



**Meeting:** Overview and Scrutiny Board

**Date:** 19 February 2014

Council

27 February 2014

**Wards Affected:** All

**Report Title:** Strategic Agreement Between Torbay and Southern Health and Care NHS Trust and Torbay Council

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## 1. Purpose

- 1.1 This is the Annual Agreement between Torbay Council who commissions services for Adult Care from the NHS and the Torbay & Southern Devon Health and Care NHS Trust. 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 of 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 and we are working to implement changes for April 2016. The financial arrangements are based on what is known at present and the requirements of The Better Care Fund (BCF)
- 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 has authority for commissioning NHS services for Torbay and South Devon and we are working closely with them. In the new financial year

we 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.

- 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 **The scale of savings required**

Savings plans targets are significant and over a two year period will require radical changes in the range of services available, the level of care that can be provide and the way services are delivered.

## 9.4 **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.

## 9.5 **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 **Care home fees**

Care home fees have been set within a new banding structure for residential care set last year. This is mitigated through a consultation process with providers. The process may be open to challenge.

## 9.7 **Acquisition process**

The Trust is expected to be acquired by another NHS Foundation Trust in September 2014 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
- Appendix 2 Annex A to the ASA (Budget Proposals 2014/15 and 2015/16: Adult Social Care)
- Appendix 3 Annex B to the ASA (Key Performance Indicators)
- Appendix 4 Annex C to the ASA (Risk Matrix)
- Appendix 5 Annex D to the ASA (2014/15 ASC Outcomes Framework)