

SHEFFIELD CITY COUNCIL

Adult Health and Social Care Policy Committee

Meeting held 21 September 2022

PRESENT: Councillors Angela Argenzio (Co-Chair), George Lindars-Hammond (Co-Chair), Steve Ayriss (Deputy Chair), Abtisam Mohamed, Ruth Milsom, Kevin Oxley, Martin Phipps, Safiya Saeed and Vic Bowden (Substitute Member)

1. APOLOGIES FOR ABSENCE

- 1.1 An apology for absence was received from Councillor Ann Woolhouse, with Councillor Vic Bowden attending the meeting as her substitute.

2. EXCLUSION OF PRESS AND PUBLIC

- 2.1 The Chair (Councillor George Lindars-Hammond) reported that (a) appendix 3 to the report under item 9 on the agenda (item 15 of these minutes) relating to Mental Health Market Shaping Statement and Recommissioning of Services and (b) part B to the report under item 14 on the agenda (item 16 of these minutes) relating to Adult Social Care Budget Programme 2023/24, were not available to the public and press because they contained exempt information described in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), relating to the financial or business affairs of any particular person. Accordingly, if the content of those parts of the reports were to be discussed, the public and press would be excluded from the meeting.

3. DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest made at the meeting by members of the Committee.

4. MINUTES OF PREVIOUS MEETING

- 4.1 The minutes of the meeting of the Committee held on 15th June 2022 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

- 5.1 No petitions or questions from members of the public had been received.

6. WORK PROGRAMME

- 6.1 The Committee received a report containing the Committee's Work Programme for consideration and discussion. The aim of the Work Programme is to show all known, substantive agenda items for forthcoming meetings of the Committee, to enable this Committee, other committees, officers, partners and the public to plan their work with and for the Committee. Any changes since the Committee's last meeting, including any new items, had been made in consultation with the Co-Chairs and Deputy Chair via their regular pre-meetings. The Work Programme will remain a live document and will be brought to each meeting of the Committee.
- 6.2 It was reported that, in relation to recommendation 4 in the report, there had been no referrals made to the Committee by any of the Local Area Committees.
- 6.3 The Chair (Councillor George Lindars-Hammond) reported that, further to discussions recently held between the Co-Chairs and Deputy Chair, arrangements were to be made for Members of the Committee to meet informally, in the near future, to receive a briefing on the Adult Social Care budget.
- 6.4 **RESOLVED UNANIMOUSLY:** That the Committee's work programme, as set out in Appendix 1, be agreed, including the additions and amendments identified in Part 1 of the report.

7. DIRECTOR OF ADULT SOCIAL CARE (DASS) REPORT AND DELIVERY PLAN

- 7.1 The Committee considered a report of the Director of Adult Health and Social Care providing her update as regards the performance and governance of Adult Health and Social Care Services in Sheffield, including progress in meeting DASS (Director of Adult Social Services) accountabilities and delivering on our statutory requirements.

The report also provided an update as regards Adult Health and Social Care progress in relation to the Council's Delivery Plan and key strategic events and issues on the horizon.

- 7.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee notes the Director's report.

8. SUPPORTED LIVING, RESPITE AND DAY SERVICES PROVISION FOR WORKING AGE ADULTS

- 8.1 The Committee considered a report of the Director of Adult Health and Social Care seeking approval to commission the delivery of care and support services for adults who have a disability. It is proposed to commission a Working Age Framework to include Supported Living,

Activities Outside the Home (day services) and Short Breaks/Respite services.

The current Supported Living Framework is due to expire in March 2023 and commissioning provides us with an opportunity to make changes that will enable a more sustainable and flexible suite of services to meet people's needs and to incorporate Supported Living, Day Services and Respite services into a new Working Age Framework.

The report also highlighted the risks faced by Sheffield City Council regarding its statutory duty, under the Care Act, to provide an effective and efficient market for the delivery of services to people with disabilities.

8.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) approves the commissioning of the Supported Living Service (which includes Supported Living, Short Breaks/Respite and Day Services provision for Working Age Adults) by way of a Framework/Dynamic Purchasing System with a term of 10 years and an estimated value of £500m, as set out in the report; and

(b) notes and endorses the South Yorkshire Market Position Statement – Housing with Support for People with a Learning Disability and/or Autism (at Appendix 1 of the report).

8.3 **Reasons for Decision**

The recommended option will deliver the following outcomes:-

- The Council can meet its statutory duties under the Care Act 2014.
- Individuals who have assessed eligible social care needs because of their disabilities and long-term health conditions will be supported.
- The market will be stabilised and diversified, with increased provision to meet the needs of the cohort.
- The Council can be assured of the quality of the provision it has commissioned.
- Individuals will have access to support that is appropriate, meets their wishes and is delivered in a timely manner
- Individuals will meet their outcomes as set out in the Support Plans
- Individuals will be supported to live as independently as possible within the community with appropriate support.

8.4 **Alternatives Considered and Rejected**

8.4.1 **Option One: ‘Do Nothing’**

This is not an option. The current framework for supported living is due to end in April 2023 and cannot be extended beyond this time.

If the current arrangement for the day activities remains in place, the Council has limited options to develop this offer further. Day activities providers are indicating that the current fee arrangements are inadequate. This also remains a market where there is no quality monitoring in place without a Framework.

8.4.2 **Option Two: Recommissioning of a Supported Living Framework on a Similar Basis**

This will not meet the Council’s strategic goals, of supporting people with a range of additional needs to meet their needs and outcomes.

This option will not enable the Council to develop new service offers to meet emerging needs, for example for young people transitioning from Children’s services, and for people who require overnight support.

8.4.3 **Option 3: Recommission a Working Age Framework (recommended)**

This will enable greater flexibility and for more providers to join the Framework thereby increasing diversity.

It will enable the Council to meet its statutory duty and fulfil obligations to meet a range of needs.

9. OLDER PERSONS PREVENTION SERVICE

9.1 The Committee considered a report of the Director of Adult Health and Social Care seeking approval for the commission of an extension to the existing arrangements for prevention services for people who are aged 55 plus, for up to 12 months to allow for a review of early intervention and our model of operating to take place. This will then inform a recommissioning exercise.

9.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee approves the commission of an extension to the existing arrangements for prevention services for people who are aged 55 plus, by 12 months, in line with the report, whilst a review of early intervention and the operating model is taking place.

9.3 **Reasons for Decision**

Extending the existing contract for up to 12 months will allow for a review of early intervention and our model of operating to take place. This will then inform a recommissioning exercise in line with strategic priorities.

9.4 **Alternatives Considered and Rejected**

9.4.1 **End the service** –This would have an adverse impact on older people with health conditions. It would weaken the Council’s ability to fulfil statutory wellbeing and prevention duties under the Care Act 2014. It would result in immediate savings, but could increase costs elsewhere in the Council budget, by making it more likely for more people to need more expensive services.

9.4.2 **Reduce the service** – Reducing the service would have less of an adverse impact on people than ending it, but it would still leave future beneficiaries without a service, and this would have a harmful impact. The high demand for the service raises the question whether it should be expanded.

9.4.3 Decisions about pursuing either of these options are best made once the strategic reviews are complete. This will enable any new investment to be part of system-wide improvements and for mitigations to be put in place to deal with decisions to stop or reduce any areas of provision.

9.4.4 **Provide the service in house** – This would bring TUPE implications for staff transferring to the Council. The current provider brings links with a range of partnerships that have charitable benefits, such as delivery of meals on Christmas day to people who are isolated. They also have expertise in working with experts by experience and co-production that adds value and expertise to the way we work in Sheffield.

10. **SAFEGUARDING AND ENSURING SAFETY DELIVERY PLAN AND NEW SAFEGUARDING AND ENSURING SAFETY MODEL**

10.1 The Adult Health and Social Care Strategy “Living the Life You Want to Live” and subsequent Delivery Plan agreed at the meeting of the Committee on 15th June 2022, made a commitment towards improving outcomes for adults from abuse and neglect and enabling a shift towards prevention of harm.

The report of the Director of Adult Health and Social Care submitted to this meeting, set out a Delivery Plan and key milestones to deliver upon that Commitment. The report explained how new ways of working, specifically Making Safeguarding Personal (MSP) and strengths-based approaches to social care, are impacting positively to change practices, referral rates and numbers of safeguarding referral and notes new models under development.

10.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care

Policy Committee:-

(a) approves the Adult Health & Social Care Safeguarding Delivery Plan;

(b) requests that the Director of Adult Health and Social Care provides the Committee with updates on progress against the Delivery Plan on a six-monthly basis;

(c) requests that the Director of Adult Health and Social Care reviews and refreshes the plan on a biannual basis for subsequent consideration by the Committee; and

(d) endorses the Safeguarding Adults Strategic Partnership Board Annual Report for 2021/ 2022.

10.3 **Reasons for Decision**

10.3.1 An approved delivery plan for the strategy gives a structured approach to delivery of the prevention of abuse and neglect and the protection of people's rights. It will also provide greater accountability and transparency of how we will do this.

10.3.2 Asking for regular updates and refreshes of the plan will keep the Committee updated and give wider stakeholders, and the public, the ability to hold the Council to account for progress and provide an additional mechanism to input to future development.

10.4 **Alternatives Considered and Rejected**

The alternative option considered was – do not complete a Delivery Plan for Safeguarding Adults. This would not provide the assurances required to the Committee, Safeguarding Partnership Board and Council to ensure that our safeguarding duties are met.

11. **ADULT SOCIAL CARE MARKET SHAPING STATEMENT, MARKET SUSTAINABILITY AND OVERSIGHT PLAN AND FAIR COST OF CARE EXERCISE**

11.1 The Committee considered a report of the Director of Adult Health and Social Care seeking approval for Sheffield's Market Shaping Statement, noting the proposal to develop further, more detailed, 'Market Positions Statements' through 2022 and 2023.

The report also updated the Committee on progress made towards meeting the Government's requirement to conduct and report on a 'Fair Cost of Care Exercise' and 'Market Sustainability Report', which are due for submission on 14 October 2022. It also contained (at Appendix 2) the Market Sustainability Development plan, which sets out how we will

ensure that we fulfil our statutory duties as set out in the Care Act 2014, and how we will develop our October and February 2023 Fair Cost of Care submissions to the Department of Health and Social Care (DHSC).

11.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) approves Sheffield's Market Shaping Statement, at Appendix 1 of the report;

(b) approves proposals to develop a range of Market Position Statements over the next 12 months;

(c) notes the progress being made towards making the required returns to Government to access its Market Sustainability and Fair Cost of Care Fund (2022-23); and

(d) requests a further update in December 2022.

11.3 **Reasons for Decision**

The recommendations arise from the Council's market shaping responsibilities and from the need to fulfil the conditions for receiving the DHSC's Market Sustainability and Fair Cost of Care Fund (2022-23).

11.4 **Alternatives Considered and Rejected**

11.4.1 The development of Market Position Statements is consistent with the Council's duty to oversee and, if necessary, to intervene in the market to ensure that people have a choice of good quality support providers to choose from should they need to draw on social care services, whether funded by themselves or from public funds.

11.4.2 The completion of the Fair Cost of Care Exercise is a mandatory requirement of the Department of Health and Social Care as a condition of accessing the funding described in the report.

11.4.3 There is therefore no alternative open to the Council other than to proceed with these exercises.

12. ADULT SOCIAL CARE CHARGING DELIVERY PLAN

12.1 The Health and Care Act 2022 introduced a range of adjustments to the rules around the funding regime in Social Care. The changes are to be implemented in October 2023 with assessments of individuals to commence in April 2023 in preparation.

The report of the Director of Adult Health and Social Care submitted to this meeting, set out the Delivery Plan to implement the Social Care

Charging Reforms in the City and sought approval to recruit the additional staff and upgrade IT software required to enable an effective response to increased demand.

12.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) notes the impact of the Social Care Charging Reforms on individuals and the City;

(b) approves the Social Care Charging Reforms Delivery Plan;

(c) approves the recruitment of staff to complete the additional assessment activity required as a result of the increased demand predicated through the Social Care Charging Reforms; and

(d) requests that the Director of Adult Health and Social Care provides the Committee with updates on progress against the Social Care Charging Delivery Plan on a six-monthly basis.

12.3 **Reasons for Decision**

12.3.1 The proposed actions will allow for an effective implementation of the new statutory guidance in a customer focused manner.

12.3.2 Sufficient resources to provide timely decisions on eligibility, supported by provider and self-assessment, will help to maintain high standards of customer service and support vulnerable adults at a challenging time.

12.3.3 Clear communication will support vulnerable adults and their carers to make better decisions about their options and also to receive the benefits of the new financial rules.

12.3.4 Improved structures around the treatment of choice and more expensive placements will enhance consistency of outcome and support fair decision making.

12.4 **Alternatives Considered and Rejected**

12.4.1 Continuing the standard approach to assessment was considered. This was rejected due to the combined concerns around cost of additional staffing and the risk of being unable to recruit sufficient additional staff.

13. **ADULT SOCIAL CARE FINANCIAL UPDATE AND PROGRESS WITH FINANCIAL RECOVERY PLAN**

13.1 At the meeting of the Committee held on 15th June 2022 an analysis of the Adult Health and Social Care budget, spend and funding was provided to enhance understanding, improve transparency and to ensure

that ongoing financial risks and issues remain visible. At the same meeting, a Care Governance Strategy and Framework was approved setting out a robust approach to governance across Adult Health and Social Care, including effective use of our resources.

It was agreed that future reports would be brought to the Committee which set out more detail on funding streams, spends and on forecasting, including long term assumptions, as part of our approach to transparent reporting on the Adult Social Care Budget spend and progress in relation to the financial recovery plan.

The report of the Director of Adult Health and Social Care submitted to this meeting, provided information about use of our resources, an update on progress with our financial recovery, an update on improvements made in relation to our financial governance and sought endorsement for Adult Social Care Effective Use of Resources Delivery Plan.

13.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) notes the information about the funding used to support early achievement of the National Minimum Wage and comparison of Sheffield with other authorities;

(b) notes progress towards the delivery of the 2022/23 pressure mitigations and the actions being taken to achieve delivery;

(c) notes the update on progress with the actions set out at the meeting of this Committee on 15th June 2022;

(d) agrees the transparency reporting milestones to the Committee, noted at section 2.8 of the report; and

(e) agrees the Financial and Resource Management Delivery Plan and requests updates on progress with implementation through the Budget Delivery Reports at each meeting of the Committee.

13.3 **Reasons for Decision**

These recommendations are made to support strategic planning and operational decisions that are necessary for the long-term sustainability of adult health and social care and the long-term benefit of people in Sheffield.

13.4 **Alternatives Considered and Rejected**

Not applicable – no decision or change is being proposed.

14. **BUDGET MONITORING REPORT - MONTH 4**

- 14.1 The Committee considered a report of the Director of Finance and Commercial Services bringing the Committee up to date with the Council's financial position as at Month 4 in the 2022/23 financial year.

The report indicated that the Council was forecasting a £21.7m overspend against the 2022/23 budget as at month 4, of which £12.4m related to services within the remit of the Adult Health and Social Care Committee, and further detail on the breakdown of that overspend was set out in the report. Executive Directors and Directors would be required to develop plans to mitigate the in-year forecast overspends.

- 14.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee notes the Council's challenging financial position as at the end of July 2022 (month 4), as outlined in the Director's report.

15. MENTAL HEALTH MARKET SHAPING STATEMENT AND RECOMMISSIONING OF SERVICES

- 15.1 The Committee considered a report of the Director of Adult Health and Social Care setting out a proposed Market Position Statement to set out our commissioning intentions regarding support to people experiencing mental ill health in the city; proposals regarding recommissioning of prevention contracts; and a Mental Health Social Care Delivery Plan to ensure that we have robust response towards supporting people experiencing mental ill health in the City with partners.

During consideration of this item of business, and in order for Members of the Committee to ask questions on Appendix 3 of the report, it was **RESOLVED:** That the public and press be excluded from the meeting and the webcast be paused before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 3 of Schedule 12A to the Local Government Act 1972, as amended.

The meeting was re-opened to the public and press, and the webcast was recommenced, prior to the decision being taken by the Committee.

- 15.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) approves the Adult Health and Social Care Mental Health Delivery Plan detailed at Appendix 1 of the report;

(b) approves the Mental Health Market Position Statement detailed at Appendix 2;

(c) approves recommissioning of Mental Health Prevention Commissioning Plan detailed at Appendix 3; and

(d) requests that the Director of Adult Health and Social Care provides the Committee with updates on progress against the Delivery Plan on a six-monthly basis.

15.3 **Reasons for Decision**

The documents included in the report all seek to set out in greater detail how mental health social care will be commissioned in the future. The documents are strategic and will have a positive impact on the city and those who need support.

15.4 **Alternatives Considered and Rejected**

The following alternative options were considered:-

- Do nothing – leave current contracts to expire. This was not adopted because it does not enable us to meet our legal duties under the Care Act.
- Keep existing services. This was not chosen because it did not build on the current evidence base for the best way to begin to prevent mental ill health.

16. **ADULT SOCIAL CARE BUDGET PROGRAMME 2023/2024**

16.1 The Committee considered a report of the Director of Adult Health and Social Care setting out the financial pressures facing the Health and Social Care Policy Committee in 2023/24 and providing an update on progress to date in identifying mitigations for these pressures.

During consideration of this item of business, and in order for Members of the Committee to ask questions on Part B of the report, it was RESOLVED: That the public and press be excluded from the meeting and the webcast be paused before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 3 of Schedule 12A to the Local Government Act 1972, as amended.

The meeting was re-opened to the public and press, and the webcast was recommenced, prior to the decision being taken by the Committee.

16.2 **RESOLVED UNANIMOUSLY:** That the Adult Health and Social Care Policy Committee:-

(a) acknowledges the recommendation approved at the meeting of the

Strategy and Resources Policy Committee on 5 July 2022 that “Policy Committees will be asked to develop savings / additional income options that cover their own pressures – in effect cash standstill” and to “require Policy Committees to report at their meetings in September on how they can balance their budgets”;

(b) notes, as this Committee's initial response to the Strategy and Resources Policy Committee's request, the set of budget proposals set out in the report, including Part B;

(c) notes that Officers will now work with Members to consult with relevant stakeholders (including with partners, trades unions and in respect of equalities and climate change) on the proposals in the report so as to inform final budget proposals;

(d) note that Officers will work to develop any necessary detailed implementation plans for the proposals in the report so that the proposals, if ultimately approved, can be implemented as planned before or during the 2023/24 financial year; and

(e) requests a further report in November that will set out the final budget for this Committee following consultation and any adjustments requested by the Strategy and Resources Policy Committee.

16.3 **Reasons for Decision**

16.3.1 The proposals put forward in sections 2 to 8 of the report are recommended on the basis that they:-

- Are consistent with a person-centred approach and the provision of support designed to meet the individual's needs;
- Are consistent with our vision / strategy to improve independence and support people to live the life they want to live;
- Support the ongoing improvement of adult social care services in Sheffield;
- Are guided by an evidence base, benchmarking and / or trend data which identifies areas of spend where disinvestment, subject to individual review, can most likely be made without detriment;
- Enable the Council to continue to meet its legal duties.

16.3.2 Proposals set out in section 9 of the report are required to reach a balanced financial position for 2023/24.

16.4 **Alternatives Considered and Rejected**

There are no alternative options for consideration at this stage.