

11 June 2018**Agenda Item: 10****REPORT OF THE DEPUTY CORPORATE DIRECTOR, ADULT SOCIAL CARE
AND HEALTH****ADULT SOCIAL CARE AND HEALTH – CHANGES TO STAFFING
ESTABLISHMENT****Purpose of the Report**

1. The report seeks approval for changes required to the staffing establishment in Adult Social Care and Health to meet the legal responsibilities of the Council.

Information

2. The posts in the report, covered in **paragraphs 4 to 13**, are required to enable the Council to meet its legal responsibilities in relation to Community Deprivation of Liberty requirements and to ensuring that the residents of Nottinghamshire receive appropriate and satisfactory services. These posts can all be funded from existing budgets.
3. As Members are aware, a significant proportion of the current funding for adult social care services comes from the Better Care Fund and the Improved Better Care Fund. In recent years there have also been additional grants and tax raising powers for councils to address these responsibilities, and in some cases increase service provision. For this funding the Council is required to meet certain national conditions, in relation to the protection and maintenance of adult social care services, and better integration of social care and health in order to provide an improved outcome for people who use these services. For 2018/19 the total allocation subject to government requirements is £44.9m.

Adult Deaf and Visual Impairment Service - changes to staffing establishment

4. Approval is sought to convert the established part-time (12 hours) Unqualified Rehabilitation Officer post (Grade 5) to an additional part-time (9 hours) Qualified Rehabilitation Officer (Band A) post, which will provide a higher level of Qualified Rehabilitation Officer hours within the service to respond to the level of incoming work to the team requiring qualified staff.
5. Historically external recruitment to these posts has proved difficult as a result of limited availability of suitably qualified candidates. However, the team currently has a part time qualified Rehabilitation Officer wishing to increase their hours.
6. The conversion of these hours will provide the team with increased, qualified and experienced staff without the need to recruit externally.

7. This would be funded within existing budget.

Transformation Team posts

8. In July 2017 the Committee approved the establishment of a 1 fte Programme Officer (Band B) post for 12 months from date of appointment. This post was filled from 1st January until 31st March 2018, and the work that this post was established to complete will be continued by the Transformation Team as part of the wider Adult Social Care Change Programme.
9. This report seeks approval to repurpose the remaining £30,517 of funding allocated for the Programme Officer post to extend an existing post, Strategic Development Assistant (currently a Grade 3 but pending submission for full job evaluation) within the Transformation Team, which is currently due to end on 30th June 2018.
10. The Strategic Development Assistant post is supporting the wider change programme, specifically looking at the use of data to inform and improve operational decision making. Using the funding for the Strategic Development Assistant would allow the post to be extended for a further 15 months until 30th September 2019. This post is currently occupied and would not need to be recruited to and would avoid the need to seek redeployment for the post holder.

Social Worker Recruitment – Business Support post

11. A 1 fte Business Support Officer (Grade 3) post was established in June 2016 in order to provide support for a centralised approach to the recruitment of social care staff and maintenance of the supply register for social care staff. From March 2017 the post was reduced from full-time to part-time (0.5 fte) and this is currently due to end in June 2018. An extension is requested until the end of September 2018 at a cost of £5,853 to support the centralised recruitment project.

Community Deprivation of Liberty Team – changes to team structure

12. An adult who is assessed as not having the mental capacity to make decisions about their care and treatment and who is not subject to the Mental Health Act can only legally be deprived of their liberty when that deprivation is:
- a) authorised by a decision of the Court of Protection (CoP);
 - b) necessary to save life or prevent a serious deterioration in a patient's condition; or,
 - c) authorised in accordance with the Deprivation of Liberty Safeguards (DoLS) which only apply to people who are in hospital or living in residential care

Referrals for authorisations of DoLS (as c above) are managed by the Council's central DoLS team. Only options (a) and (b) apply to people who live in the community in their own homes or supported living schemes. All Local Authorities and Clinical Commissioning Groups who fund care in community settings have the responsibility to ensure they have a procedure and policy in place for identifying those individuals who may lack capacity, are subject to a deprivation of liberty and require a case preparing to take to the Court of Protection for a decision to authorise. In order to manage this process, assess risks and prioritise work, a small temporary Community DoLS team comprising 2 fte Social Workers, 4 fte Community

Care Officers and a 0.5 fte Team Manager was established utilising the improved Better Care Fund. In addition to oversight of the process, the team also supports the resource intensive process of preparing cases for Court and the Social Workers in the team take some of the more complex ones to Court.

13. A review of the way referrals are managed has been undertaken which has resulted in a significant reduction in the need for unqualified workers and concluded that the requirements of the service would be best met by re-profiling the current budget to disestablish 1.5 fte vacant Community Care Officer (Grade 5) posts at £33,430 per annum including on-costs) and establishing 1 fte Social Worker (Band A/B) post at £56,184 per annum. This will enable more referrals to be progressed through the Court of Protection in a timely fashion. Currently two of the Community Care Officer posts are vacant which means that it is timely to review the team's staffing structure.

Other Options Considered

14. ADVIS establishment stays the same, qualified hours remain at the current level and recruitment of an Unqualified Rehabilitation Officer would be required.
15. The current Transformation Team iBCF posts would be advertised but recruitment has proved difficult to date on this short term post.
16. Recruiting into posts is a priority for the department. A Business Support Officer supporting the managers with the centralised recruiting process is key, otherwise there will be delays in service delivery.

Reason/s for Recommendation/s

17. Without this change there will be an unqualified part time vacancy within the ADVIS team which will require recruitment to. The team will not benefit from additional qualified hours available from the existing part time qualified worker by increasing this post's hours.
18. Utilising the iBCF in this way reduces recruitment costs, ensuring and extending the effective support to the ongoing change programme within the Transformation Team.
19. Priority has been given to the recruitment of the post required in order to implement the Care Act and those established by Committee to respond to the Departmental New Ways of Working Programme. Extension of the Business Support Officer post will support Social Worker recruitment and ensure that Team Managers are supported with the centralised recruitment process.

Statutory and Policy Implications

20. 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.

Data Protection and Information Governance

21. The data protection and information governance requirements for each of the savings projects is being considered on a case by case basis and Data Protection Impact Assessments will be completed wherever necessary.

Financial Implications

22. ADVIS: no additional budget is required as these changes will be funded within the existing staffing budget for this team.
23. Transformation Team iBCF: nil as the budget is already agreed as part of the iBCF allocation for 2018/19. Request is for change of post only.
24. Business Support Officer, Social Worker Recruitment: this post will be funded by the Care Act funding.
25. Community Deprivation of Liberty Team: the change to disestablish 1.5 fte vacant Community Care Officer (Grade 5) posts and establish 1 fte Social Worker (Band B or A) post can be met within the existing team staffing budget.

Human Resources Implications

26. The recruitment of fixed term posts would be more cost effective than the use of locum staff.
27. It is anticipated that the revised establishments across all teams will enable more successful recruitment as a result of increased hours and duration of fixed term roles.
28. The posts will be recruited to using the County Council's recruitment procedures.

Smarter Working Implications

29. The new posts will have equipment to enable mobile working and flexible use of office accommodation.

Implications for Service Users

30. All service users with two carers will receive a referral to the double to single project. Suitable service users receiving support from two carers will be offered alternative equipment to enable their care to be delivered by one carer.

RECOMMENDATION/S

That Committee approves the following changes to the staffing establishment in Adult Social Care and Health:

- 1) disestablish a part-time (12 hours) Unqualified Rehabilitation Officer (Grade 5) post in the Adult Deaf and Visual Impairment Service team and establish a part-time (9 hours) Qualified Rehabilitation Officer (Band A) post

- 2) disestablish 1 fte Programme Officer (Band B) post and establish 1 fte Strategic Development Assistant (Grade 3) post within the Transformation Team for an extended period of 15 months to September 2019, thereby requiring a change of use of iBCF funding of £30,517
- 3) extension of a 0.5 fte Business Support Officer (Grade 3) at a cost of £5,853 post to support social worker recruitment for six months until the end of September 2018.
- 4) disestablish 1.5 fte Community Care Officer posts and establish 1 fte Social Worker (Band B or A) post in the Community Deprivation of Liberty Team.

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Constitutional Comments (EP 15/05/18)

31. The recommendations fall within the remit of Adult Social Care and Public Health Committee by virtue of its terms of reference.

Financial Comments (KAS 15/05/18)

32. The financial implications are contained within paragraphs 22 - 25 of the report.

HR Comments (SJJ 14/05/18)

33. Any HR implications are implicit in paragraphs 26 - 28, posts that are to be disestablished are currently vacant.

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.

Staffing Capacity to Support Current Demands and Responsibilities in Adult Social Care - report to Adult Social Care and Health Committee on 6th February 2017

Proposals for the use of the improved Better Care Fund – report to Adult Social Care and Health Committee on 10th July 2017

Supporting the Delivery and Expansion of Assessments and Reviews – report to Adult Social Care and Public Health Committee on 11th September 2017

Staffing Capacity to support Current Demands and Responsibilities in Adult Social Care – report to Adult Social Care and Public Health Committee on 6th February 2017

Electoral Division(s) and Member(s) Affected

All.

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