

Cabinet Committee on Performance Improvement

Meeting to be held on 8 June 2016

Report of the Director of Adult Services

Electoral Division affected:

All

Towards Excellence in Adult Social Care (TEASC) – Risk Awareness

(Appendix 'A' refers)

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Executive Summary

Understanding the nature and scale of risks facing adult social care in Lancashire is important for the County Council, its public sector partners and local citizens.

To help frame a systematic and comprehensive understanding of these risks, a framework has been developed under the auspices of the Local Government Association (LGA) and Association of Directors of Adult Social Services (ADASS) which Directors of Adult Social Care have been encouraged to use. This 'Risk Awareness Tool' was completed by the Lancashire Director of Adult Social Care (DASS) in November 2015 based on data available at the time. An interactive process was followed to identify the top five risks. The full Risk Awareness Tool is contained at Appendix 'A'.

This report highlights the top five risks identified for Lancashire and a brief account of the mitigating plans in place.

Recommendation

The Cabinet Committee on Performance Improvement is recommended to;

- i. Note the contents of the completed Risk Awareness Tool for Adult Social Care attached at Appendix 'A',
- ii. Endorse the assessment of the Lancashire DASS regarding the top five risks facing adult social care in Lancashire,
- iii. Endorse the high level plans to mitigate those risks, and
- iv. Agree that the Committee should receive an annual report containing an updated Risk Awareness Report for Adult Social Care.

Background and Advice

Towards Excellence in Adult Social Care (TEASC) helps councils improve their performance in adult social care. Its purpose is to support local government to deliver excellent adult social care services. Through a local, regional and national partnership programme, TEASC underpins the introduction of new policy and helps to sustain proven cost effective, high quality services tailored to individual need. It works with and for local government and its partners to enable them to take responsibility for their own improvement. The experience of sector-led improvement in local government as a whole demonstrates how it is able to improve the council's performance and manage the risk of underperformance.

The Risk Awareness Tool has been recommended by TEASC to support the LGA's responsibility for identifying and managing risks across the adult social care sector. It was suggested as a model, on the understanding that the ADASS' regional networks may choose whether to adapt it and/or integrate it with their existing tools.

The tool is not a performance management tool, and has not been created to replace any existing self-assessment tools. It has been designed for use as a high-level check of the key domains of risk, for example:

- Performance and outcomes
- Leadership and governance
- Commissioning and quality
- National priorities and partnerships
- Resources and workforce management
- Culture and challenge

The tool includes suggested ways of using standard indicators to explore the existence of risk and emphasises the importance of triangulating 'hard' and 'soft' evidence.

The North West Regional ADASS Excellence Board, of which the Lancashire DASS is a member, decided it would commit to the use of the Risk Awareness Tool by all councils in the North West. The agreed process was that:

- A draft was to be completed by each council's DASS
- Each council would 'buddy' with another North West council's DASS to offer challenge and comment on the draft.
- The document would be finalised and then shared with the council's own management and elected members.
- The decision as to whether the document should be part of the publicly available reports and on committee agendas would be a matter of local determination.
- When completed by all North West councils a summary position for the region would be collated and shared nationally via ADASS and the LGA.

Lancashire's first draft was completed in November 2015, shared with and reviewed by a peer (the DASS from another upper tier council) in December, finalised and

presented to the County Council's Management Team in January 2016. It is tabled today so that the Cabinet Committee on Performance Improvement can better understand the challenges and risks facing Lancashire's Adult Social Care sector.

It is also intended to share this report with the Lancashire Adults Safeguarding Board, the Health and Social Care Partnership, and with Lancashire and South Cumbria Systems Resilience Group.

Top Five Risks

There is inevitably a degree of subjectivity in any decision to rank the risks. However the list produced below has been determined following peer challenge and discussions at Management Team. Typically they arise from consideration of the evidence not just in one but a combination of the 'Risk Domains'.

1. Finance / Budget Savings

For Adult Social Care there is a challenging target of £37M to save over the next two financial years (16/17 and 17/18) with potentially much more to be found in subsequent years. This arises from:

- Reduced levels of finance available overall to the County Council;
- Demographic pressures leading to rising demand for adult social care services;
- Pressures transferred from local NHS services as a result of the rising demand facing that sector;
- Cost pressures from the market including the impacts from National Living Wage, the need to meet quality standards and general inflationary pressures.

Mitigations

- External programmes of work established and external support commissioned from Newton Europe to support the delivery of savings over the next two years and beyond.
- Income levels to be maintained or increased from specific areas such as Health via the Better Care Fund; from the Social Care Precept on Council Tax.
- Lobbying government about social care funding levels in collaboration with others, for example, LGA, ADASS, CCN, and directly where appropriate as a County Council.

2. Market Sustainability / Quality

There are major concerns about the quality and sustainability of adult social care services nationally and this is evident locally too. For example:

- There is too much variability in the quality of services, with only 68% of registered services judged 'Good' or 'Outstanding'.
- Challenges to the affordability of good quality services for commissioning organisations and self-funding individuals, for example, in nursing home care.

- Evidence of market polarisation, with investment and services increasingly shifting towards supplying the self-funder market and reduced options for those individuals funded by the County Council.
- Recruitment and retention is proving increasingly challenging particularly in the home care sector, and for registered nurses and registered managers.
- Potential for challenge by workforce to individual providers if due to affordability they do not comply with key employment legislation such as National Living Wage and the 'Whittlestone Ruling' which covers night time rates for staff.

Mitigations

- Recommissioning / procurement exercises being prepared or underway in some areas such as Direct Payments, Community Equipment to ensure improved cost / quality relationship.
- Fresh consideration of commissioning options in home care, reablement, learning disability and mental health.
- Realignment of management and workforce capacity within the County Council to support better quality monitoring and interventions.
- Significant fee uplifts for 2016/17 agreed for the residential and nursing home sector for older people to reflect sector pressures.
- Significant increase in rates to 'supported living' to cover overnight rates for staff working in or 'sleeping in'.

3. Transforming Care for People with Learning Disabilities or Autism

This National Programme to end the use of inpatient beds for adults with learning disabilities poses particular challenges for Lancashire given the number of Lancashire patients likely to be affected by the planned closure of Calderstones Hospital. These include:

- Multi-million pound pressures to the Health and Social care system in Lancashire to develop the new community services needed to support the individuals who are to be discharged under the programme.
- Securing the necessary service quality and availability of services for this group.

Mitigations

- The County Council is playing a full part in the local Transforming Care partnership with Health to ensure the fullest understanding of the financial and commissioning requirements, and development of risk share and pooled budget arrangements.
- Lobbying of Department of Health and negotiations with NHS England about the unique pressures facing Lancashire.
- Engagement with the specialist care and housing providers who can support the development and run new community services.
- Secured local agreement that funding of individuals who move into the community during 2016/17 as part of this programme will be funded by the NHS from Transforming Care transitional funding.

4. Performance / Systems Development

Overall there is a picture of encouraging performance, but with some areas for improvement. However, the major concerns are:

- Inability to report accurately on the number of people waiting for an assessment, caused partly by a lack of standardised process for completing assessments.
- The current focus on retrospective performance analysis does not provide the necessary information to enable teams to proactively track and manage their work.

Mitigations

- Review and improvement plans are underway of Liquid Logic.
- Performance metrics and arrangements under review.
- As part of the Adult Transformation Programme, Newton Europe to support development and use of local performance dashboards which will drive the business.

5. Waiting times for assessments and reviews

These are significant in some areas e.g. occupational therapy, safeguarding and social care reviews. In some cases:

- This will fail to address risks to the individual, or place individuals at increased risk, or
- lead to increased cost to the County Council if we provide too much or ineffective or unnecessary services to the individual.
- Pressures to address and support failing services frequently diverts management and staff capacity away from scheduled work, but
- securing accurate and current information on the waiting times is also a challenge given the issues highlighted in the previous section on Performance and Systems Development.

Mitigations

- Additional capacity is being secured in some key areas of social work and occupational therapy including frontline management.
- Realignment of management capacity in adult social care to provide improved focus on operational priorities.
- Clear triaging/prioritisation schemes for use at Customer Access Centre.
- Providers are undertaking safeguarding work, particularly in residential or supported living settings.
- Work with Newton Europe is underway to improve productivity.
- Working with Health partners to improve arrangements around discharge from hospital.

Conclusion

Adult social care nationally and locally is facing a period of unprecedented challenge. This is recognised widely and this report highlights some of the key risks here in Lancashire.

Consultations

As detailed, the risk assessment has been shared with the Regional ADASS group, and reviewed by one particular DASS, along with being presented to the County Council's Management Team.

Implications:

This item has the following implications, as indicated:

Risk management

Mitigation has been detailed against the top 5 risks identified and further work is ongoing to address these areas where possible.

List of Background Papers

Paper	Date	Contact/Tel
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N/A.

Reason for inclusion in Part II, if appropriate

N/A.