

# **B&NES Community Services Transformation Programme**

## **Programme One - Adult Social Care Redesign & Community Partners**

### **Workstream - Adult Social Care Operating Model (1st April 2024)**

#### **Options Appraisal Workshop 21st September 2022 (PD01) Statutory Social Work**

Options for Consideration	Option 1: Re-commission service delivery for B&NES
	Option 2: In-source service delivery to B&NES Council
	Option 3: Set up a new organisation to deliver services for B&NES

**Option 1: Re-commission service delivery for B&NES**

Benefit	Disbenefit	Risk
Flexibility to recruit and retain staff in the current market with more favourable remuneration for the workforce	Lack of clarity over the management of the assurance framework as Council hold statutory function and obligation but delivery is by a third party which could have a reputational impact on the Council and changes to performance framework requires sign off by two parties which constrains the pace at which amendments can be implemented and this may affect reporting for the Assurance Framework	Limited providers in the market with experience and expertise to deliver adult social work statutory function
There could be providers with specific expertise in social work service delivery	Service transformation can be less agile as the Council must rely on contractual levers within the contract to agree service development and is subject to significant negotiation with provider and potentially could lead to additional costs	Increase risk of legal challenge if the current provider is not successful in being awarded the contract
Potential for a fixed price contract where funding is capped for duration of contract term	More difficult to collaborate at scale with BSW LA's due to the different operating and contractual model of delivering social work function	Manifesto commitment to in-source services
Provider expertise in CQC assurance framework to drive improvement	The Council's ability to ensure its sufficiency duty will be through contractual levers and therefore could be less agile and responsive to market need	Challenging market to attract, recruit and retain skilled, experienced and qualified social workers
	Contract funding envelop will cost more, even if fixed price, than the current budget envelope as unlikely any provider can deliver the social work function without an increase in funding	Staff morale and change fatigue will impact on workforce retention as tolerance for change is low
	Cost of management structure for effective and robust contract monitoring and performance	Contractual arrangements have a negative impact on Council's ability to work with ICB and BSW partners

**Option 1: Re-commission service delivery for B&NES**

Benefit	Disbenefit	Risk
	CQC inspection obligation sits with a provider, but Council retains accountability	Safe transfer of services given short timescale (1st April 2024)
	High mobilisation and set up costs to contract with a provider - especially if the incumbent provider is not awarded the new contract	Increased risk of additional cost pressure to Council for a new contractual relationship and funding envelope
	Lack of clarity over the responsibility to capture and report data to demonstrate performance	Entering into a new contractual relationship whilst implementing the adult social care reforms
	Lack of control due to divorced position between operational social worker agreeing a care package that creates cost pressure in Council budget i.e., home care and residential care packages	Delay to changes in legislation as a result of COVID may impact on ability to run effective procurement activity (Public Contracts Regulation) with potential for further delay due to change in Government leadership
	Data quality improvements would rely on external managers communicating the council's priorities to operational staff, which may conflict with other priorities set by line managers	Transition to new model is likely to see some initial disruption to normal working, which may impact on data quality. However, data quality should be planned for as an essential part of safe transfer of services
	Level of direct collaboration between BI and operational teams will be lower than option 2 (assuming a provider BI team is also in place) and may be hampered by governance	

**Option 1: Re-commission service delivery for B&NES**

Benefit	Disbenefit	Risk
	arrangements. This will impact the Assurance Framework	
	Reporting code implemented by the provider may be inconsistent with the Council's own definitions used for corporate reporting	

**Option 2: In-source service delivery to B&NES Council**

Benefit	Disbenefit	Risk
Statutory function is under direct control of Council with increased agility and ability to deliver change and improve performance	Cannot rely on contractual levers to manage and explain performance	Reduce likelihood of legal challenge from current provider
Opportunity to streamline governance and assurance processes to drive improved performance	Significant one-off mobilisation and transition costs for bringing the function back in house - HR, IT, training and development, systems, accommodation	Large scale TUPE transfer project in a very short timescale (1st April 2024) with multiple contracts and varied terms and conditions for current provider workforce
Greater ability to respond to service demand as function under direct control of Council and not subject to contractual negotiation	Financial envelope will incur additional costs compared to current budget allocation as overhead costs are higher for Council	Potential for Council workforce destabilisation as provider workforce on a more favourable salary scale and could require additional Council budget to 'level up' terms and conditions for social worker workforce
Standard operating model across most LA's making it easier to benchmark performance	Lack of control due to divorced position between operational social worker agreeing a care package that creates cost pressure in Council budget i.e., home care and residential care packages	Risk of Council not being able to attract, recruit and retain a skilled workforce as B&NES salaries do not compare well in neighbouring LA's and could lead to an over reliance on high-cost agency staffing

**Option 2: In-source service delivery to B&NES Council**

Benefit	Disbenefit	Risk
Traditional workplace for social workers rather than working in private sector with potential to improve recruitment and retention of workforce		Separation of statutory social work from the contractual integrated health care system relationship
Resource benefit by focusing on service delivery and improvement and not contract management and performance monitoring		Significant one-off mobilisation and transfer costs are a drain on the ASC reserve
Ability to change and adapt operating model in readiness for adult social care reforms		Failure to invest in development of Council social workers due to budget restraints but for the provider workforce this CPD investment was contractually obliged under the contract
Direct management of those inputting data enables targeted management instructions to improve data quality, without relying on governance of external relationships. This will enable timely improvements to data quality to respond to regulator instructions following assurance visits, for example		Transition to new model is likely to see some initial disruption to normal working, which may impact on data quality. However, data quality should be planned for as an essential part of safe transfer of services

**Option 2: In-source service delivery to B&NES Council**

<b>Benefit</b>	<b>Disbenefit</b>	<b>Risk</b>
Closer relationship between BI and operational teams facilitates collaborative working to improve data quality, and safeguards against messaging being 'lost in translation' when routed through provider management teams		Safe transfer of services by 1st April 2024
Changes to performance frameworks can be implemented within the governance of one organisation, allowing for more frequent and timely changes that meet the needs of the council		
Consistency of reporting methodology across services, as the council is responsible for all reporting for social care		

**Option 3: Set up a new organisation to deliver services for B&NES**

Benefit	Disbenefit	Risk
Community Interest Company would be set up to maintain public ownership of the organisation	Undeliverable in current timescale (by 1st April 2024)	Staff morale and change fatigue will impact on workforce retention as tolerance for change is low
Flexibility to recruit and retain staff in the current market with more favourable remuneration	After the initial contract term, they will be subject to recommissioning and procurement under Public Contracts Regulations	B&NES has previously utilised this approach in Sirona who were unsuccessful in bidding for the current B&NES contract
Draw upon providers with specific expertise in social work service delivery	Lack of clarity over the management of the assurance framework as Council hold statutory function and obligation but function is delivered by a third party which could have a reputational impact on the Council	Safe transfer of services (1st April 2024)
Potential for a fixed price contract where funding is capped for duration of contract term	Service transformation can be less agile as the Council must rely on contractual levers within the contract to agree service development and is subject to significant negotiation with provider and could potentially lead to additional costs	Other LA's in BSW have previously used this model and taken decision to in-source as a result of provider failure
Draw upon provider expertise in CQC assurance framework	More difficult to collaborate at scale with BSW LA's due to the different operating and contractual model of delivering social work function	Transition to new model is likely to see some initial disruption to normal working, which may impact on data quality. However, data quality should be planned for as an essential part of safe transfer of services.
	The Council's ability to ensure its sufficiency duty will be through contractual levers and therefore	



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Benefit	Disbenefit	Risk
	could be less agile and responsive to market need	
	Contract funding envelope will cost more, even if fixed price, than the current budget envelope as unlikely any provider can deliver the social work function without an increase in funding	
	Cost of management structure for effective and robust contract monitoring and performance	
	CQC inspection obligation sits with a provider, but Council retains accountability	
	High mobilisation and set up costs to contract with a provider	
	Lack of clarity over the responsibility to capture and report data to demonstrate performance of the statutory function	
	Lack of control due to divorced position between operational social workers agreeing a care package that creates cost pressure in Council budget i.e., home care and residential care packages	
	Pending confirmation of precise management arrangements, data quality improvements would rely on external managers communicating the council's priorities to operational staff which may conflict with other priorities set by line managers	
	Pending confirmation of precise management arrangements, the level of collaboration between BI and operational teams may be hampered by governance/management arrangements. This will impact the Assurance Framework	
	Pending confirmation of precise management arrangements, changes to performance frameworks require sign off by two parties, which constrains the pace at which amendments can be	

**Option 3: Set up a new organisation to deliver services for B&NES**

Benefit	Disbenefit	Risk
	implemented, this may affect reporting for the Assurance Framework	
	Reporting code implemented by the provider may be inconsistent with the council's own definitions used for corporate reporting	