

## Adult Social Care and Health Committee

**Monday, 16 May 2016 at 10:30**

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

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### AGENDA

- |    |  |         |
|----|--|---------|
| 1  | Minutes of the last meeting held on 18 April 2016  | 3 - 6   |
| 2  | Apologies for Absence  |         |
| 3  | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |         |
| 4  | Update on Proposal to Establish a Local Authority Trading Company for Delivery of Adult Social Care Services   | 7 - 16  |
| 5  | Extension Better Care Fund and Intermediate Care Posts   | 17 - 26 |
| 6  | Update Regarding Eastwood Extra Care Scheme and Lynncroft Primary School Redevelopment   | 27 - 32 |
| 7  | Personal Outcomes Evaluation Tool (POET) Survey Outcomes 2015 - Update   | 33 - 38 |
| 8  | Commissioning for Better Outcomes Peer Review 2015 - Progress on Actions   | 39 - 46 |
| 9  | Outcome of Sector Led Improvement Peer Review March 2016   | 47 - 52 |
| 10 | Care Home Provider Contract Suspensions  | 53 - 56 |
| 11 | Work Programme   | 57 - 64 |

- 12 Exclusion of the Public  
The Committee will be invited to resolve:-

“That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

**Note**

If this is agreed, the public will have to leave the meeting during consideration of the following item.

- 13 Exempt appendix to Item 10: Care Home Provider Contract Suspensions

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

**Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Paul Davies (Tel. 0115 977 3299) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting ADULT SOCIAL CARE AND HEALTH COMMITTEE

Date 18 April 2016 (commencing at 10.30 am)

**Membership**

Persons absent are marked with an 'A'

**COUNCILLORS**

Muriel Weisz (Chair)  
Alan Bell (Vice-Chair)

Pauline Allan  
John Cottee  
David Martin  
Mike Pringle  
Pam Skelding

Stuart Wallace  
Jacky Williams  
Yvonne Woodhead  
Liz Yates

**OFFICERS IN ATTENDANCE**

Caroline Baria, Service Director, ASCH&PP  
Sue Batty, Service Director, ASCH&PP  
Sue Bearman, Senior Solicitor, Resources  
Rebecca Croxson, Programme Manager, ASCH&PP  
Paul Davies, Advanced Democratic Services Officer, Resources  
Jennie Kennington, Senior Executive Officer, ASCH&PP  
Ainsley MacDonnell, Service Director, ASCH&PP  
Paul McKay, Service Director, ASCH&PP  
Jane North, Transformation Programme Director, ASCH&PP  
David Pearson, Corporate Director, ASCH&PP

**MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 7 March 2016 were confirmed and signed by the Chair.

**MEMBERSHIP**

It was reported that Councillor Pauline Allan had been appointed to the committee in place of Councillor Fielding, for this meeting only.

**NATIONAL LIVING WAGE COST PRESSURES – PROPOSED FEE INCREASES FOR INDEPENDENT SECTOR SOCIAL CARE PROVIDERS****RESOLVED 2016/030**

- (1) That the historical context of setting fees and applying inflationary increases for care and support services purchased from independent sector providers be noted.

- (2) That approval be given to the proposed distribution of £9.5m of fee increases to independent sector care and support providers across the different adult social care services, as approved by Council on 25 February 2016, related to the implementation of the National Living Wage.
- (3) That approval be given to the proposed distribution of £3.8m to increase the payment rates for sleep-in provision in supported living services and for sleep-in services commissioned through Direct Payments, as approved by Full Council on 25 February 2016.
- (4) That the fee increases be backdated to 6 April 2016 to align with the payment cycle for the new financial year.

### **TENDER FOR OLDER PEOPLE'S HOME BASED CARE AND SUPPORT SERVICES**

#### **RESOLVED 2016/031**

- (1) That the need to re-tender the home based care and support services and the process and timescales to be followed be noted.
- (2) That 1fte temporary 18 month Project Manager post (Hay Band D) be established to assist in the delivery of the commissioning and procurement process, to be hosted by the County Council and to be funded jointly between the County Council, City Council and City and County CCGs.
- (3) That a further report be presented in July 2016 once the planning process is near to completion to seek approval to progress the proposed model of service and to identify the potential financial implications of re-tendering the home based care and support services.

### **PROVIDING ADULT SOCIAL CARE ASSESSMENTS AND REVIEWS**

#### **RESOLVED 2016/032**

- (1) That the current position in relation to outstanding assessments and reviews be noted and that the Committee receive a further update on progress in October 2016.
- (2) That additional capacity be purchased to help manage the level of assessments and reviews and to realise savings, at a cost of £300,000 to be met from departmental reserves.

### **CARE ACT 2014 – EXTENSION OF ESSENTIAL POSTS**

#### **RESOLVED 2016/033**

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

## **TEMPORARY POST TO SUPPORT IMPLEMENTATION OF THE ACCESSIBLE INFORMATION STANDARD**

### **RESOLVED 2016/034**

- (1) That the introduction and implications of the Accessible Information Standard be noted.
- (2) That 1 fte temporary post of Project Manager (indicative Hay Band C) be established for a period of 12 months.

## **DEPRIVATION OF LIBERTY SAFEGUARDS**

### **RESOLVED 2016/035**

- (1) That the progress be noted with actions being taken to respond to the increasing numbers of referrals for Best Interest Assessments under Deprivation of Liberty Safeguards.
- (2) That the permanent establishment of up to a maximum of the following posts be approved:

1 fte Team Manager (Band D)  
4 fte Community Care Officers (Grade 5)  
14 fte Social Workers/Best Interest Assessors (Band B)  
2 fte Advanced Social Work Practitioners (Band C)

All of the above posts to be allocated authorised car user status.

1 fte Operational Development Officer  
1 fte Business Support Administrator (Grade 5)  
2 fte Business Support Administrators (Grade 3)

- (3) That 3 fte temporary posts of Business Support Administrator be extended by a further 12 months.

## **UPDATE ON WORK OF THE HEALTH AND WELLBEING BOARD**

### **RESOLVED 2016/036**

That the update on the key issues covered by the Health and Wellbeing Board from September 2015 to March 2016 be noted

## **NEW EXTRA CARE SCHEMES IN NEWARK AND WORKSOP**

### **RESOLVED 2016/037**

- (1) That the award of national Homes and Communities Agency grant funding for two proposed new Extra Care schemes on Bowbridge Road in Newark and in Worksop be noted.

- (2) That the development work and timescales to finalise plans for the proposed new Worksop Extra Care scheme be noted, and a further report be presented in 2016 to provide detailed plans and financial implications for consideration to approve the allocation of capital funding.
- (3) That approval be given for the Council to enter into an agreement with Newark and Sherwood District Council regarding the Bowbridge Road Extra Care scheme as set out in paragraphs 5-14 of the report, with the allocation of Extra Care capital funding at the level outlined in the exempt appendix to the report.

### **WORK PROGRAMME**

#### **RESOLVED: 2016/038**

That the work programme be noted, subject to reports in July on the tender for home care and support services, in October on adult social care assessments and reviews, and on the Worksop Extra Care scheme.

### **EXCLUSION OF THE PUBLIC**

#### **RESOLVED 2016/039**

That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **EXEMPT INFORMATION ITEMS**

#### **DEPRIVATION OF LIBERTY SAFEGUARDS**

#### **RESOLVED 2016/040**

That the information in the exempt appendix be noted.

#### **NEW EXTRA CARE SCHEMES IN NEWARK AND WORKSOP**

#### **RESOLVED 2016/041**

That the information in the exempt appendix be noted.

The meeting closed at 12.40 pm.

**CHAIR**

16 May 2016

Agenda Item: 4

## **REPORT OF THE SERVICE DIRECTOR, NORTH NOTTINGHAMSHIRE AND DIRECT SERVICES**

### **UPDATE ON THE PROPOSAL TO ESTABLISH A LOCAL AUTHORITY TRADING COMPANY FOR THE DELIVERY OF ADULT SOCIAL CARE SERVICES**

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

1. The purpose of the report is to provide an update regarding work to date to progress the proposal to establish a Local Authority Trading Company to deliver adult social care services; to provide an overview of the work required to progress the proposal further; and to seek Committee approval for an extended timescale and further work to develop a full business case.

#### **Information and Advice**

2. As part of the Redefining Your Council programme, an options appraisal was undertaken to identify if there is a long term solution for some of the Council's directly provided adult social care services that will:
  - a) ensure the services are financially sustainable and operationally viable
  - b) allow for greater flexibility and freedom to develop new and innovative services that contribute to meeting the Council's obligations under the Care Act
  - c) maintain a close strategic relationship between the services and the Council.
3. The services in scope for inclusion in the proposal are as follows:
  - Church Street, a residential home for people with learning disabilities
  - Shared Lives, a service that provides care and support to vulnerable adults in a paid carer's own home
  - County Enterprise Foods, the Meals at Home Service
  - Day Services
  - Short Breaks units for people with learning disabilities
  - I-Work, a team that helps people with a learning disability into employment.
4. The appraisal considered a number of potential models of service delivery, as follows:
  - a) continue to manage the services under direct Council control
  - b) establish a Council owned social care company to deliver adult social care services

- c) establish an alternative service delivery model independent from the Council e.g. a social enterprise
  - d) outsource the services to an external service provider in the independent sector.
5. Based on the conclusions of the options appraisal, a Council owned social care company (Local Authority Trading Company) was recommended as the preferred model for further exploration. In order to test this recommendation, the Council has undertaken further work to develop the proposal. Albeit at an early stage, this work has included some consideration of the financial viability and sustainability of the services; the potential savings and efficiencies that could be delivered through a move to an alternative way of working; as well as activity to identify potential new income generating opportunities that may be open to a new company.

### **Update regarding work to date**

6. The key areas of work undertaken over the past few months have been:
- exploration, at a high level, of the viability of progressing with a Local Authority Trading Company proposal
  - external review of the Council's work so far
  - public consultation exercise.

### **Summary conclusions of the work to date**

7. In summary, it has been concluded that, as determined by the options appraisal, a Local Authority Trading Company is perceived to be the best way to sustainably deliver the Adult Social Care services in the scope of this proposal over the long term. This is based on a range of reasons, including:

- a) A Local Authority Trading Company has the ability to raise additional revenue:

This could be through the delivery of new services to the Council, directly to residents of Nottinghamshire and through winning contracts with other Councils.

Initial work to identify potential opportunities to generate new income has been formed through discussions with staff and managers working in the services in scope, along with desktop research about the services/products offered by existing Local Authority Trading Companies.

Although these initial ideas require further assessment they do demonstrate a wide range of possibilities that a new company could explore as it develops and evolves. All of the ideas are focused around creating a flexible service that can respond quickly to market demand and offer individuals a tailored package of support.

Any additional revenue raised can be reinvested back into the services to support their future delivery.

The close link to the services retained by the Council by being the sole shareholder with a direct line of control over the Local Authority Trading Company would ensure that quality and a public service ethos would be maintained.



- b) A Local Authority Trading Company has the potential to reduce some costs, in ways not possible under direct Council control.
  - c) A Local Authority Trading Company has the flexibility to be responsive, as a trusted and reliable partner of first choice and last resort, to the changing service delivery needs of the Council and to help meet the Council's obligations under the Care Act.
  - d) Additionally, a Local Authority Trading Company model enables the Council to retain strategic control of the services over and above the level offered by other models considered by the options appraisal. It is this strategic control that will enable the Council to control the long and short term direction of the company that allows, for example, change at pace if changes or cessation of the delivery of any services is required.
8. The move to a Local Authority Trading Company is seen as a crucial first step because of the Teckal exemption which allows a Council to award a service contract to its own Local Authority Trading Company without undertaking a formal procurement process. This exemption is not available in other models. However, there would still be an opportunity, once a Local Authority Trading Company had established itself, to develop it into a further alternative model at a later date e.g. a social enterprise/co-operative or other model.
9. Ultimately a key driver for looking at alternative service models is the constrained financial situation faced by the Council. At this early stage, a number of assumptions, based on a combination of internal and external advice and case studies of existing Local Authority Trading Companies, have been made in order to assess the financial case for the proposal. Based on these assumptions, a Council owned Local Authority Trading Company has the potential to deliver savings to the Council over time.
10. Finally, a key lesson learned from the work to date has been that it is now clear that the Council will need a much longer period of time than had previously been suggested over which to develop a full business case which is suitably robust and, if approved, to safely and efficiently transfer the services to the new model of working. An outline of the work required, with estimated timescales, is provided later in this report. However, in summary, it is anticipated that it will take 12 months to develop a full business case for the proposal and that, subject to the outcome of further consultation and Policy Committee approval, it will take at least another 12 months after that to transfer the services to a new way of working.

## **External Review**

11. A company called Stepping Out, working in tandem with Optalis, an existing Local Authority Trading Company providing Adult Social Care services on behalf of Wokingham Borough Council, was commissioned to provide 10 days of external consultancy support to the Council.
12. Based on their experience of supporting other Councils to transfer services from direct Council control to an alternative way of working, the support offered by Stepping Out included:

- a review of the robustness of the options appraisal
  - guidance on the development of the proposal
  - help to identify areas of further work required to develop a full business case and transition plan.
13. The department is awaiting the final summary report from Stepping Out regarding their thoughts on the work undertaken by the Council to date, as well as their views on the readiness of the services in scope to move forward to an alternative way of working. In the meantime they have provided some high level comments, for example:
- 'The options appraisal gives a balanced assessment of all options, with consistent scoring across all criteria'.

### **Outcome of the consultation exercise**

14. Alongside the work to develop the proposal, approval was sought to engage with staff, service users, their carers and the public on the proposal at an early stage, in order to seek initial feedback and ensure that stakeholders have an opportunity to influence any subsequent development of a new delivery model. Approval to consult was granted by the Adult Social Care and Health Committee at its meeting on 5 October 2015. Full and comprehensive consultation will be required following any Policy Committee approval of a full business case in order to provide people with an opportunity to have their say on the final proposal for change.
15. The early consultation, which commenced on 20 November 2015 and closed on 31 January 2016, sought to understand:
- a) to what extent people agreed or disagreed with the Council's preferred option to establish a Council owned social care company
  - b) whether people would prefer the Council to consider a different way of working – either setting up a social enterprise or asking a company outside the Council to provide the services.
16. 136 responses were received to the survey. Six e-mails/letters were also received. The key results of the survey are summarised below:
- 52% of respondents strongly agreed or agreed with the proposal to establish a Council owned company, 19% neither agreed nor disagreed and 29% disagreed or strongly disagreed
17. Broken down by connection with the services, the percentage of respondents who strongly agree or agree with the proposal to establish a Council owned company are as follows: service users 64%; carers 58%; members of staff 51%; other 29%. Therefore respondents with a closer connection to the services are more supportive of the proposal than those describing themselves as other.
18. Of the respondents who disagreed or strongly disagreed with the proposal to establish a Council owned company, 97% also disagreed, strongly disagreed or did not know in relation to the option to establish a social enterprise or to outsource services. Therefore

the majority of respondents who disagree or strongly disagree with the proposal to establish a Council owned company do not support a social enterprise or outsourcing model either.

### **Outline of work required to develop a full business case and transition plan**

19. As referenced earlier in this report, it is now clear that the Council will need a much longer period of time than had previously been envisaged in which to develop a full business case and, if approved, to safely and efficiently transfer the services to a new model of working.
20. An outline of the activity required to progress the proposal is shown below:

- **Development of the full business case**
  - Explore the most appropriate board/shareholder structure that meets the objectives of the new company and the Council's requirements
  - Explore options for a joint venture
  - 5 year financial planning – develop a financial plan with a detailed assessment of, for example, any capital requirements and additional tax liabilities
  - Develop the service strategy and explore new business opportunities
  - Consider the options in respect of support services and the arrangements that will need to be put in place to transfer systems if required
  - Determine an approach to property and assets
  - Develop a workforce plan for the company, including consideration of proposed terms and conditions for new recruits to the workforce
  - Develop a proposed transition plan with timescales and a detailed risk management strategy
- **Report to Policy Committee**
  - Seek approval of the full business case
- **Public consultation on the proposal to establish a Local Authority Trading Company**
- **Planning for implementation activity**
- **Report to Policy Committee**
  - Provide an update on the outcome of public consultation and any subsequent amendments to the proposal
  - Seek approval to commence implementation of the Local Authority Trading Company
- **Implementation activity (subject to approval)**
  - Engage with service users, staff and the community
  - Confirm service level agreements for support services
  - Commence TUPE (staff employment) transfer processes

- Agree property lease and maintenance arrangements
- Develop the communications and marketing plan, including company branding
- Arrange Gateway Reviews to provide opportunities to reflect on and refine business planning
- Prepare all legal and contractual documentation
- Convene a 'shadow' board of directors and assemble a management team for the Local Authority Trading Company
- Register the services with regulators (e.g. Care Quality Commission) as required

▪ **Launch the Local Authority Trading Company**

As stated in paragraph 10 of the report, it is estimated that the totality of this work and the need to test all options thoroughly will require 12 months for development of a full business case and a further 12 months to transfer the services to a new way of working.

21. Whilst some internal project resource is already in place to facilitate this work, consideration will need to be given to the requirement for additional internal resources. Additionally an assessment of the degree and nature of any further external consultancy and legal support is required.
22. It has been suggested by Corporate Leadership Team that the project could possibly be considered as a pilot for support from the Commercial Development Unit, once this is up and running, and have further suggested that the project team should consider setting up a Challenge Panel with officers from other areas of the Council who have carried out similar work previously in order to provide peer challenge and due diligence.

**Other Options Considered**

23. The other options considered are described in **paragraph 4** of this report.
24. Further work is to be undertaken to revisit whether a Joint Venture option could offer the same level of benefits as a Local Authority Trading Company

**Reason/s for Recommendation/s**

25. Significant work has been undertaken to progress the proposal and Committee is asked to note this. However, it is now clear that the original timescales proposed for project delivery are unachievable i.e. implementation in January 2017. Committee is asked to note this and to approve the revised project timescales recommended in the table at **paragraph 20**.

**Statutory and Policy Implications**

26. 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**

27. The full financial costs of establishing a new company are being explored as part of the development of the financial business case for the proposal.

### **Human Resources Implications**

28. These proposals will affect 567 staff members. A sub-group of the Adult Social Care & Health Departmental Joint Consultative and Negotiation Panel (JCNP) has been established in order to discuss this proposal with the recognised trade unions and staff in accordance with the Council's agreed protocols. Any decision to proceed with a Local Authority Trading Company will take place in line with legislative requirements and will draw on existing good practice and experience of setting up other arm's length organisations and TUPE transfers of staff.

### **Public Sector Equality Duty Implications**

29. An initial equality impact assessment was undertaken in July 2015. This will be amended to reflect the outcome of the responses received to the consultation with staff, service users, their carers and the public described in this report.

### **Safeguarding of Children and Adults at Risk Implications**

30. Should the proposal be approved and progressed, any new company will be subject to the same level of scrutiny in respect of identifying and managing safeguarding issues as any provider service. In addition to assessment by the Council's own Quality and Market Management Team, the registered services in scope would continue to have oversight from the Care Quality Commission.

### **Implications for Service Users**

31. Service users currently in receipt of a Council arranged (or managed) service from the Direct Services in scope would continue to have their outcomes met.
32. Service users and their families will have another opportunity through a further consultation process to provide their views on the final proposal.

### **Implications for Sustainability and the Environment**

33. The preferred option, to establish a Council owned social care company, is perceived to be the best option to provide a sustainable way of meeting the financial challenges facing the Council's directly provided adult social care services, allowing new income streams and business opportunities to develop whilst retaining a good level of service.

### **Ways of Working Implications**

34. Initial discussions with colleagues in the Property Strategy and Development Team have been based on the premise that the buildings based services (Day Services, Short Breaks, County Enterprise Foods and Church Street) will continue to be delivered from the same location as now. The Shared Lives and I-Works Team are based at shared County Council administrative sites and no decision has been taken yet on their future work base. The costs and legal implications of the property arrangements are being explored with the Property Strategy and Development Team and the Legal Services Team.

## **RECOMMENDATIONS**

That the Committee:

- 1) notes the progress to date and responses received to the consultation on the proposal to establish a Local Authority Trading Company to deliver adult social care services.
- 2) notes the description of the work that will need to be undertaken to develop a full business case for the proposal.
- 3) approves the extended timescale and further work to develop a full business case to establish a Local Authority Trading Company to deliver adult social care services.

**Ainsley Macdonnell**  
**Service Director, North Nottinghamshire & Direct Services**

**For any enquiries about this report please contact:**

Ian Haines  
Strategic Development Manager  
T: 0115 977 2142  
E: [ian1.haines@nottscc.gov.uk](mailto:ian1.haines@nottscc.gov.uk)

Jennifer Allen  
Project Manager  
T: 0115 977 2052  
E: [Jennifer.allen@nottscc.gov.uk](mailto:Jennifer.allen@nottscc.gov.uk)

### **Constitutional Comments (SLB 18/04/16)**

35. Adult Social Care and Health Committee is the appropriate body to consider the content of this report.

### **Financial Comments (KS 29/04/16)**

36. The financial implications are contained within paragraph 27 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.

Proposal to establish a local authority trading company for the delivery of Adult Social Care Direct Services – report to Adult Social Care & Health Committee on 5 October 2015

<http://www.nottinghamshire.gov.uk/dms/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/3539/Committee/480/SelectedTab/Documents/Default.aspx>

Consultation on the proposal to establish a Council owned care company:

[www.nottinghamshire.gov.uk/socialcarecompany](http://www.nottinghamshire.gov.uk/socialcarecompany)

Update on Proposal to Establish a Local Authority Trading Company for the Delivery of Adult Social Care Services - report to Adult Social Care & Health Committee on 11 January 2016

<http://www.nottinghamshire.gov.uk/dms/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/3542/Committee/480/SelectedTab/Documents/Default.aspx>

Options appraisal – January 2016

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

All.

ACH386







16 May 2016

Agenda Item: 5

## **REPORT OF THE SERVICE DIRECTOR, MID NOTTINGHAMSHIRE**

### **EXTENSION OF BETTER CARE FUND AND INTERMEDIATE CARE POSTS**

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

1. The purpose of the report is to request an extension to the funding of 24.2 full-time equivalent (fte) posts currently funded temporarily by Nottinghamshire's Better Care Fund and the Council's Intermediate Care budget. 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 24.2 fte posts, 4.5 fte are made permanent as these posts have been assessed as essential and appropriate for meeting lasting statutory and core duties.

#### **Information and Advice**

##### **Background**

3. A number of operational and direct service provision posts have in the past been funded by grants which have since ceased, such as the Re-ablement Grant and NHS funding for Social Care. Following each grant reduction, reviews were completed and subsequently any temporary posts that could be ended were ceased. The reviews also identified the posts which needed to continue as they formed part of the Council's joint strategies with health to support effective hospital discharge arrangements, avoid hospital and residential care admissions and support carers.
4. These posts have continued to be funded temporarily through various arrangements, primarily the Better Care Fund (BCF) and Nottinghamshire County Council's Intermediate Care budget. The need for the posts was reviewed in 2015 as part of establishing 2016/17 Council budget requirements and the revised Better Care Fund Plan. Based on these, this report now requests Committee approval to extend contracts for the relevant posts.

##### **Better Care Fund**

5. Detailed below are the 12.9 fte posts for approval to extend up to 31<sup>st</sup> March 2017. The BCF funding allocation is currently reviewed annually, hence all these posts remain temporary. The 2016/17 BCF plan for South Nottinghamshire has agreed continued funding for posts which provide social care assessment and care management at the Queen's Medical Centre (QMC) and Lings Bar, as well as for the Council's directly provided Short Term Assessment and Re-ablement Team (START) service.

- 2 fte Advanced Social Work Practitioners – ASWP (Grade B), (1 within the Queens Medical Centre QMC Hospital Social Care Team and 1 within the Lings Bar Intermediate Care Team for South Nottinghamshire)
- 6.4 fte Community Care Officers – CCO (Grade 5), (2.4 within the QMC Hospital Social Care Team, 2 within the START assessment team for Broxtowe, Gedling and Rushcliffe and 2 within the Carers Support Service)
- 0.5 fte START Project Manager (Grade D), Nottinghamshire
- 2 fte Service Co-Ordinators (Grade 4) within the START provider team for Broxtowe, Gedling and Rushcliffe.

### **Social care assessment and care management posts**

6. Social care assessors work with the Health teams at the QMC and Lings Bar to provide timely assessment in order to provide urgent care in a person's home, avoiding admission to hospital and / or care and to facilitate discharge home. It is recognised within these areas that there is a very high level of demand and the posts help to achieve this work. The QMC social care team alone facilitated 1,796 discharges within 2015/16: 600 care packages, 102 transfers into long term nursing care, 231 discharges to START and 135 placements to assessment beds.

### **START Re-ablement Service**

7. START is a multidisciplinary team comprising Front Line Support services, Occupational Therapists and Community Care Officers who work with older adults to regain the skills and confidence to live as independently as possible. It can help people with tasks such as getting dressed, using the bathroom, getting around their homes and cooking. A goal focussed support plan is agreed and frequently reviewed to monitor progress. Where longer term needs are identified, the START team will complete community care assessments.
8. The additional START assessment resources provide extra capacity to enable early planning for when the re-ablement is complete, reviewing individual goals, outcomes and needs. This supports the predicted dates of discharge being met.
9. Additional START service co-ordination staff linked to the hospital discharge process enables a rapid transfer for individuals leaving hospital and going into START and interim care provision. The wards can place direct referrals to START who can respond on the same day. A service co-ordinator can facilitate between 70-90 discharges per month. This resource has assisted in preventing unnecessary delays in hospital.
10. The additional capacity is also using a brokerage role to source timely packages of care after the re-ablement support has been completed. The role highlights at an early point where there may be difficulties in providing a longer term care package in a given area, sources alternatives and monitors trends and patterns of demand. Having one worker undertaking this task across a large geographical area saves time for the team in duplication of effort and achieving timely outcomes. Learning will be shared with mid Nottinghamshire and Bassetlaw teams.
11. In January 2016 the Council was successful in securing a one-off £26,000 BCF Innovation Award in order to promote integrated roles between the Community Intermediate Care Health Providers and START reablement support services. This work is countywide and

enables the Council to extend a temporary contract for six months for a project manager up to the end of 2017.

### **Carers Support Service (Community Care Officer posts)**

12. The countywide Carers Support Service is core to Nottinghamshire's joint Carers Strategy and as such, all the Clinical Commissioning Groups have approved BCF funding (formerly NHS Carers Grant) for two of the team's posts. Carers Support Workers based in the Adult Access Service provide information, advice and carry out carers' assessments over the telephone. The new service is a more effective way of being able to support the growing numbers of carers being identified in Nottinghamshire. The service is popular with carers as it has reduced the length of time it takes to start and complete a carer's assessment, as well as offering timely access to services such as NHS Carers' breaks, carers' emergency cards, music oasis workshops and information packs.
13. Many referrals to the service are made by GPs and the Carers Support workers are linked to each Clinical Commissioning Group to support GP Carers Champions and members of the Primary Healthcare team in their pro-active work with carers.

### **Intermediate Care**

14. National definitions of Intermediate Care describe "a range of integrated services to promote faster recovery from illness, prevent unnecessary acute hospital admission and premature admission to long-term residential care, support timely discharge from hospital and maximise independent living". Intermediate Care is not new, it was first introduced in 2001 under the National Service Framework for Older People. It includes the concept of reablement and any short-term service aimed at maximising people's independence and minimising their reliance on long-term social care services. The Council's START Reablement is an example of such a service.
15. Intermediate Care can be delivered in people's own homes, within a care facility such as a care home or a specialist unit. In Nottinghamshire services include community 'at home' teams, bed based services (such as assessment beds), rapid response teams and specialist services for older people with mental health problems and/or dementia.
16. The Council jointly commissions, funds and delivers the broad range of services which come under the umbrella of Intermediate Care with the six local Clinical Commissioning Groups. The Council has two main relevant budgets: the START Reablement budget and the Intermediate Care budget. A project was implemented in 2014/15 which delivered £750,000 savings in the START service and the Council has no current further planned reductions in this service. The Intermediate Care budget has previously contributed to joint bed based and community Intermediate Care provision with health. In order to deliver savings, the Intermediate Care budget has been reduced as part of two projects implemented in 2013-15 and 2015-2017. The priority has been to retain funding for the core social care elements of a joint set of services and reduce the amount that the Council had previously contributed to joint fund Intermediate Care services for people who continued to have significant levels of health input required as part of their care. By 2017/18 all funding contributions to health Intermediate Care services will have ceased.
17. To achieve the savings, the Council has worked with Health colleagues to gradually purchase fewer of the previously joint funded independent sector beds for Intermediate

Care and instead put in place short term social care assessment beds in the Care and Support Centres.

18. The Council will utilise the remaining budget to fund the social care assessment workers who work with people who require it when they are ready to leave Intermediate Care and the short term assessment beds within the Council's own Care and Support Centres. These posts are key to ensuring that people have a timely assessment for an appropriate care package which maximises their independence and thinks 'home first'.
19. The three local area Transformation Plans are all seeking to implement Transfer to Assess models. These aim to move people out of hospital as quickly as is appropriate and undertake any further assessment (for example for Continuing Healthcare needs) ideally in their own home, or alternatively in short term accommodation. This, accompanied by the reduction in Council funding for Intermediate Care and the savings planned for Care and Support Centres, requires a full joint review of the future model for all the short term services required to promote independence and support older people to return home quickly from hospital/avoid hospital residential care admissions. This needs to cover both the provider services and also the associated social care and therapy assessment function required to support a larger, more geographically dispersed service.
20. In the development of the new joint plan, the emerging priorities and principles for social care are:
  - ensuring services are provided that can evidence they promote independence and reduce long term residential care admissions, particularly those made direct from hospital, for example, short term assessment beds
  - ensuring services are provided that can evidence that they reduce the need for social care packages, such as START Re-ablement
  - maximising service capacity across the system through:
    - a. streamlined pathways for Re-ablement and Intermediate Care
    - b. alignment of the of START Re-ablement with community health services where this is of benefit.
    - c. ensuring that social care assessment teams, beds and START services form part of integrated models of care in the three transformation areas (north, mid and south Nottinghamshire).
21. The aim is to complete the plan by August 2016. It will include what type and volume of social care and therapy assessment capacity is required and where from April 2017 onwards.
22. Approval is therefore requested to extend the following Intermediate Care posts on a temporary basis:

A total of 6.8 fte assessment and care management posts associated with Intermediate Care on a temporary basis. The resource will be required in the future, however, there may be changes required to the type of role and geographic location arising from the review and new joint model.

- 0.8 fte Community Care Officers – CCO (Grade 5), Broxtowe, Gedling & Rushcliffe (BGR) Intermediate Care Team
  - 4 fte Social Workers (Grade B) (1 in Ashfield and Mansfield, 2 in BGR Intermediate Care Teams and 1 in Bassetlaw Intermediate Care)
  - 1 fte Advanced Social Work Practitioner (Grade C), Bassetlaw Intermediate Care Team
  - 1 fte Community Care Officer CCO (Grade 5), Bassetlaw Intermediate Care.
23. Approval is also requested to establish the following 4.5 fte Intermediate Care posts on a permanent basis and to be funded from the remaining substantive Intermediate Care budget:
- 4 FTE Social Workers (Grade B), IRIS Service
  - 0.5 FTE Team Manager (Grade D), Bassetlaw Intermediate Care Team.
24. The Intensive Recovery Intervention Service (IRIS) is a recovery service for people with mental ill health problems and/or dementia. This multi-agency specialist service operates across the County. It forms a key part of Nottinghamshire’s dementia strategy, contributing to meeting requirements set out in the Prime Minister’s challenge on dementia 2020<sup>1</sup>. Evaluation evidenced very positive outcomes for people. The service supports reducing the use of residential care and the avoidance of delayed discharges. Six social workers are attached to the IRIS teams across the County, however, only two of these are funded on a permanent basis. There is evidence to show that the model works and that having social workers in the teams is fundamental to the approach.
25. The workload at Bassetlaw Intermediate Care Team requires a permanent full-time manager. The current post-holder works full-time, but only half of this post has permanent funding.

## Funding Arrangements

26. The total cost of the temporary posts funded by BCF up to the end of March 2017 is £441,310. The total costs of posts proposed to be funded by the Intermediate Care budget is £455,147. A full financial breakdown for the posts outlined is detailed in **Appendix 1**. The intention is to fund the 4 IRIS Social Work posts and the 0.5 Team Manager in Bassetlaw from the remaining permanent Intermediate Care budget.
27. All of these costs include on costs, but exclude travel costs.
28. It is important to note that the BCF funding allocation is reviewed annually, based upon evaluation and outcomes, and therefore there is no guarantee of continued funding for the posts outlined beyond March 2017.

## Other Options Considered

29. The above case outlines the minimum required staffing to deliver the programmes for 2016/17, in particular for Intermediate Care. This forms the baseline in commencing the work with Health partners on further alignment which could then change the modelling of the workforce moving forward.

<sup>1</sup> <https://www.gov.uk/government/publications/prime-ministers-challenge-on-dementia-2020>

## Reason/s for Recommendation/s

30. It is recommended for the BCF posts to be extended to the end of March 2017 for the reasons outlined in **paragraphs 4-13**.
31. For the Intermediate Care posts, reasons for the recommendations are set out in **paragraphs 14-25** of the report.

## Statutory and Policy Implications

32. 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

33. The financial implications are contained within the body of the report, within **paragraphs 26-28** and **Appendix 1**.

## Human Resources Implications

34. 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.

## RECOMMENDATION/S

That the Committee:

- 1) Approves the extension of 12.9 fte temporary posts funded from the Better Care Fund to the end of March 2017:
  - 2 fte Advanced Social Work Practitioners, South (Band C)
  - 2 fte Social Workers South (Band B)
  - 6.4 fte Community Care Officers (4.4 fte South, 2 fte Central Carers Support Team) (Grade 5)
  - 2 fte START South Service Co-ordinators (Grade 4)
  - 0.5 fte Project Manager countywide START (Band D).
- 2) Approves the temporary extension of 6.8 fte temporary Intermediate Care posts to the end of March 2017:
  - 1 fte Advanced Social Work Practitioner, Newark and Bassetlaw (Band C)
  - 4 fte Social Workers (Band B)
  - 0.8 fte Community Care Officer, South (Grade 5)
  - 1 fte Community Care Officer, Bassetlaw (Grade 5).



- 3) Approves the establishment of 4.5 fte existing temporary posts on a permanent basis:
- 4 fte Social Workers, IRIS Team (Band B)
  - 0.5 fte Team Manager, Intermediate Care, Newark and Bassetlaw (Band D).

**Sue Batty**  
**Service Director – Mid Nottinghamshire**

**For any enquiries about this report please contact:**

Sue Turner / Jane Cashmore  
Transformation Manager / Commissioning Manager - ASCH  
T: 0115 9774825 / 0115 9773922  
E: [susan.turner@nottsc.gov.uk](mailto:susan.turner@nottsc.gov.uk) / [jane.cashmore@nottsc.gov.uk](mailto:jane.cashmore@nottsc.gov.uk)

**Constitutional Comments (SLB 22/04/16)**

35. 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 (KS 04/05/16)**

36. The financial implications are contained within paragraphs 26-28 of the report.

**Background Papers and Published Documents**

None.

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

All.

ASCH398





Table 1: Summary table of costs (BCF): temporary extensions

Service / Posts	fte	Project Manager £	fte	ASWP £	fte	Social Worker £	fte	CCO £	fte	Service Co-ordinator £	fte	Total £
<b>Grade</b>		<b>Grade D</b>		<b>Grade C</b>		<b>Grade B</b>		<b>Grade 5</b>		<b>Grade 4</b>		
<b>SCP</b>		SCP 44		SCP 44		SCP 39		SCP 28		SCP 23		
<b>QMC</b>			1	46,841	2	82,454	2.4	71,138			5.4	<b>200,433</b>
<b>Lings Bar</b>			1	46,841							1	<b>46,841</b>
<b>START</b>	0.5	25,136									0.5	<b>25,136</b>
<b>START assess</b>							2	59,282			2	<b>59,282</b>
<b>START provision</b>									2	50,336	2	<b>50,336</b>
<b>Carers CCO</b>							2	59,282			2	<b>59,282</b>
<b>TOTAL</b>	<b>0.5</b>	<b>25,136</b>	<b>2</b>	<b>93,682</b>	<b>2</b>	<b>82,454</b>	<b>6.4</b>	<b>189,702</b>	<b>2</b>	<b>50,336</b>	<b>12.9</b>	<b>441,310</b>

**Table 2: Summary table of costs (NCC Intermediate Care budgets / Reserve funds): temporary extensions**

Service / Posts	fte	ASWP £	fte	Social Worker £	fte	CCO £	fte	Total £
Grade		Grade C		Grade B		Grade 5		
SCP		SCP 44		SCP 39		SCP 28		
Bassetlaw ICT	1	46,841	1	41,227	1	29,641	3.0	117,709
BGR Int Care			2	82,454	0.8	23,713	2.8	106,167
IRIS Social Workers							-	-
M & A Int Care			1	41,227			1.0	41,227
<b>TOTAL</b>	<b>1</b>	<b>46,841</b>	<b>4</b>	<b>164,908</b>	<b>1.8</b>	<b>53,354</b>	<b>6.8</b>	<b>265,103</b>

**Table 3: Summary table of costs NCC Intermediate Care budget: permanent extensions**

Service / Posts	fte	Team Manager £	fte	Social Worker £	fte	Total £
Grade		Grade D		Grade B		
SCP		SCP 47		SCP 39		
Bassetlaw ICT	0.5	25,136			0.5	25,136
IRIS Social Workers			4	164,908	4.0	164,908
<b>TOTAL</b>	<b>0.5</b>	<b>25,136</b>	<b>4</b>	<b>164,908</b>	<b>4.5</b>	<b>190,044</b>



16 May 2016

Agenda Item: 6

**JOINT REPORT OF SERVICE DIRECTOR FOR MID NOTTINGHAMSHIRE  
AND SERVICE DIRECTOR ENVIRONMENT, TRANSPORT & PROPERTY**

**UPDATE REGARDING EASTWOOD EXTRA CARE SCHEME AND  
LYNNCROFT PRIMARY REDEVELOPMENT**

**Purpose of the Report**

1. The purpose of this report to Adult Social Care and Health and Finance and Property Committees is to note decisions taken by the Chief Executive under the urgency procedures to:
  - i) end the Council's involvement with the current proposed Eastwood Extra Care scheme
  - ii) approve Adult Social Care & Health (ASCH) officers to undertake scoping work to identify options for the creation of an alternative Eastwood Extra Care scheme on a smaller plot within the Walker Street site and report back to Committee in 2016;
  - iii) allocate part of the land currently within the Extra Care scheme to enable the Education Funding Agency (EFA) to construct a new school to replace the Lynncroft Primary School; and
  - iv) when the school project is complete, include the existing school land and buildings in the site area to be sold for development

**Information and Advice**

2. The proposed Eastwood Extra Care scheme and the proposed redevelopment of the Lynncroft Primary School were both planned to be located on the same site (former Walker Street School site) on County Council owned land in Eastwood.
3. The Council's Strategic Property Department recently approached ASCH officers about how to progress with the Lynncroft Primary project due to limitations with the land currently available for redevelopment of the school on the Walker Street site.

4. The existing Lynncroft Primary is located directly to the north of the proposed Extra Care scheme on the Walker Street site. In May 2012 the County Council was successful in their bid to the government's Priority Schools Building Programme (PSBP) to replace Lynncroft Primary. The PSBP is funded and delivered via the Department for Education's capital arm, the Education Funding Agency (EFA). Initially the programme was to be predominantly delivered through Private Finance Initiative (PFI) funding routes. Unfortunately the finance market did not support this route and so, in 2014/15, after a delay of approximately two years the majority of projects within the PSBP reverted to capital funding, thereby enabling the delivery of the PSBP projects to commence, but with a tight delivery timescale and funding envelope to complete the programme.
5. For Nottinghamshire, there were two batches of PSBP funding, each containing six schools. The redevelopment of new school buildings in the first batch have all now been completed. Lynncroft Primary school, part of the second batch of PSBP, has not progressed. The viability of the project has been affected by two inter related factors. Firstly, the size of the school is relatively small compared to others in the programme, it therefore has a correspondingly smaller budget allowance and the construction costs do not benefit from economies of scale. Secondly, PSBP schools are usually rebuilt on the existing school site to benefit from their existing external facilities. The existing Lynncroft site is constrained and the topography difficult to rebuild and keep the school operational without undertaking partial demolition and providing temporary accommodation. This in turn adds further cost to an already challenging budget.
6. The original contractor recently advised the EFA that they would not be able to deliver the Lynncroft project and the EFA decided to appoint a new contractor, one which has already successfully delivered the first batch of PSBP.
7. Projects in this round of the PSBP must be completed by autumn 2017. This means that the EFA needed to raise a viable project with the new contractor in May 2016. If this was not achieved the school would drop into the second round of the programme, meaning redevelopment would be unlikely for another 4 years. A new approach was required if the replacement school were to be secured. The Council does not have any available alternative sites in the vicinity and Strategic Property colleagues therefore recently approached ASCH colleagues to request that the school be rebuilt on some of the land at Walker Street which is currently allocated to the proposed Extra Care scheme.

#### Eastwood Extra Care

8. In 2012 the County Council procured a preferred development partner to deliver Extra Care housing on the former Walker Street school site in Eastwood. Broxtowe Borough Council colleagues were involved with the tender approval process. The chosen Developer's scheme proposed 140 new homes for older adults on the Walker Street site, along with communal space for community activities. In terms of the mix of accommodation, there would be 113 apartments for rent and 27 bungalows for sale. The accommodation in the proposed scheme would all be built to the County Council's Extra Care design standard and the County Council would have rights to 30 of the apartments

as nomination units i.e. these 30 would be for use by older adults who are assessed as having eligible care needs and as being eligible for financial support from the Council.

9. To date, there have been a number of issues affecting the proposed Extra Care scheme in Eastwood which has resulted in significant delays to progress. Once resolved, planning permission was finally obtained upon appeal in late 2015, on the condition that work commences on site within 12 months or else require a new planning application to Broxtowe Council. Construction of the scheme has not yet started. There are two key factors affecting the proposed Extra Care scheme:
  10. Firstly, the length of time to submit and then secure planning approval has led to increased construction costs over time. Secondly, land value has also increased since the original development agreement was signed in 2012. Under s123 of the Local Government Act 1972 the Council has a duty to achieve 'best consideration' when it disposes of land, which is generally deemed to be equivalent to market value. This would also place further financial pressure on the Developers.
  11. In light of the issues to be resolved around financial viability, ASCH officers no longer had confidence that the proposed scheme will be able to start on site with the timescales dictated by the planning condition. The Strategic Partnering Development Agreement (SPDA) between the Council and the Developers for Eastwood Extra Care had expired and so the Council could decide whether to proceed with the current proposed development without any risk of contractual penalty.

#### Urgency decision to progress both Eastwood Extra Care and the Lynncroft Primary redevelopment

12. Strategic Property colleagues therefore proposed the development of a new master plan for the Walker Street site in order to progress the development of both schemes. The plan would set out an alternative area to build the school on, together with a plot for a 60 bed Extra Care scheme. Changing the current Extra Care proposal would therefore allow a holistic approach to be taken towards the development of the whole site and a 60 unit Extra Care scheme would still enable Council to have 30 nomination units for use by ASCH Service Users.
13. Due to the tight timescales for securing funding for the redevelopment of Lynncroft Primary, an urgency procedure was used at the end of April to end the Council's involvement with the current proposed Eastwood Extra Care scheme (in order to allocate part of the land currently within the Extra Care scheme for the redevelopment of the school)

#### **Other Options Considered**

14. Adult Social Care and Health Committee gave approval in 2012 for the award of a contract to the preferred bidder for the development of an Eastwood Extra Care scheme. To be able to progress with the delivery of an alternative Extra Care scheme, it will be necessary to withdraw from its involvement with the current Extra Care proposal.

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

15. The County Council wants to progress with the development of Extra Care in Eastwood. The Broxtowe borough is the only council area of Nottinghamshire which does not currently have a County Council Extra Care scheme in operation.

## **Statutory and Policy Implications**

16. 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**

17. The exact capital funding that would be required to cover the cost of contributing to a revised new scheme needs to be established. However, it is anticipated that the cost could be covered from within the funding available in the Council's Extra Care Capital budget.

## **Implications for Service Users**

17. The creation of Extra Care provision will provide additional choice and opportunities for older adult service users.

## **RECOMMENDATION/S**

That Adult Social Care and Health and Finance and Property Committees note decisions taken by the Chief Executive under the urgency procedures to:

- i) end the Council's involvement with the current proposed Eastwood Extra Care scheme
- ii) approve Adult Social Care & Health (ASCH) officers to undertake scoping work to identify options for the creation of an alternative Eastwood Extra Care scheme on a smaller plot within the Walker Street site and report back to Committee in 2016;
- iii) allocate part of the land currently within the Extra Care scheme to enable the Education Funding Agency (EFA) to construct a new school to replace the Lynncroft Primary School; and
- iv) when the school project is complete, include the existing school land and buildings in the site area to be sold for development

**Sue Batty**  
**Service Director for Mid Nottinghamshire**

**Jas Hundal**

**Service Director Environment, Transport & Property**  
**For any enquiries about this report please contact:**

Gerry McKeown  
Property Strategy and Development Team  
T: 0115 9773617  
E: [gerry.mckeown@nottscc.gov.uk](mailto:gerry.mckeown@nottscc.gov.uk)

Rebecca Croxson  
Programme Manager 'Living at Home'  
T: 0115 9772189  
E: [rebecca.croxson@nottscc.gov.uk](mailto:rebecca.croxson@nottscc.gov.uk)

**Constitutional Comments (SLB 05/05/16)**

This report is for noting only.

**Financial Comments (GB 06/05/16)**

The financial implications are set out in the report.

**Background Papers and Published Documents**

18. None.

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

19. Eastwood - Cllr Keith Longdon







16<sup>th</sup> May 2016

Agenda Item: 7

**REPORT OF SERVICE DIRECTOR FOR STRATEGIC COMMISSIONING,  
ACCESS AND SAFEGUARDING**

**PERSONAL OUTCOMES EVALUATION TOOL (POET) SURVEY OUTCOMES  
2015 - UPDATE**

**Purpose of the Report**

1. To update the Adult Social Care and Health (ASCH) Committee on the progress made in implementing the recommendations arising from the Personal Outcomes Evaluation Tool (POET) Survey 2015.

**Information and Advice**

2. The POET survey was developed over a number of years by 'In Control' and the Centre for Disability Research at Lancaster University. The survey (which was posted out to 1,000 service users and carers throughout Nottinghamshire) provided detailed feedback about the experience and outcomes for individuals in receipt of a Personal Budget; in addition providing up to date quantitative data. The survey aimed to assist local authorities by:
  - capturing the outcomes and experiences of a sample of local Personal Budget users and family members
  - identifying from a carer's perspective, through analysis and benchmarking, areas of local strengths and those requiring improvement
  - providing the information to form the basis of a local action planning session with stakeholders.
3. In total, 188 people completed the survey in Nottinghamshire, which is in line with national response trends for this type of survey.
4. The POET survey and subsequent activity have taken place in the context of wholesale changes required by the implementation of the Care Act 2014. A key part of this legislation is the support for people in receipt of Personal Budgets, and in Nottinghamshire there have been many developments to improve the experience for both service users and carers. These improvements are generally in line with and reinforce the findings from the POET survey.
5. Members will recall that an initial report was brought to Committee on 30 November 2015, which outlined the key strengths identified by Nottinghamshire respondents. To summarise:
  - 63% of respondents said their views were taken into account when the Personal Budget was set, which is similar to other areas of England (64%)

- 82% of respondents said their views had been taken into account in their care and support assessment, which is similar to other areas of England
- 92% of respondents reported that they had received help to plan their Personal Budget, which is similar to other parts of England (91%)
- 32% of respondents said the most common sources of support were help from someone from the Council and 29% said support was from family/friends.

## **POET survey feedback identifying areas for development within Nottinghamshire**

6. The previous Committee report highlighted a number of areas for development, following the feedback from the respondents:
  - to ensure independence and flexibility (including being able to easily change the allocation)
  - to ensure the views of Personal Budget holders are taken into account in the planning phase
  - to develop an effective and easy process when 'making changes to support'
  - to enable service users to have carers chosen by themselves
  - to improve budgeting: to develop an effective and easy process when 'agreeing the budget', and to ensure people know what a budget allocation can be spent on, particularly once individuals are left to manage their budget
  - to facilitate getting out and about in the community
  - to make sure people know they are in receipt of a Personal Budget.
7. The Council has identified a number of actions to improve the experience of using Personal Budgets for service users and carers. This has been enhanced by the developments taking place around the Care Act 2014, which are also progressing improvements for service users and carers.
8. The following information demonstrates the specific outcomes achieved to facilitate relevant changes. The majority of the agreed timescales have been met relating to the specific recommendations.

### **Recommendation 1: to provide better information sources to enable understanding of personal budgets by March 2016**

#### **Actions / Progress**

9. There has been a great emphasis on expanding and improving information relating to service users and carers. The key development is the launch and ongoing development of the online directory and resource, Notts Help Yourself: [www.nottshelpyourself.org.uk](http://www.nottshelpyourself.org.uk). This website offers information and signposting for all Nottinghamshire residents, including self-funders, service users and carers; and helping service users to gain relevant information about community resources. A communication plan has been developed for a number of initiatives to take place, aimed at raising awareness of Notts Help Yourself within the general public.
10. As part of the Better Care Fund, and in partnership with the local Clinical Commissioning Groups, the Local Authority has established a Carers Support Service. The Carers Support Service consists of six Community Care Officers who carry out carers' assessments by phone; assess eligibility for a Personal Budget; give advice/information to

carers; and signpost to other voluntary and statutory agencies. The Carers Support Service refer to the Nottinghamshire Carers' Hub when carers require extra support. Where a telephone assessment is not possible due to preference, or due to a cognitive or hearing impairment, carers are referred for a face to face assessment. Soon, carers' assessments will also take place in community clinics.

11. In addition the Local Authority jointly commissions (with the local NHS) a Nottinghamshire Carers Hub; the Compass service for carers of people with dementia; the Pathways service for carers of people at end of life and has jointly produced the Carers Information Pack
12. Staff have devised a number of factsheets for service users which are available online.

**Recommendation 2: To equip frontline staff with the information which enables them to demonstrate the range of options available for Personal Budget allocations by March 2016**

**Actions / Progress**

13. As above, the launch and development of the Notts Help Yourself Website assists in equipping staff to find information about national and local resources which may be useful for service users, carers and self-funders; to signpost them to local providers, what's available in the local community and generally towards organisations which may help people with maintaining and improving their independence. Staff with mobile devices are able to easily access this information when out on visits or within clinics.
14. Relevant staff guidance, policies, the Adult Social Care Strategy, and the One Space area are available to staff, to assist workers in guiding service-users and carers around what is available to support them.
15. A series of Carer Factsheets have been developed to assist staff:
  - Fact Sheet 1 - Carers Personal Budgets (one-off payments)
  - Fact Sheet 2 - Carers Personal Budgets (on-going)
  - Fact Sheet 3 - Carers Personal Health Budgets.

**Recommendation 3: To train staff on areas for budgeting, planning, involving service users by Summer 2016**

**Actions / Progress**

16. A series of Promoting Independence Workshops for staff were held during 2015 aimed at equipping staff to provide clear information to service users about how they can access and use personal budgets. This included carers' workshops which updated staff on Personal Budgets for carers. The events also included direct payments workshops covering the following areas: assessment, eligible needs, indicative budgets, and support plans. These sessions also encouraged staff to think about the experience of service users and using a person centred approach to using Personal Budgets. A process is in place to enable all staff to navigate the Notts Help Yourself website.

17. Plans are in place to develop an assessment and support planning core training package that will encompass all of the points relating to Personal Budgets. This will be available later in 2016 and will be completed by members of the ASCH training reference group.

**Recommendation 4: To identify actions to extend the survey's reach to groups missed during this process by March 2016**

**Actions / Progress**

18. The survey was a random sample of people, who did not necessarily represent all target groups. Therefore, it was decided to extend the range of views by approaching extra groups, to elicit their experiences of Personal Budgets, to add to the feedback acquired through the POET survey. These included dementia cafés, disability groups, and older person's luncheon groups.

**Recommendation 5: To report the findings of the survey to service users and carers, and to include Senior Leadership Team representation at the event by December 2015**

**Actions / Progress**

19. There was no event in December 2015, due to lack of capacity, but sessions with key groups have been identified to feedback key issues from the POET survey, and to enable service users and carers to participate in taking forward identified issues. A presentation will be made to the Disability Independence Advisory Group (DIAG) on 26 May 2016.

**Other Options Considered**

20. The report is for noting only.

**Reason/s for Recommendation/s**

21. The report is for noting only.

**Statutory and Policy Implications**

22. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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**

23. There are no financial implications arising from this work as the work has been contained within the funding for the implementation of the Care Act 2014.

**Implications for Service Users**

24. Learning from the POET survey is expected to improve the experience for service users and carers in receipt of a Personal Budget. Seeking feedback from service users and carers on a continual basis will enable the Department to know if experiences are positive, or require further interventions to facilitate improvement. Better quality information, links to

new developments, particularly around ICT, will contribute to improvements, alongside a better knowledge base of operational community teams when assessing or reviewing service users and carers.

## **RECOMMENDATION/S**

- 1) That the Committee notes the progress that has been achieved in relation to the outcomes of the Personal Outcomes Evaluation Tool (POET), conducted via the National Framework, to assess the effectiveness of the Department's Personal Budgets process.

**Caroline Baria**

**Service Director for Strategic Commissioning, Access and Safeguarding**

**For any enquiries about this report please contact:**

Penny Spice

Commissioning Manager

T: 0115 9773012

E: [penny.spice@nottsc.gov.uk](mailto:penny.spice@nottsc.gov.uk)

Veronica Price-Job

Commissioning Officer

E: [veronica.price-job@nottsc.gov.uk](mailto:veronica.price-job@nottsc.gov.uk)

### **Constitutional Comments**

25. As this report is for noting only, no Constitutional Comments are required.

### **Financial Comments (KS 29/04/16)**

26. The financial implications are contained within paragraph 23 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.

Personal Outcomes Evaluation Tool survey

The POET Survey: NCC Data Report April 2015

POET Survey Free Text Responses

Personal Outcomes Evaluation Tool (POET) Survey outcomes – report to Adult Social Care and Health Committee on 30 November 2015

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

All.

ASCH394



16 May 2016

Agenda Item: 8

**REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING,  
ACCESS AND SAFEGUARDING**

**COMMISSIONING FOR BETTER OUTCOMES PEER REVIEW 2015 –  
PROGRESS ON ACTIONS**

**Purpose of the Report**

1. To provide an update on activity undertaken within the Council in response to the March 2015 Better Outcomes Peer Review recommendations, relating to the fourth key line of enquiry, 'Are people's individual outcomes enhanced through stakeholder involvement in the commissioning and delivery of services?'
2. To outline proposals for improving engagement by developing clearer processes for co-production with service users, carers, stakeholders and partners to inform commissioning activity in accordance with Peer Review (March 2015) and Care Act 2014 recommendations.

**Information and Advice**

**Background**

3. In March 2015 the Commissioning for Better Outcomes Peer Review<sup>1</sup> was undertaken. This report provides a 12 month update on the progress made against the recommendations relating to one of the key lines of enquiry, which was 'Are people's individual outcomes enhanced through stakeholder involvement in the commissioning and delivery of services?'
4. The Peer Review evaluation noted that while the Council has a strong track record on engagement activities with stakeholders, it would be beneficial to further embed co-production into the day to day working practice of the department to continue to improve outcomes for service users.
5. The Care Act 2014 also promotes the use of co-production as a way to develop interventions. It recommends that

*'local authorities should, where possible actively promote participation in providing interventions that are co-produced with individuals, families, friends, carers and the Community'* (paragraph 2.14).

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<sup>1</sup> Notts County Council Commissioning Better Outcomes Peer Challenge Report LGA March 2015



6. Co-production is a term that is increasingly being used to refer to how commissioners engage with stakeholders. The Care Act describes co-production as being *‘when an individual influences the support and services received, or when groups of people get together to influence the way services are designed, commissioned and delivered.’*

### **Summary of the Adult Social Care and Health (ASCH) engagement track record**

7. **Appendix 1** summarises the consultations, engagement events and meetings that have taken place from April 2015 to March 2016. The table shows that 94 engagement activities took place with stakeholders over that period, covering a range of business areas including: safeguarding; ‘soft market testing’ in preparation for tender developments; proposals for service redesign; and budget consultations. These all illustrate the Council’s commitment to and recognition that service users and carers are ‘experts by experience’ and so are uniquely well placed to contribute to the design of services to improve their health and wellbeing.
8. Building on this proven track record, it is the natural extension for the Council to expand the above evidenced good practice relating to engagement and consultation with stakeholders, to a co-productive model of working. This would enable stakeholders to identify and influence what commissioned services the Council should be prioritising to improve outcomes for service users and carers; and for them to share in the development and delivery of the change.

### **Development of a co-production approach for Nottinghamshire**

9. A national co-production lead for Think Local Act Personal (TLAP) and a member of the March 2015 Peer Review team, Clenton Farquharson, was approached for guidance on how to improve co-production in Nottinghamshire. Clenton Farquharson is also director of the Birmingham based user led community interest company, Community Navigator Services (CNS). CNS works to the two key aims of helping people to help themselves and to support organisations to change to become more accessible and approachable.
10. In February 2016 a meeting with Clenton Farquharson took place in the CNS Birmingham office, attended by the Chair of the ASCH Committee and Strategic Commissioning officers. The meeting explored what is meant by ‘co-production’ and explored future ways of further developing and embedding it in the Council’s engagement activities.
11. One of the outcomes of this visit was that an alternative phrase “working together learning together” be used as it clearly explains what is meant by co-production. It was also agreed that Community Navigator Services (CNS) would provide on-going support to the Council as a ‘critical friend’ to support the embedding of co-production.
12. The support of the CNS was innovatively secured on a time banking basis, which means that mutual support and advice is provided on particular pieces of work, using a reciprocal support arrangement of specialist skills sharing rather than financial payment. So in return for the CNS support the Council is receiving relating to co-production, it was agreed that the Council’s Person Centred Planning Managers will deliver facilitation skills training to CNS staff.



## **‘Co-production in Practice’ – NCC co-production workshop (March 2016)**

13. Following the visit to Birmingham it was agreed that CNS would facilitate a workshop at County Hall to explore what co-production means for Nottinghamshire. There were 30 attendees at the workshop, including Members, service users and carers, Healthwatch and ASCH and Place Directorate officers. The themes of the workshop were ‘exploring what co-production means’; ‘why we need it’; ‘what we are already doing well’; and ‘the challenges to developing this further’.
14. CNS identified that the principles underpinning co-production were:
  - nothing about me without me
  - everyone is unique
  - everyone can do something to achieve personalisation, however little
  - little things can make a big difference
  - we are all equal and deserve mutual respect
  - empowerment works both ways.
15. It was agreed at the workshop to set up a co-production forum, made up of some of the workshop attendees including Members, people who use services, ASCH and Place Directorate officers and Health colleagues. In total 21 attendees committed to being part of the ongoing co-production forum. The first forum meeting took place on 26<sup>th</sup> April 2016.

## **Next Steps**

16. It was agreed that this forum will:
  - develop a charter of how when and where co-production will be used
  - develop links with community and Voluntary Sector Team to improve links with third sector organisations
  - use ‘nottshelpyourself’ website as an additional way in to communicate with stakeholders alongside face to face meetings
  - work with stakeholders and share responsibility to deliver outcomes
  - promote positive examples and case studies of where co-production has been successful
  - oversee and ensure that co-production underpins the commissioning process
  - support existing engagement groups by officers from the Strategic Commissioning Team
  - improve existing practice and take a more co-productive approach with current tenders including Home Based Care and First Contact. (A workshop is already planned to take place at the next Home Based Care forum).

## **Other Options Considered**

17. There is an established engagement framework that ASCH officers have supported for a number of years. The option to withdraw officer support for this and create a new co-production structure was explored with the department’s Senior Leadership Team.

However, it was decided it would be more beneficial to retain and support the current engagement structure and to incorporate co-production into these current groups.

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

18. The Care Act and the March 2015 Peer Review evaluation state that better outcomes are achieved for service users and their carers when they are partners and involved from the beginning of the commissioning process.

### **Statutory and Policy Implications**

19. 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**

20. A reciprocal 'time banking' arrangement with Community Navigator Services has been agreed whereby CNS will continue to be a 'critical friend' to the Council to support the practical implementation of co-production. In return the Person Centred Planning Managers will deliver facilitation skills training to CNS staff. This has ensured that there is a nil financial cost to the Council for the support of CNS.
21. There will be a cost incurred for volunteer expenses and room hire but this will be contained within the Strategic Commissioning budget as there are funds already identified for this purpose.

### **Implications for Service Users**

22. There are positive implications for service users. Increasing the use of co-production will enable service users to be centrally involved in decision making processes within ASCH directorate where the outcomes will impact on their quality of life. This will potentially include (but will not be limited to) designing new services, redesigning established services and policy development.

## **RECOMMENDATION/S**

That the Committee:

- 1) notes the update on activity undertaken to date within the Council in response to the March 2015 Better Outcomes Peer Review recommendations, relating to the fourth key line of enquiry, 'Are people's individual outcomes enhanced through stakeholder involvement in the commissioning and delivery of services?' with a further update to be brought to the Committee in six months.
- 2) notes the proposals for improving engagement by developing clearer processes for co-production with service users, carers, stakeholders and partners to inform

commissioning activity in accordance with Peer Review (March 2015) and Care Act 2014 recommendations.

**Caroline Baria**  
**Service Director, Strategic Commissioning, Access and Safeguarding**

**For any enquiries about this report please contact:**

Laura Chambers  
Strategic Commissioning Manager  
T: 0115 993 2563  
E: laura.chambers@nottscc.gov.uk

### **Constitutional Comments**

23. As this report is for noting only, no Constitutional Comments are required.

### **Financial Comments (Ks 29/04/16)**

24. The financial implications are contained within paragraphs 20 and 21 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.

Outcome of the Commissioning for Better Outcomes Peer Review 2015 – report to Adult Social Care and Health Committee on 29 June 2015

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

All.

ASCH400



## Appendix 1

Table showing consultation events held from April 2015 to March 2016

Type of event	No. of events	Total no. of hours	Average no. of attendees per meeting
Extra Care public events	7	14	12
Ageing Well	4	12	35
Older People's Advisory Group	4	12	20
Carers Implementation Group	6	12	12
Lay Involvement Panel	4	8	6
Carers Feedback event	1		20
Transforming Care Engagement work stream	3	6	10
Alternative Service Delivery events	32	64	various
Transforming Care Provider event	1	5	40
Budget Consultation events	2	6	25
Disability Information Advisory Group (DIAG)	4	12	12
Access to Good Information Delivery Group	4	12	15
Learning Disability and Autism Partnership Board	7	21	30
Notts Safeguarding Adults Partnership Board	2	6	50
ICELS Nottm Citizens Panel event	1	6	20
Notts Help Yourself Consultation events	11	various	various
Mental Health Awareness event	1	4	20
Procurement Soft Market Testing			
<b>Total no. of engagement events/meetings</b>	<b>94</b>		





16<sup>th</sup> May 2016

Agenda Item: 9

**REPORT OF THE CORPORATE DIRECTOR, ADULT SOCIAL CARE,  
HEALTH AND PUBLIC PROTECTION**

**OUTCOME OF THE SECTOR LED IMPROVEMENT PEER REVIEW MARCH  
2016**

**Purpose of the Report**

1. The report informs the Committee about the peer review that took place from 2<sup>nd</sup> to 4<sup>th</sup> March 2016, and the feedback provided as a result of the review. It is also proposed that Committee receives progress updates on work to address the areas of development identified in the peer review.

**Information and Advice**

**Background information**

2. Peer reviews are part of the East Midlands sector led improvement process, whereby councils across the region assess and review their own progress in relation to the national Adult Social Care Outcomes Framework and invite colleagues from other local councils to come and undertake a more detailed review of self-selected key areas. Peer reviews take place every two years.
3. Also as part of the sector led improvement process, councils are required to complete an annual self-assessment; the next one will be due in June 2016. Following on from this there is a local challenge, whereby an external consultant (a previous Director of Adult Social Care) reviews the self-assessment and meets with Directors on an individual basis to consider areas of good performance and provide challenge on those requiring improvement and focus.
4. Peer reviews present an opportunity to support improvement in local government. The review is a constructive and supportive process with the central aim of helping councils to improve. It is not an inspection nor does it award any form of rating judgement or score. It is delivered from the position of a 'critical friend' to promote sector led improvement.
5. The previous peer review took place in April 2013, and Nottinghamshire was the first council in the East Midlands to undertake this process. This review focussed on progress with personalisation, safeguarding and integrated commissioning for older people. An action plan was developed further to this and the actions identified in this have been taken forward within the progress towards better health and social care integration, implementation of the Care Act and the adoption of the Making Safeguarding Personal agenda and the development of the Multi-Agency Safeguarding Hub (MASH).

6. At this Committee meeting there is also a report on progress in relation to one of the key actions identified from the peer review conducted in March 2015, which was organised by the Local Government Association (LGA) and was specifically focused on new standards produced in relation to Commissioning for Better Outcomes. The Council was asked to take part in this review at short notice in order to assess the success of the new framework.
7. The peer review in March 2016 was led by the Director of People and Deputy Chief Executive for Rutland County Council, Tim O'Neill. The team also included Mark Andrews, Deputy Director of People, Rutland County Council; Sue Wilson, Head of Service, Strategic Commissioning, Market Development and Compliance, Leicestershire County Council; Ian Redfearn, Head of Mental Health Services, Leicestershire County Council and Member Peer, Councillor Richard Clifton, Lead Member for Adult Social Care at Rutland County Council. The team was supported by Daniel Routledge from SDSA (School Development Support Agency), which organises the peer reviews.
8. The team was asked to focus on two key lines of enquiry:

#### Front End & Access

- In line with the Care Act the Council has continued to develop its access and initial intervention services in adult social care, including the route to full assessment and safeguarding. Are we dealing effectively with people at this stage and are there ways we could improve outcomes and efficiency?

#### Deprivation of Liberty Safeguards (DoLS)

- In June 2015, the Council developed a corporate strategy and project plan to address the increasing demand for DoLS assessments. Do we have the right strategy, approach and capacity in place to do this?

9. The Council organised a timetable of meetings and interviews for the peer review team across two full days. This involved a wide range of people including service users, carers, partner organisations, frontline staff and managers, senior managers and Elected Members, in order to assess how well the Council is performing in relation to the two areas mentioned above. Approximately 90 people were interviewed, and one of the carers that participated commented on how useful she found the session and said that she would be very happy to attend future similar events.
10. On the third day the team produced and gave an initial presentation on their findings. The Council has now received a letter outlining in detail the findings and recommendations of the peer review team.

#### **General feedback from the Peer Review team**

11. The team provided some feedback on their general findings and recommendations during their time in Nottinghamshire. They praised the real sense of strong leadership and management within the department, and commented on the 'highly motivated, high



quality and ambitious staff group'. They felt that the vision for the future of adult social care (the Adult Social Care Strategy) is widely understood and delivered in practice.

12. They cited some tangible examples of effective work practice such as care navigation, the Occupational Therapy intake team and telephone assessments. The review team also felt that the corporate investment in staff, as demonstrated for example by provision of Thinkpads, was a real strength of the organisation and widely recognised. There were a number of examples of effective staff-led initiatives and, whilst this sometimes led to local variations, it was always driven by trying to achieve better outcomes for the people of Nottinghamshire. The team commented that 'there was a real sense of an entrepreneurial spirit amongst the staff group'.
13. There was recognition of the commitment to the use of business intelligence, data and evidence to drive improvement across adult social care, and the team felt this was in keeping with a customer first approach towards transformation.
14. Although the description of adult social care and health integration, which the team referred to as the Council's 'integration' narrative, was felt to be sound, the team recommended that it should be more clearly communicated both internally and externally. They also recommended giving further consideration to the strategy regarding the voluntary and community sector in order to ensure that those within the sector clearly understand the vision for their role into the future, and how it relates to the overall Council vision for adult social care.
15. Given the pace and scale of the change within the organisation, the team felt it was important to maintain the current level of transformational capacity, as it appeared to them to be a vital component of effective change so far. The team also advised that there are further opportunities to join up and make more coherent commissioning plans and strategies across the department.

#### **Front end and access – areas of strength**

16. The team identified clear investment in a well-planned and defined approach to accessing services, and they felt that this is working well, largely due to the 'energised and passionate multi-disciplinary workforce' who understood and were engaged with the model of working.
17. Nottinghamshire Help Yourself was felt to be comprehensive and accessible and there was feedback that staff were using it as a tool both in the Customer Service Centre and the Access team. The peer review team was also impressed with how the model is evolving driven by staff committed to continuous improvement, most notably the move away from standard scripts towards a more conversational style in order to truly understand the needs of the customer.
18. There was acknowledgement of the development of a stepped approach to access ranging from telephone assessments to clinics through to home visits, and the team recognised the online assessment as a logical and welcome next step in this process. The 'Golden Number' appeared to be well-known - service users and carers quoted it to the team - and there was a feeling that the move towards auto-scheduling is helping to give more certainty to both service users and staff. The team also praised the work of

the Multi Agency Safeguarding Hub (MASH), stating that it provides clear access as well as the triage/risk assessment they undertake reducing the amount of inappropriate work the district teams have to deal with.

### **Front end and access – areas for development**

19. The team felt that the way the access model is developing could lead to inefficiencies in the pathway and that it might be an appropriate time to take stock and ensure that the customer journey is both efficient and fit for purpose. For example, they suggested greater clarity for the routes in to social care for health services.
20. The team also felt that whilst there was good evidence of signposting at early stages, the Council may wish to be assured that the needs of those who 'exit' the pathway early are being effectively met.
21. There was recognition of the social care clinics as a good initiative but a recommendation that they now need a more precisely defined role within the system, perhaps including making use of them for reviews. It was felt that there was an opportunity to further expand and harness the 'entrepreneurial staff group' in future service improvement.
22. The team also identified a variable experience amongst the carer population, although with some evidence of significant improvement in recent months. Clearly the review team met with only a small number of carers but they suggested that the Council assures itself about a consistent level of support across the caring population.
23. With regard to the MASH, the review team acknowledged that there is currently a recruitment exercise underway but suggested that the Council keeps the roles and jobs within the MASH under review so as to ensure that they are attractive and offer professional development and a career path.

### **Deprivation of Liberty Safeguards – areas of strength**

24. The review team started off by acknowledging that the current situation with regard to Deprivation of Liberty Safeguards (DoLS) provides all local authorities with a significant challenge and potential risks, including the possibility of litigation. The team felt that in Nottinghamshire DoLS was an issue that was corporately owned with a strong organisational focus on it. This was recognised as a real strength as in some local authorities it is seen as purely an adult social care issue.
25. The team felt that the Council was 'doing the right things' and that there are clear plans to address the challenges associated with this area of practice. There was positive feedback about good analysis of the issues and due consideration given to the workforce implications, including dealing with the backlog and building future capacity by widening the pool of Best Interest Assessors (BIAs).
26. The team found 'real expertise within the organisation and a strong ethical basis for good practice', as well as sound practice in supporting providers, with a tangible outcome being the co-production of the referral form. The development of an online referral process was also viewed as an important step forward.

27. There was an acknowledgment that Nottinghamshire is well regarded and well-known for its involvement in and contribution to both regional and national fora, which allows the Council to help shape and learn from what is going on in other local authority areas.

### **Deprivation of Liberty Safeguards – areas for development**

28. The review team stated that Nottinghamshire is at the 'forefront when it comes to dealing with the challenges and opportunities associated with DoLS', but they felt that there are still 'places to look' for further progress. For example, they recommended a more in-depth analysis of the Council's exposure to risk, with a possible focus on hospitals and care homes.
29. The team cited the importance of continuing to ensure that the technical elements of DoLS practice are balanced against pragmatic decision making at all levels, and in particular ensuring that what the Council does is based on sound operational practice and assessment of risk. It recommended looking at all options to deal effectively and efficiently with the backlog, whilst leaving the Council with the appropriate levels of staffing to deal with what will eventually be the 'business as usual'.
30. The team also felt that improvements in organisational communication could be made, particularly with district teams and providers, and that staff confidence could be improved by articulating the outcome benefits and the incremental milestones reached on the journey.
31. The final letter with the feedback and recommendations from the peer review team was received just before the Committee report was submitted. Work is now underway to address the areas of development raised in the review. It is intended that the actions required will be incorporated into existing strategies and action plans wherever it is possible to do so. Progress in relation to these areas of development will be reported back to the Committee.

### **Other Options Considered**

32. Nottinghamshire is part of the East Midlands sector led improvement framework; peer reviews are an integral part of this process and are required to take place every two years to ensure that the Council continues to perform well and receives the benefit of review by its local peers.

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

33. The report is for noting.

### **Statutory and Policy Implications**

34. 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**

35. There are no financial implications arising from this report.

## **Safeguarding of Children and Adults at Risk Implications**

36. The peer review team spent some time considering the arrangements at the MASH and the Council's response to the challenges in Deprivation of Liberty Safeguards work and has made some recommendations about possible areas for improvement in relation to these.

## **Implications for Service Users**

37. The overall intention of the review is to ensure the Council is performing well and to look at ways of improving the support and services provided to service users.

## **RECOMMENDATION/S**

That the Committee:

- 1) notes the work undertaken during the peer review and the outcomes of the review.
- 2) agrees to receive progress updates on work to address the areas of development identified in the peer review.

**David Pearson**

**Corporate Director, Adult Social Care, Health and Public Protection**

**For any enquiries about this report please contact:**

Jennie Kennington

Senior Executive Officer

T: 0115 9774141

E: [jennie.kennington@nottsc.gov.uk](mailto:jennie.kennington@nottsc.gov.uk)

## **Constitutional Comments (LM 21/04/16)**

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

## **Financial Comments (KS 29/04/16)**

39. There are no financial implications contained within the report.

## **Background Papers and Published Documents**

None.

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

ASCH396



**16 May 2016**

**Agenda Item: 10**

**REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING,  
ACCESS AND SAFEGUARDING**

**CARE HOME PROVIDER CONTRACT SUSPENSIONS**

**Purpose of the Report**

1. The purpose of the report is to provide an overview of quality auditing and monitoring activities in care homes and of current contract suspensions with care home providers.

**Information and Advice**

**Quality Audits and Quality Monitoring**

2. Some information relating to this report is not for publication by virtue of Schedule 12A of the Local Government Act 1972 and is therefore included in an **Exempt Appendix**. Having regard to all the circumstances, on balance the public interest in disclosing this information does not outweigh the reason for exemption because the information would add a limited amount to public understanding of the issues but may damage the financial or business affairs of any particular person (including the Council).
3. Nottinghamshire County Council places significant emphasis on monitoring the quality and standard of the care for services commissioned from independent sector providers and in supporting providers to make required improvements. The Council undertakes this monitoring work in partnership with other agencies, including the relevant Clinical Commissioning Groups (CCGs), Healthwatch and the Care Quality Commission (CQC). Information is routinely shared with these organisations in order to build up a picture of any risk levels and the associated impact on outcomes for people accommodated at the services.
4. Quality Monitoring Officers (QMOs) currently undertake annual quality audits in older people's care homes within Nottinghamshire and these audits inform the banding of the home for the next financial year. The bandings determine the fee level to be paid to each home and they act as an incentive for continuous improvement. The QMOs also undertake annual audits in younger adults' care homes and both work programmes are determined and managed through a risk based approach. Since April 2014, these work programmes have been conducted in partnership, where possible, with quality monitoring staff from the relevant CCG.
5. Additionally, the QMOs undertake responsive visits following concerns raised by people accommodated at a service or their relatives, care workers and other

professionals e.g. as a result of a safeguarding referral or an Infection Prevention Control audit, and other agencies such as the CQC.

6. Following a responsive monitoring visit, or annual audit, where it becomes evident that the quality of care is not at the required standards, the Council can take a number of actions. In most cases, the Council and health partners will issue an improvement notice which highlights the areas of concern and requires the provider to make improvements within an agreed timescale. Where action hasn't been taken to make the required improvements, is protracted, or where there is evidence that the quality of care continues to deteriorate, then the Council and health partners might jointly move to suspending the contract with the provider. This means that no further Council or CCG funded people would be placed in that facility whilst the suspension is in place. Alongside this, a voluntary undertaking might also be agreed with the provider, so that people who fund their own care are not placed in the home whilst the suspension is in place. Whilst this is not legally binding it does signal a positive commitment from a provider to partnership working/to make required improvements.
7. When an improvement notice has been issued, or a contract suspended, staff from both the Council and the CCG will work with the provider and closely monitor the service in order to support the required improvements.
8. The Council's Care and Support Services Directory includes the following information for people researching services in relation to care home contract suspensions:

*While all care homes/care homes with nursing are required to be registered with the Care Quality Commission, if we (NCC) are contributing to your care fees, then we will have a separate agreement in place with the care home/care home with nursing. This is done to ensure that the Council and the care home/care home with nursing know exactly what is required from the service.*

*Occasionally it may be necessary to temporarily suspend placements into a care home/care home with nursing. This may be done for a variety of reasons:*

- *to investigate a concern*
- *to allow time for improvements to be made*
- *to take the pressure off a care home/care home with nursing if they are experiencing a problem.*

*Sometimes a care home/care home with nursing itself may request a temporary suspension of placements so that it can make changes. While a placement suspension is in place no further local authority placements will be made to the care home/care home with nursing and alternative placements should be sought. If there are serious concerns about a care home/care home with nursing, residents and/or their relatives will be informed of the situation.*

9. The Council ensure that a range of agencies and internal stakeholders, including operational staff and ward Councillors, are informed when a contract is to be suspended. Following a suspension, people living at the home and their relatives are notified by the Council together with the care home provider, the CCG and CQC. Meetings are also held with residents and their families at which the reason for the



suspension and the concerns are explained so that support is given; such meetings are held prior to more general public information release.

10. The lifting of a suspension is undertaken once the Council, and partner agencies, are satisfied that improvements made can be sustained, and in discussion with the provider.
11. In exceptional circumstances the Council, together with CCG partners, will take steps to terminate a contract with a care home because of serious and sustained concerns about the quality of care and the risks this continues to pose to the health and wellbeing of the residents.

### **Current Contract Suspensions**

12. There are 285 care homes in Nottinghamshire; 173 are older people's care homes and 112 are younger adults' care homes. As at 12 April 2016 there are six care homes in Nottinghamshire where the contracts are suspended of which four are older adults' care homes and two are younger adults' care homes. Further detail is given in the confidential **Exempt Appendix** to this report.

### **Other Options Considered**

13. The methodology for the Council's risk escalation procedure and its relationship with other relevant agencies has been developed through a partnership approach over many years. No other options have therefore been considered.

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

14. The report is for noting.

### **Statutory and Policy Implications**

15. 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**

16. There are no financial implications arising from this report.

### **Implications for Service Users**

17. Some of the most vulnerable adults are in care home placements. It is imperative that the services that they receive are of good quality and are delivered with dignity and respect. Suspensions of services seek to reduce and wherever possible eliminate poor quality care home provision and enable providers to consolidate and improve the care and support to people accommodated.

## **RECOMMENDATION/S**

- 1) That the overview of quality auditing and monitoring activities in care homes and live suspensions of care home provider contracts in Nottinghamshire be noted.

**Caroline Baria**  
**Service Director, Strategic Commissioning, Access & Safeguarding**

**For any enquiries about this report please contact:**

Cherry Dunk  
Group Manager, Quality & Market Management  
Adult Social Care, Health & Public Protection  
T: 0115 9773268  
E: [cherry.dunk@nottsc.gov.uk](mailto:cherry.dunk@nottsc.gov.uk)

### **Constitutional Comments**

18. As this report is for noting only, no Constitutional Comments are required.

### **Financial Comments (KS 29/04/16)**

19. There are no financial implications contained within the report.

### **Background Papers and Published Documents**

None.

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

All.

ASCH395





**18 April 2016**

**Agenda Item: 11**

## **REPORT OF CORPORATE DIRECTOR, RESOURCES**

### **WORK PROGRAMME**

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

1. To consider the Committee's work programme for 2016/17.

#### **Information and Advice**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chair and Vice-Chair, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the revised committee arrangements in 2012, committees are expected to review day to day operational decisions made by officers using their delegated powers. It is anticipated that the committee will wish to commission periodic reports on such decisions. The committee is therefore requested to identify activities on which it would like to receive reports for inclusion in the work programme.

#### **Other Options Considered**

5. None.

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

6. To assist the committee in preparing its work programme.

#### **Statutory and Policy Implications**

7. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

- 1) That the committee's work programme be noted, and consideration be given to any changes which the committee wishes to make.

**Jayne Francis-Ward**  
**Corporate Director, Resources**

For any enquiries about this report please contact: Paul Davies, x 73299

### **Constitutional Comments (HD)**

1. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

### **Financial Comments (NS)**

2. There are no direct financial implications arising from the contents of this report. Any future reports to Committee on operational activities and officer working groups, will contain relevant financial information and comments.

### **Background Papers**

None.

### **Electoral Divisions and Members Affected**

All.

## ADULT SOCIAL CARE AND HEALTH COMMITTEE – WORK PROGRAMME

<u>Report Title</u>	<u>Brief Summary of Agenda Item</u>	<u>Lead Officer</u>	<u>Report Author</u>
<b>13<sup>th</sup> June 2016</b>			
Revised Market Position Statement for 2016-18		Service Director, Strategic Commissioning, Access and Safeguarding	Jane Cashmore
Update on Transformation portfolio		Programme Director, Transformation	Jane North/ Stacey Roe
Performance Update for Adult Social Care and Health	Quarterly update report on the performance of Adult Social Care	Corporate Director, Adult Social Care, Health and Public Protection	Celia Morris/Matthew Garrard
<b>11<sup>th</sup> July 2016</b>			
Update on Integrating Health and Social Care: Two Schemes to Reduce the Length of Stay in Hospital	Progress report since June 2015 on two schemes (SCOPES and EOSS) to reduce the length of stay in hospital	Service Director, Strategic Commissioning, Access and Safeguarding	Steve Jennings-Hough / Yasmin Raza
Update on the Transfer of the Independent Living Fund	Progress report since June 2015 on the transfer of the Independent Living Fund	Service Director, Mid Nottinghamshire	Paul Johnson
Proposed Changes to the First Contact Scheme: Outcome of Consultation	Report on the outcomes of the consultation and the recommendations for action	Service Director, Strategic Commissioning, Access and Safeguarding	Lyn Farrow / Josephine Yousaf
Tender for older people's home based care and support services	Report seeking approval to progress proposed model of service	Service Director, Strategic Commissioning, Access and Safeguarding	Cherry Dunk
Transport Delivery Group – update report	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines
<b>12<sup>th</sup> September 2016</b>			
Personal Health Budgets – progress	Progress report		

<u>Report Title</u>	<u>Brief Summary of Agenda Item</u>	<u>Lead Officer</u>	<u>Report Author</u>
Carers' Information and Advice Hub and Support Service Progress Report	Update and evaluation on the service being provided following the contract awarded in 2015	Service Director, Mid Nottinghamshire	Penny Spice
Transforming Care programme - update	Progress report	Service Director, Strategic Commissioning, Access and Safeguarding	Cath Cameron-Jones
Performance Update for Adult Social Care and Health	Quarterly update report on the performance of Adult Social Care	Corporate Director, Adult Social Care, Health and Public Protection	Celia Morris/Matthew Garrard
Care Home Provider Contract Suspensions	Overview of live suspensions of care home provider contracts in Nottinghamshire.	Service Director, Strategic Commissioning, Access and Safeguarding	Diane Clayton/ Cherry Dunk
Savings and efficiencies delivery group – update report	Progress report on the work of the delivery group.	Programme Director, Transformation	Ellie Davies
<b>10<sup>th</sup> October 2016</b>			
Development of the Mid Nottinghamshire Better Together Programme – commissioner provider alliance agreement	Progress report	Service Director, Mid Nottinghamshire	Wendy Lippmann
Providing Adult Social Care Assessments and Reviews	Update on work to address assessments and reviews that are awaiting allocation and completion by social care teams.	Service Director, South Nottinghamshire and Public Protection	Nick Parker/Steve Jennings-Hough
Update on the work of the Health and Wellbeing Board	Update on work of Health and Wellbeing Board over the last 6 months	Corporate Director, Adult Social Care, Health and Public Protection	Jennie Kennington
Direct Services Delivery Group	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines/Jennifer Allen
<b>14<sup>th</sup> November 2016</b>			
Transport Delivery Group – update report	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines

<u>Report Title</u>	<u>Brief Summary of Agenda Item</u>	<u>Lead Officer</u>	<u>Report Author</u>
<b>12<sup>th</sup> December 2016</b>			
Performance Update for Adult Social Care and Health	Quarterly update report on the performance of Adult Social Care	Corporate Director, Adult Social Care, Health and Public Protection	Celia Morris/Matthew Garrard
Care Home Provider Contract Suspensions	Overview of live suspensions of care home provider contracts in Nottinghamshire.	Service Director, Strategic Commissioning, Access and Safeguarding	Diane Clayton/ Cherry Dunk
Savings Review Board – update report	Progress report on the work of the Board.	Service Director, South Nottinghamshire and Public Protection	Mark McCall/Paul McKay
<b>9<sup>th</sup> January 2017</b>			
Transformation update		Programme Director, Transformation	Stacey Roe
National Children and Adult Services Conference: 2 - 4 November 2016	Report back on outcomes.	Corporate Director, Adult Social Care, Health and Public Protection	David Pearson
Adult Social Care and Health – Overview of developments		Corporate Director, Adult Social Care, Health and Public Protection	Jennie Kennington
Savings and efficiencies delivery group – update report	Progress report on the work of the delivery group.	Programme Director, Transformation	Ellie Davies
<b>6<sup>th</sup> February 2017</b>			
Care Act and Adult Social Care Strategy update	Update on progress in relation to embedding the Care Act and the ASC Strategy.	Programme Director, Transformation	Stacey Roe/ Bronwen Grieves
Direct Services Delivery Group	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines/Jennifer Allen
<b>13<sup>th</sup> March 2017</b>			
Performance Update for Adult Social Care and Health	Quarterly update report on the performance of Adult Social Care	Corporate Director, Adult Social Care, Health and Public Protection	Celia Morris/Matthew Garrard

<b><u>Report Title</u></b>	<b><u>Brief Summary of Agenda Item</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
Savings Review Board – update report	Progress report on the work of the Board.	Service Director, South Nottinghamshire and Public Protection	Mark McCall/Paul McKay
Transport Delivery Group – update report	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines
<b>18<sup>th</sup> April 2017</b>			
Update on the work of the Health and Wellbeing Board	Update on work of Health and Wellbeing Board over the last 6 months	Corporate Director, Adult Social Care, Health and Public Protection	Jennie Kennington
Care Home Provider Contract Suspensions	Overview of live suspensions of care home provider contracts in Nottinghamshire.	Service Director, Strategic Commissioning, Access and Safeguarding	Diane Clayton/ Cherry Dunk
<b>12<sup>th</sup> June 2017</b>			
Care Act and Adult Social Care Strategy update	Update on progress in relation to embedding the Care Act and the ASC Strategy.	Programme Director, Transformation	Stacey Roe/ Bronwen Grieves
Savings and efficiencies delivery group – update report	Progress report on the work of the delivery group.	Programme Director, Transformation	Ellie Davies
<b>10<sup>th</sup> July 2017</b>			
Adult Social Care and Health – Overview of developments		Corporate Director, Adult Social Care, Health and Public Protection	Jennie Kennington
Direct Services Delivery Group	Progress report on the work of the delivery group.	Service Director, Direct Services and North Nottinghamshire	Ian Haines/Jennifer Allen
Savings Review Board – update report	Progress report on the work of the Board.	Service Director, South Nottinghamshire and Public Protection	Mark McCall/Paul McKay
<b>To be placed</b>			
Appropriate Adults Service		Service Director, Strategic Commissioning, Access and Safeguarding	Gill Vasilevskis

<b><u>Report Title</u></b>	<b><u>Brief Summary of Agenda Item</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
New Extra Care schemes in Newark and Worksop	Report to present detailed plans and seek approval of capital funding	Service Director, Mid Nottinghamshire	Rebecca Croxson
Stakeholder engagement – proposed re-design	To outline future proposals for better engagement with all stakeholders, particularly service users and carers through co-production	Service Director, Strategic Commissioning, Access and Safeguarding	Felicity Britton

