

**CABINET MEMBER FOR ADULT SOCIAL CARE
10th September, 2012**

Present:- Councillor Doyle (in the Chair); Councillors Gosling, P. A. Russell and Steele (Health Select Commission)..

H21. MINUTES OF THE PREVIOUS MEETING

Consideration was given to the minutes of the previous meeting held on 23rd July, 2012.

Resolved:- That the minutes of the previous meeting held on 23rd July, be approved as a correct record.

H22. ADULT SERVICES REVENUE BUDGET MONITORING 2012-13

Consideration was given to a report, presented by the Finance Manager (Adult Services), which provided a financial forecast for the Adult Services Department within the Neighbourhoods and Adult Services Directorate to the end of March, 2013 based on actual income and expenditure to the end of July, 2012.

It was reported that the forecast for the financial year 2012/13 was a balanced budget against an approved net revenue budget of £74.147M.

The latest year end forecast showed a number of underlying budget pressures which were being offset by a number of forecast underspends:-

- A forecast underspend on Adults General Management and Training mainly due to savings on charges for postages, telephones and printing
- Forecast overspends within Older People's services on In-House Residential Care, further increase in demand for Direct Payments and on In-House Transport offset by underspend on Enabling Care, Independent Sector Home Care, Community Mental Health, Carers Services and slippage on recruitment to vacant posts within Assessment and Care Management
- Within Learning Disabilities an overspend on Residential Care budgets, recurrent budget pressure on Day Care Transport, additional high cost placements receiving Independent Sector Day Care Provision, increased demand for Direct Payments, increase in Community Support placements offset by underspend within Independent Sector Supported Living Schemes, savings on premises costs and slippage on vacant posts
- A forecast overspend on Direct Payments within Mental Health Services due to increased demand was offset by savings on Community Support Services as clients take up a direct payment plus a slight underspend on Residential Care budget
- Continued pressure on Independent Sector Domiciliary Care, loss of CHC funding for 1 client, increase in demand for Direct Payments, forecast overspend on Residential and Nursing Care were offset by underspend on Crossroads as clients were redirected to Direct Payment, vacant posts and savings on contracts with Voluntary Sector providers were the main variations within Physical and Sensory Disability Services
- Slight underspend on employee budgets within Adults Safeguarding

- Efficiency savings in Supporting People subsidy contracts were being offset against Commissioning savings targets not included in this report.

Total expenditure on Agency staff for Adult Services so far was £66,739 compared with an actual cost of £152,117 for the same period last year. The main costs were in respect of Assessment and Care Management staff to cover vacancies and sickness. There had been no expenditure on consultancy to date.

There had been £94,223 spend up to the end of July, 2012, on non-contractual overtime for Adult Services compared with expenditure of £105,590 for the same period last year.

Discussion ensued on the report with the following issues raised/clarified:-

- The sickness cover at Davies Court was being managed effectively by the Manager and Service Manager working to support the remaining staff. Bank staff were used to cover absences wherever possible
- The overall overspend on Learning Disabilities had reduced £50,000 from the previous report
- The outcome of the appeal against Community Health Care funding would be known shortly
- Work taking place on increased numbers and costs of transitional placements from Children's Services into Learning Disability Services

Resolved:- That the latest financial projection against budget for 2012/13 be noted.

H23. EXCLUSION OF THE PRESS AND THE PUBLIC.

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any person (including the Council)).

H24. EU WORKING TIME DIRECTIVE

The Director of Health and Wellbeing presented a report with regard to an issue raised at a recent meeting of the Joint Consultative Committee regarding the above.

UNISON had raised concerns that Council officers were working in accordance with the Working Time Directive but it appeared that some of the independent sector care organisations' employees were not.

The Commissioning and Contracting Team responsible for managing Domiciliary Care Contracts had investigated the concerns. All the care providers, with the exception of 1, confirmed that none of their staff worked in excess of the EU Directive of 48 hours a week. The circumstances surrounding the 1 provider had been due to an increased incidence of sickness and in the interests of business continuity. The organisation had stressed that

it was not their usual practice and only permitted to ensure safety of Service users and in order to ensure full service delivery.

There was no evidence to support the view that contracted care organisations from the independent sector were regularly permitting staff to work hours in excess of the EU Working Time Directive of 48 hours. However, the Contracts Team would be advising the company concerned that working outside the parameters of the Directive was not acceptable and reminding them of their obligation to adhere to the Terms and Conditions of the contractual agreement. The monitoring of staff time worked would also become a standard item to examine during contract review meetings and spot checks of organisations.

Resolved:- (1) That the report be noted.

(2) That the report be submitted to the Neighbourhood and Adult Services Strategic Union meeting.