

30 November 2015**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING,
ACCESS AND SAFEGUARDING****REVIEW OF THE POST OF PRINCIPAL SOCIAL WORKER/SERVICE
MANAGER FOR DEPRIVATION OF LIBERTY SAFEGUARDS AND
APPROVED MENTAL HEALTH PRACTITIONER TEAM****Purpose of the Report**

1. The purpose of the report is to advise Members of the review of the work load and tasks undertaken by the temporary Principal Social Worker (PSW) and to seek approval for:
 - the permanent establishment of the PSW (1 FTE) post
 - the permanent establishment of business support administration capacity at 3.5 hours per week
 - the temporary establishment of a Strategic Development Officer (1 FTE), for an 18 month period, to implement the changes arising from the Cheshire West Supreme Court ruling and new Mental Health Act Code of Practice, 2015.

Information and Advice

2. In April 2014, The College of Social Work published a report identifying the need for local authorities to establish the role of a Principal Social Worker. The report states that the PSW role provides a key connection between practice and strategy and it is seen as essential at a time of significant change and budget reductions because it has the potential to reduce what it describes as 'the economic burden associated with poor standards of practice'. Also, 'The Standards for employers of Social Workers in England', published in May 2014, sees the PSW role as having responsibility for implementing and leading the standards.
3. The College of Social Work drove the adoption of the PSW role through Children's and Adults services across the country, and the role is now seen as vital to the changes required of social workers and in ensuring the standards are maintained with regard to social work practice as well as continuous professional development.
4. In May 2014, the Adult Social Care and Health Committee considered the impact on Deprivation of Liberty Safeguards (DoLS) arising from the Cheshire West Supreme Court ruling and Members approved the establishment of a single post, for a temporary 12 month period, to manage the central DoLS team and the central Adult Mental Health Practitioner (AMHP) Team combined with the duties of the Principal Social Worker (PSW) relating to the development of social work practice and policy. The post was

recruited to during the summer and the post holder commenced the post in September 2014. A progress report has, since this time, been considered by ASCH Committee on the implementation of the changes in DoLS arising from the Cheshire West Supreme Court ruling and Members have approved the extension of the post until the end of March 2016.

Operational management responsibility for AMHP and DoLS services

5. The PSW role also includes the operational responsibility for two vital services that require a high degree of oversight due to the nature of the work. At present both services require the completion of new work in relation to their operating models to determine effective and efficient practices, as well as liaison with partner agencies.
6. The work also includes updating all the policies, staff guidance and forms, relating to a review to ensure compliance with the new Mental Health Act Code of Practice (2015) and the Cheshire West Supreme Court ruling (2014).

PSW role

7. The Principal Social Worker role is linked to the Employers Standards. These cover social work accountability, effective workforce planning, safe workloads and case allocation, managing risks and resources, effective and appropriate supervision, continuing professional development, registration and effective partnerships. This PSW role includes:
 - social work education
 - placements and links with Higher Education
 - continuing professional development (CPD)
 - roles and responsibilities of social care staff
 - career progression/accreditation and approval
 - workforce planning and learning and development strategy in line with future strategic needs
 - linking senior management to front line practice
 - promotion of and advice on evidence based practice
 - linking with the PSW in Children and Family services
 - Mental Capacity Act lead.
8. Nationally, there have been recent changes with the closure of the College of Social Work, proposed restructuring of Social work education and CPD through the development of teaching partnerships and the development of proposed Practice Leaders in Children's Social work, for example. This reflects a general move towards a 'practice-focused system' and demonstrates the need for a dedicated role. For example, The British Association of Social Workers (having taken responsibility for the Professional Capabilities Framework (PCF) for social workers) has published a review in which it refers specifically to the PSW role. They indicate that PSWs should:
 - take a professional lead across an organisation, and have a responsibility for supporting and advising on the quality of practice

- provide professional leadership for social work practice, and continue to directly engage and work with people who use services and their families and carers
 - draw on this professional experience to influence strategic decision-making across the organisation
 - use their knowledge and skills to inform the wider functions of the organisation, beyond social work and 'social care' boundaries
 - take the responsibility for identifying and responding to new initiatives and changes in legislation and government policy
 - liaise and develop professional networks locally, regionally and nationally to identify and influence practice improvements
 - ensure that organisational change takes account of professional social work issues
 - develop and sustain partnership arrangements with stakeholders within and across organisations
 - promote and take part in developing the body of social work knowledge and research within and outside of the organisation, working in partnership to ensure that developments reflect the needs of front line practice.
9. Nationally, the PSW role is focussed exclusively on qualified social workers. This allows the post holder to focus on the adherence to and development of professional and technical competences. However, within the ASCH&PP Department, the PSW role has been extended to cover all social care roles in assessment and care management teams, including Community Care Officers and Occupational Therapists.
10. The post holder has been involved in some of the PSW roles and responsibilities, including leading the organisational 'health-check' required by The Employers Standards. The completion of this work is a priority for the department in order to enable the Senior Leadership Team to address the various workforce issues raised by frontline staff, which may be impacting on their work.
11. A significant number of the key PSW tasks have not yet been progressed, such as audit of The Employers Standards and ensuring good compliance with the Mental Capacity Act. This is because the post holder has been required to prioritise other work arising from the changes in relation to the Deprivation of Liberty Safeguards.
12. All PSWs have a practice aspect to their role in order to maintain a link with front line practice, however, it is unusual for the post holder to also manage a significant and high priority statutory operational service as well as undertaking the strategic PSW role. Also, when the temporary post was established there was no business support time attached to the post.

Current position

13. Due to the complex nature and the high volumes of work, the post holder is not able to effectively undertake both the PSW role and the operational management activities, and priority has had to be given to the operational management responsibilities of the role in order to ensure that the Council is legally compliant in its obligations following the changes relating to the DoLS and AMHP services.

14. It is anticipated that further focussed work will be required in order to fully implement and embed the changes required in relation to DoLS. This in turn will continue to impact on the ability of the post holder to undertake significant aspects of the PSW role.
15. Given the unrealistic workloads of the post holder, initial action has been taken and management of the AMHP team has been moved to an existing operational Group Manager. Consideration has also been given to the future resource requirements and options for managing the DoLS service, in order to create capacity to enable the PSW responsibilities to be undertaken. There is a significant amount of future development work and project management required by the DoLS service. This includes:
 - implementing a rapid increase in assessment capacity to deal with rising demand
 - establishing performance and monitoring systems
 - workforce plans to ensure the availability of sufficient numbers of trained staff
 - ensuring sufficient capacity in all other services that require increases alongside the assessments, such as advocacy
 - work with Nottinghamshire Healthcare NHS Trust in order to ensure increased assessor capacity.
16. The Law Commission is currently reviewing the DoLS legislation for implementation in 2017. Existing proposals indicate that the volume of work is unlikely to reduce and that further development work will be required as staff will be in different roles, working to different processes.
17. Given the current and anticipated work pressures in relation to DoLS, it is proposed that there is a separation of the PSW activities and the operational management activities relating to DoLS and AMHPs. This will entail moving the management of the DoLS service to an existing operational Group Manager and that a post of Strategic Development Officer is established for a temporary period of 18 months. This would enable the PSW to focus on the key functions of that role whilst the Strategic Development Officer would focus on the development of the required policy and procedure changes and to oversee the important changes around the DoLS arising from the Supreme Court ruling. This Cheshire West ruling has created significant new work which requires some dedicated resource in order to ensure oversight and implementation of the required changes.

Other Options Considered

18. Consideration has been given to the PSW retaining oversight of the DoLS and AMHP functions in accordance with the current job description, but for aspects of the role to be delegated to other officers. The post holder has previously looked at opportunities to delegate some aspects of the various tasks and activities any of the work to other colleagues in the department but this has had limited success. It has also resulted in some elements of service becoming fragmented and has increased the risk of some of the activities not being completed for example, progress in relation to workforce development.
19. Consideration has also been given to the post holder assuming the full responsibilities of the PSW role with a separation of the operational management of the central DoLS service, in addition to the AMHP Teams with these functions being redirected to

operational Group Managers. This would allow the PSW post to have the capacity to carry out the functions in line with national recommendations and lead the relevant and necessary changes in social care. However, due to the significant and ongoing DoLS development work as outlined in paragraphs 15 and 16 above, and no operational group manager having capacity to take on this aspect of the work as well as the line management of the service, additional temporary support would be required in order to avoid the risk of the changes not being implemented.

Reason/s for Recommendation/s

20. There is a need to consider the current and longer term resource requirements to enable the Council to effectively meet its responsibilities both in terms of social work staff and workforce development and also new and changing statutory responsibilities arising from the Mental Health Act Code of Practice (2015) and the Cheshire West Supreme Court ruling (2014).
21. The functions relating to the PSW, as outlined in **paragraphs 7 and 8** above, are required on an on-going basis to ensure that the Council is able to retain a flexible and effective workforce which is well trained, motivated and committed, and which is able to adapt to the changing work environment. It is therefore proposed that the PSW post is established on a permanent basis. It is also proposed that 3.5 hours per week of business support administration time is allocated to support the work of the PSW.
22. Having evaluated the workload of the current post holder, it is clearly not feasible for the post to undertake all the activities relating to the PSW whilst also retaining responsibility for the operational management of the central DoLS and AMHP teams. In order to ensure a more manageable workload and to reduce the risk of key tasks not being completed, it is necessary to separate the two functions. This will require the establishment of a temporary post of Strategic Development Officer for an 18 month period to complete the tasks and activities relating to the changes in statutory responsibilities in the DoLS and AMHP areas of service. This will then require a review to determine the extent to which all the key tasks and activities have been completed. The operational management arrangements will be undertaken by:
 - AMHP service (Younger Adults Group Manager)
 - DoLS service (Older Adults Group Manager).

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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

24. The Principal Social Worker post and the Strategic Development Officer post are both graded at Hay Band E, scale point 47 – 52 (£41,140 - £45,703). Funding for the PSW

post is required on a permanent basis and funding for the Strategic Development Officer post is required for an 18 month period, subject to review. The cost of the posts will initially be met from the funding allocated for the implementation of The Care Act. Permanent funding will also be required for 3.5 hours per week of business support administration (0.05 FTE) at Grade 2, scale point 9 - 13 (£14,075 - £15,941). The cost of the post will be £1,507 per annum and will be met from the funding allocated for implementation of The Care Act.

Human Resource Implications

25. The post of Strategic Development Officer will be subject to an evaluation to determine the grade. The appropriate personnel policies will be applied to recruit/appoint to the posts.

Implications for Service Users

26. The PSW role provides a mechanism for accountability around social work practice across adult social care e.g. advising around quality of practice and professional leadership. This will assist in achieving good outcomes for service users, their families and the community. Social care workers will be able to access better information and training on good evidence based practice and interventions to ensure effective service delivery.

RECOMMENDATION/S:

That the Committee approves:

- 1) the permanent establishment of the Principal Social Worker (1 FTE) post at Hay Band E (£40,254 - £44,719) and the post allocated an authorised car user status.
- 2) the permanent establishment of business support administration at 3.5 hours per week at Grade 2.
- 3) the temporary establishment of a Strategic Development Officer post at Hay Band E, (£40,254 - £44,719) and the post allocated an authorised car user status, for an 18 month period from the date of appointment, to implement the changes arising from the Cheshire West Supreme Court ruling and new Mental Health Act Code of Practice, 2015.

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Constitutional Comments (LM 22/10/15)

27. The recommendations in the report fall within the Terms of Reference of the Adult Social Care and Health Committee.

Financial Comments (KAS 22/10/15)

28. The financial implications are contained within paragraph 24 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.

College of Social Work (April 2014) "The business case for adult Principal Social Workers (PSW) - A discussion paper"

<http://socialwelfare.bl.uk/subject-areas/services-activity/social-work-care-services/collegeofsocialwork/165532PrincipalSocialWorkerBusinessCase.pdf>

Department of Health (2014) Annual Report by the Chief Social Worker for Adults

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/368485/Annual_report_2014_web_final.pdf

Local Government Association (LGA) on behalf of the Social work reform partners (2014) The Standards for employers of social workers in England

<http://www.local.gov.uk/documents/10180/6188796/The+Standards+-+updated+July+01+2014/146988cc-d9c5-4311-97d4-20dfc19397bf>

Local Government Association (LGA) (June 2014) The Standards for employers of social workers in England: Audit tool

http://www.local.gov.uk/workforce/-/journal_content/56/10180/3511605/ARTICLE

Report to the Adult Social Care and Health and Public Protection Committee (12th May 2014) Report of Deputy Corporate Director, Adult Social Care and Health and Public Protection on Deprivation of Liberty Safeguards.

Report to the Adult Social Care and Health and Public Protection Committee (1st December 2014) Report of Deputy Corporate Director, Adult Social Care and Health and Public Protection on Deprivation of Liberty Safeguards.

Electoral Division(s) and Member(s) Affected

All.

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