

# Caring for the elderly – Opposition Day Debate

15 July 2009

## Key Messages

- The LGA has long called for reform of our adult social care system. Councils do everything possible to ensure vulnerable members of our society get the services they need, but the system is not fit for the twenty first century. We recently produced detailed reform proposals, including:<sup>1</sup>
  - **a minimum level of support available to all** – including information, advice and advocacy; benefits support; adaptations and equipment; and reablement and technology;
  - **a single, transferable assessment of needs and means** recognised in every part of the country **with services and funding decisions to meet those needs decided locally with the individual to reflect personal preferences and local resources**; and
  - **a realistic and sustainable funding solution** that considers how best to align all resources, including NHS spend.
- The Government's Green Paper presents two system options: a part local/part national model and a fully national model. We want to see a part-national, part-local system with a single, transferable assessment of needs and means being applicable anywhere in the country but the services to meet need and the amount to pay for them decided locally.
- The LGA would strongly reject any attempt to 'nationalise' the care service. We do not support the option for a National Care Service that is fully nationally funded. This would:
  - undermine councils' flexibility in commissioning and designing care services around the needs of the user, which is clearly at odds with the commitment to personalisation;
  - hamper the ability of councils to join-up social care, health, housing and other systems to provide better outcomes for local people;
  - be less responsive than a locally-funded and locally-managed system;
  - lessen accountability by removing overall decision-making from democratically elected local councillors. Local people would effectively lose their voice on a service area that will affect everyone; and
  - change the nature local government funding which could reduce local flexibility.
- Balancing national consistency and local flexibility is key to successful reform. Democratically elected local government must be able to decide with individuals what form support should take, within a national framework and an adequately funded system. This means adequate resources being allocated locally to take account of local need, local markets, and the local range of statutory and non-statutory organisations involved in care and support, which are unique to each area.

## LGA Contact

For more information, please contact Nathan Stower, Senior Public Affairs Officer, [nathan.stower@lga.gov.uk](mailto:nathan.stower@lga.gov.uk), 0207 664 3226. The LGA's proposals for a reformed system are available at <http://www.lga.gov.uk/lga/aio/2001605>.

<sup>1</sup> Full details available in *A Fairer Future* – available at <http://www.lga.gov.uk/lga/aio/2001605>.

## Current Adult Social Care System

There has been continued improvement and many varied achievements within the current adult social care system. For example, 87% of councils were rated either 'excellent' or 'good' in the final round of inspection by the Commission for Social Care Inspection (now Care Quality Commission).

Despite the successes, the system is not fit for the future. We identify three key problems:

- **unclear** - responsibilities of individuals, local and central government are not understood. The eligibility system and assessments of need and means combined with different charging regimes for different services often leaves people perplexed. Confusion around the boundary between health and social care only exacerbates the problem.
- **underfunded** - funding is not keeping pace with demand for services. In May 2008 Alan Johnson spoke of a £6bn funding 'gap' within the next twenty years for older people's social care alone.
- **unfair** – because of funding pressures nearly three-quarters of councils are forced to set their eligibility threshold to offer services only at 'critical' or 'substantial' level need. Local variation in what services are available is a source of frustration for users and their families.

## Our Proposals for Reform

In June, the LGA published *A fairer future*<sup>2</sup>, which sets out proposals for a reformed system of adult social care and support. The principles that should underpin reform are a commitment to:

- A **clear system of care** and support, with principles and availability which can be understood by all.
- A **fair** framework for **funding** care and support.
- A **fair** way to **access** care and support.
- A **fair minimum standard** of support available to all who need it.
- A **fair** approach to supporting individuals with a **focus on councils** leading change.

### Fair minimum standard

A reformed system should provide a **minimum level of support available to all**. The components would include:

- information, advice and advocacy - to support people to improve their quality of life, and to enable people to identify and access services;
- benefits support - to help people maximise their income by identifying what benefits or allowances they are entitled to;
- adaptations and equipment - to improve quality of life, reduce accidents, and prevent/delay the need to enter residential care; and
- reablement and technology - to help people regain the ability to live safely at home.

The information, advice and benefits support elements would be accessible at any time. The other services would be available as needed, and for those people judged to likely benefit from receiving them. Information, advice and advocacy is particularly crucial to the two groups of people who do not qualify for council care and support: those who 'self-fund' the services they

<sup>2</sup> A *Fairer Future* available at <http://www.lga.gov.uk/lga/aio/2001605>.

need; and those who do not meet council thresholds of need for services.

This proposal would achieve three objectives: helping individuals remain in their own home safely and independently for as long as possible; further embedding the shift from crisis to prevention; and delivering savings.

#### Fair access

There should only be **two eligibility thresholds**;

- the first would address the support aimed at helping people maintain their health and continue with their everyday lives; and
- the second would be for individual support, where a person's needs are at or above the level currently classified as 'critical', 'substantial' and those at the upper end of 'moderate'.

We believe in a balance between national minimum standards and local flexibility. **We propose a single, transferable assessment of needs and means that would be recognised in every part of the country. The services to meet those needs would be decided locally with the individual to reflect personal preferences and local resources.**

Fairer access must also be about ensuring dignity for those to whom the means test is applied. Any future means test must be calibrated to ensure those receiving care receive a reasonable income linked to the minimum income guarantee as set annually by the Department of Work and Pensions.

#### Focus on councils

Councils, often working with partner organisations, are already leading the transformation of care and support with innovative approaches to service design and delivery.

Councils are also working closely with a range of public, private and voluntary sector partners in the design and delivery of adult care to ensure the availability of high quality services that provide value for money. The local government sector needs the space and support to lead wider reform and draw together the disparate parts of the current system into a simpler, locally accessible, system.

The role of elected members in transforming adult social care is key. As champions for local people elected councillors – both Lead Members for adult care and frontline councillors – are central to shaping services and communities in line with what residents want.

#### Fair funding

At the heart of reform must be a fairer and more realistic funding settlement for adult care and support. Any new arrangements must recognise the contribution local government already makes to funding adult care and support. We estimate that, through council tax, local government contributes, on average, 39% of total social care expenditure, or approximately £5.3bn. Councils also spend nearly £245m on adult social care and support that people can access when they need it and without a formal assessment.

A new funding **settlement must also take a 'whole system' view and consider how best to align all local resources (such as from the NHS) to ensure the wellbeing of future generations.** If reform leads to individuals contributing more to the costs of care (such as through social insurance models or financial products) any proposal must also reflect the

resources available to different members of society both now and in the future. Councils will have an important role to play in advising and supporting their residents in this area.

## Care and Support Green Paper

On Tuesday the Government published its care and support Green Paper. We agree with some of the government's diagnosis of the issues that need to be considered in reforming care and support, such as eligibility, portability and the components of a minimum standard offer of care.

The LGA has long called for reform. The combination of insufficient funding, increased demand from an ageing society and escalating costs is already placing an immeasurable strain on adult care.

We recognise the perceived and real unfairness that has resulted from the way the current system is funded and therefore support a nationally consistent system of assessment alongside a commitment for the state to fund an agreed minimum portion of each individual's care package.

Councils know all too well, as Government acknowledges in the paper, that there is a need for society to pay more for care and support in the future if we are to meet the needs of all those who require care. We accept therefore the need to consider options such as insurance schemes. This must be done alongside a wider debate on the total funding for health and social care, to ensure scarce resources are used effectively and focused on prevention, particularly after a decade that has seen funding for health increase in real terms by more than 6 times the increase in funding to local government to deliver services like social care. We do not believe it is right to conclude that there is not enough money in the system before having this debate.

Local government already contributes a significant amount to total local adult social care expenditure through Council Tax. We estimate that local government contributes 39%, or more than £5.3bn to total adult care spend of over £13bn. In some areas councils fund more than 80% of their adult care expenditure through Council Tax.

The Green Paper presents two system options: a part local/part national model and a fully national model. We want to see a part-national, part-local system with a single, transferable assessment of needs and means being applicable anywhere in the country but the services to meet need and the amount to pay for them decided locally.

The LGA would strongly reject any attempt to 'nationalise' the care service. We do not support the option for a National Care Service that is fully nationally funded. This would:

- undermine councils' flexibility in commissioning and designing care services around the needs of the user, which is clearly at odds with the commitment to personalisation;
- hamper the ability of councils to join-up social care, health, housing and other systems to provide better outcomes for local people;
- be less responsive than a locally-funded and locally-managed system;
- lessen accountability by removing overall decision-making from democratically elected local councillors. Local people would effectively lose their voice on a service area that will affect everyone; and
- change the nature local government funding which could reduce local flexibility.

Balancing national consistency and local flexibility is key to the future of a successful, reformed system of adult care and support. Democratically elected local government must be able to decide with individuals what form support should take, within a national framework and an adequately funded system. This means adequate resources being allocated at a local level to take account of local need, local markets, and the local range of statutory and non-statutory organisations that are involved in care and support, which are unique to each area.

Reform will take time but the difficult decisions that need to be made must not allow this crucial issue to slip down the agenda nor can the real funding pressures that are facing councils today be ignored. We are pleased that social care is finally getting the recognition it deserves and no longer being seen as the Cinderella service alongside health and education.



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# briefing

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