

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	CABINET
Report of: Date of Decision:	Strategic Director for People 17th March 2014
SUBJECT:	CONSULTATION FEEDBACK – A FAIR DEAL IN TIMES OF AUSTERITY
Key Decision: Yes	Relevant Forward Plan Ref: 506733
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s):	Cllr Steve Bedser - Health and Wellbeing
Relevant O&S Chairman:	Cllr Susan Barnett – Health and Social Care
Wards affected:	All

1. Purpose of report:
1.1 This report details the findings of the Directorate's consultation: "2014/15 Proposed Budget Consultation: January – 17 th February 2014," including "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity," as reported to Cabinet on December 16 th December 2013 (key decision 498957 refers).

2. Decision(s) recommended:
That Cabinet:-
2.1 approves "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity" (appendix 2), and directs the Strategic Director for People to begin implementation from 1 st April 2014.
2.2 notes that further detailed reports will be presented in due course and that further consultation may be necessary.

Lead Contact Officer(s):	Peter Hay
Telephone No: E-mail address:	Strategic Director for People 0121 303 2992 peter.hay@birmingham.gov.uk

3. Consultation

3.1 Internal

The Cabinet Member for Commissioning Contracting & Improvement has been consulted and supports the report proceeding to executive decision. In addition, officers from Legal & Democratic Services, City Finance and Adults & Communities Directorate Management Team have been involved in the preparation of this report.

3.2 External

Although not formal consultation, the Council and the Directorate did undertake a dialogue with citizens over the summer of 2013 over proposals contained in a number of Green Papers.

The Directorate undertook a consultation: "2014/15 Proposed Budget Consultation" which included the proposed "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity" (key decision 498957 refers). The consultation ran from January 2nd to 17th February 2014.

4. Compliance Issues:

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The proposals are consistent with the Leader's Policy Statement to Council on the 9th July 2013 which set out the Council's key priorities, including "A Fair City: Tackling deprivation and inequality and improving life chances."

4.2 Financial Implications

The Directorate's proposals for new savings in the Council's Budget Consultation 2014+ which will affect the Externally purchased Care market amount to £13.001m in 2014/15 rising to £46.261m in 2016/17, these proposals will be directly affected by the content of this report. The overall saving requirement to be achieved by the Directorate by 2016/17 is £65.760m. These figures are subject to change by the on-going Service Reviews.

4.3 Legal Implications

The National Assistance Act 1948, the Chronically Sick and Disabled Persons Act 1970 and the National Health Service and Community Care Act 1990 together with associated regulations and guidance give the power to provide services to meet assessed eligible needs.

4.4 Public Sector Equality Duty

An Equality Impact Assessment has been carried out. It identifies a number of potential adverse impacts across a range of individuals who are in receipt of Adult Social Care Services and their carers. The Impact Assessment identifies that all service users, carers, staff and providers will be impacted to a greater or lesser extent by the proposals considered.

There will be continual monitoring of the impact of implementing these proposals.

5. Relevant background/chronology of key events:

- 5.1 The City Council's key outcomes include ensuring that people are safe, especially the most vulnerable and that everyone can benefit from improved health and wellbeing. These outcomes are key to the work of the Directorate for People.
- Sensible stewardship of the Council requires us to work out how we can meet these outcomes with even less money. Not to do so would leave people with dementia, the frail and the elderly, the mentally ill and those with multiple, complex disability in a downward spiral of poorer care and outcomes. Our commitment to the protection of vulnerable people means that we have to work out now, how to stop this from happening.
- 5.2 Adult social care, accounts for one of every three pounds spent by Birmingham City Council. It's the Council's largest area of direct spend. If we put that spend in a bubble, the consequences for the rest of the Council would be dramatic. Paradoxically, less community services would also mean that people using care services would suffer from having less alternatives to residential care and the chance of reducing our over reliance on institutional care would recede.
- The scale of the cuts before us is unprecedented; there is no blue print for how this should be done. People who receive adult social care face challenges in their daily lives and have to have substantial or critical needs for the City Council to support them. In making that commitment to protect the most vulnerable we must now face up to how hard that is going to be.
- 5.3 We have made a start on our blue print and it begins with "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity". We are acutely aware that it is unpopular and frightens people, but at the same time, not even something as important as this is enough to prompt people to make a response. Although we have written individually to over 20,000 people and have made efforts to publicise the budget consultation, we have only spoken to 400 people and less than 300 have responded to our questionnaire. While we do not have a popular mandate supporting our plan and it is reliant upon co-operation we most certainly do not have a popular mandate opposing our plan.
- This is regrettable, but at one level the plan is merely an expression of our statutory duties with a signal that we intend to promote the use of Direct Payments and Shared Lives as a means of ensuring that we help to identify effective care solutions while at the same time achieving value for money. We therefore, recommend that Cabinet approves "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity", to be implemented from 1st April 2014. There are elements of the proposal which we are still working on and need to be concluded and these will be implemented over the coming months. This will be accompanied by a plan for communicating clearly what changes may be occurring and ensuring that any additional consultations are carried out effectively before decisions are made.
- 5.4 An analysis of the consultation results is contained in Appendix 3 which also identifies a number of adverse impacts, which includes detailed correspondence with solicitors representing a number of service users who make it clear what the potential adverse impacts could be on thousands of individual citizens who use services and particularly their carers

6.	Evaluation of alternative option(s):
6.1	The Council has to set a balanced budget; therefore the 'do nothing' option is rejected. The scale of the cuts in government funding are such that incremental reductions will not go far enough, quickly enough and may not lead to achieving the correct outcomes. The chosen option is to look structurally at what the Council does and at what it wants to achieve.
6.2	The Directorate consultation did not propose any commensurate savings therefore the chosen option will be to recommend the savings proposals as outlined in the 2014/15 Proposed Budget Consultation.

7.	Reasons for Decision(s):
7.1	The decision will allow the Directorate to implement savings in line with the cash envelope approved by Council on 4 th March 2014.

Signatures	<u>Date</u>
Peter Hay Strategic Director for People
Cllr Steve Bedser Cabinet Member for Health and Wellbeing

List of Background Documents used to compile this Report:
Green Paper: Adults & Communities – BCC, June 2013
Green Paper: Developing Successful and Inclusive Communities – BCC, October 2013
Green Paper Update: Adults Social Care – BCC, October 2013
'Turning the welfare state upside down?' Developing a new adult social care offer – HSMC, August 2013
Planning Birmingham's Future & Budget Consultation 2014-15: A white paper - BCC, December 2013
Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity, Cabinet 16 th December 2013
Leader's Policy Statement 2013, Council 9 th July 2013
Budget Consultation for Adult Social Care :Interim Report – BCC, 18 th February 2014

List of Appendices accompanying this Report (if any):
1. Equality Impact Assessment
2. "Social Care for Adults in Birmingham – A Fair Deal in Times of Austerity"
3. 2014/15 Proposed Budget Consultation

Report Version	V7	Dated	6 March 2014
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