



Meeting: Council

Date: 6 February 2013

Wards Affected: All

Report Title: Strategic Agreement Between Torbay and Southern Health and Care NHS Trust and Torbay Council – Policy Framework

Executive Lead Contact Details: Christine Scouler, Executive Lead for Adult Social Care and Older People, (01803) 553236, Christine.scouler@torbay.gov.uk

Supporting Officer Contact Details: Caroline Taylor, Director of Adult Social Care, (01803) 207116, caroline.taylor@torbay.gov.uk

1. Purpose

This is the Annual Agreement between Torbay Council who commissions services for Adult Care from the NHS. It sets out within the budget target the performance for Adult Care in the forthcoming financial year. It also refers to the broader context in which the agreement is framed and sets out roles and responsibilities for the forthcoming year. The Council is trying to achieve continuing good service in Adult Care for local citizens within the context of tight financial constraints, and preserving the principle integrated health and social care at the frontline.

2. Proposed Decision

2.1 That the Strategic Agreement between Torbay and Southern Health and Care NHS Trust and Torbay Council set out at Appendix 1 to the submitted report be approved.

3. Reasons for Decision

3.1 The agreement sets out the strategic direction which is designed to maximise choice and independence for those requiring adult social care and support. At a national level the funding arrangements for adult social care are under review. The Dilnot report has been published but there is no immediate prospect of this review reporting in a timescale that would propose changes in 2013-14. The financial arrangements are based on what is known at present.

3.2 The agreement is in the context of the NHS White Paper and the NHS Policy of transforming community services. This agreement is set in the context of a number of continuous changes as part of the agenda of public sector reform. The Clinical Commissioning Group formally takes authority for commissioning NHS services for Torbay and South Devon from the 1 April 2013 and in our local context the new financial year is expected to see the Torbay and Southern Health and Care NHS Trust be acquired by another foundation trust. The Council continues to work within

this context based on our commitment to an integrated model of health and care as the best way of supporting individuals and local communities. Government has made available section 256 monies to the NHS for the purposes of social care and this is included in the agreement. Final agreement of how these resources are best utilised is in discussion with the NHS local area team, the clinical commissioning group as well as the provider trust.

- 3.3 The agreement is structured on the four domains outlined in the revised adult social care outcomes framework which is a national framework. The majority of performance indicators associated with each domain will be measured monthly although several rely on annual or bi-annual surveys and they will be reported as national results become available.

4. **Summary**

- 4.1 The ASA outlines performance outcomes within the budget envelope provided by the Council and outlines elements of the work plan being undertaken by the Trust on our behalf in the next financial year as well as specifying roles and responsibilities.

Supporting Information

5. **Position**

This agreement has been considered through the budget consultation process and the budget process for adult social care has included equality impact assessments for any proposed changes.

6. **Possibilities and Options**

- 6.1 This is an annual agreement which is required in order to manage our commissioning of adult social care.

7. **Preferred Solution/Option**

- 7.1 The alternative is not to have an agreement which would lead to a lack of clarity in outcomes for adults social care over the next financial year and lack of clarity in governance of roles and responsibilities.

8. **Consultation**

This agreement has been part of the budget consultation process however specific changes for groups of users or individuals will include detailed engagement and consultation as part of any proposed change. The ASA has been considered by Overview and Scrutiny and the agreement has been amended in accordance with their recommendations.

9. **Risks**

9.1 **Outline of significant key risks**

The agreement sets out performance within the tight financial constraints of the public sector and includes an ambitious programme of transforming services within

adult social care in the forthcoming year in order to meet good outcomes for local people within available finance.

9.2 Ordinary residence

Movement of ordinary residence can create in year pressures and this will be monitored closely through social care programme board

9.3 Risk of capacity to deliver changes

The requirements of this commissioning agreement are the further changes and savings to back office and assessment processes. Capacity in zone teams may impact on the pace of delivery. This is mitigated through assurance from the trust that operational services at the front end can be delivered in a different way.

9.4 Care home fees

Council is setting (as separate decision) a 2 year set of fees within a new banding structure for residential care which may be open to challenge. This is mitigated through a consultation process with providers throughout 2012/ 13.

9.5 Community concern

Concern may be raised in response to implementation of the programmes of work outlined in this agreement which may affect the pace of delivery. This is mitigated through the close involvement of, and engagement with, individuals and communities.

9.6 Acquisition process

The Trust may be acquired by another NHS Foundation Trust and this could result in distraction from delivery of this agreement. This is mitigated through close working between senior officers and the NHS; the Mayor and Councillors; NHS chairs and board members.

Risk rating is included as an appendix to the ASA

Appendices

Appendix 1 **Strategic Agreement Between Torbay and Southern Health and Care NHS Trust and Torbay Council – Policy Framework**

Additional Information