



**18 April 2016**

**Agenda Item: 7**

**REPORT OF PROGRAMME DIRECTOR, TRANSFORMATION PROGRAMME  
CARE ACT 2014 - EXTENSION OF ESSENTIAL POSTS**

**Purpose of the Report**

1. The purpose of the report is to request an extension to the funding of 69.5 full-time equivalent (fte) posts currently funded temporarily by the Care Act grant. These posts were due to end at the end of the financial year 2015-16 but have been extended by three months.
2. The report requests that out of 69.5 fte posts, 53 are made permanent as these posts are essential for meeting lasting statutory and core duties.
3. The report also seeks to increase the team manager post in the Asperger's Team to full time (from 0.5 fte) and to remove the 0.6 fte Advanced Social Work Practitioner post from the structure.

**Information and Advice**

4. Part One of the Care Act (2014) contained over 782 requirements within the guidance. This was implemented nationally in April 2015 introducing a whole range of new responsibilities and extending others. In brief, the Care Act requires the Council:
  - to promote wellbeing when carrying out any of its care and support functions
  - to provide a range of information and advice to the residents of Nottinghamshire
  - to provide preventative services to reduce or delay people's need for social care support
  - to assess and provide services to carers and self-funders where they are eligible
  - to introduce a new national eligibility criteria for social care
  - to provide independent advocacy where otherwise the person would struggle to take a full and active role in the process of identifying and supporting a person's social care needs
  - to extend the responsibilities for young people in transition from children's to adult social care
  - to assess and provide services to eligible prisoners
  - to make safeguarding enquiries or cause others to do so where it believes that an adult is experiencing or is at risk of abuse or neglect using an expanded definition of abuse or neglect which includes self-neglect and modern day slavery
  - to offer deferred payments to a person who is being cared for in a care home, who meets the criteria and is able to provide adequate security. There is also discretion to

extend deferred payments to those living in supported living where they intend to use the deferred payment to pay for their care and accommodation costs from the deferred payment

- to facilitate a vibrant, diverse and sustainable market of care and support provision
  - to meet people's needs if a provider of care fails.
5. The Council used temporary funding such as the Care Act grant to meet the costs of a variety of temporary posts to meet new or extended responsibilities under the Care Act and to fund other essential posts where no other source of funding could be identified.
  6. Increasingly, the Council has relied on temporary posts to support statutory and core duties, in the absence of permanent funding.
  7. In addition to the pressing financial need to review the temporary posts across the department, there are significant demands and challenges faced by adult social care. A recent employee health check survey conducted found that staff morale across the department is low; this is linked in part to the uncertainty surrounding temporary posts. A large scale recruitment exercise was undertaken in autumn 2015 and had some success in recruiting a number of Social Workers and Community Care Officers. However, there are still a number of vacant operational posts, which have been difficult to recruit to because of their temporary nature.
  8. In late December 2015, under the local government settlement, the Council received confirmation of ongoing funding to meet the new responsibilities under the Care Act. This permanent funding totals £4.43 million in 2016/17. This confirmation of permanent funding enabled the department to review the future requirements of the workforce over the next two years.

### **Assessing the future requirements of the workforce**

9. To determine the on-going need for these temporary posts and balance this against the pressing need to reduce costs, the department has conducted a rigorous exercise to understand which posts will be needed. The scope of this work includes an assessment of all temporary posts required in 2016/17 and 2017/18 as well as consideration as to whether posts were absolutely required on a permanent basis.
10. The outcome from this rigorous assessment of workforce requirements is that 69.5 fte posts are required to meet the core and statutory functions of the Council. Of the 69.5 fte posts, 53 of them are required on an ongoing basis and it is recommended these are made permanent posts.
11. The following posts cover a number of operational teams and areas of core and statutory work. A full breakdown of them is attached as **Appendix A**.
12. In the following sections of the report there is a summary of key areas of work and the resource requirements to meet core and statutory functions.

### **Assessments, support planning and review**

13. The Care Act introduced new and extended responsibilities to assess people who may have care and support needs and to provide those people who are eligible with support.

The duty to assess was extended to include those people who have sufficient resources to fund their own care and the duty to provide support to eligible people was extended to include carers. The criteria for safeguarding were extended to cover self-neglect, domestic violence and modern day slavery.

14. Out of the 69.5 fte posts requested, 37.9 fte posts carry out assessment and review activity including safeguarding assessments, work with young people in transition from children’s services to adult services, assessment in prisons and discharge from hospital.
15. The data shows an overall increase in the number of people making contact with Adult Social Care by 30% this year compared to last, although overall there is a small decrease in the number of care and support assessments completed (by approximately 4%). This could be for two reasons. Firstly, the assessment numbers do not take account of those assessments and reviews either not started or completed. Secondly, the Council is putting in place measures to manage demand and find alternatives to assessment. The number of people who had an early resolution to their assessment has gone up slightly this year compared to last year.
16. The number of safeguarding referrals received to date this year has increased by 3% over the full year’s figures for last year. The number of these which became safeguarding enquiries has also increased by 15% compared to last year’s figures. Safeguarding enquiries (assessments) are largely the responsibility of social workers to complete.
17. The funding of or extension to the 37.9 fte posts is essential to enable the Council to reach a point where the demand for assessments and reviews can be successfully managed, the backlog reduced and new approaches embedded. The stability of teams is a crucial part of this and this has not been achieved in the last couple of years with high levels of vacancies and temporary posts.
18. The table below sets out the 37.9 fte posts with a breakdown by type of post, service area and whether it is required on a permanent or temporary basis.

**Table 1: Younger Adults Posts**

<b>Posts in Younger Adults</b>	<b>FTE Temporary</b>	<b>FTE Permanent</b>	<b>Total</b>
Team Manager	0.5		
Social Worker	1	3	
Occupational Therapy		3	
Community care Officer		2	
<b>Total</b>	1.5	8	<b>9.5</b>

19. In addition to the proposal to extend and /or make permanent a number of posts across younger adult teams, there is an additional request to increase the team manager post in the Asperger’s Team to full time (from 0.5 fte) and to remove the 0.6 fte Advanced Social Work Practitioner post from the structure. This would present a slight saving as the difference between a 0.6 fte ASWP and a 1.0 fte Team Manager is a saving of £3,000. This proposed change does not feature in the lists of posts or overall number of posts set out in this report as there are no additional financial implications associated with the proposed change.

**Table 2: Older Adults Posts**

<b>Posts in Older Adults</b>	<b>FTE Temporary</b>	<b>FTE Permanent</b>	<b>Total</b>
Social Worker	1	12.5	
Occupational Therapy		3.5	
Community Care Officer	7	3	
Service Advisor		1	
<b>Total</b>	<b>8</b>	<b>20</b>	<b>28</b>

**Adult Care Financial Services**

20. The Care Act places a duty on councils to offer deferred payments arrangements to all people who meet the criteria and whose needs will be met by moving into a care home and /or supported living. Nottinghamshire County Council already offered a deferred placement scheme which was updated by the Care Act to include supported living and to introduce a charge based on the legal and administrative costs for setting up and maintaining the deferred payment agreement.
21. The Care Act reiterated the role of direct payments in offering the most choice and control over the support received via a personal budget. Approximately, 50% of eligible people in Nottinghamshire receive their personal budget as a direct payment. The Adult Care Financial Services (ACFS) team plays a key role in setting up and auditing of direct payment accounts.
22. The last three financial years has seen a year on year increase in the number of financial assessments completed by the ACFS team from 23,216 in 2013/14 to 34,562 in 2015//16.
23. The following 6.8 fte posts are considered essential to the Council's on-going compliance with and management of deferred payments and direct payments with just over half of the posts requiring permanent funding to provide stability within the team.

**Table 3: Posts in Adult Care Financial Services**

<b>Posts in Adult Care Financial Services</b>	<b>FTE Temporary</b>	<b>FTE Permanent</b>	<b>Total</b>
Adult Care Financial Services Finance Officers - Grade 5		3	
CCO Grade 5	1		
Senior Practitioner - Grade C	1		
Statutory Debt Officer - Grade 4	1		
Direct Payments Finance Officer- Grade 4		0.8	
<b>Total</b>	<b>3</b>	<b>3.8</b>	<b>6.8</b>

## Customer Service Centre/Adult Access Team

24. The Care Act extended the council's duty to offer social care advice and information to all citizens who require it. One of the ways that this is achieved is via an electronic data base of resources which is called Nottinghamshire Help Yourself. One of the following posts is for a temporary commissioning officer to support the on-going development of this resource.
25. The Customer Services Centre, the Adult Access team and the Multi-Agency Safeguarding Hub provide the first point of access to adult social care. They play a crucial role in managing demand and meeting statutory functions in providing access to personalised information and advice, preventative services, triage, reablement as well as completing simple assessments and reviews for the provision of equipment, carers' assessments and supporting the pilot to auto-schedule appointments for district teams.
26. The impact of the Care Act on the activity of the front end teams is one of increasing demand. The Multi-Agency Safeguarding Hub has experienced an increase in the number of safeguarding referrals (up by 3.25%). The overall number of calls to the Customer Services Centre is steady but the duration of each customer call is increasing on average as the advisors support new customers to access the information they require via Nottinghamshire Help Yourself. Between April and September 2015, there was a total of 46,562 social care enquiries made to the customer service centre of which 85.5% were resolved by the team of advisors. The resolution rate includes enquiries which were re-directed, resolved via the provision of information and advice or forwarded to specialist teams for assessment.
27. The Adult Access service has experienced similar pressures to the district teams, there has been a 5.5% increase in the numbers of carer contacts compared to last year, but there has also been an increase in the number of carers' assessments waiting to be completed.
28. Work has commenced with both the Customer Services Centre and Adult Access teams to begin to manage work differently from the initial customer enquiry through to assessment. This will potentially involve spending more time with each person seeking to resolve their enquiry using a combination of Nottinghamshire Help Yourself, local knowledge of community activities and short term preventative services. In each case, the advisor will try to resolve over the telephone, but where this is not possible a clinic appointment will be offered which is likely to involve workers from the Adult Access team.
29. The aim is to resolve a larger proportion of enquiries at this point which will require development over the next 12 months and stable teams to embed the changes into day to day practices. The following 15.19 fte posts are considered essential to manage current demand and to embed new ways of working.

**Table 4: Posts in front end teams**

Posts in Front End Teams	FTE Temporary	FTE Permanent	Total
Team Manager		1	
Designated Safeguarding Manager	1		

Community Care Officers		5.1	
Customer Service Advisors		3.25	
Team Leaders		0.2	
Technical Support officer		0.28	
Customer Services Business Partner		0.36	
Social Worker	1	2	
Commissioning Officer	1		
<b>Total</b>	<b>3</b>	<b>12.19</b>	<b>15.19</b>

### Data Input Team

30. Since April 2015 the Data Input Team (DIT) has commissioned 8,000 support packages. In addition to incoming work, the team has been undertaking work to improve the quality of information available on Framework.
31. The extension of the 10 fte posts of Business Support Assistant (Grade 3) in the Data Input Team for one year from March 2016 to March 2017 was agreed at the Adult Social Care and Health Committee on 5<sup>th</sup> October 2015 at an annual cost of £250,000, funded from Care Act funding. Committee is now being asked to make these posts permanent.
32. The data input team support social care workers to set up and cease care packages and are considered an essential business requirement on a permanent basis to achieve the accurate and timely recording of package costs. This ensures accurate financial information to inform budget monitoring.

**Table 5: Data Input Team**

<b>Posts in Data Input Team</b>	<b>FTE Temporary</b>	<b>FTE Permanent</b>	<b>Total</b>
Data Input Team		10	<b>10</b>

### Funding Arrangements

33. All of the costs for the temporary and permanent posts are contained within the permanent Care Act funding of £4.43 million in 2016/17.
34. The cost of the temporary posts are £667,827 and the costs of the permanent posts are £1,923,682. This totals £2,591,509.
35. All of these costs include on costs, but exclude travel costs.

**Table 6: Summary table of costs of all posts contained in the report**

Area	Permanent Posts		Temporary Posts	
	FTE	Cost PA	FTE	Cost for period between 1/04/16-31/03/2018
ACFS	3.8	£ 118,517	3.0	£ 94,500
DIT	10.0	£ 230,990	0.0	£ -
Frontend	12.2	£ 434,030	3.0	£ 100,008
Older Adults	19.0	£ 803,349	9.0	£ 378,580
Younger Adults	8.0	£ 336,796	1.5	£ 94,739
<b>Grand Total</b>	<b>53.0</b>	<b>£ 1,923,682</b>	<b>16.5</b>	<b>£ 667,827</b>

### Other Options Considered

36. A process of rigorous assessment of the on-going requirements associated with the duties inherent in the Care Act has been completed and detailed in the section titled 'Assessing the future requirements of the workforce'. Of the 69.5 fte posts there is not considered to be any other sustainable option other than to request their extension.

### Reason/s for Recommendation/s

37. These recommendations are made to ensure that the Council has sufficient workforce to meet its core and statutory duties under the Care Act and that those permanent duties are fulfilled in a timely way.

### Statutory and Policy Implications

38. 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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

39. The financial implications are contained within the body of the report and within paragraphs 19 and 33-35. This is summarised in Table 6.

## **Human Resources Implications**

40. In most circumstances this represents the extension of existing contracts for staff already in post. Where posts are vacant they will be recruited to using the corporate recruitment scheme. The request to make a proportion of the temporary posts permanent will ensure that ongoing core and statutory duties are met, but will also provide stability to teams which are under-going major changes.

## **RECOMMENDATION/S**

That the Committee:

- 1) approves the proposal to extend and/or to make permanent the 69.5 fte posts detailed in the report and **Appendix A**.
- 2) approves the additional request to increase the team manager post in the Asperger's Team to full time (from 0.5 fte) and to remove the 0.6 fte Advanced Social Work Practitioner post from the structure.

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## **Constitutional Comments (SLB 24/03/16)**

41. Adult Social Care and Health Committee is the appropriate body to consider the content of this report, subject to the Council's Employment Procedure Rules which require reports regarding changes to staffing structures to include HR comments and for the recognised trade unions to be consulted.

## **Financial Comments (KAS 31/03/16)**

42. The financial implications are contained within paragraphs 19, 33-35 and 39 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.

Adult Social Care and Health – overview of current developments – report to Adult Social Care and Health Committee on 5 October 2015



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

All.

ASCH385