

Children & Adults Health & Wellbeing Policy Development Scrutiny Panel

7th June 2022

Adult Social Care – Director's Report May 2022

Introduction

This report provides an update on the national legislative, policy and regulatory context that the Adult Social Care service currently operates in. It also describes key strategic activity taking place in 2022/23, alongside an overview of finance, performance and risks based on delivery in quarter four of 2021/22.

The national picture

The Health and Care Act received royal ascent on 3rd May 2022 and laid down legislative foundations for an ambitious programme of national reform of Adult Social Care. These radical reforms comprise several strands:

- Build Back Better programme aims to create a sustainable adult social care system that is fit for the future. It introduces new charging reforms for people who use social care and brings new statutory duties for local authorities. The programme has entered first phase of implementation, which means we will need more social workers, more financial assessors, and a new system to help ensure we support more people financially from April 2023. We also need to complete by 14th October 2022 a new cost of care exercise for homecare and care home services, and produce a sustainable plan, working closely with our providers to ensure the B&NES market is sustainable as we move into the future.
- Liberty Protection Safeguards (LPS) – a framework that will replace the Deprivation of Liberty (DoLs) – has now finished parliamentary journey. Liberty Protection Safeguards will apply to everyone from the age of 16 years. While DoLs applies only to people in care homes and hospital, LPS will apply to people in supported accommodation, shared lives, and their own homes. New code of practice is currently out for public consultation until 4th July 2022. Government confirmed its intention to set a new fixed date for Liberty Protection Safeguards implementation post consultation to ensure that there is adequate time for implementation.
- In addition, the Queens speech delivered this month mentioned the reform of the Mental Health Act. This will hopefully give people a stronger say in their treatment and address increasing rates of detention of people from ethnic minority backgrounds.
- New Care Quality Commission (CQC) inspection regime for Adult Social Care (also referred to as Assurance framework) is expected to mirror the Ofsted inspection process and will begin in April 2023. The Adult Social Care Outcomes Framework that is being currently used to measure and compare performance of local authorities has been refreshed and is expected to be implemented alongside the new assurance framework. This means that we would need to have new performance management systems in place, with greater use of Business Intelligence tools, and develop more mature capability to evaluate customer experience, and evidence outcomes and impact at an individual, locality and system level.

The local picture

Health and Social Care Integration to join up care for people, place and population is continuing at pace nationally and locally. On 1st July 2022, the Banes, Swindon, and Wiltshire (BSW) CCG will be subsumed into the BSW Integrated Care System. Recruitment to senior leadership posts in the new system is well advanced, with a new team of senior leaders joining over the next two months. New governance arrangements, such as the Integrated Care Board and the Integrated Care Alliance are beginning to take shape, with system partners frequently coming together to collaborate to develop new ways of working at place and population level. The role of the B&NES Health and Wellbeing Board in the new integrated system and its relationship with the Integrated Care Board is also being reviewed, with members of the board and system partners engaging in a series of developmental sessions facilitated by the Local Government Association.

Our close working with the NHS and our wider community partners ensures we continue to promote, maintain, and enhance people's wellbeing and independence so that they are healthier, stronger, more resilient, and less reliant in the future on formal social care services. Doing this is better for people in terms of their longer-term outcomes and better for B&NES Council to help make funding go further. It is also better for system health partners as it will help reduce hospital admissions and the length of stay, and shift system focus from urgent care to anticipatory and community care.

We are also working with HCRG Care Group (previously Virgin Care Ltd) on continual improvement of the community health and social care services. A report is due in Cabinet on 26th May 2022 to discuss the options appraisal for the future of the HCRG Care Group contract.

As a system, we are committed to building effective relationships informed by our shared ambition to improve the lives of our residents and based on trust. Our approach to social care transformation and service improvement plans are underpinned by the following principles:

- **Offers choice, control, and independence to care users** – so that individuals are empowered to make informed decisions and live happier, healthier, and more independent lives for longer.
- **Provides an outstanding quality of care** – where individuals have a seamless experience of an integrated health, care and community system that works together and is delivered by a skilled and valued workforce; and
- **Is fair and accessible to all who need it, when they need it** – ensuring that fees are more transparent, information and advice is user-friendly and easily accessible, and no one is subject to unpredictable and unlimited care costs

Financial position

At the end of quarter three of 2021/22 financial year the forecast position for Adult Social Care is an underspend variance of £2.65m. This reflects the reduced number

of package placements seen during 2020/21 which continued into 2021/22. Health funding arrangements have been extended to cover the second half of 2021/22 therefore, the impact of the expected demand from the ending of these arrangements has been reduced. These arrangements ended at the end of 2021/22 financial year and discussions have commenced across the health and social care system regarding ongoing requirements in 2022-23.

The final outturn position for 2021/22 is being finalised and will be fully reported in July.

The long-reaching impact of the ongoing pandemic is still being felt and future demand on Adult Social Care is expected to return to previously seen levels once we are through this pandemic period. This expectation also carries a risk of additional demand being seen when these levels return, in both package numbers and complexity of social care cases.

The level of future demand is still undetermined but is expected to cause pressure on budgets. To balance this, work continues to deliver the service transformation plans to ensure services can be provided to meet and sustain this demand.

Performance update

Adult Social Care performance is measured routinely and compared annually between local authorities against a national set of indicators included in the Adult Social Care Outcomes Framework and the annual statutory Short and Long Term (SALT) Support performance report. B&NES SALT report for 2021/22 has been submitted earlier this month. National benchmarking data would be made available later in the year and will be included in future updates.

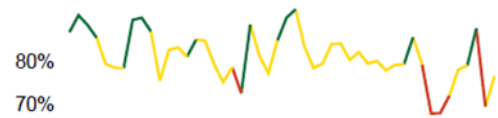
The service also routinely monitors its performance across a range of operational indicators, four of which form part of the strategic indicators reported to Cabinet monthly. Quarter 4 performance against these indications is presented below. It shows positive performance against the safeguarding and admissions to care homes measures, with variable performance against the reablement and reviews measures.

(Adult Social Care performance dashboard is attached in full in Appendix 1.)



% Adults at home 91 days after reablement service

Quarterly



30/04/2018

85%

Target

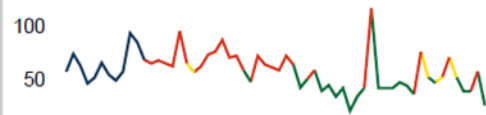
76%

31/03/2022

Performance has remained variable because of an increase in people with complex needs using the service, including more end-of-life patients. The proportion requiring further acute-hospital support has therefore increased, which has impacted performance over the last 9 months.

Adult Social Care: Care Home admissions per 100k

Monthly



30/04/2017

45.5

Target

24.3

31/03/2022

Performance was on target over Q4, which has usually been a period where care home admissions increase. Funding arrangements over the pandemic continued to be in effect, so 21/22 is not comparable to pre-Covid years.

Risks

The past two years have been unprecedented and whilst the ability to respond at scale in a crisis has been astounding, the cost to services and the users that rely on them is all too clear, and our recovery and sustainability plans will need to think carefully about where resources are coming from to meet population needs.

Adult Social Care service is facing several significant risks:

- The impact of the pandemic has increased pressure on funding. Some of the pressure was mitigated by additional government funding but this ended in March 2022. However, some of the consequences of the pandemic have increased current financial pressures. Some of this increase may be temporary but underlying pressures are expected to build because of demographic changes, the long-term impact of COVID-19, rising care costs and the impact of Social Care Reforms. Social Care as an integral part of our society and economy is facing a challenging financial landscape over the next few years.
- The service is continuing to face persisting challenges in terms of our ability to attract, recruit, develop and sustain enough staff across a range of key roles, such as social workers, occupational therapists, Best Interest Assessors, financial assessors, and administrators. Local challenges are replicated across the health and social care system, and mirror national and, for some roles (i.e., therapists), international challenges. These skills shortages are one of the biggest challenges we face in providing a high quality and timely response across the health and social care system. System partners are jointly implementing mitigation measures, such as workforce initiatives being co-developed by the BSW Academy and home care providers, and apprenticeship initiatives developed by Royal United Hospitals Bath NHS Foundation Trust and HCRG Care Group.

- There is a risk that the service won't have sufficient resources, time, and capability to prepare for and implement several strands of the Social Care Reforms simultaneously. This also includes risks associated with the ongoing requirement to develop operational processes and maintain systems:
 - Data quality becomes an issue as well as compliance with current and future legislation around social care and health care duty of care responsibilities
 - Lack of control over operational data recording in turn could lead to mismanagement of funds and other resources
 - Without accurate data, services cannot plan for future service demands and/or measure and evidence their effectiveness and impact
- These risks are being mitigated through the work of the dedicated project team leading the preparation for the Building Back Better reforms and the process and system re-design projects that are delivering improvements to the adult social care case management and financial systems.