

Meeting of the Cabinet – 9th September 2009

Report of the Director of Adult, Community and Housing Services

Shaping the Future of Care Together

Purpose of Report

1. For Cabinet to consider the key implications for Dudley of the Government's Green Paper on adult social care, "*Shaping the Future of Care Together*" published on 14th July 2009. (A full copy is available in the Members Library and on CMIS.)
2. For Cabinet to support a local consultation event to be held on the morning of the 15th October to which all Members would be invited, to encourage wider engagement with this debate in Dudley.

Background

2. The background to the Government's Green Paper lies in the demographic challenge facing us now that the number of over-60's out-number children in British society, as at August 2008
(Source: <http://news.bbc.co.uk/1/hi/uk/7575869.stm>)
3. The Wanless Review of 2002 "*Securing our Future Health*" was published in expectation of this developing demographic challenge and identified a £6 billion funding-gap in services for older people at a national level.
4. In this context, the Government have published as a Green Paper, proposals for consultation including the creation of a "fair, simple and affordable" National Care Service for England, a parallel to the National Health Service. In suggesting this, the aim is to end the "postcode lottery" in care and introduce a universal minimum care entitlement so that everyone gets some support.
5. The Green Paper argues that reform in care services is needed due to people living longer; having greater expectation of public services; the demands being placed on care and support; lack of money in the care and support system; and the need to make the most of funding. The current system is regarded as complex and unfair and penalises people who have saved all their lives and the Government ask three over-arching areas for consultation to which the Cabinet may wish to respond.
6. Firstly, key principles on which a National Care Service should be based are identified as:

- **Prevention services:** the right support to help people stay independent and well for as long as possible and to stop care and support needs getting worse.
- **National assessment:** care and support needs will be assessed in the same way anywhere in England. People in England will have a right to have the same proportion of care and support costs paid for wherever they live.
- **A joined-up service:** All the services that people need will work together smoothly, particularly when needs are assessed.
- **Information and advice:** people will be able to understand and find their way through the care and support system easily.
- **Personalised care and support:** The services people use will be based on their personal circumstances and need.
- **Fair funding:** People's money will be spent wisely and everyone who qualifies for care and support from the state will get some help in meeting the cost of care and support needs.

7. About these key principles, the first area of consultation asks if anything is missing from this approach? And how should this approach work? In responding to these questions, the Cabinet may bear in mind that these proposals are being made in the context of other policy initiatives that we are already pursuing such as Transforming Social Care where the issue of appropriate information and advice has been the subject of much work over time. Equally, the Council has developed a number of preventative initiatives through its work with the local voluntary and community services through whom we provide Grant Funded Services.
8. Secondly, the Government propose a National Care Service with the intention of developing national consistency alongside local flexibility. They argue that a National Care Service would make the benefits, care, housing and health systems more joined-up. Being more joined-up is not necessarily about structural change, they argue, but is more about attitude amongst agencies. The Green Paper proposes alternative routes of funding through either national or local Government. It is recognized (pp 22-23) that these proposals may have implications for Local Authorities in terms of funding. The Green Paper states that Local Authorities would continue to undertake a range of functions, however, including being “the channel for state funding and support; undertake assessments; providing information, advocacy and care management for individuals; provide and commission services and manage the market of care and support providers; and foster innovation in care and support, using their freedom to decide exactly how services are delivered at a local level.”
9. To make the National Care Service work, the Government state that we will need services that are joined-up, giving choice around what kind of care and support people get for services that are high quality. The Green paper asks if consultees agree with this, what this might look like in practice and what are the barriers to making this happen? In responding to this question, the Cabinet may bear in

mind that without further detail at this stage, how such a National Care Service might look is hard to assess. Whilst the Report states that Local Authorities will still retain a role in the functions referred to in para. 8, the Cabinet may feel that more information is needed before a view is taken about the effect this proposal might have on local provision.

10. The third area for consultation relates to the future funding a National Care Service where three options are proposed:
 - **Partnership** - People will be supported by the Government for around a quarter to a third of the cost of their care and support, or more if they have a low income.
 - **Insurance** - As well as providing a quarter to a third of the cost of people's care and support, the Government would also make it easier for people to take out insurance to cover their remaining costs.
 - **Comprehensive** - Everyone gets care free when they need it in return for paying a contribution into a state insurance scheme, if they can afford it, whether or not they need care and support.
11. Two funding options have been ruled out by the Government:
 - Everyone paying for themselves as they think this would be unfair.
 - Care funded by general taxation on the basis that it places a heavy burden on adults of working age.
12. The three options above consider only the costs of people's care. People entering a care home would also have to pay for their accommodation including food and lodging which are not paid for by the state. The paper argues that this is because the state would not pay for people to buy their food or pay their mortgage or their rent if they were living at home but that the state would have a role in supporting people who were in a care home who could not afford these costs.
13. The Green Paper asks which of the three options are preferred and why? They also ask if local government should say how much money people get depending on the situation in their area, or should national government decide? In responding to this proposal, the Cabinet may consider the benefits that such schemes may bring to Dudley people or any disadvantage connected to ability to pay.
14. Carers - the vital role that carers play in the current system is acknowledged. Under a new system the government would ensure everyone who needs care and support will get a national assessment, information and advice and personalised care and support. These measures, the government believes, will help carers by making the process of getting care and support easier.
15. Implications – “*Shaping the Future of Care Together*” is a Green Paper but is intended to provide the basis for a further White Paper. The nature of its proposals are potentially fundamental to how care is funded in England in the future and hence to the role of the Local Authority. The Local Government

Association estimates that local Government contributes 39%, or more than £5.3bn to total adult care spend of over £13bn.

16. Timescales - Consultation on the Green Paper which is being called the "Big Care Debate" will end on 13th November 2009 and a White Paper is expected to be published in 2010. However plans would not be implemented until 2014.

Finance

17. The issues connected to finance are fundamental to the Green Paper and have been outlined in this Report.

Law

18. "*Shaping the Future of Care Together*" is a Green Paper but may well provide the basis for a further White Paper. The NHS and Community Care Act 1990 and its associated guidance and regulations cover current practice relating to the provision of assessment and charging for care.

Equality Impact

19. The outcome of the consultation to "*Shaping the Future of Care Together*" could have a fundamental impact on people needing to use services depending on the model adopted.

Recommendation

20. It is recommended that:-
 - Cabinet note the contents of this Report and comment as appropriate on the issues raised for the Council raised at paras 7, 9 and 13.
 - To delegate to the Director of Adult, Community and Housing Services the writing of a formal response to this consultation on behalf of the Council.
 - A local consultation/engagement event to be held on the morning of the 15th October to encourage wider debate and the response from Dudley to which all Members would be invited.



.....
Linda Sander
Director of DACHS

Contact Officer:

Brendan Clifford, Assistant Director – Policy, Performance & Resources,
Telephone: 01384 815886 Email: Brendan.clifford@dudley.gov.uk

List of Background Papers

"Shaping the Future of Care Together" Cm 7673

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_102338