

The Vale of Glamorgan Council

Scrutiny Committee (Social Care and Health): 13th July, 2015

Report of the Director of Social Services

Commissioning Domiciliary Care Services from the Independent Sector

Purpose of the Report

1. To reassure Scrutiny Committee members about the outcomes of the Council's arrangements for commissioning good quality domiciliary care services.

Recommendation

1. That Scrutiny Committee notes the current arrangements for working with the domiciliary care sector in providing safe and effective care and support services.

Reason for the Recommendation

1. To ensure effective scrutiny of a key function undertaken by the Council.

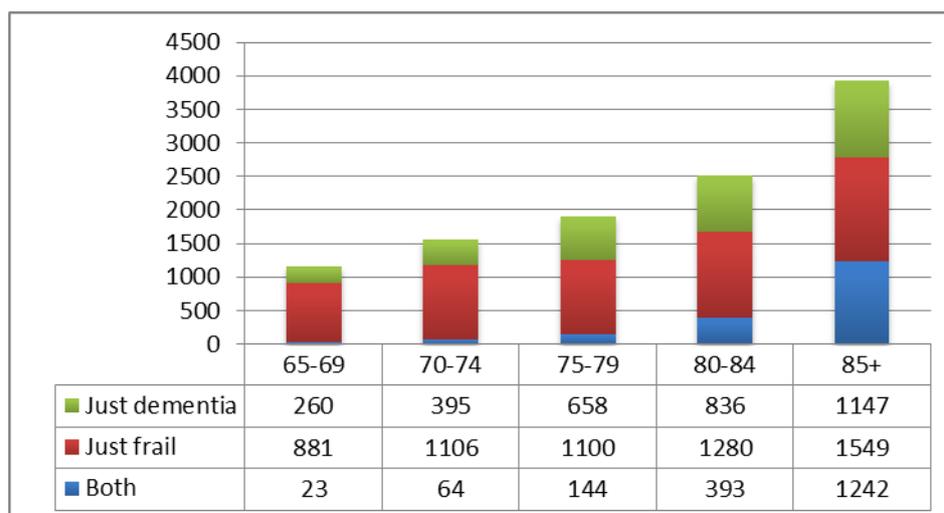
Background

2. This report is provided in response to a request for consideration from Councillor Richard Bertin.
3. Domiciliary care is a generic term to cover the provision of care services in someone's home. It helps to improve the quality of life enjoyed by people in need of personal care and to ensure that they can continue to live independent lives within their communities.
4. Social care commissioning involves deciding what services are required to respond effectively to the needs of service users and carers - both now and in the future. This includes making decisions about the capacity, location, cost and quality of services, who will deliver them and how. The effect on people's lives can be profound. Ineffective commissioning may:
 - mean that the right services are not available;
 - create unnecessary dependence; or
 - undermine strategies for managing risks to people from vulnerable groups.
5. Commissioning should be underpinned by the core values of social care - promoting independence and personal development and enabling service users to keep control

of their lives. As well as managing their own services, local authorities also need to influence and shape services provided by other organisations. As a commissioner of services, the Council is responsible for ensuring that the mixed economy of care provision works effectively and that services provided on behalf of the local authority meet regulatory standards. Local authorities must ensure that social care services provided by the wide range of different agencies available to people in their area are well planned, designed and delivered properly.

6. The Welsh Government has provided statutory guidance on commissioning social services. *The Commissioning Framework Guidance and Good Practice* sets out the responsibilities of local authorities in this area of work. In November 2011, this Council published its Social Services Commissioning Framework, setting out how it would ensure compliance with Welsh Government standards when producing its commissioning strategies for individual service users groups. The commissioning strategy for older people services 2011-2018 was approved by Cabinet in November 2011.
7. Currently, 37 independent sector providers are providing 14,660 hours of domiciliary care to 934 service users across the Vale of Glamorgan every week. This Council commissions domiciliary care through 'spot contract' arrangements - in contrast to the 'block purchase system which operates in some local authorities, which have proved problematic when large-scale contracts come to an end. Individual assessment of need, combined with spot contracts and the use of brokerage, mean that every individual care package for an individual service user is bespoke. The Council retains a statutory accountability for the way in which these services are provided. The measures in place to monitor service delivery and quality of provision are outlined below.
8. Most local authorities in Wales are seeing an increase in the volume of commissioned domiciliary care. Rural areas in particular are struggling to meet this increased level of demand at present. There are a number of factors underlying this rising demand.
 - Since 2011, the introduction of a cap on the financial contribution which a service has to make towards the cost of their care has resulted in more packages being provided to support people at home.
 - Demographic pressures have increased the number of older people requiring support. This is likely to continue as it is estimated that over 25% of the population will be over 65 by 2030.
 - Older people are living much longer and a higher proportion of them will develop problems with co-morbidity in respect of dementia or frailty. This is shown in the table below looking at the older people population in the Vale and Cardiff. The position in the Vale is more problematic because of the make-up the older people population, with a higher proportion of the very old. For example, just on the basis of profiling the increase in demand expected from the rising population with needs arising from frailty issues alone, the >65 population across both local authority areas will rise by an average 22% up to 2024 but a frailty index for the Vale would see demand grow by 31%, for Cardiff North and West by 25% and for Cardiff South and East by 18%.

Increase in frailty and dementia combined with age



Relevant Issues and Options

9. In order to provide services on behalf of the Vale of Glamorgan, providers must be on the social services accredited approved provider list. This involves:
 - signing the Heads of Agreement documentation which provides a generic service specification. This document, the general terms and conditions and the individual care plan for each service user collectively form the contract;
 - complete a questionnaire in relation to the services they provide;
 - provide a breakdown of their costs;
 - give evidence of Public Liability Insurance to £5m;
 - give evidence of Employer 's Liability Insurance to £10m;
 - demonstrate that they are registered with the Care and Social Services Inspectorate Wales (CSSIW), or the Care Quality Commission (CQC), where appropriate ;
 - provide references. If the provider is based in the Vale, two references are required. If the provider is out of county, we require the host authority to confirm that a) they are currently contracting with the provider (not all authorities have an accreditation/approval list), and b) they have no concerns including Protection of Vulnerable Adult issues. If there are any current issues, we ask them to provide details and the stage at which the issues are being tackled.
10. Once a provider has been placed on the Approved Provider List, ongoing monitoring does take place to ensure that quality standards are maintained. This includes ;
 - ensuring that insurance cover is maintained on an annual basis;
 - requiring providers to undertake an annual questionnaire in relation to their business;
 - undertake arranged visits to providers ; and
 - making spot visits, if issues of concern are raised.
11. CSSIW plays a key role in the regulation of services in social care. Domiciliary care providers must be registered with CSSIW in order to provide services. This ensures that they meet minimum standards. As a regulating body, CSSIW undertake

inspections of all registered providers, announced and unannounced, and the reports are all made public. Through the Directorate's monitoring processes, any concerns identified in the CSSIW reports are followed up with the individual providers and the Council will seek satisfactory action in respect of any recommendations or compliance issues. Since February 2013, Domiciliary Care Managers must be registered with the Care Council for Wales.

12. Officers from CSSIW and Social Services meet on a quarterly basis to discuss any particular providers in the Vale that are a cause for concern and to share information that has been gathered via the inspection and contract monitoring processes. This enables agencies to make an early response. Additionally, any issues that arise are shared as soon as they become apparent, to ensure a timely and appropriate response from both agencies.
13. Under the auspices of provider performance monitoring, a Quality Assurance / Provider Performance meeting is held on monthly basis. It involves key stakeholders including contracting staff, senior managers for adult services, Protection of Vulnerable Adult Arrangements (POVA) practitioners and nurse assessors from the Cardiff and Vale University Health Board. Advocates are invited to contribute or attend for specific issues. The purpose of these meetings is to share information between key stakeholders about providers and to make a judgement about any interventions required. If appropriate, providers will be referred for consideration under the Provider Performance Protocol. The protocol was reviewed and revised earlier this year. It now includes a pre-escalating concerns stage where providers are invited in to discuss any low-level misgivings we have and to agree an action plan. This allows for remedial action when concerns first arise, with the purpose of avoiding escalation into full provider performance meetings.
14. If there are ongoing or serious issues regarding an individual social care provider, these are dealt with through an escalating concerns process. This process is applied throughout Wales. Again, all appropriate agencies come together to share information and take the necessary action to ensure the safety of service users. The service provider is involved in these discussions and an action plan agreed to address the outstanding issues. Progress against the action plan is monitored. Failure to agree to and complete the required actions can have serious consequences for the provider agency.
15. With regard to all services provide by the independent and third sectors, surveys are undertaken to ensure that staff are appropriately trained. Any training requirements identified through this process are addressed through the annual training plan. There is a qualification framework in place for social care services which identifies the appropriate qualifications for all social care staff. The Care Council for Wales has set targets for achieving these qualifications; this too is validated by CSSIW and by the social services training team. Social Services help to provide staff from all sectors with access to appropriate courses and the qualification levels within the Vale have improved markedly in recent years. In addition, service user questionnaires are used to gather information and feedback about the quality of care in services provided to vulnerable people in the Vale.
16. It is essential that staff working with vulnerable people do not pose any form of threat to the service users and that they are suitably qualified to undertake their roles. All staff within provider organisations are required to have a current Criminal Record Bureau (CRB) check and this is inspected by CSSIW as part of their monitoring process.

17. There are two provider forums in the Vale of Glamorgan – one for care homes and one for domiciliary care. The forums enable providers from all sectors to share information and consider how to achieve service developments. This has enabled all providers to share good practice and to keep up to date with changes in social care, thereby maintaining service quality.
18. A recent Week in Week Out programme highlighted allegations of poor practice by one provider which operates in a number of Welsh local authority areas, including the Vale of Glamorgan. The historical allegations raised in that programme are currently being investigated by the Authority and, once those investigations have been concluded, there will be a further report made available to the Social Care and Health Scrutiny Committee. The Authority has been working closely with the provider, including reviewing service-user's packages of care; undertaking monitoring activity and also liaising with CSSIW. We are satisfied that the provider currently meets the contractual obligations it has with the Authority and we will continue to work with the provider to ensure that service-user's care needs are met in an appropriate and safe way".

Resource Implications (Financial and Employment)

19. During 2014/2015, the Council spent over £10 million on domiciliary services that were provided via contractual arrangements with the independent sector.
20. Improved commissioning practices ensure that the right services are available, for the right people at the right time and that best use is made of the resources available within Social Services.

Legal Implications (to Include Human Rights Implications)

21. Part 1 of the "Commissioning Framework and Good Practice guidance" is issued under Section 7(1) of the Local Authority Social Services Act 1970 and it provides standards with which local authorities are expected to comply. Commissioning practice should not place constraints on people's statutory rights to have their need for social care met by the services which the Council makes available under the relevant legislation. Legal Services are consulted in respect of issues in respect of commissioning and/or de-commissioning decisions.

Crime and Disorder Implications

22. There are no crime and disorder implications as a direct result of this report.

Equal Opportunities Implications (to include Welsh Language issues)

23. Commissioning of care services has to ensure that they are accessible to all those eligible to receive them and this will require Equalities Impact Assessments to be carried out, where appropriate.

Sustainability and Climate Change Implications

24. Effective delivery of commissioning responsibilities helps to ensure that the Council's assets are managed efficiently and effectively and that best use is made of the resources available for social care services, establishing sustainable models of assistance and support as well as contributing to the most appropriate ways of meeting the needs of vulnerable people.

Corporate/Service Objectives

25. Commissioning activity contributes to the corporate priority of "working with partners to meet the diverse needs of our residents in ways that will safeguard and support those who are most vulnerable and in greatest need; help people to keep fit and healthy; and increase social cohesion and equality of opportunity for all."

Policy Framework and Budget

26. This is a matter for Executive decision.

Consultation (including Ward Member Consultation)

27. There are no implications for individual Wards as a direct result of this report.

Relevant Scrutiny Committee

28. Social Care and Health

Background Papers

None

Contact Officer

Carys Lord, Head of Business Management and Innovation

Officers Consulted

Responsible Officer

Philip Evans, Director of Social Services

THE VALE OF GLAMORGAN COUNCIL

REQUEST FOR 'CONSIDERATION OF MATTER' BY SCRUTINY COMMITTEE

Name: Councillor Richard Bertin

Ward: Court

I request the consideration of a report on the following matter.

Subject: Review of how we deliver Home Care in the Vale

Scrutiny Committee(s) Social Care & Health

I am a member of the above Scrutiny Committee
(* Please delete as appropriate).

Reason(s) for request.

On a recent BBC TV programme called 'Week In, Week Out' it exposed a number of concerns of how home care is delivered both here in the Vale and in Wales. I would therefore like to request that scrutiny carries out a review of how home care is delivered, feedback concerning the company mentioned in the programme and a review of all the companies that provide the service for us here in the Vale.

Would it be possible to also review our rules in terms of remaining those waiting for an ambulance to attend? We should have a protocol in place meaning that carers should remain with the client if in a stricken or critical condition.

We must also focus on training needs of these companies i.e. are they up to it? And exactly look exactly how time is allocated and if sufficient for each job. I would like to hear from the CSSIW on what they have to say in relation to this matter.

Can we also receive evidence from the care company mentioned in the programme?

We must provide public reassurance about how deliver home care and how we as a committee will be looking in depth at what happened and how systems will be rectified.

We must seek to address all the issues raised by the TV programme and make recommendations to the Executive on how we feel the service should improve.

Signed...Richard Bertin

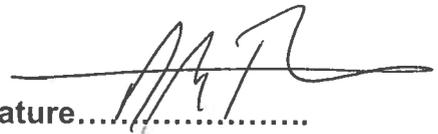
Date...2 July 2015...

FORM TO BE RETURNED TO THE MANAGING DIRECTOR

Date received

3/7/15

Managing Director's Signature.....



(Upon receipt in writing of the request, the request will then be forwarded by the Scrutiny and Committee Services section to the appropriate Director(s) who will be required to prepare a report for consideration by the relevant Scrutiny Committee(s). A copy of the request will also be forwarded to the relevant Chairman for information).