



Adult Social Care Select Committee
21 July 2011

Surrey's social work practice pilot and the policy context surrounding it

Purpose of the report: Policy Development and Review

The report will update the Committee on the Surrey Social Work Practice Pilot and the Policy Context in which this is being developed.

Introduction:

- 1 The Government has a wide-ranging policy agenda for the reform of adult social care. This is set against the overarching agenda of devolving power from the centre to the citizen as exemplified by 'Localism' and 'The Big Society'. The development of Social Work Practices has clear links to all of these themes.
- 2 A Social Work Practice (SWP) is a new way of providing social work services, which is independent from local authorities.
- 3 The Department of Health launched a bidding round for local authorities to take part in a pilot project to test the benefits of social work practices in adult social care.
- 4 The requirements of the bid process included that the SWP Pilot be independent from the local authority and that it be led by social workers with an emphasis on improving outcomes for people who use the service.
- 5 Surrey Adult Social Care made a bid to become a pilot site and was one of only six local authority areas to be successful.
- 6 The pilot will last for two years and it is the Department of Health's intention that the pilots will 'go-live' in the Summer 2011.

What is a Social Work Practice and its potential benefits?

What is an SWP?

- 7 SWPs in this pilot are social worker-led organisations that are independent of the local authority and provide social work services for specified groups of adults.
- 8 A SWP can be any kind of organisation e.g. a private company, voluntary organisation or a social enterprise.
- 9 The department of Health describes a SWP as a “Professional practice”. This is:
 - a separate legal entity independent of the Local Authority.
 - majority owned by Engaged Registered Social Workers, and
 - majority controlled by Engaged Registered Social Workers
 - “Engaged registered social workers,” means registered social workers who are personally engaged in providing the social work services which are provided by the social work practice.
- 10 The independent nature of the practice is achieved by contracting for social work services with an entirely independent organisation. New legislation has been drafted by the Government that will allow these adult social care services to be provided via contracts with SWPs, for the period of the pilot. It is expected to become law in August of this year.
- 11 Local authorities need to closely monitor the contract in order to ensure that the good outcomes are being delivered for the people that are being supported.

What are the expected benefits of SWPs

- 12 SWPs are expected to deliver the following improvements
 - a) Better quality of services: more person-centred services with staff being able to spend more time with people and less time on paperwork
 - b) Greater work satisfaction for staff: a greater awareness and respect for the professional status of social work, more control to make decisions and provide innovative support
 - c) Greater satisfaction for people using services and their carers through better outcomes
 - d) Greater community involvement on the part of people who use the service, both individually and through partnership with user-led organisations
 - e) Less bureaucracy and greater efficiency in systems and procedures: decisions being made closer to the individual, more flexibility, systems and procedures shaped by social workers themselves

- f) Increased value for money: greater knowledge of other services available in the area, more time for partnership working, more innovative support packages.
- 13 The development of social work practices has already been piloted in Children’s services across the country, with positive benefits reported: improved outcomes and improved value for money. A second wave of pilots is currently underway.
- 14 An example of the type of successes seen in one of pilots for Children’s services:

**Shropshire Council
Improvement of Supported Lodgings**

A Looked After Young Person was faced suddenly with moving from a temporary foster care placement to semi-independent living. Due to his age, he could not take on a tenancy in his own name, and normally, under these conditions, the local authority would employ the services of an external agency who could offer supported accommodation. The Personal Adviser responsible for relocation said

“As Evolve YP is a privately run Social Enterprise, we were in a position to act as guarantor to the young person regarding a private tenancy, something the local authority was not prepared to do. We were also able to input the tenancy support ourselves.”

Evolve YP were able to choose the right kind of property in the area of the young person’s choice, close to his family and chosen leisure facilities. With tenancy support being built into the Personal Adviser’s working week, savings of around 60% compared against the cost of contracting this work out, were made.

National Policy Context and Drivers

- 15 The development of Social Work Practices has strong links to all elements of the Government’s policy agenda for reforming Adult Social Care, as well as the overarching direction set by ‘Localism’ and ‘The Big Society’.
- 16 **‘A vision for Adult Social Care: Capable Communities and active citizens,’** which was published in November 2010, was the first building block on which the Social Care Reform Bill will be built.

- 17 The timeline and key milestones for the Bill are shown below:

A Vision for Adult Social Care is published	Law Commission review of Adult Social Care legislation is published	Commission on the Funding of Care and Support publishes its report	Government publishes Care and Support White Paper	Government publishes Social Care Reform Bill
Nov 2010	May 2011	July 2011	End 2011	Spring 2012

- 18 In the Vision for Adult Social Care it was stated that in order to create choice in the social care market, and meet the aims of Personalisation, councils should separate the responsibility for commissioning and providing services. The provision of in-house services by local authorities should become the exception and not the norm. Councils should be taking a role in shaping the market in order to provide greater choice that will better meet people's individual needs.
- 19 The Vision goes on to state that more council services should be provided by voluntary organisations and social enterprises, with the potential for council staff to form independent organisations that could run their services.
- 20 **'Right to Provide'** was announced by Cabinet Office Minister Francis Maude in November 2010. It gives the right for most public sector staff to run the services that they provide by forming staff-led enterprises that are independent of their public bodies. Staff who wish to do this need to present a business case supporting their proposal. This would not necessarily trigger a tender exercise. If accepted, the local authority would contract with the newly created social enterprise for the provision of services, as with any other service provider. It should be noted that there is no national framework for this and a 'request' would require a local response.
- 21 This move has developed from the success of the NHS 'Right to Request' scheme for community health services, which will see almost 25,000 community NHS staff set up social enterprises to take over the services they provide. These cover an extraordinary range of organisations: from small scale services, such as prison care or support services for the homeless and vulnerable, through to large and comprehensive community providers with up to 3,500 staff. Although some services have still yet to complete their move from the NHS, the 'Right to Request' is now closed and has been replaced by the 'Right to Provide'.
- 22 Both the **Big Society** ethos and the **Localism Bill** encourage non-public sector organisations to become involved in the provision of public services. The recent **'Right to Challenge'** consultation is a strand of the Localism Bill. It sought responses on proposed changes that would allow voluntary sector, charitable organisations and staff-led social enterprises to express an interest in providing local authority services. They would

'challenge' the authority in terms of efficiency and effectiveness. If accepted, this expression of interest would trigger a tender exercise.

The Localism Bill is currently at the Committee Report stage in the House of Lords. The Government has yet to make a response to the Right to Challenge consultation.

- 23 The **Open Services White Paper** was due to be published in May 2011 but has been delayed and is now expected in the autumn. This will set out the Government's proposals for the reform of public services. It is anticipated that the White Paper will look to set proportions of specific services that should be delivered by non-state providers, including voluntary groups. In February 2011 David Cameron stated that his vision of public services was that providers from the private and third sectors will be given a level playing field to compete with any public body. This would be achieved by creating a presumption that private firms, voluntary groups and charities will be allowed to run services.
- 24 More recently, Skills for Care published their **workforce strategy for adult social care in England**. It highlighted workforce implications based on the seven principles outlined in the Vision for Adult Social Care. In relation to 'People' it states that staff will work across a variety of employment models such as mutuals, co-operatives, user-led organisations, existing independent sector employers and individual service users
- 25 All of these policy strands signal a direction for local authorities as commissioners rather than providers of services.

Policy Direction in practice

- 26 A number of local authorities have already taken steps to provide services in different ways. The degree to which this is taking places varies.
- 27 A number of councils plan to, or have already started to, change the way that they provide services on a large scale. Essex was one of the first councils to set up an independent organisation to provide much of its social care service, called 'Essex Cares'. More locally, Wokingham is undertaking a similar process and will transfer domiciliary support, learning disability community based services, their employment service and Sensory services.
- 28 Suffolk is planning to deliver the majority of services through social enterprises or companies, responding to the national direction of less government involvement and a 'bigger society'. Its plans would see it providing virtually no services directly.
- 29 Other authorities are taking a more measured approach, choosing to deliver one or two small service areas through social enterprises. For example Sunshine Care, an employee-owned co-operative set up by former Rochdale Council staff to deliver home care services to people on direct payments.

The Social Work Practice Pilot in Surrey

- 30 In light of the policy context set out above and our commitment to personalisation and improved outcomes, the Department of Health (DoH) pilot presented an excellent opportunity to test a new way of working that would support these aims.
- 31 Our successful bid was for Surrey's Deaf Service to become a SWP pilot. As a pilot site we receive £85,000 over a two-year period and support from both the DoH project team and the other pilot sites.
- 32 The Deaf Service was primarily chosen for the pilot bid as a great deal of co-design had already been carried out in the development of the Commissioning Strategy for people with sensory impairment. During this process people with sensory impairments were clear that they wanted to see services provided outside of the Council.
- 33 The pilot is at a very early stage and will evolve with the input of key stakeholders including the Deaf Community in Surrey, staff of the Deaf Services Team and their union representatives and Health.
- 34 Engagement with stakeholders has already started. Discussions with staff of the Deaf Services Team and union representatives from Unison and GMB took place at the earliest opportunity. This will remain a high priority throughout the life of the pilot. Representatives from the Deaf Community in Surrey are integral to the process.
- 35 A steering group is being formed to oversee the work of the pilot. Membership of this group will include:
- Union representatives
 - Deaf Services Team
 - Representative of the Deaf Community in Surrey
 - Director of the new organisation
 - Senior County Council staff across areas of expertise
- 36 The SWP pilot will include all of the work of the current Deaf services Team: providing social work expertise including assessment, support planning, advocacy and brokerage, commissioning and other specialist services within a framework of self directed support. This will also include responsibility for the care budget for this group of people.
- 37 At present the Deaf Services Team also offer support to a very small number of children. We are currently seeking clarification from the Department of Health on whether Children can be included in this pilot. We will also need to consult with Children's Services on this and any plans.
- 38 The SWP will be developed by creating an independent organisation with a separate legal entity from the Council. It is likely to be a social

enterprise organisation. It will be independent from the local authority, which was one of the requirements of the bid.

- 39 The governance structure of the organisation will be developed as the pilot progresses. However, in a social worker-led social enterprise there would be a Board of Directors, the majority of which would need to be Social Workers. It may also be the case that those Directors own the majority of the organisation. In order to maximise some of the expected outcomes of the pilot a fairly 'flat' structure would be preferable. This would be a more responsive and less bureaucratic structure.
- 40 In order to initiate the new organisation as a legal entity, a Director will be appointed. To ensure independence, he/she cannot be a Surrey County Council Staff member.
- 41 Following consultation, it is intended that staff from the Deaf Services Team will then be seconded to the organisation.
- 42 The Council will then contract with the independent organisation to provide services to the Deaf Community. Services to people currently receiving them will be maintained within this contract.
- 43 The contract will specify the outcomes that are expected from the pilot. At this point the high-level outcomes that we expect are:
 - a) Increase in people seeing the same social worker each time they need to
 - b) Increase in face to face time social workers spend with people who use services
 - c) Increase in the numbers of personal budgets
 - d) Increased value for money over time
 - e) Decrease in staff absenteeism
- 44 The new organisation will need to capitalise on the opportunities to increase the services that they provide and generate new business. This will ensure that the organisation is sustainable in the long term.
- 45 The pilot will be monitored and evaluated during its two-year life. If considered successful, the intention would be for the staff to TUPE over to the new organisation and it would continue to operate as a fully independent provider of services.
- 46 If, following evaluation, the pilot was not considered a success all staff and service provision would return to the County Council. This has been guaranteed in the DoH expression of interest document.

Conclusions:

- 47 The pilot provides a platform to test new ways of delivering social work services for people that is anticipated will provide improved outcomes for people who use services and for staff as well as increased value for

money. It supports the Government agenda for reform and will be informative when developing Surrey Adult Social Care policy in the future.

- 48 During the pilot we will have the benefit of additional funding as well as the support of the DoH and pilot peers.

Financial and value for money implications

- 49 The pilot will incur additional costs. At this point the main cost will be a dedicated project manager, funded from the money awarded by the DoH.
- 50 The cost of the care packages will be managed by the social work practice. It is hoped that over time the pilot will work to improve value for money from this budget.
- 51 Full financial modelling is currently underway to identify any further implications. Initial estimates can be found in Annex A. This scopes the initial value of the funding that would be attributed to the social work practice.

Equalities Implications

- 52 A draft Equalities Impact Assessment has been completed, and will be finalised and updated as the pilot moves forward.
- 53 The Assessment has primarily identified positive impacts, with some potential negative impacts for staff. An action plan has been drafted to minimise this potential and will focus on ensuring early engagement and consultation with staff.

Risk Management Implications

- 54 Once the pilot has been fully scoped, a comprehensive project plan and risk register will be developed.
- 55 The key areas that the project plan will address are:

Governance and Legal Structure
Establishing the new organisations Board
Establishing Strategic Direction
Develop 2 year Business Plan
Staff
Transition Planning

- 56 Risks will be regularly monitored by the Project Steering and Implementation Group. Key risks and mitigations currently identified include:

Risk	Mitigation
Timelines for delivery tight	Extension requested

Item 8

Pilot Funding insufficient	Small additional funding achieved. Close budget monitoring
Appointing appropriate Director	Appointment process underway. Expert advice engaged
Application to CIC regulator requiring signature of 1st Director	As above
Statutory instrument delayed	Monitor progress through parliament in order to take action should there be a delay
Insufficient Project resource	Senior Management commitment and support. Relevant staff required identified.
Staff concerns	Early engagement with staff and unions. Members on steering and implementation Board
Key stakeholders are not sufficiently involved	In line with Sensory Impairment commissioning strategy - co-designed with all key stakeholders. Regular communication and engagement
Pilot does not meet expected outcomes	Detailed service spec. and contract Monitoring
Poor service delivery	Detailed service spec. and contract Monitoring
Risk that Deaf Services in Surrey become isolated	Mitigate through the contract specification

Implications for the Council's Priorities

57 The pilot supports the Council's priority to improve outcomes for people who use services. It will also contribute to personalisation in Surrey and aims to provide value for money for Surrey residents.

Recommendations:

- a) That the Select Committee is aware of the policy developments relating to Adult Social Care and how the pilot supports this.
- b) That the Select Committee is aware of the early development of the pilot and how learning from it can add to the future policy direction for Surrey Adult Social Care.
- c) That the Committee supports the recommended high level improvement outcomes

Next steps:

Action	Date
Staff Consultation	Underway
Appoint Director of new organisation	July 2011
Establish Governance and legal structure for new organisation	July 2011
Establish Board of new organisation	August 2011

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Sources/background papers:

- [A vision for Adult Social Care: Capable communities and active citizens](#)
- [Right to Provide](#)
- [Localism Bill](#)
- [Proposals to introduce a Community Right to Challenge](#)
- [Social Work Practice Pilot invitation to express an interest](#)