

**8 November 2021**

**Agenda Item: 7**

## **REPORT OF SERVICE DIRECTOR – COMMUNITY SERVICES, LIVING WELL**

### **CHANGES TO THE STAFFING ESTABLISHMENT IN THE LIVING WELL SERVICE**

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

1. The report seeks approval to establish the following posts within the Living Well service:
  - 1 FTE permanent Principal Approved Mental Health Professional (AMHP) post at Band E (subject to Job Evaluation)
  - 6 FTE permanent Approved Mental Health Professional (AMHP) posts at Band C from 1<sup>st</sup> April 2022
  - 0.5 FTE temporary Group Manager post at Band G in Living Well North to 31<sup>st</sup> August 2023.
2. This is in response to increasing demand for mental health services and the need to have consistent leadership and management capacity in place across Living Well services.

#### **Information**

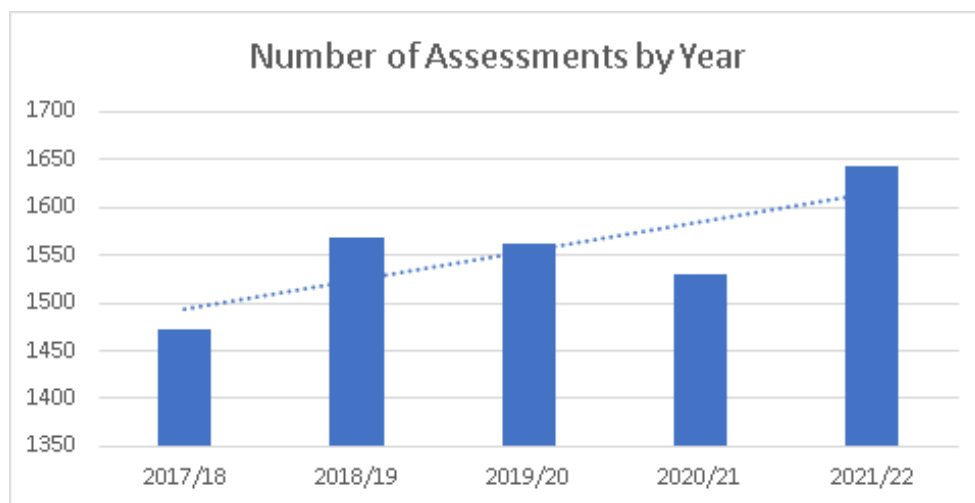
##### **Establishment of a Principal Approved Mental Health Professional (AMHP) post**

3. The Council has a statutory duty to carry out assessments under the Mental Health Act 1983, which the Approved Mental Health Professional (AMHP) team provides across the County 24 hours a day, seven days a week.
4. As an outcome of the assessment process, AMHPs make decisions about whether someone should be admitted and detained in hospital. They undergo specialist training to ensure that the rights of the people they are assessing are protected whilst safeguarding the person, their family/ friends and the wider public.
5. Given the importance of ensuring that delivery of the Council's duty is fully compliant with the Mental Health Act and the level of risk involved, it is critical that practice is consistent and of a high standard, which requires good professional oversight and leadership.

6. The Principal AMHP role has been recommended by the national AMHP Leads Network and is supported by the Association of Directors of Adult Social Services. If approved, this post will ensure there is a high quality service that works in partnership with other colleagues and external agencies. They will be responsible for the implementation of policy, guidance and legislation and ensure that the practice of the AMHP team is of an excellent standard and is compliant with legislation and practice guidance. The AMHP lead will also have sufficient seniority and status to engage effectively with senior colleagues within partner agencies.
7. In addition, the Mental Health Act reforms, which are currently being developed into draft legislation, will introduce further changes and duties under the Act and will require knowledgeable, experienced and authoritative leadership, within this very specialised area of work, to implement the Act in collaboration with partner agencies.
8. Also, having an additional leadership role within the AMHP service will increase the management capacity, which is currently stretched since the introduction of the 24 hour service model.

**Establishment of 6 FTE permanent Approved Mental Health Professional (AMHP) posts**

9. Demand for mental health services continues to grow. Figures from Mind show that 25% (16.6 million) of the population experienced mental health problems in 2019, of which 12.1% received treatment. Local figures show a 10.4% increase in Mental Health Act assessments since 2017 and the Council is expecting to undertake more than 100 additional assessments this year.



10. Although there was a slight decrease in assessments undertaken in 2020/21, due to the impact of the Covid-19 pandemic on access to general and mental health services, there has been a significant upswing this year, particularly in referrals received via hospital emergency departments and the community.
11. In addition, the complexity and severity of mental health issues presenting is much higher than before the pandemic and requires more AMHP time and input.

12. This, combined with a lack of alternatives to hospital treatment, an increase in social stressors and mental ill-health risk factors, leads to an overreliance on hospital admission which in turn creates greater demand for Mental Health Act assessments and places further pressure on the AMHP workforce.
13. Given the nature and risk of the work carried out by AMHPs, work related stress and burnout are common factors affecting the profession, so it is imperative that to manage demand, retain staff and safeguard their wellbeing, there are sufficient levels of staffing in place, hence the request for an additional 6 FTE AMHPs to add much needed capacity.

### **Establishment of 0.5 FTE temporary Group Manager post in Living Well North**

14. The substantive Group Manager for Living Well North will be undertaking a part-time course of study until 31<sup>st</sup> August 2023 and has received bursary funding which covers the cost of backfilling her position on a half time basis.
15. An additional position within the Living Well structure has already been established to accommodate a backfill scenario and the post has been recruited to with the new appointee having commenced on 6<sup>th</sup> September 2021, which has Corporate Director approval for an initial three-month period.
16. Beyond this three-month period, Committee approval is required for the continuation of the additional post until the end of the substantive postholder's studies on 31<sup>st</sup> August 2023.

### **Other Options Considered**

17. The option to incorporate the Principal AMHP role into the Principal Social Worker role was considered, as was the option to combine the Liberty Protection Safeguards and Approved Mental Capacity Professional lead functions into the Principal AMHP role.
18. Although both of these options would unify leadership, direction and practice and there are considerable synergies between these areas of focus, all of these lead roles carry a significant range of duties and it would be unrealistic to combine any of these functions without negatively impacting capacity.
19. However, the Principal AMHP will work closely with the Principal Social Worker to ensure consistency of practice and sharing of knowledge and there may be scope to incorporate the Liberty Protection Safeguards and Approved Mental Capacity Professional lead functions into existing principal roles once the requirements and duties of these are better understood when the Liberty Protection Safeguards come into force in April 2022.

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

20. The increasing Mental Health Act work, future changes to legislation and in line with the Association of Directors of Adult Social Services review, it is recommended that a new 1 FTE Principal AMHP lead role be established within Adult Social Care. The postholder will solely concentrate on Mental Health Act strategy and practice, not only within Nottinghamshire, but also representing the Council at regional and national forums as required. They will implement legislation, policy and procedures, whilst building strong strategic relationships.

21. The additional 6 FTE permanent Approved Mental Health Professional posts are required due to the significant increase in Mental Health Act referrals, which is reflected nationally and locally, alongside workforce and system pressures.
22. The temporary backfill of the 0.5 FTE Group Manager post until 31<sup>st</sup> August 2023 will provide consistent leadership and management capacity across Living Well services.

## **Statutory and Policy Implications**

23. 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.

## **Crime and Disorder Implications**

24. There will be more capacity within the AMHP service to work with partner agencies to ensure flow through the system, including police custody and improved communication in all areas including risk management.

## **Financial Implications**

25. It is proposed that the 1 FTE permanent Principal Approved Mental Health Professional post be established at Band E (subject to Job Evaluation), in line with the Principal Social Worker post. The total cost at Band E, including on-costs, is £73,812 per annum which can be funded through the invest to save or departmental underspends for the remainder of this financial year. A pressure bid has been submitted to fund this post from April 2022.
26. A further pressure bid has been submitted to fund the additional 6 FTE permanent Approved Mental Health Professional posts at Band C from 1<sup>st</sup> April 2022 at a cost of £361,298 per annum, including an approved market factor supplement and on-costs.
27. The backfill costs of the 0.5 FTE temporary Group Manager post at Band G in Living Well services is estimated at £85,665 for the period to 31<sup>st</sup> August 2023 including on-costs. Funding will be provided by the Department of Health and Social Care up to a total of £87,159 to cover the cost.

## **Human Resources Implications**

28. The introduction of the Principal AMHP role will provide the team with professional leadership support and additional management capacity and will be subject to a full job evaluation process to determine the grade of the post, in line with the Authority's Grading Policy.
29. The increase in establishment of an additional 6 FTE AMHPs will add much needed capacity to the team and ease the pressure on existing team members.

30. The proposals regarding further investment into AMHP staffing capacity have also been shared with the relevant recognised Trade Unions for information.
31. The establishment of a 0.5 FTE temporary Group Manager post in Living Well North to backfill the substantive postholder's study time will provide necessary and consistent leadership and management capacity within the Living Well service.

### **Implications for Service Users**

32. The establishment of additional professional leadership and capacity in the AMHP service will ensure consistent, high quality practice and compliance with the Mental Health Act (1983) and enable assessments to be undertaken more efficiently and completed within the recommended timescale, reducing the time spent in s.136 suites, enabling better flow through the system and releasing other partners' time e.g. police. It will also reduce staff burnout which will provide better continuity for people using the service.
33. The establishment of a 0.5 FTE temporary Group Manager post in Living Well North to backfill the substantive postholder's study time will provide necessary and consistent leadership and management capacity within the Living Well service to oversee practice, performance and delivery of a high quality service to people with care and support needs, in line with the Care Act (2014).

### **RECOMMENDATION/S**

That Committee approves the establishment of:

- 1) 1 FTE permanent Principal Approved Mental Health Professional post at Band E (subject to Job Evaluation)
- 2) 6 FTE permanent Approved Mental Health Professional posts at Band C from 1<sup>st</sup> April 2022
- 3) 0.5 FTE temporary Group Manager post in Living Well North until 31<sup>st</sup> August 2023.

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### **Constitutional Comments (ELP 13/10/21)**

34. The recommendations fall within the delegation to Adult Social Care and Public Health Committee by virtue of its frame of reference.

### **Financial Comments (DM 14/10/21)**

35. The cost of the AMHP Lead is £73,812 p/a. This incorporates all on-costs including the Market Factor Supplement, mileage, and mobile devices. A pressure bid has been submitted to fund this permanently from April 2022. It is anticipated that recruitment will begin as soon as approved; the 2020/21 costs of approximately £18,453 can be met from departmental underspends.
36. The cost of the additional 6 AMHPs is £361,298 p/a incorporating all on-costs including the Market Factor Supplement, mileage, and mobile devices. A pressure bid has been submitted to fund these permanently from April 2022.
37. The permanent funding of all these posts is subject to the approval of the submitted pressure bids. Should these not be approved, alternative sources of funding must be sought.

### **HR Comments (WI 14/10/21)**

38. The HR implications are outlined in **paragraphs 28-31**. The newly established roles will be recruited to in line with the Authority's Recruitment procedures.

### **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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