

9th September 2013**Agenda Item: 8****REPORT OF THE CORPORATE DIRECTOR FOR ADULT SOCIAL CARE,
HEALTH AND PUBLIC PROTECTION****CONSULTATION ON THE MODEL FOR ADULT SOCIAL CARE IN
NOTTINGHAMSHIRE AND USE OF RESOURCES POLICY****Purpose of the Report**

1. To seek approval from Committee for a joint public consultation to be undertaken on the refreshed model for adult social care in Nottinghamshire and the new Use of Resources Policy that supports implementation of the model.
2. Further to the outcome of the consultation to seek Committee approval for the Use of Resources policy to be submitted to Policy Committee for final ratification, and for the model of adult social care to be returned to Adult Social Care and Health Committee for final ratification.

Information and Advice

3. The department has been working on the development of a sustainable model for the delivery of adult social care services in Nottinghamshire. This is in the context of preparation for the implementation of the Care Bill, increasing demand in relation to older people and younger people with complex disabilities and reduced resources.
4. The model is intended to show how the Council will meet eligible social care needs and ensure value for money for the residents of Nottinghamshire. It will provide a clear statement for the public, service users and staff about how adult social care will be provided and what people can expect from the Council's adult social care and health services. A copy of the draft model is attached as appendix 1.
5. Currently the Council does not have a single document which expresses what the Council's social care offer is to the residents of Nottinghamshire. The attached social care model describes the responsibilities of the authority as well as those of the individual and others. The model provides information on access to care services, what services may be available to promote and maintain people's independence, and how those services may be commissioned and delivered.

6. In order to support the implementation of the model the department has developed a Use of Resources policy in order to clarify how the Council intends to meet its statutory obligations in relation to adult social care for the public and staff. Once the final draft has been agreed by Policy Committee, following consultation, the policy will be published on the Internet in the corporate Policy Library. The draft policy is attached as appendix 2.
7. Introduction of this model and policy may mean that people will not always receive their preferred service or support. It is clearly stated in the documents that in addition to considering the needs of the individual and their preferred support plan, the Council has a responsibility to ensure the effective and efficient use of resources which takes account of the needs of all individuals eligible for social care and support.
8. An example of this would be where the net cost of supporting someone in the community on a weekly basis is greater than the cost of a residential care placement the Council may want to consider the latter as an option.
9. As stated in the model and policy the emphasis is on developing community resources, enabling people to live independently and reducing the demand for long term residential care. Staff will continue to be strongly encouraged to meet people's needs within the community, and each case will be considered on its own merit. However, the Council will always have to consider its responsibility to make best use of available resources.
10. Another local authority in England has recently introduced a similar policy following a thorough public consultation. This was subjected to legal challenge by the parent of a service user but the High Court Judge upheld the policy and its implementation. He stated that the Council had made it very clear in their policy and consultation documents that preferences and choice for service users would have to be balanced against cost effectiveness and affordability, and had taken account of issues raised in the consultation.
11. The emphasis of the model and the policy is in line with the Council's draft Health and Wellbeing Strategy 2014 – 2016, as it stresses the need to: invest in prevention and early intervention to help to prevent future problems; support people to retain their independence; and promote integration with relevant partner agencies. A formal consultation on this strategy is currently underway and will close on the 26th September. The outcome of the consultation will be reviewed before embarking on a joint consultation on the model and the Use of Resources policy.
12. If consultation is agreed by Committee, the department will consult widely with service users and carers, staff and colleagues in partner agencies. The model, policy and/or staff guidance may be redrafted to take account of the outcome of this consultation and the current consultation on the Health and Wellbeing Strategy.

13. Once the policy is approved it will be accompanied by staff guidance, which will set out in detail how staff should implement the policy. The staff guidance will be reinforced through a formal staff training programme.
14. A draft Equality Impact Assessment which covers the model and the Use of Resources policy has been started and is attached as appendix 2. Further work required for the full completion of the Equality Impact Assessment following consultation has been identified within the attached template.

Other Options Considered

15. It is important for the Council to produce clear information for service users and the public and clear guidance for staff, about how its resources will be prioritised and allocated, in the context of increasing demand, changes to legislation and reduced funding.

Reason/s for Recommendation/s

16. The emphasis of the model and the policy is on helping people to remain independent in their own homes for as long as possible. It applies to all new service users and those already in receipt of social care support, regardless of age or presenting needs. Consultation is necessary to ensure that it will achieve its intended purpose and that there are no unintended consequences for service users and/or anyone caring for them.

Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

18. Service users will have an opportunity to comment on the draft model and policy and on any impact they may have on them or anyone caring for them.

Financial Implications and Human Resources Implications

19. The model and policy aim to clarify how the Council will allocate its financial and human resources in the future, to meet identified priorities in the most cost effective way.
20. In relation to charging for services, people are already financially assessed and asked to contribute to their care subject to national charging criteria.

21. The policy states that care providers may be charged for support provided by the Council to ensure their service meets required quality standards. The Council currently provides considerable support of this nature but this is costly in terms of staff time.

Equalities Implications

22. These are being worked through in the completion of the Equality Impact Assessment for the policy. Unintended consequences should be identified through public consultation on the model and policy.

RECOMMENDATION/S

It is recommended that the Adult Social Care and Health Committee:

- 1) Approves a joint public consultation on the model for adult social care and the Use of Resources Policy that supports implementation of the model.
- 2) Agrees that, following consultation, the model for adult social care is submitted to Committee for final ratification.
- 3) Agrees that, following consultation, the Use of Resources policy is submitted to Policy Committee for final ratification.

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Constitutional Comments (NAB 20/08/13)

23. The Adult Social Care and Health Committee has the authority to consider and approve the recommendations set out in this report.

Financial Comments (KAS 19/08/13)

24. The financial implications are contained within paragraphs 19 to 21 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- a. Draft Health and Wellbeing Strategy consultation document 2014 - 2016

Electoral Division(s) and Member(s) Affected

All.

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