

Name of meeting: Health and Adult Social Care Scrutiny Panel

Date: 13th March 2018

Title of report: Adults Care Offer Consultation

Purpose of report

To provide Health and Adult Social Care Scrutiny Panel members with an overview of the background and purpose of the Adults Care Offer consultation. This report also outlines the methodology and approach being taken, along with timescales.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	not applicable
The Decision - Is it eligible for call in by Scrutiny?	not applicable
Date signed off by <u>Strategic Director</u> & name	Richard Parry- 1 st March 2018
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Eamon Croston (Head of Finance and Accountancy) – 1 st March 2018
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft- 1 st March 2018
Cabinet member portfolio	Give name of Portfolio Holder
Adults and Public Health	Councillor Cathy Scott

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

1. Summary

Background

As part of the Council's Transformation programme, Adult Services is in the process of developing a clearer framework to define its Adults social care offer that includes looking at a new approach which considers the strengths base of eligible social care users in coming to a view about support and to guide practitioners' decisions.

An officer delegated key decision was taken by the Strategic Director for Adults and Health on 28th February 2018, to undertake a public consultation exercise on the proposed revised Adult Social Care offer. This includes proposals to introduce a formal Direct Payments Policy (DP) and to revise Adult Services' current Resource Allocation System (RAS). This will form an integral part of delivering social care within the resources available.

Purpose of the consultation

In order to support people in need of social care in a person centred way that focusses on outcomes to be achieved, there is a need to review how we approach assessments and the care offer. The intention is to empower service users to move away from a focus on what they can't do, to a conversation around how best to meet unmet needs in more creative ways – a strength based approach.

The current Kirklees RAS does not support the new strength based approach to practice that is being embedded in line with the 2014 Care Act and national good practice. Although Direct Payments have been in place for some time in Kirklees the Council does not have a formal policy. It has become increasingly clear that the absence of this policy has created a wide variation in practice. It is important that we consult about any changes to the RAS as well as the adoption of a Direct Payments policy to inform our decision making.

Kirklees Council, NHS Greater Huddersfield Clinical Commissioning Group and NHS North Kirklees Clinical Commissioning Group have developed a joint approach to personal budgets for Adults and Children's Health and Social Care. A memorandum of understanding (MoU) between the three organisations was developed and commenced in June 2016. In light of this, discussions and consultation will also be required with the CCG's regarding any proposed changes to the Kirklees Council RAS.

In order to meet its public sector equality duty any changes to the RAS and DP policies require a public consultation process to be undertaken. Adult Services are including both of these policies in the consultation to simplify the message to the public.

Strength based approach

In essence a strength based approach is a way of identifying a person's abilities and current support networks in order to consider the support they might need. The social care worker, as part of the assessment process, would have a strengths based conversation with the service user to determine what is working well in their life, maximising their personal strengths and the use of support from family, friends and services within the community to meet needs. A strength based approach determines the goals and outcomes that a service user and their carer wishes to achieve. The outcome of that might be that the Council may be required to provide a service in circumstances where there is unmet need and where an individual meets the eligibility criteria for care and support. The strength based approach is consistent with modern and sustainable social care practice and is used in many local authorities

Aims and objectives

We would like to establish what the public, including current and future service users and carers think about the proposed future Kirklees Adults Care Offer. We would also welcome their ideas about how we could deliver the Adults Care offer differently in the future to achieve better outcomes for individuals.

The hoped intention is that this would improve:

- the adoption of strengths based approaches;
- maximise the person's independence
- consistency and quality of social work practice;
- increased transparency regarding the allocation of resources;
- equity of provision between service users and for those with differing social care needs and disabilities
- the utilisation of Adult Services' resources

2. Information required to take a decision

This report is for member information. We would like to seek members' views on the approach/methodology of the consultation.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

The proposed model will support people to live independently, having greater control over their lives with more support being delivered through communities.

3.2 Economic Resilience (ER)

We will be working with the sector to develop more innovative approaches to meeting individual's care needs, with a focus on meeting outcomes. This supports the Kirklees outcome for working smart and delivering more effectively and efficiently. This will support providers to have increased flexibility to focus delivery on the achievement of outcomes rather than a time and task based approach.

3.3 Improving Outcomes for Children

Any proposed changes to the Adults RAS policy relates to the adults only. The DP policy will set out the guidance which affects both eligible children and adults. This will improve transparency and provide further clarity. The changes support innovative and more personalised ways of meeting needs enabling people to be as well as possible for as long as possible.

3.4 Reducing demand of services

This will support the application of the strength based approach, which places less emphasis on traditional service provision and looks to help individuals, families and communities to have greater control and do more for themselves.

3.5 Other (e.g. Legal/Financial or Human Resources)

Legal

The way that indicative budgets are calculated will be clearer and matched to levels of need. Its application will support the strength based approach which means that support packages will be consistently proportionate to meet needs.

The strength based approach focuses on helping people be as independent as possible. The proposals invest in the most vulnerable in society while using the Council's resources in the most effective way.

The Equality Act 2010 creates the Public Sector Equality Duty (PSED).

Under section 149 of the Act

1) A public authority must, in the exercise of its functions, have due regard to the need to –

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are –

Age;
Disability;
Gender reassignment;
Pregnancy and maternity;
Race;
Religion or belief;
Sex;
Sexual orientation.

In order to fulfil the PSED the Council is required to assess the impact of any proposed changes to policies and/or creation of any new policies on the equality objectives set out above. The way in which the Council approaches this task is to conduct Equality Impact Assessments (EIA).

The Council has therefore carried out Equality Impact Assessments (EIAs) to help it take due regard of its public sector equality duties in relation to these proposals. These can be found in Adults & Health, Integration Section EX IN 1 section of the Council's website:

[https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02\)%20Adults%20&%20Health/Adult%20Social%20Care%20Operation/2018-02-19%20RAS%20Equality-impact-assessments-Stage-1-assessment.xlsx](https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02)%20Adults%20&%20Health/Adult%20Social%20Care%20Operation/2018-02-19%20RAS%20Equality-impact-assessments-Stage-1-assessment.xlsx)

[https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02\)%20Adults%20&%20Health/Integration/EX%20IN1%20Adults%20Integration%20Direct%20Payments%20EIA%20180119.xlsx](https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02)%20Adults%20&%20Health/Integration/EX%20IN1%20Adults%20Integration%20Direct%20Payments%20EIA%20180119.xlsx)

[https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02\)%20Adults%20&%20Health/Adult%20Social%20Care%20Operation/EX%20AS3%20%20EIA%20Direct%20payment%20and%20independent%20sector%20home%20care%20180119.xlsx](https://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactAssessmentEvaluations/02)%20Adults%20&%20Health/Adult%20Social%20Care%20Operation/EX%20AS3%20%20EIA%20Direct%20payment%20and%20independent%20sector%20home%20care%20180119.xlsx)

These will be updated further following the consultation exercise and before the Council decides what it will do.

Financial

£6.46m of financial benefits are expected from the implementation of the Kirklees Adult Social Care Offer (and those elements of the All Age Disability work-stream relating to the Strength Based approach and the Review Task Force) over the next four years, of which £0.65m in this financial year and £3.47m in FY18/19.

These financial benefits include both Medium Term Financial Plan (MTFP) savings and additional savings identified through work with our Transformation partners. Given that both MTFP and additional savings are being targeted through the same activity we are monitoring and tracking these together, hence giving the total number ('financial benefits').

Adults Services and the Transformation team have been working closely with the review taskforces to further embed the strength based approach. This is why there are savings within 17/18 which are being delivered as described

For reference, the gross budget for Direct Payments (Adults) is £16.25m (with 1,394 service users), and £907k for Direct Payments (Children) (with 165 clients). The budget for Domiciliary care (Adults) is £12.2m gross, with 1,315 service users.

The use of Direct Payments will be clarified to ensure innovative approaches to meet needs are supported through a robust policy

4. Consultees and their opinions

Due to the scale of the consultation and the fact that this will impact future adult social work practice and given resource constraints within the service, we are working with an external agency, Public Perspectives, to plan and deliver the public consultation as well as analyse the findings.

This will ensure that the consultation is delivered to a high quality and is also independent from the Council. Funding has already been identified from existing budget for this work.

Following on from discussions with Portfolio Holders and Health and Social Care Scrutiny Panel members, the consultation is expected to commence on the 15 March 2018 for a period of 8 weeks.

Consultation- approach and methodology

- Online questionnaire (hard copies, easy read versions and alternative formats will be made available)
- A minimum of 250 telephone interviews will be undertaken
- Stakeholder/partner workshop with approx. 20-30 participants.

- 5 x small focus group sessions with current service users (all eligible service user groups) and carers.
- 2 x staff briefing sessions/workshops

See appendix A for a table outlining key stakeholders

5. **Next steps**

A report will be compiled by the end of May 2018, detailing the findings from the consultation. A report detailing proposals for change will follow this and is expected to go to Cabinet in July 2018 for Cabinet to make a decision about any changes to policy and/or introduction of a new policy.

6. **Officer recommendations and reasons**

The officer recommendation is that Scrutiny note the approach to the consultation, which is intended to capture input from all stakeholders that will be utilised to shape the final approach and policies which will be signed off by Cabinet.

7. **Cabinet portfolio holder's recommendations**

Not applicable.

8. **Contact officer**

Lee Thompson, Head of Adult Social Care Operations, North Kirklees.

9. **Background Papers and History of Decisions**

Decision to agree a public consultation on Kirklees Council's Adult Social Care Offer
<https://democracy.kirklees.gov.uk/mglIssueHistoryHome.aspx?Id=13335&PlanId=67>

See previous public consultation findings and recommendations; report dated January 2017 (Item 11, section 2.21)

<http://democracy.kirklees.gov.uk/documents/s16487/d%20FINAL%202017-01-17%20YPAT%20v3.0.pdf>

And findings report related to this consultation

<https://www.kirklees.gov.uk/involve/publisheddoc.aspx?ref=bx074eav&e=852>

Other information:

Adult Social Care Vision <http://www.kirklees.gov.uk/beta/adult-social-care-providers/pdf/adult-social-care-vision-kirklees.pdf>

All Age Disability Overarching Policy Framework <https://www.kirklees.gov.uk/beta/delivering-services/pdf/all-age-disability-overarching-policy-framework.pdf>

10. **Service Director responsible**

Amanda Evans, Service Director for Adult Social Care Operations

Appendix A- Stakeholder list

Stakeholder	Updates/consultation method
Members	Reports Meetings- Portfolio Holders, LMT, Scrutiny Emails Briefings Workshop Newsletters
Parish and Town Councils	Emails Postcards/flyers Questionnaire- should they wish to take part Internet page Involve- Kirklees Reports
Executive team, including Strategic Directors Adults & Children's	Reports Meetings- including Adults Programme Board, Senior Leadership Team meeting, Executive Team meeting Emails Intranet Internet page Involve- Kirklees
Service users, carers and families	Postcards/flyers Questionnaire- should they wish to take part Forums- to be arranged Telephone Survey- should they wish to take part Internet page Involve- Kirklees
Service Users- Direct Payment users	As above Letter to be sent to all direct payment users
General public	Postcards/flyers Questionnaire- should they wish to take part Telephone Survey- should they wish to take part Involve- Kirklees Internet page
All Kirklees Staff- including teams directly affected and impacted by the changes	Postcards/flyers Questionnaire- should they wish to take part Meetings Briefings E- newsletters- all Adults Staff Intranet and internet page Emails Director blogs
Practitioners	As above and; Workshops Ongoing testing of proposed tools- small groups of staff
Clinical Commissioning Groups Primary Care Trust Locala KNH Providers forums Statutory services	Postcards/flyers Questionnaire- should they wish to take part Workshop- invites to be sent out Involve- Kirklees Emails Newsletters Meetings Internet page

Voluntary and Community Sector organisations	Postcards/flyers Questionnaire- should they wish to take part Workshop- invites to be sent out Internet page Involve Kirklees
Partnership Boards	Postcards/flyers Questionnaire- should they wish to take part Meetings Internet page Involve Kirklees
Trade Unions	Trade Union Liaison meetings
Media Partners	Press release at the start of the consultation to inform Re-active statements/press releases to be held in case of further enquiries, as and when required