

**10<sup>th</sup> June 2019****Agenda Item: 8****REPORT OF THE SERVICE DIRECTOR, STRATEGIC COMMISSIONING,  
SAFEGUARDING AND ACCESS****ADULT SOCIAL CARE MARKET POSITION STATEMENT 2019-2021****Purpose of the Report**

1. To seek approval of the Adult Social Care Market Position Statement for 2019 – 2021, attached as **Appendix 1**.

**Information**

2. A Market Position Statement (MPS) is an analytical document aimed at both existing providers who want to plan their future business as well as new providers who may want to enter the local market. It includes the local authority view of current provision in the social care market, what the gaps are and the type and quality of services and support needed for the future.
3. "It is suggested that a local authority can best commence its duties under Sections 5 (market shaping and commissioning) and 48 to 52 (provider failure) of the Care Act by developing with providers and stakeholders a published market position statement." (Care and Support Statutory Guidance, Section 4.56 Department of Health and Social Care 26<sup>th</sup> October 2018).
4. In June 2012, the Adult Social Care and Health Senior Leadership Team agreed to be part of an East Midlands Joint Improvement Partnership project to develop Market Position Statements. This work was supported by the Institute of Public Care (IPC), Oxford Brookes University who developed the original MPS toolkit <http://ipc.brookes.ac.uk/publications>
5. The 2019-2021 Market Position Statement has been written as a result of detailed research and analysis of data, legislation and best practice national guidance. This included:
  - a. Reviewing the Care Act 2014 which requires local authorities to develop a vibrant sustainable market. Duties include market shaping, market oversight and contingency planning in the case of provider failure.

- b. Analysing local population data in the Joint Strategic Needs Assessments which provided a detailed analysis of Nottinghamshire's population, demographics and future service requirements.
  - c. Reviewing the latest Institute for Public Care guidance around the content of a good Market Position Statement which should include demand, current market overview, what the local authority is doing and format.
  - d. Reviewing other councils' Market Position Statements to identify areas of good practice.
  - e. Working with internal teams such as Commissioning, Procurement, Public Health and Market Management to gather the most up to date content.
  - f. Engaging with social care providers to draft the Market Position Statement. They provided regular feedback at forums throughout 2018.
6. The layout and content of the Market Position Statement for 2019-2021 has been improved. It confirms the direction of the Council, reflected in the Adult Social Care Strategy, which is to:
- a. Prevent, delay or reduce the need for people to access social care by providing advice, information and services that support people to be as independent as possible.
  - b. Where individuals need on going care, provide this within their own home wherever possible rather than in residential care.
  - c. Ensure services are commissioned based on evidence of need and an understanding of how people would like their needs to be met.
  - d. Provide best value services, delivering positive outcomes for the population's general health and wellbeing.
7. The document is more transparent and comprehensive. Individual services are described under the ASCH Strategy headings: helping people to help themselves, supporting people to maximise their independence and helping people when they need it. There are also links in it to individual strategies e.g. Housing with Support strategy. The content includes:
- a. the Council's priorities for 2019-21
  - b. local population data and trends
  - c. the Council's commissioning intentions for 2019-21
  - d. global key messages to the market
  - e. a current overview of the social care market including self-funders
  - f. information about the social care workforce
  - g. a financial context
  - h. how internal teams at the Council are supporting the market
  - i. individual service based commissioning intentions and key messages to the market
  - j. a procurement plan which gives financial information and timescales about individual services.

8. Drafting the Market Position Statement is a lengthy process. To expedite this in the future, an editorial panel has been arranged to update the Market Position Statement on an annual basis.

### **Other Options Considered**

9. No other options have been considered.

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

10. The 2016-2018 Market Position Statement contains outdated information and must be replaced.
11. The 2019-2021 Market Position Statement incorporates up to date data analysis, trends, the Council's commissioning principles and intentions and key messages to the market. It outlines:
  - a. what support and care services people need and how they need them to be provided.
  - b. the services currently available, and what is not available but needs to be.
  - c. what support and care services the Council thinks people will need in the future.
  - d. what the future of care and support will be like locally, how it will be funded and purchased.
  - e. how commissioners want to shape the opportunities that will be available.
12. The Council is fulfilling its market shaping duty under the Care Act effectively by having an up to date Market Position Statement.
13. The 2019-2021 Market Position Statement supports the commitments in the Adult Social Care Strategy.
14. The Institute for Public Care states that it is important to understand that a Market Position Statement is the "start, not the end point, of a process of market facilitation", 'An MPS has little value in its own right. The test is how does the council use such a document once developed'. The Council will keep this document updated and use it with current and future providers.

### **Statutory and Policy Implications**

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

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

## **RECOMMENDATION/S**

- 1) That Committee approves the Adult Social Care Market Position Statement for 2019 – 2021, attached as **Appendix 1**.

**Paul Johnson**

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

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### **Constitutional Comments (EP 14/05/19)**

17. The recommendation falls within the remit of the Adult Social Care and Public Health Committee by virtue of its terms of reference.

### **Financial Comments (DG 15/05/19)**

18. There are no specific financial implications arising from this 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.

Care and Support Statutory Guidance, Section 4.56

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

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

All.

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