that more care should be taken when dealing with elderly people such as I, who in their seventy plus, as it has taken a year to sort out my payments, which I should never had to pay. I got bills for payments even though I had letters to say I should not pay anything else this causes a lot of unnecessary distress. I have now got this sorted out, and all the money has been paid back to me.
- Satisfaction all around in my case
- Unless financially sound people over a certain age should receive extra funding
- Assessments should be checked properly before being sent out to elderly and disabled people who are afraid to check themselves because they cannot afford to pay (as it is what happened to us as the assessment was wrong)
- They should take into account more outgoings when assessing
- I am getting rather bored of filling in all these questionnaires: Not only do they come through the door but I have had persons visiting me and filling in more!! Surely you know who I am and how I think by now?!! I cancelled my carers from 28 Dec 09 you should know that!
- I already pay a lot for my services when you go back a few years I didn't have to pay anything. Do you take into consideration the extra money I pay for my day support to access different services.
- The should take into account more outgoings
- I would like to see the council (or central government) provide more financial support for nursing home residents, who become ineligible for Attendance Allowance just when their need becomes greatest.
- If people have got the money to pay for themselves then they should. I don't have day services or go to any groups so I should pay less.

- It would help if the monies charged could go towards the upgrade of the standard of care received at present
- I feel that all bills sent could have the time of care given for the four weekly service given,
 e.g. my carer is able to give the service I require in less than 15 minutes given time charged, but I am very satisfied with my present carer.
- Would prefer charges not to increase
- I think only the care element of DLA should be taken into account when assessing financial contributions. The SDP is to cover additional costs of living for being disabled such as heating, diet etc.
- Yes I do have comments but I've wrote a letter to you with this (letter scanned to customers file as name and address provided, and relates to care services in general rather than purpose of consultation)
- The council tax system is based on property value and not 'means tested', so it is not appropriate to change the basis of charging to a means based system. The council should focus its services on those that relate to help and support for the 'person' directly especially the old and infirm. The construction of this survey is too restricting and will not provide people with the opportunity of putting their view forward. Questions are 'too' restricted. Someone needs to learn how to construct meaningful surveys.
- I am proud and delighted with the service offered at the moment. You have a very good team.
- Would have more outgoings if I could shop and buy necessities I need i.e. phone I could hear (bedroom), water filter – many things
- The council should not put at risk the elderly because it needs to balance its own budget
- Reference should be given to those with elderly full-time carers who get no financial or physical assistance and need regular respite/day care facilities in order to care
- The council should differential between council and NHS charges
- City of York council must manage more effectively and divert funds to the most needed areas and reduce funding to the inept and feckless in our society!
- This is not the best laid out survey I have ever seen. Too many options to confuse old people. A 1-5 system is better. Why charge old people at all. No salt on roads and footpaths
- All charges should be proportionate to income and ability to pay in many cases it is the family of people that incur cost by looking after, cleaning etc, to these old people
- It's cold upstairs where I sleep. I have the attic cleared out. I am just waiting for the insulation being laid a warm front
- Services provided are good when achieved but far too much red tape and regulating services should be able to suit individuals. Not all people have standard problems
- Q3 is far too simple to answer as a council I expect you to offer good services to those
 who need it but not offer services that are covered by other government departments, or
 to spend money on things that are not a necessity. Look to your own excesses before
 penalising the elderly and infirm.
- Having always been independent by cycling everywhere, I find taxi fares exorbitant yet necessary for clinics, shopping, going to church and other essentials.
- In an ideal world we shouldn't have to pay, I think quite high charges for care. At the
 moment my mother in law doesn't need much care, some families need financial support
 from grandparents it is a difficult situation. Some people are lucky enough to be able to
 pay easier than others. I don't know I do as much as I can for my mother in laws care.
 She only has me, in other families there is a big family so they can share the help they
 give.

- If fees are increased full financial situation should be considered. Increase in line with inflation.
- There are 2 sides to the story. Very often my carers cannot spend all the time allocated to me because they have to rush to another job, nor do they always do things correctly, so we have to ask for emergency help. I do not ask for a reduction when I receive only 15 mins instead of 30 mins for example.
- If you take the cost of these stupid surveys away money could be better used on providing services. What is this cost: Printing, Labour, Postage!!!
- Yes, I think you should have half disabled people with different incomes and on different benefits on your committee. Otherwise how can you possibly understand how we have to manage, you can't. You need their input very much especially those that have to live solely on benefits. Can you please keep me informed as to what you think as I really feel strongly about this subject.
- The charging level is appropriate for the services currently provided. * You had better make sure that if increases are made then the level of service and care increases dramatically*
- What difference does it matter in question 10 what ethnic group I belong to when assessing charges? This survey is a complete waste of time and money.
- I think it is very wrong to take our DLA off us we do not want to be ill. It is not our fault we have a disability spend 24 hours with me and see how I manage!! How would you feel if you had a disability would you be able to cope? I think not. I had to fight very hard for my DLA. I am very disabled and I don't know how long I have got to live. This is not your life how would you like it or cope?? I need a better quality of life each day. The carers do not get paid enough for what they do. My DLA money is all I have I still have to pay my bills as well. I think this is a bloody cheek to take 65% of DLA off us. There is a lot of fat cats working for the council,
- People who have been careful and tried to live within their means and save a little should not be adversely treated against people who have had similar incomes and 'blown it'.
 Charges could be estimated from the day a benefit is given to save a big bill 12 weeks later. Mum is fine as I look after her finances but others may be less careful and not save towards the fees 1st invoice.
- I cannot answer until I knew what I have to pay. I already pay for Bath, Car and a cleaner and I have someone to help with midday meal.
- I think the biggest waste of money is local parish councils
- Attendance allowance has to pay for help which the council do not provide
- These questions do not take into account council wastage, such as continuous questionnaires and surveys that employ 3rd party organisations at a huge cost to council tax payers. By combating this waste of money, services will not need to be cut.
- The charging policy is very unfair to us that need more help. I still have to live you know. It is not our fault we have illness, disabilities or mental health problems we do not ask for this. It is bad enough asking for help then not getting it or having to pay too much for a poor service. There are too many fat cats working for the council, I would like to see how they would cope with an illness or disability 24 hours a day 7 days a week. My illness and disability does not disappear because I have help, 24/7 365 days a year. I don't mind paying some of the charges if I were to get a good service at the moment they are crap and I am sick of putting in a complaint and nothing gets done!! Would you like to spend time with me and see how much is a struggle everything is day in day out?? There are too many fat cats sat on their arse that do not care about us talk about 'blow you Jack I'm alright' they would soon get the proper healthcare it is was them. My health and quality of care is very poor. I have to take it one day at a time my social worker is crap and so are the management of city of York council. I would be better of dead this would suit you all where can I go for help? You don't make it easy. How can I live when you have taken all

- my money off me for crap care!! Does anyone care about this the services are very poor for what we pay for nothing gets done anymore.
- It seems that we have contributed into the pot and now its time to collect, the monies have been frittered away unnecessarily on people who have no work ethic. And I believe this is just a tick box exercise!
- It seems to be that all of this form filling is a waste of time and resources because your mind is made up. This is just a form of telling people about some more cuts which the ordinary people fill the pinch
- For all the above questions there should be some element of discretion on individual basis
- As one has paid NI contributions throughout the working life, these services should be free for all irrespective of their savings
- I'm not sure that there is any point asking me because I think a decision has been made.
- Would be nice to receive as many services without extra charge
- Thank you for services available to us. York helpers are doing a good job thank you

Other comments:

- Q3 No charges
- Q3 Neither
- Q1 The question is ambiguous. If it is meant 'it is fair to increase charges' them my answer would be strongly disagree
- Q3 Neither
- Q3 Neither Provide efficiencies/less waste in other areas
- Q1 Dependant on financial status
- Q3 Neither
- Q3 Don't know
- General Carers I used to put ALP on timesheets (as little as possible). Carers are not
 even first aid trained 'I'm not a nurse I'm told'. So many different carers. 1 carer cooks if I
 am lucky. Carers need specs and hearing aids.
- Q3 Not Sure
- Q3 Don't know
- Q3 None
- Don't penalise pensioners with modest savings
- Q3 Not sure
- Q3 None of these
- Q1 It all depends on how much you charge?
- Q3 Neither
- Q3 Neither the council needs to manage these issues more effectively and move resource from elsewhere
- Q3 Neither
- Q3 Neither
- Q2 Difficult for old people to understand

- Q3 Nil Unfair question to old people
- Q4 They are old and need looking after
- Q1 This is already happening
- Q3 Neither
- Q3 Neither fees should not be increased any further
- Q3 It needs to depend on each individual
- Q3 Neither
- Q4 Population increasing therefore more contribution to council funds!
- Q4 Don't understand the question is all have funding
- Q3 Not a fair question
- Q3 I do not agree with either I suggest you use less on cycle lanes for example!
- Q3 A lot of the services are crap anyway
- Q3 Don't know
- Q1 I do not think it is fair to charge us for the cost of a service we cannot help being ill or disabled and we get a crap service
- Q2 You should not take people's DLA. It is not their fault they have a disability. I had to go to high court to get me DLA, it took me a long time and I won my case. You don't know the struggle I have.
- Q3 The services we get now are crap anyway
- Q4 No you should not. We still have to live and pay our bills. We get very little help as it
 is I struggle very much every day
- Q6 Lots of people need help because of their illness, disability or mental health
- Q7 We do not get value for money with the services they are crap at their jobs rushing all the time and not doing their work correctly
- Q3 Not a fair question
- Q3 Not a fair question
- Q3 I agree with neither
- Q3 N/a
- Q3 Neither

From: Sian Balsom

Subject: Fees and Charges for Social Care - Survey Response from York Independent Living Network

Hello,

It was good to meet you both at York Independent Living Network's meeting on 14th December 2009. The group appreciated you coming in to explain your ideas for changing the way people's care contributions are calculated.

After you left the meeting, the group continued to discuss the proposed changes. They felt that there was a need to give people time to understand what the changes would mean for them, so that it was possible to give full and frank feedback about them.

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The group has some specific concerns relating to the proposals. One, as raised in the meeting, is how the proposed changes will work for people who are using the Independent Living Fund. Another relates to how costs like heating and food will be taken into account, which feels even more pertinent given the current weather conditions York is experiencing. The group also asked how this proposal fits with the Local Area Agreement for York, particularly NI136 and NI142.

There was also specific concern about the way the survey form has been phrased. For example, question 3 has an air of Hobson's choice about it. The choice given is stark - accept a reduction to your benefits, or your services. There is no genuine sense of exploring the very real problems people will encounter if such a change is being brought in.

In general terms, the group is concerned that due to the current difficult economic conditions, people may forget the reasons why non means-tested benefits were originally brought in. These were meant as a small acknowledgement that disabled people are more likely to be living in poverty than non-disabled people. Disabled adults are twice as likely to live in low-income households as non-disabled adults and this gap has grown in the last ten years.

A report on the additional costs of disability suggests that the income of disabled people solely dependent on benefits, irrespective of the type or level of their need, is approximately £200 less than the weekly amount required for them to ensure a minimum standard of living. These figures suggest that, even without including personal assistance costs, benefits meet only:

- 28 per cent of the costs of people with low-medium needs;
- 30 per cent of the costs of people with intermittent/fluctuating needs;
- 35 per cent of the costs of deaf people and people with visual impairments;
- 50 per cent of the costs of people with high-medium support needs.

It is clear therefore, that further steps are required to increase the funds for disabled people, rather than reduce them.

As non means-tested benefits are retained if disabled people take steps to get back into employment, it can help them avoid the poverty trap of being better off without working. By taking non means-tested benefits into account in calculating social care this effectively removes them. This may lead to more disabled people having no incentive to work and becoming caught in the poverty trap.

Whilst we are aware that the situation in York is generous when compared with other similar local authorities, the recent article in the York Press suggests actual spending on Adult Social Care is lower than in other areas. Most studies conclude that disabled people's needs are not met fully through social care services and that the cost of private provision to meet these needs is not covered by extra benefit costs. As a result, carers, unpaid relatives and friends are thought to be bearing the costs of ever-tighter eligibility criteria in accessing social care services. In terms of meeting the National Carers Strategy outcome of ensuring carers are able to have a life outside of caring, the maintenance of existing income levels would appear to be a minimum requirement.

This would have a knock-on detrimental effect on the economy of York, reducing the money circulating within the city. If disabled people are left behind as York moves out of recession, this will have a negative impact on the whole city. Studies have shown that in areas where there are greatest inequalities between the richest and poorest in society, the perception of this imbalance leads to increased dissatisfaction and negative perceptions amongst the whole community.

Living in poverty has an acknowledged impact on both physical and mental well-being. By reducing the funds available to disabled people, the knock-on impact on their health could lead to increased support needs, thus increasing the burden on social care services.

The reduction in available funds for disabled people will have a further detrimental impact on life in the city. As the funds available to disabled people are reduced, this will stop them being able to access the city as regularly, and may lead to them becoming increasingly isolated. As disabled people become a

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less frequently visible part of society in York, this increases their vulnerability, as they become increasingly perceived as 'other'. This could reduce understanding and tolerance, and may lead to increased instances of hate crime. This in turn will increase disabled people's reluctance to go out into society, increasing their social isolation and reducing their physical and mental well-being. Far from the social model ideal of changing society to make genuine inclusion a reality, this will reverse the recent progress made, leaving disabled people trapped in their own homes.

Other developments, both within York and nationally, have led to increased costs for disabled people. Shopmobility has recently announced a 20% increase in their charges. Recent changes to car tax have hit disabled people hard – people who need large vehicles to transport equipment like wheelchairs, walking frames, ramps and oxygen cylinders are struggling to pay the higher taxes. Coupled with the current high cost of fuel, this has reduced the income disabled people have available to use their car regularly. This again leads to increased social isolation and a less visible disabled population.

Our aim as a group is to help build a more inclusive society where disabled people are accepted and valued. In order for this to be a reality, it is essential that disabled people have adequate resources to live full and active lives. To lift disabled people out of poverty and enable them to be active York citizens, we believe that not only must existing benefits be protected, but we must push for benefit levels to be increased, and nationally for costings relating to adequate income standards for disabled people in terms of paying appropriate rates of benefit and meeting the extra costs of living with an impairment.

We appreciate that at the current time, difficult financial decisions have to be made. However, it is our firm belief that the priority must be protecting those at most risk of disadvantage, and unfortunately at this time disabled people undeniably fall into this category. We urge the council to look for other areas where savings can be made.

I hope this feedback is useful to you. If you have any questions regarding this email, please do not hesitate to contact me.

Kind regards, Siân Balsom

On behalf of York Independent Living Network

Households Below Average Income 2004/05, Department for Work and Pensions, 2006.

York Older People's Assembly welcomes being consulted on possible changes being considered for Social Care Services in York. The proposals focus on the extent that Attendance Allowance and Disability Living Allowance should be taken into account when calculating the amount individuals must pay towards the cost of care.

Attendance Allowance in particular is of direct relevance to older people in York since it is only payable to those over 65. We are advised that some 760 customers out of a total of 1300 receiving care would be directly affected if changes were made to the present arrangements where 65% of the allowance is taken into account in arriving at the charge to be made to individuals.

At present Attendance Allowance is paid at two rates £47.10/week where care is required during the day and £70.35/week when care is required both day and night. It is payable as a tax-free benefit when an individual has a physical or mental disability which is severe enough to require help to care for the individual. The allowance is ignored entirely as income when calculating entitlement to other income related benefits like Housing and Council Tax benefit or Pension Credit.

It is accepted that the payment is related in part to a recognition that an individual could not remain independent without assistance from others. Since the Assembly strongly supports and advocates the wishes of older people to remain as independent as possible for as long as is possible the implications from changes could have detrimental effects.

² Disabled people's cost of living: More than you would think, Noel Smith et al, Joseph Rowntree Foundation, 2004

³ See, for eg, The state of social care in England 2005-06, Commission for Social Care Inspection

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For many older people care services provided or arranged by the City Council form only part of the support needed for them to retain their independence. Additional heating, telephone and taxi costs together with the costs associated with special dietary requirements all have to be met. The retained part of the Attendance Allowance is vital in helping with these expenses which are out with direct services provided.

At present on the higher rate of allowance at £70.35 an individual retains £20.43 to meet these additional costs. The proposals before us would reduce this sum to £14.07 per week or absolutely nothing if 100% of the allowance were taken into account.

We are advised that the proposals, if implemented, would raise between £180,000 to £300,000 per annum. This represents between 0.45% - 0.75% on a Social Services budget of £40m.

The Assembly whilst understanding the financial difficulties facing the Council believes alternative approaches could be adopted to address these challenges. The Assembly repeats its commitment to enabling older people to remain independent in their own home wherever possible. Reducing the extent that Attendance Allowance or Disability Living Allowance is available to older people to achieve their own wishes is seen as a backward step.

The Assembly believes that the continued over dependence on institutional care whether in a Residential Home or Nursing Home is both costly and runs counter to the wishes of older people themselves. York provides a significantly greater proportion of residential places per 1000 older people in its own elderly person homes than comparable authorities. Such provision also operates at a significant deficit believe to be in excess of £300,000 per home per annum. The Assembly believes an alternative approach might be to close or convert certain Homes to Extra Care Housing Schemes similar to the well-regarded provision at Glen Lodge or Barstow House. Such an approach would allow older people to retain their independence, receive appropriate support when required and be far more cost effective.

The Assembly also believes that a substantial and sustained expansion of both Telecare and Telemedicine would assist in reducing the need for older people to require access to Residential or Nursing Care or indeed secondary care. Partnerships with the PCT and York Hospital to expand the provision of Telemedicine would bring cost benefits to each and most importantly allow older people to sustain their independence for longer.

In summary if the Council is still minded to pursue the variations to Attendance and Disability Allowances then the rise to 80% is seen as the least unacceptable. However it would be helpful for older people to understand the basis on which the higher levels of allowances are to be taken into account. The Assembly however believes that the alternative approaches suggested in this response should be explored with urgency.

11th January 2010

Equality Impact Assessment (EIA) Housing and Adult Social Services (HASS), City of York Council Title of report or proposal:

Charging for Social Carer Services proposal

Describe in full the aims, objectives and purpose of the proposal, including desired outcomes:

The Council is facing demographic challenges with a resultant increase in the need for social care. This reflects the national picture. The Council is also facing a financial challenge as the formula grant settlement continues to be at a lower rate than the national average.

Local authorities are required by statute to provide services for those with an assessed social care need. Councils may charge for such services. This is a discretionary decision. However, central government's assumption when setting the formula grant is that councils will charge for non residential as well as residential services, as 97% of councils do. Charging for non residential services is governed by the "Fairer Charging Policies for Home Care and other non-residential Services (Department of Health, 2003).

In February 2009, this Council agreed in principle to look at a review of the non-residential charging policy. The proposals being considered during January 2010 would realise an estimated £360,000 net additional income per annum assuming a full collection of charges. Administration of the scheme would cost approximately £100,000 per annum for staffing costs.

The Council is conducting consultation, the outcome of which will be detailed in the report to the Executive Member in January. Consultation topics included:

- The reasonableness of the proposal, including whether people were or were not opposed to charging in principle and any suggestions from people regarding alternatives
- · Options for assessing for disability related expenditure
- Groups of people who might be particularly affected
- How the Council could minimise any adverse impact
- Any related general concerns

Further details of the consultation process are outlined below (question six).

The Decision report includes the following recommendations:

1. It is recommended that the Council changes its policy on Disability-related Expenditure (DRE) in line with the Fairer Charging Guidance (Department of Health, 2003) with an implementation date of April 1st 2010.

2.	a) Reduce the Disability Related Benefits (DRE) disregard to 20%
	or
3.	b) Reduce the DRE disregard to 0%
	e above options the recommended option is (3). This will enable the council to some of the increasing costs of care as currently forecast.
outco	Council amended the current non-residential charging policy the principal planned me would be the continued ability of the Council to meet the population's adult care needs at the current threshold for services.
The 6	equalities impact assessment was carried out by council officers.
Depa	rtment·
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	ing and Adult Social Services
with dive	and report must be checked and countersigned by the Council's lead officer responsibility for ensuring statutory compliance in relation to equality and
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Please answer the following questions:

1. Who are the main people that this decision will affect?

A decision to reduce the current disability disregard and complete individual assessments of DREs would affect current and prospective home care service users over 18 years regardless of age, gender, disability or impairment, ethnic origin, sexuality or belief system.

In particular, current service users who are in receipt of DLA + AA would be affected. At the time of the consultation there were approximately 1,300 home care service users although this figure inevitably fluctuates slightly over time, of whom an estimated 700 would be affected by this change.

Such a decision would affect informal carers similarly, where they currently care for someone who is in receipt of home care services, where they might in the future do so, or where they receive home care services in their own right.

Young disabled people between 16 and 18 would not be directly affected by any change, but if a decision to amend the policy on charging for home care services was made this group of people would be informed of this as charging could affect their services upon transition.

A decision to amend the home care charging policy could potentially affect adult social care staff who would require training and development regarding fair and accurate assessment of DRE and the charging scheme.

If the Council amends the current home care charging policy the principal planned outcome is the continued ability of the Council to meet the population's adult social care needs at the current threshold for services.

2. Identify the risks that could prevent the planned outcomes

There is a risk that Executive Members could decide not to amend the home care charging policy.

There is a risk that the changed home care charging policy might not deliver the forecast income and therefore that there might still be shortfall in the adult social care budget.

There is a risk that staff training might not be sufficient to ensure that the home care charging scheme is applied consistently, fairly and accurately in relation to assessments of DRE.

There is a risk that people refuse to pay any increase in their charge.

There is a risk that people are dissatisfied with the DRE assessment process or the outcome of their DRE assessment.

There is a risk that the Council cannot process the backlog of DRE assessments or cannot process DRE assessments where people's circumstances change.

There is a risk that people are dissatisfied with the quality of their home care and therefore do not think it is fair to pay the charge.

There is a risk that the costs of managing and administering the home care charging scheme exceed those forecast.

3. Could the proposal have a positive impact on a) race b) disability c) gender d) sexual orientation e) age f) belief system groups? (Please provide evidence e.g. user feedback, complaints, monitoring?)

A decision to amend charging for social care services could have a positive impact on current and prospective service users across race, disability, gender, sexual orientation, age and belief system groups.

The key positive impact for disadvantaged groups would be the continued ability of the Council to meet the population's growing adult social care needs up to and including 2010/2011 at the current threshold for services. Therefore, the change in charging policy could promote the continued ability of the Council to ensure that the widest possible access to and benefit from services is maintained.

In addition,

- The increase in charges might also promote people's propensity to complain where their home care service is not of an acceptable quality and therefore could lead to an improvement in the quality of service provided.
- 4. Could the proposal have a negative impact on a) race b) disability c) gender d) sexual orientation e) age f) belief system groups? (Please provide evidence e.g. user feedback, complaints, monitoring,?)

A decision to amend the charging policy would have a negative impact on those current and prospective service users who would be asked to pay more and on informal carers who support service users who would be asked to pay. The Council has a legal obligation to provide services to meet assessed need regardless of service users' ability to pay. Despite this, some people might be reluctant to request or accept home care services even where services are to meet an assessed need above the Fair Access to Care Services eligibility threshold because they feel they are unable to afford home care charges even where they have been assessed as able to afford them.

These potentially adverse impacts would not be related to age, gender, disability or impairment, ethnic origin, sexuality or belief system. These impacts would mirror the known profile of home care service users. Therefore there would be no group for whom the proposed changes in charging policy would have a disproportionately adverse impact.

a) Race

- Council data as at November 2009 shows that leas than 0.5% of Home Care users are Asian or Black. This is representative of the local population where 3% is Asian or Black.
- The charging policy changes proposed would not have a differential impact on any particular ethnic group.

b) Disability

- As of Council data produced Nov. 2009, of the 759 home care users affected, 568 or 74% were older people.
- Consequently, older people are the largest group of home care service users who would be affected by any change in home care charging policy.
- As the change in policy specifically relates to disability related allowances and expenditure all 759 affected will have some form of disability. The impact of this is mitigated by completing individual assessments for all customers.

c) Gender

- As of Council data produced in Nov 2009, 525 or 69% of home care users affected are female and 234 or 31% are male.
- This is compared to the local population (as recorded in the 2001 Census) where 93,957 or 51.88% of people are female and 87,137 or 48.12% of people are male.
- York Housing and Adult Social Services (HASS) figures show a significant number of more women using HASS services in York, particularly over the age of 85. However, it is recognised that women live longer and are more likely to require social care if they are living alone with no partner to care for them. Older People Living Alone in York figures illustrate this (POPPI - Projecting Older People Population information).
- Therefore, it is probable that more women would be affected were home care charging introduced.

d) Sexual orientation

 A home care charging policy should not have a differential effect dependent on sexual orientation.

e) Age

- As of Council data produced in Nov 2009, of 759 home care service users affected, 71% or 537 were aged 65 and over. Therefore, older people would be the largest group to be affected by a change in home care charging policy. This is proportionate. Older people were highlighted through consultation events as the group most likely to be adversely affected by a home care charging policy.
- Of the 759 home care users, 71 or 4% are aged 65-74; 167 or 9.5% are aged 75 84; 299 or 17% are over 85.
- This is compared to the local over 18 population (from census 2001) where 15,804 or 9% are aged 65-74; 11,032 or 6% are aged 75 84; 3,724 or 2% are aged over 85.
- f) Belief system groups
- A change in home care charging policy should not have a differential effect dependent on belief system.

5. Can any negative impact of the decision be justified?

The intended positive impact of a decision to change the charging policy for home care services would be the continued ability of the Council to meet the population's growing adult social care needs up to and including 2010/2011 at the current threshold for services. Therefore, a change in home care charging policy would ensure that the most vulnerable people continued to have access to and benefit from the services that they need.

• The Fairer Charging Guidance ensures that customers are charged only an amount they can afford to pay and in many cases this will result in no charge. The assessment of a person's ability to pay is completely distinct from the assessment of need for services so disabled people should not receive fewer services as a result of this proposed policy. However, it is likely to be the case that a number of customers will choose to purchase their care from private providers especially where only domestic support is required as their costs may be less than the Council's charge.

6. If you have undertaken any internal/ external research or consultation(s) please list these below:

This equalities impact assessment has been informed by a comprehensive consultation programme which ran for two months from Dec. 2009 to Jan. 2010.

A total of 4 consultation events were held with customers, carers, the general public and were attended by approximately 40 people in total.

Consultation packs including questionnaires were sent to 757 HASS customers with a total of 204 hard copy questionnaires returned i.e. a response rate of 27%.

All consultation material was also available on york.gov.uk and the questionnaire could be completed online.

Paragraph 2.35 of the Statutory Code of Practice requires the Council to determine whether or not the consultation was relevant to disabled people. Members were advised that the home care charging consultation was extremely relevant to disabled people. Paragraph 2.36 of the Statutory Code of Practice requires the Council to determine how proportionately affected disabled people would be by such a policy. Members were advised that this policy affects only people who are disabled in the broadest sense and therefore members must give full consideration as to how a home care charging policy would affect disabled people.

7. Do you need to undertake any further consultation? If so, what and with whom?

No further consultation on home care charging policy is required at this time.



Executive Member for Housing & Adult Social Services

26th January 2010

Joint Report of the Director of Housing & Adult Social Services and the Director of Resources

Draft Revenue Budget Estimates 2010/11

Purpose of Report

- 1 This report presents the 2010/11 budget proposals for Housing & Adult Social Services. It includes:
 - the revenue budget for 2009/10 (Annex 1) to show the existing budgets
 - the budget adjusted and rolled forward from 2009/10 into 2010/11
 - the cost of pay and price increases, increments and settlement of pay and grading appeals for the portfolio
 - proposals for budget service pressure costs and savings options for the portfolio area (Annexes 2 and 3)
 - fees and charges proposals (Annex 4)
 - the Housing Revenue Account (Annex 5).
- Budget Council will be held on 25 February 2010 and will make decisions on the overall budget for the Council. In order to facilitate the decision making process the Executive are meeting on 16 February 2010 to consider the preferred options identified by the individual portfolio Executive Members and the results of the consultation exercise.
- The Executive Member is therefore asked to consider the budget proposals included in this report and identify their preferences (after considering the proposals in annexes 2 and 3) which will be considered by the Executive as part of the consultation exercise. In particular, advice is sought from the Executive Member on the budget proposals in this report.

Background

- The Council's 2010/11 budget is being developed within the constraints of an extremely challenging financial climate. An extensive transformational programme has begun which will promote efficient delivery of services whilst at the same time ensuring funding is available for investment in key areas across the Council.
- The 2009/10 revenue budget monitoring process has identified areas of activity that currently have insufficient capacity to deal with the increased demands on those services. In addition consideration has been given to the Councils top priorities, and the need to ensure that key front line areas of

activity, particularly those in respect of adults and children, can continue to be provided. From this analysis, specific areas of investment will be proposed within the Councils 2010/11 budget, in particular within the following areas:-

- Adult Social Care
- Children's Social Care
- Waste Management
- The proposed budget for 2010/11 reflects the need to direct investment into these areas in order that planning and monitoring of service delivery and improvement can take place against an adequate resourcing platform.
- In addition, the Council recognises that adequate provision needs to be created within the budget to ensure that the continuing financial impact of the economic downturn can be contained effectively. Following detailed review of economic pressures both on front line services and the Council's Treasury Management function, it is proposed that in the region of £3m will be set aside within the budget to contain the impact of these pressures.
- In order to create the financial capacity to enable adequate investment in these priority areas the budget strategy has been based around certain key financial management principles. A fundamental maxim of the strategy is that Directorates have been made clearly responsible for the robust and effective self-management of their existing financial resources and that restraint has been expected in putting forward for additional growth in budget to be funded corporately
- Directorates have been expected to contain their net expenditure within clearly defined and strictly enforced cash limits with a clear expectation that Directorates self manage all non-exceptional budget pressures within this cash limit. These pressures include the anticipated cost of the pay award and any incremental increases due in year. Explicitly linked to self-management within defined cash limits has been the requirement for directorates to demonstrate the re-allocation of budgets in order to contain internal financial pressures.
- 10 As part of the development of the budget, the Council's transformation programme has also been robustly reviewed in view of the need to create capacity to invest in priority areas. A realistic acceleration of efficiency savings will be included within the corporate budget proposals in order to ensure that the additional financial capacity introduced in this budget is based around a challenging but realistic approach to driving out efficiency savings across the organisation. However, it must be stressed that achievement of these efficiencies will not be easy to deliver, but they are essential in order to deliver investment into priority areas. The scale and pace of the transformation process in coming years will be critical to the Council maintaining financial stability. In addition, clearly with the future pressures on public spending, combined with known forecast increased pressures in children's care, adult care, and waste management, the Council will face the need to both achieve significant transformational change, and review the overall type and level of service provision in coming years.

- 11 Within Adult Social Care throughout 2009/10, the council has faced dramatic increases in learning disabilities cases, home care contracts and care for the elderly which is expected to continue to rise due to the ageing population. This rise in demand equates to approximately £1.8m in investment. It is however recognised that reviews of service activity need to take place in order to develop and implement mitigation plans that will constrain the impact of these financial pressures.
- The Director of Resources' report '2010/11 Budget Strategy and Medium Term Financial Planning 2011/12 to 2013/14' was adopted by the Executive on 15 December 2009. This paper is the result of ongoing work against this agreed framework.
- The Local Government Finance settlement for 2008/09 included indicative figures for 2010/11 to enable the Council to consider future budget issues. The provisional settlement for 2010/11 gives an increase in formula grant of £1.09m, an increase of 2.51%.

Budget Proposals for Housing & Adult Social Services

A summary of the budget proposals is shown in Table 1 below. Further details on each individual element are presented in the subsequent paragraphs.

Table 1 - Summary of Budget Proposals

	Para. Ref	£'000
Base Budget 2009/10	16	43,597
Allocation for pay increases	17	+226
Allocation for price increases	18	Nil
Service Pressure proposals (Annex 2)	19	+1,791
Savings proposals (Annex 3)	20 - 24	-1,055
Proposed Budget 2010/11		44,559

Base Budget (£43,597k)

This represents the latest budget reported to Members, updated for the full year effect of decisions taken during 2009/10, e.g. supplementary estimates.

Pay Inflation (£226k)

These calculations are based on a pay increase for APT&C of 1%. The negotiations for the 2010/11 settlement have not yet started, although there is pressure from the Treasury that increases are kept to a minimal level.

Price Inflation (nil)

17 The budget proposes that, due to the underlying low rate of inflation, there is

a general price freeze on all non pay budgets.

Service Pressures (£1,791k)

A range of options for service pressure proposals has been considered and in view of the overall available resources it is proposed that only those proposals shown in Annex 2 are included as the preferred options for Housing & Adult Social Services. The proposals put forward are the result of a rigorous assessment process, which included looking at the risk to customers and staff, legislative requirement, proven customer demand and the Council's corporate objectives. The actual growth requirements are £2.3m however we are looking to review the efficiency of the service with a view to reducing the overall costs to the £1.7m included above.

Contingency Items

Members should note that there are potential expenditure pressures that may materialise in 2010/11 but which are not yet certain or not quantifiable at this stage. The Executive will decide on 16 February 2010 whether or not to set a general contingency for 2010/11.

Savings Proposals (£1,055k)

- Members will be aware that the 2009/10 budget savings requirements were significant and that all Directorates are operating within a tight financial environment. In seeking to achieve savings for the 2010/11 budget Directorates have examined budgets for possible savings that do not have a significant impact on the services provided to the public, customers and the wider Council.
- In addition to the potential savings set out in this report savings targets for adult social care have been approved by the Executive in the blueprints for More For York. In proposing areas for savings the focus has therefore been on initiatives that:
 - improve quality and efficiency
 - take advantage of ongoing service and/or Best Value reviews
 - generate income
 - address budgetary underspends
 - improve cash flow and interest earnings
 - generate savings from the technical and financial administration functions of the Council
- However, given the need for significant savings it has not been possible to completely avoid proposals that would have some implications either for staff or service levels. Alternative ways of providing the training and NVQ service would place existing staff at risk but would result in a more cost effective service. The social care strategy post and Equalities and Information post provide much needed support to the development and improvement of services. If savings were made in these areas then it will be important for the new department of Adults, Children and Education to explore how strategic

support is provided across the piece and to explore the potential for closer joint working with the NHS in these areas. The proposal to look at savings in social care assessment would need to be handled very carefully to ensure that essential services were not affected and that performance in carrying out assessments within 28 days continued at an acceptable level.

- In addition to the initiatives listed above the price increases and list of savings also include proposals to increase fees and charges (see also section below). Generally these are in line with inflation, but this is varied by directorates as they are affected by national constraints/requirements.
- Annex 3 shows the full list of savings proposals for the Housing & Adult Social Services portfolio.

Fees and Charges

The details of the proposed fees and charges for the services provided by this portfolio are set out in Annex 4. The proposed increases are set at 1.5% as this is the level of increase being applied by the Department of Work & Pensions to all benefits.

Draft Housing Revenue Account (HRA)

- Local Authorities are required, by legislation, to keep a HRA. The Local Government and Housing Act 1989 stated that items of income and expenditure only relating to Council housing must be contained within the account. Thus the terms "ring fenced" or "landlord account" are now referred to, as transfers between the HRA and General Fund are normally prevented.
- The Act also outlined the arrangements whereby subsidy is allocated on a "notional" HRA. This account is based on the Governments assessment of what local authorities should charge in rents and spend on management and maintenance, rather than what they actually do charge and spend.
- Authorities have a duty to ensure that the HRA balances, to keep the budget under review and to take all reasonable steps to avoid a deficit.

Draft HRA Negative Subsidy & rent increase

The two major sources of funding HRA expenditure have been Government Subsidy and rent income. Following the removal of the payment of rent rebates through the HRA there is now a net surplus on the notional HRA as the rent income now exceeds the subsidy payable by the Government for HRA expenditure on management, maintenance, etc. This results in a "negative" subsidy payable by the authority to the Government of £6,152k for 2010/11. This compares to £6,575k for 2009/10.

	2009/10 Estimate £'000	2010/11 Estimate £'000
HRA subsidy payable (including MRA)	18,887	19,134
Less Notional Rent Income from	(25,462)	(25,286)

council tenants		
Equals Negative Subsidy payable	(6,575)	(6,152)

Housing rents are based on a formula for rent setting created by central government. Under the original formula similar properties should be charged similar rents by 2012 regardless of who owns the property. This is known as rent convergence. This formula rent takes account of various factors including the number of bedrooms a property has, property valuation, average earnings and the date at which all rents are expected to converge. The guideline rent increase for 2010/11 is 3.1% with convergence due to be achieved in 2012/13. The actual average rent increase for this council, taking all these factors into account, is expected to be 1.83%.

HRA Borrowing and Debt Repayment

- 31 From 1 April 2004 authorities can determine for themselves what capital investment is required and have the freedom to borrow (within prudential principles) to deliver housing services. Some supported borrowing continues and the interest charges for the elements used to fund HRA capital expenditure is paid from the HRA and refunded through subsidy. Prudential borrowing which takes place over and above the (supported) capital financing requirement is "unsupported" in that the authority must find the means of paying back interest and principal from within its own resources.
- In October 2009 the Executive Member agreed to submit a bid to the Homes and Communities Agency for grant to build in the region of 18 new family council houses. We have just received confirmation that this bid has been successful, therefore the HRA will undertake prudential borrowing during 2010/11, which will be funded from the rental income stream received from the new properties.
- of net HRA debt and this was funded through HRA subsidy. Authorities are no longer compelled to make this provision and any voluntary contribution will not be paid by subsidy. Guidance suggests it is advisable to make a voluntary contribution and as a result since 2004/05 a provision of 2% has been made on outstanding HRA debt. This will continue in 2010/11.
- The result of all the adjustments outlined within this report is an in-year surplus of £662k. Together with the budgeted brought forward working balance of £8,254k and after making a contribution to the capital programme, this leaves a working balance of £8,918k on the account.
- This surplus is broadly in line with that forecast in the HRA business plan. The HRA surplus needs to remain on the account to be reviewed once the HRA business plan is updated to reflect both the budget detailed in this report and the 2009/10 outturn position. Members are reminded that the HRA surplus is needed to fund expenditure in future years.
- A review of the operation of both the HRA and the current subsidy system is currently being undertaken by the department of Communities and Local

Government (CLG). This review is looking at all aspects of housing finance, however it is not expected that there will be any impact on the HRA in 2010/11.

Consultation

This paper forms part of the Council's budget consultation. The other streams being undertaken include a public consultation leaflet circulated city wide (results should be known by mid-January), a public meeting where participants debated savings and growth proposals attended by the Leader of the Council and the Chief Executive, and a further session with a the business communities of the city. The Social Inclusion Working Group will consider saving proposals on 28th January 2010.

Options

As part of the consultation process the Executive Member is asked for their comments or alternative suggestions on the proposals shown in Annexes 2, 3 and 4.

Analysis

39 All the analysis is provided in the body of the report and the annexes.

Corporate Priorities

- The budget represents the opportunity to reprioritise resources towards corporate priority areas. Key examples of this happening within this portfolio area are:
 - The reprovision of residential care as supported living will help to promote independent lifestyles and better health

Implications

- 41 The implications are:
 - Financial the financial implications are dealt with in the body of the report.
 - Human Resources There are 13 potential redundancy situations included in Annex 3 and all necessary consultations with the unions will commence as soon as any decisions are made.
 - Equalities reductions in service outlined in Annex 3 will impact on older and disabled customers, in particular the proposed reduction in respite care (HASS06). The proposed reduction in social work posts (HASS10) will also have a negative impact on older and disabled customers as a reduced number of staff deal with an increasing number of customers. The proposal to remove the departments Equalities and Information post will result in a reduced capacity to carry out Equalities Impact Assessments and support to design and deliver services that will meet the needs of disabled and older customers. In addition the post directly supports the delivery of the Directorate Single Equality Scheme 2009-12. Both the schemes and EIAs ensure that the council meets duties that arise from equality legislation as well as inspection requirements.

- Legal there are no legal implications to this report.
- Crime and Disorder there are no specific crime and disorder implications to this report.
- Information Technology there are no information technology implications to this report.
- Property there are no property implications to this report.
- Other there are no other implications to this report.

Risk Management

- Key reporting mechanisms to Members on budget matters will continue to be through mid-year monitoring reports and the final Revenue Outturn report for the year. The format/timing of these reports has recently been considered by the Council's Management Team but as a minimum they will report on forecast out-turn compared to budgets and will also address the progress made on investments and savings included within the budgets.
- The budget setting process always entails a degree of risk as managers attempt to assess known and uncertain future events. This year has demonstrated the difficulty of achieving this. As with any budget the key to mitigating risk is prompt monitoring and appropriate management control. As such updated figures and revised corrective actions will be monitored via Directorate Management Teams, Corporate Management Team and the monitor reports during the year.
- It will be important to ensure continuing support on fairness and inclusion should the Equalities and Information post be removed to mitigate any risk of legal challenge from individual customers or groups of customers e.g. through judicial review.

Recommendations

- The Executive Member is invited to consider whether the budget proposals are in line with the Council's priorities.
- The Executive Member is invited to provide comments on the budget proposals for savings and growth which have been prepared by Officers and contained in this report, which are intended to form part of the Council's budget to be considered by the Budget Executive on 16 February 2010.
- The Executive Member is asked to consider the budget proposals for consultation for Housing & Adult Social Services for 2010/11 contained in this report and listed below and provide comments to be submitted to the Budget Executive on 16 February 2010.
 - 2010/11 Base budget as set out in paragraph 14;
 - Service Pressure proposals as set out in Annex 2;
 - Savings proposals as set out in Annex 3;
 - Fees and charges as set out in Annex 4;

• The HRA budget as set out in Annex 5.

Reason: As part of the consultation on the Housing & Adult Social Services budget for 2010/11.

Contact Details

Author:	Chief Officer Res	spon	sible fo	or the report:		
Debbie Mitchell Head of HASS Finance Tel: 554161	Bill Hodson Director of Housing & Adult Social Services Tel: 554000					
	Report Approved Date 18 January 2010					
	Ian Floyd Director of Resources Tel: 551100					
	Report Approved	~	Date	18 January 2010		

Specialist Implications Officer(s)

Evie Chandler, Corporate Equality and Inclusion Manager

Wards Affected: List wards or tick box to indicate all $\sqrt{}$

Background Working Papers

None

Annexes

Annex 1 - 2009/10 Budget

Annex 2 - Service Pressure Proposals

Annex 3 - Savings Proposals

Annex 4 - Fees and Charges

Annex 5 - Housing Revenue Account

Social Services

2009/10 GENERAL FUND BUDGET

Revenue Budget by Detail	2009/10	Revenue Budget by Cost Centre	2009/10
	Budget £000's		Budget £000's
Employees Premises Transport Supplies and Services Miscellaneous - Recharges - Other Capital Financing Gross Cost Less Income	950		20,525 12,648 8,603
Net Cost		Net Cost	41,776

Housing General Fund

Revenue Budget by Detail	2009/10	Revenue Budget by Cost Centre	2009/10
	Budget £000's		Budget £000's
Employees Premises Transport Supplies and Services Miscellaneous - Recharges - Other	1,475 222 37 8,891 627 1		1,605
Capital Financing Gross Cost	116 11,369		
Less Income	-9,764		
Net Cost	1,605	Net Cost	1,605

REVENUE SERVICE PRESSURES

Housing General Fund & Adult Social Services		Net Cost	Full Year	Full Year
_		2010/11	2011/12	2012/13
		£(000)	£(000)	£(000)
Ref	Brief Description			
HASSG01	Cost of Increments	150	300	450
HASSG02	Cost of Pay & Grading Appeals	375	375	375
HASSG06 &	Reprovision of residential care as supported living - the full year effect of			
CORPG09	previously agreed growth associated with residents currently living in			
	residential care moving to community based housing and support.	325	325	325
HASSG07 &	Known costs associated with individuals who are transferring from			
CORPG11	children's services into adulthood with extremely complex needs.	320	695	695
HASSG08	Costs of increased placements for older people and people with mental			
	health needs.	286	286	286
CORPG10	Community Based Care - to increase the number of home care hours			
	available to support people in their own homes.	335	535	735
n/a	Reductions in Area Based Grant allocations to support housing related			
	support		354	691
TOTAL		1791	2870	3557

	REVENUE SAVINGS PROPOSALS			
		Net Cost	Full Year	Full Year
		2010/11	2011/12	2012/13
Housing S	<u>ervices</u>	£(000)	£(000)	£(000)
	Brief Description			
HASSS13	Mediation service - a reduction in service levels will mean that in future this			
	service will only be available for council tenants as it will be solely funded			
	from the Housing Revenue Account	-20	-20	-20
Adult Soci	al Services			
HASSS06	Reduced Respite Care - a cut in the level of respite care offered will result			
	in approximately 200 fewer weeks of care being available	-20	-20	-20
HASSS07	Review use of Area Based Grants within Adult Social Services to identify			
	efficiencies	-75		
HASSS08	Review use of Supporting People grant to identify efficiencies	-118		
HASSS09	Outsource Training & NVQ Team - the department retains an in house			
	NVQ assessment team and organises external training for both the in			
	house services and other providers of social care services. This proposal			
	would involve outsourcing the services provided by 5.5 ftes although there			
	would be a need to retain a role to organise stategic training and			
	development.	-75	-100	-100
HASSS10	Reduction in social care assessment staffing - this would involve a			
	reduction of 5.5 ftes across all client groups including mental health and			
	learning disabilities. There will be a negative impact on performance as a			
	reduced number of staff deal with an increasing number of customers.			
		-165	-220	-220
	Reduction in administration costs - the deletion of a vacant post	-8	-10	-10
HASSS12	Identify alternative funding for the housing strategy and carers strategy			
	posts, and remove the Social Services Policy post and the Equalities &			
	Information post - these posts provide support to the development and			
	improvement of services.	-90	-120	-120
	Review Use of Social Care Reform Grant to identify efficiencies	-145		
	Increase Warden Call Charges by 1.5%	-8	-8	-8
	Increase Other Non Residential Charges by 1.5%	-110	-150	-150
	Review pool car usage to enable reduction in number of pool cars used	-21	-21	-21
HASS19	Undertake a thorough review of all budets across the department to identify			
	further savings	-200	-200	-200

Total -1,055 -869 -869

FEES AND CHARGES 2010/11

STANDARD CHARGES FOR RESIDENTIAL CARE HOMES AND NON-RESIDENTIAL CENTRES

Type of Service	Current Charge 2009/10 £	Proposed Charge 2010/11 £
Residential Homes (weekly charge)		
Elderly Persons Homes	469.14	473.83
Residential Respite Care for Adults – Mental Health (22 The Avenue)	676.13	682.89
Residential Short Breaks for Adults with Learning Disabilities (Flaxman Avenue)	1,177.68	1,189.46
Discretionary Charges		
Personal Home Care	15.75 per hour	16.00 per hour
Day Care	6.75 per day or session	6.85 per day or session
Transport	1.80 per day	1.80 per day
Laundry*	3.70 per load	3.75 per load
Warden Call**	4.20 per week	4.25 per week
Meals at Day Centres	2.45 per meal	2.50 per meal

^{*} Laundry only provided as part of an existing package of care ** Warden Call includes Mobile Warden visiting service

HOUSING FEES & CHARGES

		Current Charge	Proposed Charge
Service		2009/10	2010/11
		£	£
Administration of Private Sector grants	York repair grant	500	500
	Security grant	200	200
	DFG	15% of eligible works	15% of eligible works
	Home Appreciation Loan	12% of eligible works	12% of eligible works
Houses in Multiple Occupation Licences	Band A	564	564
	Band B	680	680
	Band C	764	764
	Band D	825	825
	Fit & proper person check	23	23
Garages			
Normal	Council tenant	5.65	5.71
	Private	5.65 + .85 VAT	5.71 + 1.00 VAT
High Demand	Council tenant	6.78	6.85
	Private (local connection)	12.89 + 1.93 VAT	13.02 + 2.28 VAT
	Private (no local connection)	16.63 + 2.49 VAT	16.80 + 2.94 VAT
Low Demand	All tenures	2.86	2.89
Aerials & Alarms			
Basic Aerial		0.16	0.16
Upgraded Aerial		0.46	0.46
Burglar Alarms		1.22	1.22
Victimisation Alarms		1.13	1.13

	Page 69	ANNEX 5
BUDGET	HOUSING REVENUE ACCOUNT	BUDGET
2009/10		2010/11
£'000	Expenditure:	£'000
4.044	Repairs & Maintenance	4.000
4,941	Jobs General	4,993
1,010	Projects	956
289	Estate Improvements	257
108	Decoration Allowance	109
47	Rechargeable Repairs	47
6,395		6,362
	General Management	
87	Neighbourhood Pride Unit Recharge	88
51	Tenant Support and Information	51
44	City Strategy Recharge	45
125	Property Services Recharge	126
51	Neighbourhood Services Recharge	52
1,287	HASS Recharge	1,299
76	Head of Housing Services	88
2,517	Housing Operations	2,540
549	Asset Management	560
30	HRA Training	30
4,817	•	4,879
	Chanial Carriage	·
818	Special Services	805
93	Sheltered Housing	94
	Energy Costs	
1,164	Temporary Accommodation	718
180 375	Discus Bungalows Grounds Maintenance	180 379
231		233
19	Caretaking Costs	
40	Cleaning Costs Lifts	19 41
5	Communal Aerials	
		5
2 031	Contribution to Energy Efficiency	2 480
2,931		2,480
	Rents etc.	
5	Rent & Rates	6
218	Insurance	220
1	RTB Legal Fees	1
224	•	227
	Davidsian for David and Davidsfel Dabita	
404	Provision for Bad and Doubtful Debts	101
101	Council Housing	104
101	Hausing Cubaidu	104
6 576	Housing Subsidy	6.450
6,576	HRA Subsidy (negative)	6,152
6,576	Capital Chargos	6,152
0.704	Capital Charges	0.704
8,701	Depreciation	8,701
<u> </u>	Debt Management	9 707
8,706		8,707
29,750	TOTAL EXPENDITURE	28,911
23,130	IOTAL LAI LINDITONL	20,911

BUDGET	Page 70	ANNEX 5 BUDGET
2009/10	HOUSING REVENUE ACCOUNT	2010/11
	Income:	
	Rents	
-26,002	Council Housing	-25,771
-541	Temporary Accommodation	-311
-26,543		-26,082
	Non Dwellings Rents	
-290	Council Garages	-293
-251	Council Shops	-251
<u>-35</u> -576	General Rents	<u>-35</u> -579
-570		-379
	Charges for Services and Facilities	
-11	Fees & Charges - Council Housing	-9
-84 -85	Legal FeesRSL management fee	-84 -85
-524	- RSE management ree - Sheltered Housing	-524
-2	- Temporary Accommodation	-2
-60	Cookers	-55
-87	Leaseholder Admin Charge	-87
-853		-846
	Contribution Towards Expenditure	
-11	- Sheltered Housing	-12
-42	- Rechargeable Repairs	-42
<u>-11</u> -64	- Temporary Accomodation	0
-04	Supporting People Income	-54
-740	- Temporary Accomodation	-467
-44	- Tenancy Enforcement	0
-31	 Mediation Face-to-Face 	-38
-39	- Tenancy Support Wrker	0
-854		-505
	Transfer from General Fund	
-3	Amenities Shared by the Whole Community	-3
-3		-3
-28,893	TOTAL INCOME	-28,069
-20,093	TOTAL INCOME	-28,009
857	NET COST OF SERVICE	842
1,173	Loan Interest	887
-5	Mortgage Interest	-2
-300	Revenue Cash	-200
401 708	Voluntary Debt Repayment Capital Expenditure financed from Revenue	430 838
-3,574	Contribution to/(from) MRR	-3,459
·	, ,	
-740	(SURPLUS) / DEFICIT IN YEAR	-664
-7,514	(SURPLUS) / DEFICIT BROUGHT FORWARD	-8,254
-740	(SURPLUS) / DEFICIT IN YEAR	-664
-8,254	(SURPLUS) / DEFICIT CARRIED FORWARD	-8,918