

10 October 2023

## **REPORT OF SENIOR EXECUTIVE OFFICER**

### **APPROVAL OF CONTRACT AND SERVICE LEVEL AGREEMENT FOR ADASS EAST MIDLANDS REGION AND SUPPORT**

#### **Purpose of the Report**

1. The report requests approval of the contract between the Association of the Directors of Adult Social Services (ADASS) and Nottinghamshire County Council on behalf of the ADASS East Midlands Region for the provision of services to support regional sector-led improvement in Adult Social Care across the region. It also requests approval for Nottinghamshire County Council to enter into a Service Level Agreement between East Midlands ADASS members to share the risk and safeguard Nottinghamshire County Council's position as the host local authority.

#### **Information**

2. ADASS has an agreement with the Secretary of State for Health and Social Care (DHSC) to provide services to develop and maintain regional sector-led improvement operations in Adult Social Care.
3. The arrangement is for ADASS to fund the regional ADASS networks to facilitate sector-led improvement operations and leadership support priorities in their area, to enable local authorities to lead their own improvement and enable DHSC to understand what is and is not working well in the sector to direct improvement support where it is needed.
4. The key deliverables of this function fall into two key areas:
  - a). continuation of support of the network members through regional structures and communications and events to help Directors in their local and regional care, health and wider systems to:
    - improve outcomes for local people
    - deliver better quality social work and social care
    - support local areas to improve outcomes in protecting the wellbeing of local communities, with a focus on social justice and inclusion for everyone needing care and support

- support areas to make care sustainable locally, and
- increase public, regulator and government confidence in local care services.

b). to lead and coordinate regionally based Sector-Led Improvement (SLI) operations.

5. This includes providing regional leadership for SLI activities, developing a regional programme in preparation for Care Quality Commission (CQC) Assurance and co-ordinating the regional SLI peer-to-peer support programme. This is funded by amounts passported from the LGA/IdEA for the contract year and is contingent on that funding.
6. Sector led improvement (SLI) developed as a result of a transfer of responsibilities to local government in 2011. SLI is based on the underlying principles that councils are responsible for their own performance and improvement and for leading the delivery of improved outcomes for local people in the area; are primarily accountable to local communities (not central government or the inspectorates), and stronger accountability through increased transparency helps local people drive further improvement; and have a sense of collective responsibility for the performance of the sector as a whole (evidenced by sharing best practice and offering member and officer peers).
7. This regional support offers peer support and mitigates operational risk to councils that are delivering frontline services with incoming CQC assessment through wider sector reform.
8. The East Midlands region comprises: Derby City Council, Derbyshire County Council; Leicester City Council; Leicestershire City Council; Lincolnshire County Council; North Northamptonshire Council; West Northamptonshire Council; Nottingham City Council; Nottinghamshire County Council; and Rutland County Council District Council.
9. Nottinghamshire County Council has hosted the provision of these services on behalf of the East Midlands region for several years. There is a small team of staff involved in supporting the work set out above and they are based at the County Council and funded through the contract with ADASS.
10. In order to safeguard Nottinghamshire County Council's position as the host local authority and contracting party with ADASS, the East Midlands councils that are members of the ADASS region will enter into a Service Level Agreement (or Deed) that sets out the agreed roles, responsibilities and liabilities in relation to the contract with ADASS. It also records their approval of entering into the contract with ADASS and sets out the agreed areas and activities in which the councils will work together to support Sector Led Improvement. This will protect Nottinghamshire County Council's position as the host authority and ensures that Nottinghamshire County Council will not be exposed to any liability in relation to the ADASS contract for actions that are outside of its control.
11. The contract between the East Midlands region and ADASS has been reviewed and revised for this year with input from the Council's Legal Services. It has also been shared with and agreed by the other local partner Councils. The current contract and Service Level Agreement run from 1<sup>st</sup> August 2023 to 31<sup>st</sup> March 2024. The contract funding will not exceed £124,988.

## **Other Options Considered**

12. The Contract and Service Level Agreement protect the County Council as the host of the regional sector-led improvement work on behalf of East Midlands ADASS. There would be risks attached to undertaking this role in the absence of both documents.

## **Reason/s for Recommendation/s**

13. As shown above the Contract and Service Level Agreement protect the council and ensures that Nottinghamshire and the other East Midlands Councils receive the benefit of the support and challenge that the regional programme of work is responsible for.

## **Statutory and Policy Implications**

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

15. There are no significant financial implications. The funding provided by ADASS for the programme is set out in paragraph 11.

## **Human Resources Implications**

16. There is a small team of staff that undertakes the work of the programme on behalf of the ADASS East Midlands network. These staff are employed by other local councils but are seconded to undertake the regional work and are hosted by Nottinghamshire County Council on behalf of the region. There is a Business Support Administrator (Grade 3, 24 hours per week) who is employed on a fixed term basis by the County Council, funded by ADASS. This post is in place until the end of March 2024.

## **Implications for Residents**

17. The programme of work is focused on supporting improvements in adult social care provision through peer review, sharing good practice and supporting Councils to improve in areas where they are experiencing challenges. Its aim is to improve the social care support that residents are receiving and will receive in the future.

## **RECOMMENDATION/S**

- 1) That the Corporate Director of Adult Social Care and Health approves Nottinghamshire County Council entering into the contract between the Association of the Directors of Adult Social Services (ADASS) and Nottinghamshire County Council on behalf of the ADASS East Midlands Region for the provision of services to support regional sector-led improvement in Adult Social Care across the region.
- 2) That the Corporate Director of Adult Social Care and Health approves Nottinghamshire County Council entering into the Service Level Agreement between East Midlands ADASS members to share the risk and safeguard Nottinghamshire County Council's position as the host local authority.

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### **Constitutional Comments (LPW 10.10.23)**

18. The recommendations fall within the remit of the Corporate Director for Adult Social Care and Health by virtue of delegation ASCH.1 of the constitution.

### **Financial Comments (CMER 28/09/23)**

19. There are no financial implications provided the EM-ADASS team stay within the contracted funds.

### **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.

- None

### **Electoral Division(s) and Member(s) Affected**

- All

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