

Policy News from MHA: July 2015

Welcome to MHA's July monthly policy bulletin.

Parliament is now in recess for the summer and so we offer an update on the Government's legislative programme for 2015/16 so far.

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And we bring you the highlights of emerging research and policy in these areas of interest:

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Government

Budget and Productivity

- Earlier in July, the Chancellor set out his budget for the coming year. We produced a summary covering the important issues for MHA, [read more here](#).
- HM Treasury has also published the [Spending Review 2015](#), which reinforces the messages spelled out in the budget: to control public spending, eliminate the deficit and start to run a surplus. It confirms commitments in priority areas of spending including the NHS, Ministry of Defence, protecting per-pupil funding for schools, and overseas development. It also asks the government departments to set out plans for reductions to

their Resource budgets and model two scenarios, of 25% and 40% savings in real terms, by 2019-20.

- The Chancellor also published [Fixing the Foundations: Creating a more prosperous nation](#), a 'productivity plan' that sets the agenda for improving the UK's long-term productivity and living standards. The plan includes a number of changes to the planning system: A commitment to speed up development on brownfield land through the introduction of a new zoning system giving automatic planning permission for housing; Encouraging Local Authorities to get an up-to-date Local Plan in place; Tightening the planning performance regime; and devolving more planning powers to mayors including giving the ability to call in planning applications of 50 homes or more, set up Development Corporations and to promote Compulsory Purchase Orders.

The [Communities and Local Government Committee](#) have launched a inquiry into these planning proposals. The Committee will hold an evidence session with Brandon Lewis MP on 7 September. Suggested questions can be submitted by 24 August.

Progress of legislation

- The [Charities \(Protection and Social Investment\) Bill](#) will amend the Charities Act 2011 and give the Charity Commission more powers. The Bill has reached the Report Stage in the House of Lords, which gives the Lords a further opportunity to examine and make changes to the Bill. One proposed change is that charities will be forced to draw up written agreements showing how vulnerable people will be protected from aggressive fundraising tactics.
- The [Cities and Local Government Devolution Bill](#) has reached the Third Reading Stage in the Lords and is the chance for members to 'tidy up' a bill, concentrating on making sure the eventual law is effective, workable and without loopholes. This Bill provides the framework for devolution of powers, including health funding, to local government

areas such as in [Greater Manchester](#) and [Cornwall](#). The House of Lords has removed the clause for devolved areas to have 'elected mayors', but as this is a key Government policy there will be much debate on the next stage of the Bill in the House of Commons in the autumn. The [Communities and Local Government Committee](#) have launched a inquiry into the Devolution Bill, including the devolution of health spending and are asking for written submissions by 1 September.

- The [Trade Unions Bill](#) was presented to Parliament on 15 July. It makes significant changes to how industrial action can take place and to trade union contributions to the Labour Party.
- The [Welfare Reform and Work Bill](#) was presented to Parliament on 9 July. The Bill will make the changes announced in the budget to the benefit cap, working tax credits etc and includes the proposal to reduce rents in social housing by 1% a year for 4 years. It is not yet clear if any exemptions will be made for specialist/sheltered accommodation. The next stage of the Bill's progress is through a [Public Bill Committee](#) (Committee Stage), where a detailed examination of the Bill will take place. The Bill Committee is expected to hold its first oral evidence session on 10 September and will receive written evidence up to the 15 October.

The Welfare Reform and Work Bill does not cover the changes to extend Right to Buy (RTB) to include housing association properties. These form part of the unpublished Housing Bill and are part of an [inquiry](#) by the Communities and Local Government Committee. Current RTB rules for council housing exempt specialist/sheltered accommodation. We await the detail of the Housing Bill for confirmation of how the extended RTB will operate.

Select Committees

- Membership has been finalised for these Select Committees:
 - [Communities and Local Government](#)
 - [Health](#)
 - [Public Administration & Constitutional Affairs](#) (which covers the Third Sector)
 - [Work and Pensions](#)
- The Work and Pensions Committee has launched an inquiry into [pension freedom guidance and advice](#), to consider whether people are adequately supported in making good, informed decisions about their retirement savings in light of the changes on access to pensions and pension drawdown introduced in April 2015. The Committee is currently inviting written evidence on the take-up, suitability, affordability and independence of the advice, guidance and information available to those approaching retirement and recommendations for improvement.
- The Public Administration & Constitutional Affairs Committee has launched an inquiry into [Fundraising in the Charitable sector](#). The Minister for Civil Society, Rob Wilson MP, has asked the Committee to carry out a review of the current system of regulating fundraising. This inquiry will focus on four key areas and invites written evidence on :
 - the extent and nature of practices adopted by call centres raising funds for charities and the impact on members of the public, particularly vulnerable people
 - the Government's recently proposed legislative changes on this issue
 - how charities came to adopt these methods, and how they maintained proper

governance over what was being done on their behalf

- the leadership of charities and how their values are reflected in their actions and activities.

MHA comment: *We are proposing to submit evidence to this inquiry, sharing how we reflect our values in our fundraising methods and highlighting good practice in ethical fundraising work. As our policy on ethical fundraising explains, how we raise money, is as important as how much money we raise.*

- The Health Committee have launched an inquiry into [Primary Care](#), to consider:
 - The quality and standards of care for patients
 - Demand and access (including out of hours access and proposals for 7 day access)
 - Funding (including local and national distribution of resourcing)
 - Commissioning
 - Future models of care as piloted by the Five Year Forward View Vanguard
 - Workforce: current and future challenges.

MHA comment: *We are considering submitting evidence to this inquiry, sharing our experiences of access to Primary Care, such as GP services. Please contact liz.jones@mha.org.uk if you have any experiences that would be useful to share.*

In brief:

- [Tim Farron MP](#) has been elected as the Leader of the Liberal Democrats. He is MP for Westmorland and Lonsdale (there are no MHA schemes in this constituency).

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Ageing

In brief:

- A new report from the International Longevity Centre-UK [Opportunity Knocks: designing solutions for an ageing society](#), highlights the vital role of good design, technology and innovation for an ageing population. It suggests a need to design for inclusivity, a need to better engage with older people to ensure they maximise the benefit of new technology and a need to engage industry to better respond to the opportunity of the older consumer. The report also highlights a range of innovative ideas for new technology, not as “solutions to ageing” but to highlight the potential for innovation in focusing on this consumer group including:
 - A kettle which monitors blood pressure
 - TV buddies to allow people to remotely share the experience of watching a programme.
 - Accessible and modern Segways in towns and cities to help people with mild mobility impairments get around.

MHA news

In July, we attended [The Guardian's Ageing Population debate](#), which discussed how society needs to think differently about ageing, what the Government needs to do to respond and how the media need to change their attitudes in how they represent older people. This will be useful for the development of our longer term research focus.

The MHA Policy and Research team are also conducting a significant piece of Customer Research for MHA covering issues such as ageing, housing and social care, to help inform the delivery of MHA's 10 year strategy.

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Dementia

Progress in new treatments

- Promising results of studies into use of two new treatments were announced at the international [Alzheimer's Association conference in Washington](#). Researchers unveiled that clinical trial results for two potential symptomatic Alzheimer's treatments suggest that the drugs may be able to improve memory and thinking, or symptoms of agitation and aggression.
- [Alzheimer's Research UK](#) commented "Current treatments that address the symptoms may only have a small effect for some people, so if these findings are confirmed in a larger

study this would be welcome news for many people with Alzheimer's". However, commentators have said that improvements must be made in techniques for identifying future Alzheimer's disease patients if medicine is to take advantage of drugs that could inhibit or halt their mental decline.

In brief:

- Meanwhile the Department of Health has published an independent report by the Bill & Melinda Gates Foundation, which sets out the [challenges to finding treatments for dementia](#). The report identifies issues such as lack of funding in innovation and research and high failure rate of candidate drugs. It highlights the need for action to prevent a crisis and makes recommendations such as creating a more integrated approach throughout the process, from research to drug development and aligning regulatory pathways.
- A new study by Public Health England's [Dementia Intelligence Network](#), shows increased numbers of emergency admissions for people with dementia. Around 20% of admissions are related to potentially preventable acute conditions, including disease of the urinary system, pneumonia and lower respiratory infections. It recommends that although strategies to improve care for people with dementia have progressed and there is greater awareness of the symptoms, there is room for improvement.

MHA news

In July we have:

- *been preparing for the [Music Therapy and Dementia Care in the 21st Century conference](#), which MHA is sponsoring.*
- *In related news, MHA's lead Music Therapist Ming Hung Hsu has published his exciting and innovative music therapy research in MHA in the academic journal BioMed Central Geriatrics.*

- *We represented MHA at the Parliamentary Roundtable Discussion 'Music Therapy and dementia: enriching life when it is most needed', organised by the British Association for Music Therapy and co-sponsored by the All Party Parliamentary Group on Dementia. Chris Wilson, one of our Music Therapists, and Liz Jones, Head of Policy and Research at MHA, were able to showcase and promote our commitment to and delivery of music therapy.*

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Finance

In brief:

- A landmark [Court of Appeal](#) ruling has implications for how people should draw up their wills, following a ruling that awarded £164,000 to a woman cut out of her mother's will. Legal experts are suggesting that in future, people may have to explain their reasons for why they had left money to certain parties and demonstrate tangible connections to them. This could have implications for legacy giving through wills.

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Health

In brief:

- The London School of Economics' Centre for Analysis of Social Exclusion has published a report [Older people's experiences of dignity and nutrition during hospital stays](#) estimating that one million people in later life are affected by poor or inconsistent standards of dignity or help when eating in hospitals. Amongst older people, poor or inconsistent care was more likely to be experienced by women, and those aged over 80.
- Healthwatch England, also has reported that many older people are still being discharged from hospital without adequate support. In their report, [Safely Home: What happens when people leave hospitals and care settings?](#), they considered over 3,000 case studies from over 101 local Healthwatch organisations and found issues including lack of co-ordination between services, a lack of support on discharge often leading to readmission, a lack of patient involvement in decisions about their on-going care. However the report did also have examples of good practice.

MHA comments: *To address this issue in Leeds, Horsforth Live at Home scheme established its [HomeWard scheme](#). Working with the local British Red Cross, the scheme enables volunteers to visit older people in hospital, and stay in touch after they've gone home, to help with things like food shopping and remembering medicine. For more information contact Horsforth.LiveatHome@mha.org.uk.*

- The Health Secretary has announced the creation of [NHS Improvement](#), to replace two existing regulatory bodies Monitor and the NHS Trust Development Authority. The new

overarching regulator will work with the chief nursing officer on safe staffing guidance, with their recommendations vetted by the National Institute for Health and Care Excellence (NICE).

- Public Health England has launched a nationwide '[Be Clear on Cancer](#)' campaign aimed at women aged 70 and over to drive awareness of the risk of breast cancer amongst this age group and to increase their knowledge of lesser-known breast cancer symptoms. Around 13,400 women aged 70 and over are diagnosed with breast cancer each year, accounting for a third of all breast cancer cases, but women over 70 are most likely to delay going to their GP with breast cancer symptoms.
- NICE has published a [draft guidance on clinical end of life care](#) for consultation, to support the NHS in providing high quality and compassionate care for people who are dying. The draft guideline, follows the abolition of the Liverpool Care Pathway, a protocol for looking after people at the end of their life. This was phased out last year after a government-commissioned review found serious failings in how the pathway was being implemented.

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Housing

In brief:

- The National Housing Federation have launched [A Plan for Homes](#), a statement of intent that sets out what housing associations could deliver if the external environment were right.
- NHS England and Public Health England have launched [Healthy New Towns](#), a new scheme aiming to put health at the heart of new neighbourhoods and towns, through offering support in integrating cutting edge health and social care practice into new housing developments, as well as introducing the latest in digital and virtual care services. The initiative is inviting applications to join the initial phase of the programme. Applicants will receive national sponsorship, increased local flexibilities and support from world leaders in spatial and urban design.

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Regulation

Care Quality Commission review

- According to the [National Audit Office](#), the Care Quality Commission (CQC) has made substantial progress as it seeks to address public concerns about its regulatory approach, but significant challenges lie ahead if it is to demonstrate effectiveness and value for money. It reports that:
 - The CQC has made substantial changes to its structure and leadership, and by developing a new regulatory model that strengthens the way it expects to monitor and inspect hospitals, adult care providers and GPs.
 - Progress has been made in recruiting new staff, but there are not yet enough people to carry out all the CQC's work. The CQC has deferred target dates for inspecting providers owing to staff shortages. It also has staff shortages in other parts of its business, particularly among analysts.
 - Under the Care Act, from April 2015, the CQC has had new responsibilities to oversee the financial sustainability of the largest adult social care providers. The CQC must now notify relevant local authorities if it considers any of the 43 largest adult social care providers is at risk of exiting the market. It began overseeing these providers, however, before having in-house expertise fully in place.
 - The CQC is using data more effectively to plan inspections, however it needs more complete data, particularly in the adult social care sector, as well as better quantified indicators of its own performance.
 - Amyas Morse, head of the National Audit Office commented *"The Commission has made substantial progress in the face of sustained criticism, and is developing a more*

intelligence-driven approach to regulation. Further challenges lie ahead for the Commission to demonstrate, in practice, effectiveness and value for money.”

In brief:

- The CQC have announced that [inspectors will begin to put up posters](#) in care homes and hospices, at the start of an inspection. The posters will explain the role of CQC, the date(s) of inspection, and how people who use services, carers, friends, family and care staff, can share their experiences of the care being received/provided. No date has yet been given on when the CQC will begin using these posters.
- Business Secretary Sajid Javid has [launched a review into cutting red tape](#) in five sectors including care homes. The primary aim is to remove unnecessary duplication and overlap in inspections, visits, paperwork, data requests and in commissioning and contract management, whilst safeguarding standards of care and protection for residents. The review closes on the 14 September.

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Social Care

Care Act - care cap delay

- In a letter to the Local Government Association (LGA), Alistair Burt MP [confirmed the cap on care costs will be delayed](#) until April 2020. There had been much lobbying by the LGA, as well as reports from the Association of Directors of Adult Social Services and the National Audit Office on the difficulties facing social care in light of continued austerity measures. The Care Minister acknowledged this and stated “*A time of consolidation is not the right moment to be implementing expensive new commitments such as this.*” The LGA is continuing to lobby government to put the £6 billion saved by delaying cap on care costs, into adult social care and has published a [response](#) to the announcement. Meanwhile [Sarah Wollaston](#), Chair of the Health Select Committee has written to Jeremy Hunt MP with questions about how the delay was announced and what the implications are and he is expected to answer these questions at a Committee hearing in September.
- This comes as the [Chartered Institute of Public Finance and Accountancy](#) has calculated that council spending will have dropped by almost a third (32%) over the course of the last Parliament, after adjusting for inflation. This includes a -2% cut in adult social care.

MHA comments:

- *The delay of the care cap does nothing to resolve the current innate unfairness of the current policy arrangements whereby people in need of social care have to pay for it, whilst health care is free. Nor does it do anything to resolve the complexity of the current system, which people struggle to navigate.*
- *The delay does offer a key opportunity to find a sustainable long term solution to the funding of social care, especially in the context of the Comprehensive Spending Review (CSR) later this year.*
- *It also offers an opportunity to reconsider the complexity of the care cap system as previously proposed and find a simpler approach which is clearer and more transparent for people to understand.*

- *We ask the Government to use the delay and the CSR to find a way to properly fund local authorities to properly fund social care.*

Deprivation of Liberty Safeguards (DoLS)

- The [Law Commission](#) has published new proposals to replace the current DoLS system, called Protective Care. The proposals, currently out for consultation until November, suggest a number of ways of reducing the bureaucracy in the current DoLS system, including a proposal to reduce the requirement for six assessments in each case and expand the role of the best interests assessor which will reduce layers of bureaucracy. Final recommendations and a draft Bill will be published in 2016. The proposals include:
 - undertaking assessments for people who lack capacity and live in or are considering a move to care homes, supported living and shared living accommodation but are not yet subject to restrictive forms of treatment or care
 - anyone subject to Protective Care should have an advocate to represent their views.
 - any restrictions could be challenged in a tribunal, rather than in court.

MHA comments: *We will review the proposals and contribute to the consultation as we feel appropriate.*

In brief:

- Jeremy Hunt has called for a new social contract between the public, health and care services. [In a speech](#) to the Local Government Association, the Health Secretary urged the public to take more personal responsibility for looking after the elderly, their own health

and in using finite NHS resources. He also argued that, while integration of health and social care was vital to delivering the highest standards of health and care, personal responsibility needs to sit alongside system accountability. He also announced that the government will produce a new carers strategy, to look at the best of international practice and examine what more can be done to support existing carers and the new carers that will be needed.

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Look Ahead

- New Labour Leader announced – 12 September
- Updated indices of deprivation due to be published - September
- Publication of NICE Home Care Guidance - September

If you have any feedback that will help us improve our MHA Policy news, please tell us - liz.jones@mha.org.uk

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MHA is a charity providing care, accommodation and support services for older people throughout Britain. Our mission is to improve the quality of life for older people, inspired by Christian concern.

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