

**Children's and Adults Health and Wellbeing Policy Development Scrutiny
Panel 17th January 2023**

Adult Social Care Directors Report

Introduction

Adult Social Services have faced unprecedented challenges around rising demand and financial stability. As we move forward the risks and challenges have not dissipated and indeed have increased. Whilst the recent funding announcements and delays in some reforms are helpful, those risks remain and a key role for the Director of Adult Social Care in B&NES is to hold and manage high levels of risk, whilst trying to ensure that adult social care services are safe, responsive, and effective.

The Department of Health and Social Care are taking forward the system reform programmes and progressing the proposals in the People at the Heart of Care White Paper, including training and technology. The reforms to the Adult Social Care system will be crucial to building long-term resilience in the sector to meet increasing demand.

Since the last ASC report to scrutiny in June 2022 the service has prioritised the following key areas:

- Planning for transfer of Community Health and Adult Social Care services into the new operating model for 1st April 2024
- ASC Reforms, which include the financial changes, CQC inspection regime and Liberty Protection Safeguards (LPS)
- Improving the quality of care in the Community Resource Centres (CRC's)
- Ensure safe and prompt discharge from hospital
- Maintaining and increasing the workforce

Social care is a fundamental part of all our communities, it supports people to live their lives every day. We know that most people who work in social care find it incredibly rewarding. As a health and social care system we must talk more about how rewarding working in social care is so that we attract more people, and we must make it easier for the people who love working in social care to stay in the sector by improving terms and conditions and investing in their career development. B&NES is working in partnership with BSW Academy to improve the recruitment and retention of domiciliary care staff. The council has a dedicated Recruitment Business Partner who is supporting adult social care as a priority to tackle the workforce challenge of recruitment into the sector.

The report presented today will focus on the Adult Social Care Reforms, Community Services Transformation, Community Resource Centres, specifically focusing on the improvements required at Charlton House, along with a finance and performance update.

Adult Social Care Reforms Update

Build Back Better

Build Back Better reforms were introduced in the Health and Care Act 2022 with an aim to create a sustainable adult social care system that is fit for the future. It introduced new charging reforms for people who use social care and brought new statutory duties for local authorities. The first phase of implementation and planning completed in the first half of the year indicated that we would need more social workers, more financial assessors and a new information system to help ensure that we support more people financially from April 2023.

Charging Reform Implementation Delay

As set out in the Autumn Statement 2022, the government have listened to the concerns identified by Local Government in the first phase of implementation and have taken the decision to delay the planned Adult Social Care charging reforms by a period of two years from October 2023 to October 2025. The delay covers the implementation of the extended means test, the lifetime cap on personal care costs and the extension of Section 18(3) to enable self-funders in residential care to access local authority commissioning.

The Government have also retained the funding originally earmarked for the implementation of the charging reform in local authority budgets to help meet current social care pressures.

We continue to improve the systems and processes we use to assess and support people who draw on social care, to make effective and efficient use of our staff and resources and to prepare to support more people in line with future demand.

Cost of Care

As required by the Government, ASC completed a new cost of care exercise for homecare and care home services, and produced a draft plan, working closely with our providers to ensure the B&NES market is sustainable as we move into the future. Local providers engaged well in this exercise (far more than in most areas) and generated rich intelligence into the current market conditions. The Department for Health and Social Care (DHSC) are reviewing these submissions and are expected to provide feedback and announce the next steps later in the year.

The Government has also confirmed that they are maintaining current levels of Fair Cost of Care funding for local authorities for the next two years (£162 million per year nationally) and recognised that underpayment within the sector is only one issue being faced. Significantly, the boost to adult social care funding announced in the Autumn Statement 2022 – with a ringfenced fund of £400 million in 2023-24, rising to £680 million in 2024-25, is intended to support local authorities to continue to move towards paying a more sustainable rate for care while balancing this with wider objectives to support capacity and discharge from hospitals.

The Department of Health and Social Care are reviewing grant conditions of the existing Fair Cost of Care Fund to reflect this new focus, but the important underlying work with local authorities and providers is continuing to 'reflect the progress councils and providers have made this year on fees and cost of care exercises'. Work on local plans to ensure market sustainability is ongoing and will be further informed by the revised grant conditions that haven't been published yet.

Mental Capacity Act Amendments and Liberty Protection Safeguards (LPS)

All local authorities, alongside other key stakeholders are eagerly awaiting information from the Government as to the likely implementation date for LPS, but it is highly likely this will now be 2024. The draft Code of Practice came out earlier in the year and all stakeholders, including people with lived experience and carers, were asked to submit their feedback in relation to it.

In the meantime, interim work is underway to ensure that all organisations are going to be ready to implement the updates to the Mental Capacity Act and LPS. Most local authorities including B&NES have established a Project Board to discuss the likely challenges and agree the key areas of work. This is supported by a South West LPS lead appointed through Association of Directors of Adult Social Services (ADASS).

Community Resource Centres (CRCs)

The Council runs 9 in house services consisting of 3 Care Homes (1 with nursing) 5 Extra Care schemes and a home care agency (United Care BANES – UCB). Due to the national shortage of staff in the care sector, these services remain reliant on a high use of agency staff.

UCB has grown to be the 3rd largest provider of home care in B&NES. As recruitment remains a significant challenge this pilot approach allows staff to be recruited and seconded from the RUH and the majority of staff recruited are from overseas. We have learnt from the initial recruitment phase and continue to review our practices for ensuring right to work requirements for overseas individuals are maintained for the cohort. The service has not yet been inspected by Care Quality Commission (CQC) but the service is working to become inspection ready.

The 5 Extra Care services have been inspected and all have a **rating of good** from the CQC. The registered manager post for these services is out to advert due to the promotion of the current manager to the newly created Service Improvement Manager role.

An Improvement Board has been set up for the 3 care homes with dedicated support from corporate functions including HR, property services and health and wellbeing.

Combe Lea residential care home was CQC inspected in the summer (2022) and has a rating of Requires Improvement. An action plan is in place which is overseen by the Improvement Board.

Cleeve Court had a mock inspection on 1st December 2022 by Care4Quality to support the home to be inspection ready. An action plan has been developed and will

be overseen by the Improvement Board. CQC has completed a 2 day inspection on 20th December 2022 and 29th December 2022 and we are awaiting the outcome of the CQC inspection report.

Charlton House following two CQC inspections in June 2022 and again in October 2022, the overall service is rated as Inadequate. The second inspection was directly related to a number of safeguarding concerns identified by Charlton House management teams which were referred to safeguarding and CQC were made aware of the concerns by the management team.

The Cabinet Leader and Cabinet Member have visited Charlton House to talk with residents and staff about their experiences at the care home. The Cabinet Lead Member is briefed formally twice monthly by the DASS, with informal updates given weekly.

An Improvement Manager has been appointed for Charlton House to address these issues. A new full time Registered Manager has also been appointed and commenced in post on 5th January 2023. Following the CQC inspection a decision was taken by ASC to temporarily close the D2A floor of the home and focus on the permanent residents to ensure the 14 residents are well cared for in the home. Comprehensive improvement plans have been developed and weekly meetings are in place with CQC to monitor progress in Charlton House.

Charlton House is also being monitored through B&NES Community Safety and Safeguarding Partnership (BCSSP) Large Scale Enquiry (LSC). These meetings include representatives from the ICB, CQC, HCRG Care Group, Primary Care GP, the Council's Contracts and Commissioning and Safeguarding teams along with service operation senior staff. There have been regular meetings of the Large Scale Enquiry Review and the Large Scale Enquiry Review and DASS will continue to have close oversight of Charlton House by the parties above.

The ICB and ASC quality assurance team continue to visit Charlton House with both planned and unannounced visits to ensure the safety of the residents. These teams share their findings directly with the LSE. The most recent visit was completed on 4th January 2023.

Appendix 1: Charlton House Timeline
Appendix 2: Charlton House Action Plan

ASC Finance Update

The final 2021/22 outturn position for the Adult Social Care budgets was an underspend of £3.92m. This reflected the reduced number of social care funded packages during 2020/21 which continued into 2021/22. Additional health funding arrangements also remained in place and the impact of the expected demand from the ending of these arrangements was delayed until the end of the 2021/22 financial year.

The health funding arrangement has been replaced by jointly funded and agreed schemes between the Council, ICB and partners. Demand for these schemes remains

high and transformation work continues to determine a longer-term system approach through prevention and early intervention. This should help to reduce budget pressures and deliver improved outcomes in the longer term.

The current forecast position (reported at Quarter 2) is balanced as the underlying variances will be covered by a transfer from the Adult Social Care Reserve fund. Adverse variances are being forecast in Specialist, Learning Disability and Autism pooled services (£1.5m), Physical Disability and Sensory Impairment (£0.4m) Mental Health (£65k) and the CRC and Extra Care units overspend of £1.543m. This reflects the increasing number of package placements (activity and cost) now being seen in line with increased demand being experienced across the health and social care system, inflationary pressures within the social care market and the use of front line agency staff in the CRCs.

Referrals to the services are increasing in complexity which adds to the budgetary pressure and work is underway with health colleagues to review and agree the correct funding model for the services required.

There is also an underlying adverse variance in the budgets for our Community Resource Centres and Extra Care Units

Recruitment issues and sickness levels within the service have contributed to this high agency usage. Intensive recruitment work is underway with the support of our HR partners, to attract permanent staff, retain existing staff and reduce reliance and spend on agency staff.

Work on the Cost of Care Review, required as part of the Social Care Reforms, had progressed well but due to the recent Government decision to pause the Care Cap, clarity is still awaited as to how this work will now need to be progressed further.

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.

ASC 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 (ASCOF) and the annual statutory Short and Long Term (SALT) Support performance report.

The latest ASCOF results (2021/22) demonstrate that B&NES performs well for many measures, with results for 12 of the 26 indicators better than the national average (Appendix 3). Of those measures, 7 are within the best quartile of all local authorities. Performance is strongest for the measures in Domain 1 of ASCOF: Enhancing quality of life for people with care and support needs.

However, as noted above, there are significant challenges facing adult social care and B&NES' performance for five measures will need dedicated support to improve.

Appendix 3: Detailed performance information for each measure

- 1C(1A): % of clients who receive self-directed support
- 1F: % of adults in contact with secondary mental health services in paid employment
- 2B(1): % of older people who were still at home 91 days after discharge from hospital into reablement
- 3A: Overall satisfaction of people who use services with their care and support
- 3B: Overall satisfaction of carers with social services.

An action plan to address the affected areas is in development but the unprecedented challenges and the associated risks, referenced earlier in this report, will influence the pace at which improvements can be delivered. In addition, for the reablement measure (ASCOF 2B(1)), improved performance is not anticipated until the operating model changes in 2024.

The service also routinely monitors its performance across a range of operational indicators, five of which form part of the strategic indicators reported to Cabinet monthly. Quarter 2 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, reviews and employment measures.

Adult Social Care Performance Dashboard 16th December 2022

Indicator	Date	Value	Status & Change	Target	Trend
Adult Safeguarding: % enquiries where risk removed/reduced★ (▲)	30/11/2022	100.0%	— 0%		
Adult Social Care: Care Home admissions per 100k★ (▼)	30/11/2022	35.1	● ↘ 2.7	48.5	
% Adults at home 91 days after reablement service★ (▲)	30/09/2022	87.8%	● ↘ 1%	74%	
Adult social care reviews - % people with a review★ (▲)	30/11/2022	57.0%	◆ ↘ 2%	80%	
Mental Health: Adult service users in employment★ (▲)	31/10/2022	6.8%	▲ ↘ 0%	8%	

System pressures continue to have an impact on ASC performance whilst safeguarding performance, admissions to residential care and people who are still at home following reablement intervention remains on target. There remains a risk of more people being discharged to care home beds or remaining in care home beds as winter pressures continue. The ability to carry out reviews of people's care

continues to fall due to vacancies within HCRG Care Group and resources being diverted to D2A activity. More work is being undertaken with AWP to understand why the numbers of people with Mental Health needs in paid employment has fallen.

Community Services Transformation

The current contractual relationship with HCRG Care Group for the delivery of Integrated Health, Public Health and Adult Social Care services in B&NES will cease on 31st March 2024. We therefore have 15 months to determine the new operating model for the delivery of community services and ensure that new arrangements are in place as of 1st April 2024.

To achieve this the council is working closely with the Integrated Care Board (ICB) to deliver Community Services Transformation under three programmes, these include:

1. Adult Social Care Redesign and Community Partners
2. Public Health
3. Community Based Integrated Care

The ICB is working on a new delivery model “at scale” across B&NES, Swindon and Wiltshire (BSW), undertaking a review of community health services with established programme principles and strategic grouping of services in line with the BSW Care Model. There are complex interdependencies between services within each of the programmes. We await confirmation of the new Provider Selection Regime (PSR) as statutory guidance is currently not published and a number of B&NES statutory services may be impacted by the PSR but otherwise are subject to the “light touch” regime of the Public Contracts Regulations 2015.

The decision was taken on 10th November 2022 for the council to in-source the statutory adult social care function (adult social workers) and Adults with Learning Disabilities and their Families Service. A dedicated project team is working on the safe transfer of staff and service by 1st April 2024.

Global City Futures have been appointed by the Council to support business case production and provide programme management support for Programme One and Programme Two. The Council and ICB will continue to work in partnership to align the decision making timescales for Public Health, Community Partners and Community Based Integrated Health.

Suzanne Westhead

Director Adult Social Services (DASS)

9th January 2023