

ADULT SERVICES SCRUTINY COMMITTEE – 2 DECEMBER 2009

Minute of the Adult Services Scrutiny Committee's discussion on the Money Management Service – 8 July 2009

In December the Social & Community Services Scrutiny Committee had considered a report on the council's money management service which had set out the nature of the service, current levels of provision, the size of the existing team and key current issues. This service sits in Shared Services but relates to clients who are over 18 and have been referred by a care manager in Social & Community Services. Costs are also recharged to Social & Community Services.

The Committee had agreed to review the operation of the waiting lists for the money management service following the implementation of the new client database which was due to 'go live' in April 2009.

The Committee had also commented to the Cabinet via the Corporate Governance Scrutiny Committee as follows:

- there is likely to be increased demand on the Money Management Service in future, especially in light of the introduction of self directed support and the increased take up of direct payments;
- the establishment figures for the team need to be reviewed to ensure that sufficient numbers of staff are provided to the service.

A report on the current situation was now before the Committee (AS6(a)), together with a minute of the Social & Community Services Scrutiny Committee's discussion at its December meeting (AS6(b)).

Mr Sean Collins (Assistant Head of Shared Services – Financial Services), together with Mr Tarquin May (Money Management Team Leader), Mr Simon Kearey (Head of Strategy & Transformation – Social & Community Services) and the Cabinet Member for Adult Services attended before the Committee in order to answer Members' questions.

The Committee had before it a number of comments from Ms Pam Blustin, Chair of the County's Older People's Panel, who made the following points:

- the current report made clear in some detail both the type and extent of the "pressures" that the service continued to face since the earlier report to Committee last December;
- it also indicated that the situation had not improved as further staff shortages had occurred and there was growing pressure of need;
- the report spelt out (paragraph 16) some of the implications of running the service, with the pressures described including risk to both clients (paragraph 17) and to the council itself (paragraph 18). Despite this, the conclusion "invites the scrutiny committee to continue to review the serviceand to receive a further report before the setting of the 2010/11 budget";
- the Panel found it extremely worrying that this increasingly needed service seemed, by an apparently continuing delay to 'grasp the nettle' – to be set on a course of increased risk of failing such vulnerable people.

Mr Collins highlighted the main issues set out in the report to the Committee in December, stating that pressures on the service had grown since then. A more permanent pressure on the Team had resulted from the changes introduced by the Mental Capacity Act 2007 whereby greater powers had been given back to the individual. This in turn meant that in Court of Protection Deputyship cases, the Deputy was required to consult fully with the client on all significant issues/decisions and could no longer act independently in the best interests of the client without reference back to them. These requirements had increased the workload of the Team - in terms of the time now required to consult with each client at

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each stage of a significant event - for example, selling of property or moving to new accommodation. A stricter auditing scheme was now in place in light of the Act.

The Committee then conducted a question and answer session.

A selection of the Committee's questions, together with the officers' and Cabinet Member's responses, is listed below:

- **Were any clients using the service as a result of having taken up self directed support or direct payments?**

No. Current referrals included clients who were vulnerable, for example, with addiction or mental health difficulties, who had been assessed by the Care Management Service and had met the statutory eligibility criteria.

- **Had there been many cases of financial abuse amongst clients?**

An increasing number of referrals to the service had been due to concern that financial abuse was occurring. There had been eighteen safeguarding cases since December and safeguarding cases were given top priority.

- **What was the current position with regard to the new client database which had been due to "go live" in April 2009?**

The database had not been implemented in April due to problems with the supplier. It had still not been fully implemented and was three months behind schedule. It was hoped that it would be in place by the end of the month and there was considerable pressure on the system supplier to deliver the outstanding elements of the system as a matter of urgency. However, the database would not do the work of the money management officers, although it would provide better management information. It was important to move clients through the system as quickly as possible and the database would help to better target resources. Officers needed to be looking at how the database would save the service money in the current financial climate rather than putting more money into the service.

- **Should the service be provided by the council given that it was not a statutory requirement and was something that Oxfordshire County Council had decided to provide? Not all councils provided this service.**

Mr May had been working with other money management services across the country and it was notable that other authorities were currently increasing the size of their teams and increasing support to the community. This had been largely driven by the requirements of the Mental Capacity Act. However, cutting back on the service was always an option.

- **If the County Council decided not to provide the Money Management Service, who else could/should/would?**

Assistance was provided by care managers in some authorities, who performed this function as part of their job. Officers in this authority felt that care managers would not have the correct skills for the task as both jobs required different skill sets. Money Management required complicated financial management.

Solicitors in the community could provide this service, as could anyone in the wider community who was deemed to be capable of doing so. Using a solicitor would be more costly to the client than using the Money Management Service. The service assisted some people who had insufficient funds for a solicitor to handle their affairs, as solicitors had standard fees and hourly charges and a person would need to have a considerable sum of money for a solicitor to take them on. Some voluntary sector

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organisations did not always want to deal with rough sleepers, or people with addictions or mental health difficulties.

The Money Management Service tended to be provided to people with no relative or suitable other person who could do this for them or if the person was at risk of financial abuse.

A member of the Committee stated that it was misleading to view the service as an “add on extra”. He asked how a situation could be ignored once a care manager had seen that someone could not manage their money or was being abused, stating that care managers and social workers were too busy to offer this type of service and that it was a very complex area. In his view, it seemed more efficient to have specialists focussing on this area as devolving the service would be less efficient and was likely to result in crises.

Mr Kearey then made the following points:

- he was aware of the importance of the Money Management Service;
- he reviewed the debtors list every month for people that owed the council money as part of care charges and there were a considerable number of people being assisted by the Money Management Service who owed the council money;
- officers were in the process of recruiting a safeguarding officer who would be specifically looking at financial abuse;
- Information Technology did not necessarily produce efficiency savings and it would be more productive to review the current clients using the service in order to see whether there were alternative methods of provision, for example, family members or other carers;
- promoting independence and signposting clients to alternative services was also important. Officers could look at whether clients had made use of the Citizens' Advice Bureau or Age Concern for financial and debt advice. It was hoped that clients had made use of these services before they were referred to the Money Management Service and more checking that this had taken place needed to be done in future.

The Committee Member commented that whilst the Citizens Advice Bureau (CAB) and Age Concern both provided excellent services, it was important to monitor the extent to which they were able to assist clients in light of the demand on those services. He added that it could take weeks to get through to the CAB answering service and that if people could not manage their money then it should be the council's responsibility to assist them.

The Cabinet Member for Adult Services stated that there had been other losses since December, for example, vacancies arising from staff moving to other jobs. Whilst it was commendable that the county council operated such a good scheme which should be protected, the council was operating in a difficult financial climate and it was unlikely that the number of full time staff working for the service could be increased.

- **Some clients had been on the service's waiting list for a considerable amount of time. Were there any safeguards in place to protect them whilst they were awaiting assistance?**

Some clients had been on the waiting list for up to eight months. They were clients who had been deemed as “safe”. For example, they could be in a care home, needing someone to administer their benefits. Interim measures would be put in place to support them without them taking on the whole service provided by the Money Management Service. In practice, this would be to ensure that the client had food and shelter. The debt issue would not be dealt with at that point in time.

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- **Were the criteria for accepting referrals still appropriate? Assistance seemed to be based on the amount of money involved rather than how desperate a person was.**

The criteria were still appropriate. Assistance was dependent on whether the person was deemed to have the capacity to deal with the problem or not. Court of Protection Deputyship gave the person assisting the individual the right to act as if they were the individual themselves, subject to liaison with the individual concerned on all significant issues/decisions. Appointeeship involved administering a person's state benefits and was carried out in negotiation with the individual concerned.

- **Who would be refused assistance and what would happen to them?**

In cases where solicitors were dealing with people's affairs, they would not be assisted. The Money Management Team raises the issue of other relative's involvement in the first instance to see if they might be willing. However, if they are not then in practice, they take on the case.

- **Was there not a hidden saving to be made if the council helped people before they got into a bad way?**

Yes, there were hidden savings to the council in relation to the work on debt management, as this had implications for the payment of care home fees and charges for domiciliary care. This was hidden income as far as the Money Management Service was concerned as it could not claim the money.

Following discussion the Committee **AGREED** to:

- thank officers for their report;
- note that there were still problems within this service which officers were trying to eradicate through the use of IT and other techniques; and
- advise the Cabinet that a further report on this "essential" service would be brought to this Committee's December meeting to enable it to consider – prior to the setting of the 2010/11 budget – whether the situation had improved as a result of the implementation of the specialist money management database.

This report would include the results of the current benchmarking work being undertaken by the Association of Public Sector Deputies (APAD) and the impact that the new joint panel arrangements would be having on both the waiting lists and the numbers of clients supported to return to independent living in the community.