

## Notice of Meeting

# Adult Social Care Select Committee



**Date & time**  
**Thursday, 16**  
**January 2014**  
**at 10.00 am**

**Place**  
Ashcombe Suite,  
County Hall, Kingston  
upon Thames, Surrey  
KT1 2DN

**Contact**  
Ross Pike or Andrew Spragg  
Room 122, County Hall  
Tel 020 8541 7368 or 020  
8213 2673

**Chief Executive**  
David McNulty

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**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Ross Pike or Andrew Spragg on 020 8541 7368 or 020 8213 2673.**

### **Members**

Mr Keith Witham (Chairman), Mrs Margaret Hicks (Vice-Chairman), Mrs Liz Bowes, Mr Graham Ellwood, Miss Marisa Heath, Mr Saj Hussain, Mr George Johnson, Mr Colin Kemp, Mr Ernest Mallett MBE, Ms Barbara Thomson, Mrs Fiona White and Mr Richard Walsh

### **Ex Officio Members:**

Mr David Munro (Chairman of the County Council) and Mrs Sally Ann B Marks (Vice Chairman of the County Council)

## **TERMS OF REFERENCE**

The Select Committee is responsible for the following areas:

- Services for people with:
  - Mental health needs, including those with problems with memory, language or other mental functions
  - Learning disabilities
  - Physical impairments
  - Long-term health conditions, such as HIV or AIDS
  - Sensory impairments
  - Multiple impairments and complex needs
- Services for Carers
- Safeguarding

## PART 1 IN PUBLIC

### **1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

### **2 MINUTES OF THE PREVIOUS MEETING: 5 DECEMBER 2013**

(Pages 1  
- 10)

To agree the minutes as a true record of the meeting.

### **3 DECLARATIONS OF INTEREST**

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

#### **Notes:**

- In line with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, declarations may relate to the interest of the member, or the member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners and the member is aware they have the interest.
- Members need only disclose interests not currently listed on the Register of Disclosable Pecuniary Interests.
- Members must notify the Monitoring Officer of any interests disclosed at the meeting so they may be added to the Register.
- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest.

### **4 QUESTIONS AND PETITIONS**

To receive any questions or petitions.

#### **Notes:**

1. The deadline for Member's questions is 12.00pm four working days before the meeting (10 January 2014).
2. The deadline for public questions is seven days before the meeting (9 January 2014).
3. The deadline for petitions was 14 days before the meeting, and no petitions have been received.

### **5 RESPONSES FROM THE CABINET TO ISSUES REFERRED BY THE SELECT COMMITTEE**

There are no responses to report.

### **6 DIRECTOR'S UPDATE**

The Assistant Director for Personal Care & Support will update the Committee on important news and announcements. This will include a verbal update on the Better Care Fund.

- 7 SAFEGUARDING ADULTS** (Pages 11 - 54)
- Purpose of the report:** Scrutiny of Services
- To provide an overview of the safeguarding adults process, the role and responsibility of Adult Social Care within the process, the role and function of the Surrey Safeguarding Adults Board and the anticipated impacts of the Care Bill.
- 8 IMPROVEMENT TO THE ADULTS INFORMATION SYSTEM (AIS) FOLLOWING 'RAPID IMPROVEMENT EVENTS'** (Pages 55 - 60)
- Purpose of report:** Policy Development and Review
- At the request of the Adult Social Care Select Committee, this report provides an update on the improvements undertaken in the Adults Information System following Rapid Improvement Events and the position on joint procurement of a new Adult Social Care system with East Sussex.
- 9 CO-OPTED MEMBERS** (Pages 61 - 64)
- Purpose of the report:**
- This report sets out the process by which the Select Committee can appoint co-opted members, and asks the Committee to consider whether such appointments should be made in April 2014.
- 10 ADULT SOCIAL CARE LOCAL AUTHORITY TRADING COMPANY BUSINESS CASE** (Pages 65 - 128)
- Purpose of the report:** Scrutiny of Services /Policy Development and Review
- To update the Committee following agreement by Cabinet to create a Local Authority Trading Company for the future delivery of day services and community support options for people with disabilities and older people.
- 11 RECOMMENDATION TRACKER AND FORWARD WORK PROGRAMME** (Pages 129 - 142)
- The Committee is asked to monitor progress on the implementation of recommendations from previous meetings, and to review its Forward Work Programme.
- 12 DATE OF NEXT MEETING**
- The next meeting of the Committee will be held at 10am on 6 March 2014.

**13 EXCLUSION OF THE PUBLIC**

**Recommendation:** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

**PART 2 IN PRIVATE**

- 14 ADULT SOCIAL CARE LOCAL AUTHORITY TRADING COMPANY BUSINESS CASE** (Pages 143 - 156)

Part 2 annexes for item 9.

**Exempt: Not for publication under paragraph 3**

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**15 PUBLICITY FOR PART TWO ITEMS**

To consider whether the item considered under Part 2 of the agenda should be made available to the Press and public.

**David McNulty  
Chief Executive**

Published: Wednesday, 8 January 2014

**MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE**

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*Thank you for your co-operation*

**MINUTES** of the meeting of the **ADULT SOCIAL CARE SELECT COMMITTEE** held at 10.00 am on 5 December 2013 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 16 January 2014.

**Elected Members:**

- \* Mr Keith Witham (Chairman)
- \* Mrs Margaret Hicks (Vice-Chairman)
- A Mrs Liz Bowes
- A Mr Graham Ellwood
- A Miss Marisa Heath
- \* Mr Saj Hussain
- \* Mr George Johnson
- \* Mr Colin Kemp
- \* Mr Ernest Mallett MBE
- \* Ms Barbara Thomson
- \* Mrs Fiona White
- \* Mr Richard Walsh

**Ex officio Members:**

- \* Mr David Munro, Chairman of the County Council  
Mrs Sally Ann B Marks, Vice Chairman of the County Council

**Substitute Members:**

- \* Mr Denis Fuller

**In attendance**

Mr Mel Few, Cabinet Member for Adult Social Care  
Mr Steve Cosser, Cabinet Associate for Adult Social Care

**64/13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

Apologies were received from Marisa Heath, Liz Bowes and Graham Ellwood. Denis Fuller acted as a substitute for Graham Ellwood.

**65/13 MINUTES OF THE PREVIOUS MEETING: 24 OCTOBER 2013 [Item 2]**

These were agreed as an accurate record of the meeting.

**66/13 DECLARATIONS OF INTEREST [Item 3]**

There were no declarations of interest.

**67/13 QUESTIONS AND PETITIONS [Item 4]**

There were no questions or petitions.

**68/13 RESPONSES FROM THE CABINET TO ISSUES REFERRED BY THE SELECT COMMITTEE [Item 5]**

The Committee did not make any referrals to Cabinet at its last meeting so there were no responses to report.

**69/13 DIRECTOR'S UPDATE [Item 6]**

**Witnesses:** Dave Sargeant, Assistant Director for Personal Care and Support

Mel Few, Cabinet Member for Adult Social Care

**Key points raised during the discussion:**

1. The Cabinet Member informed the Committee that the Local Authority Trading Company business plan would be considered at the Cabinet meeting on 17 December 2013.
2. The Committee was told that discussions were currently taking place between the Surrey Clinical Commissioning Groups (CCGs) and the Council in relation to the allocation and use of Integration Transformation Fund monies. It was clarified that this was not a new stream of funding, but money that would be shared between the Council and the CCGs. Its intention was to encourage closer working between the health service and social care to realise better benefits, but also protect existing levels of service. It was highlighted that there was some anxiety felt by the CCGs around how the Integration Transformation Fund would impact on their budgets in the future. It was highlighted that the role of the fund was to ensure better whole systems working, and that it required a significant level of negotiation. The Committee was informed that there was a challenging time-line in relation to the funding, as it required oversight by the Health & Wellbeing Board prior to Cabinet and CCG approval in January 2014.
3. Officers outlined that the benefits identified in recent Rapid Improvement Events (RIEs) were beginning to be realised. The model office developed in Woking was in the process of being rolled out to all locality teams, and it was having a positive impact in freeing up

practitioner time. The Committee was informed that they would be receiving a report outlining the changes to business processes, a result of the RIE undertaken to address issues in this area, at the next meeting.

[Richard Walsh and Saj Hussain arrived at 10.15am]

**Recommendations:**

None.

**Actions/Further information to be provided:**

None.

**Committee next steps:**

None.

**70/13 RECRUITMENT AND RETENTION UPDATE [Item 7]**

**Declarations of interest:** None.

**Witnesses:** Ken Akers, HR Relationships Manager (Adults)  
Dave Sargeant, Assistant Director for Personal Care and Support  
Cliff Bush, Chairman of the Surrey Coalition of Disabled People

Mel Few, Cabinet Member for Adult Social Care

**Key points raised during the discussion:**

[Fiona White arrived at 10.30am]

1. The Committee queried whether front-line teams were being adequately staffed, and whether there were particular geographic areas where it was proving more difficult to recruit. Officers recognised there were significant pressures in terms of staffing levels for front-line teams. However, it was highlighted that there had been a proactive approach around promoting certain areas, and 'head-hunting' practitioners where there were specific levels of need.
2. The Committee asked whether there were difficulties in recruiting experienced practitioners. Officers commented that there was a nationally recognised concern about the readiness of social work graduates to make the transition to practice, and that a nationally enhanced support programme had been developed and was being taken forward in local partnership to support graduates during their first year of practice. Officers commented that the next step would be to ensure better networks were being developed into universities and schools to attract people into the sector and make sure the curriculum was informed by issues from the shop floor.
3. The Committee queried how the image of care sector work could be improved to ensure more people chose to undertake the training.

Officers commented that this work was being undertaken in partnership with Local Economic Partnerships (LEPs) to raise the care sector as a growing employment market. The cost of living in Surrey and the network links to London were both highlighted as potential barriers to improving recruitment.

4. The Committee commented that there was a historic issue around levels of pay related to occupational therapists, and queried whether this had improved. Officers commented that the level of pay compared with the national level, but recognised that there was still a challenge in relation to how the profession was recognised.
5. The Committee asked what scope there was to develop a trainee programme where people earned a qualification while working. It was outlined that social work required a professional qualification that required registration with the Health Care Professionals' Council. It was commented that it was more difficult to move from an occupational role to a professional one in Adult Social Care than it had been historically. It was suggested that this was an area where Members could work on a national level to raise awareness of the challenge this presented.
6. The Committee was informed that there was a strong agency market in the south-east, and this had a negative impact on recruitment. It was commented that there was scope for Surrey to join up with regional partners to discuss how better to control and influence this market. The Committee asked whether there had been consideration as to whether the Council could set up its own staff agency. Officers commented that this was a possibility that could be explored in the future, and highlighted that Kent County Council had undertaken a similar piece of work to great success.
7. The Committee queried the impact of staff absence on case-loads, and whether the general level of case-loads per practitioner was seen to be high. It was commented that the recent Rapid Improvement Event (RIE) to address business processes would improve this area, as it would enable practitioners to hold a higher case-load more efficiently. It was also highlighted that Adult Social Care used a national model of intelligence to identify what was an appropriate level of staffing. It was commented that any decision to use agency workers was taken using a risk-based approach. The Committee was informed that issues related to number of mental health practitioners had required an increase in the use of locum practitioners.

**Recommendations:**

- a) That the Committee notes the 17 per cent vacancy rate across the Adult Social Care Directorate, and encourages officers to continue measures to address this.
- b) That officers develop closer working with universities and colleges to ensure the supply of quality applicants for vacancies within the Directorate.



- c) That the Cabinet Member lobby nationally for the development of vocational routes into the social work profession.
- d) That officers explore a regional and localised approach to sourcing agency staff.
- e) That members are involved in the development of the next workforce strategy, prior to its publication in April 2014.

Action by: HR Relationships Manager (Adults) / Scrutiny Officer

### **71/13 SERVICE FOR PEOPLE WITH A LEARNING DISABILITY PUBLIC VALUE REVIEW (PVR) UPDATE [Item 8]**

**Declarations of interest:** None.

**Witnesses:** Jo Poynter, Senior Manager Commissioning – Learning Disabilities

Dave Sargeant, Assistant Director for Personal Care and Support

Cliff Bush, Chairman of the Surrey Coalition of Disabled People

Mel Few, Cabinet Member for Adult Social Care

#### **Key points raised during the discussion:**

1. The Committee discussed the implications on cost in terms of other Council's residents based in Surrey. It was commented that there was always a legal requirement to ensure an individual's needs were met in all instances, but this had a potential to prevent an asset being used for a Surrey resident. It was highlighted that Surrey's proximity to London had an impact in this respect.
2. The Committee explored a number of questions with respect to residential care and independent care for individuals. Officers highlighted that Adult Social Care offered a diverse range of care packages suited to individual need. It was highlighted that supported living could often be an appropriate means of addressing individual need. Members raised concerns that re-registration could impact on the costs to borough and district councils. It was explained that those with a learning disability would be entitled to the same housing support as any other resident, and that it was important to recognise that the County Council should not be paying a supplementary cost when this was not required.
3. The Committee queried what impact the Care Bill and welfare reform were likely to have on people with a learning disability. Officers commented that there was substantial work being undertaken to realise the impacts of the Care Bill. However, officers expressed the view that the changes to welfare reform would most likely have an impact on those assessed with a mild level of need. This could have a cumulative effect over time and mean that people needed more substantial support in the longer term.

[David Munro left at 11.30am]

4. The Committee asked what efforts were being made, in light of the Directorate's needs to make efficiencies, to ensure the quality of care provided to people with a learning disability remained consistent. Officers commented that there were robust safeguarding and care quality measures in place in regard to the commissioning process.
5. The Committee was informed that the options around the Local Authority Trading Company were part of the work being undertaken in 2014, pending Cabinet approval of the business case. It was commented that an additional offer in relation to provision of residential care was a potential consideration.
6. The Committee requested further details in relation to short-breaks, specifically in relation to how they were provided and what alternatives were available.
7. Witnesses informed the Committee that there was work being undertaken by the Adult Social Care advisory group to explore increases in numbers of reported hate crimes against those with a learning disability. It was also highlighted that there were efforts being made to improve the transport offer as it was felt that this could be disempowering on occasions. However, the Directorate were praised for the move towards greater personalisation for those with a learning disability.

**Recommendations:**

- a) That officers work to increase the occupancy rate of Surrey assets with Surrey Residents.

Action by: Assistant Director for Personal Care and Support

- b) That future reports illustrate the work of community/ self-help groups in relation to each work-stream in the Public Value Review.

Action by: Assistant Director for Personal Care and Support

- c) That future reports demonstrate how the service has offered suitable alternatives to short breaks, and seeks more opportunities to identify alternatives.

Action by: Assistant Director for Personal Care and Support

- d) That officers report back to the Committee on the progress of the Service for People With A Learning Disability Public Value Review in a year.

Action by: Assistant Director for Personal Care and Support

**Actions/further information to be provided:**

None.

**Committee next steps:**

The Committee will receive a further progress update in late 2014.

**72/13 PROGRESS WITH IMPLEMENTATION OF THE ADULT MENTAL HEALTH SERVICES PUBLIC VALUE REVIEW (PVR) [Item 9]**

**Declarations of interest:** None.

**Witnesses:**

Donal Hegarty, Senior Manager, Commissioning, Adult Social Care  
Megan Aspal, Coordinator - Let's Link  
David Thomas, Mental Health Ambassador

Mel Few, Cabinet Member for Adult Social Care

**Key points raised during the discussion:**

1. The Committee was presented with a testimonial with regards to the role of a mental health ambassador, as well as a brief outline of some of the challenges encountered by someone with enduring mental health difficulties. It was highlighted that the ambassador role had empowered individuals and improved their confidence. Officers commented that there was a need to improve the public perception of mental health, and that the Committee should note that there were distinctions between a period of mental distress, and those with enduring mental health difficulties.
2. The Committee was informed that the Directorate had moved from a grant-based provision of services to a more consistent county-wide commissioning of mental health provision. It was highlighted that this was not a prescriptive offer, but one that utilised local and community resources to meet need. It was commented by officers that there remained a challenge to ensure that providers were ensuring suitable outreach and extending their support where required. The Committee was informed that this was being addressed through rigorous monitoring, and that officers were confident that the organisations were able to meet this challenge.
3. The Committee raised the role of Local Committees and Parish Councils in being able to support local resources, and urged officers to share information about local provisions with them.
4. The Committee asked whether certain areas of the county were being sign-posted as having better mental health provision. It was recognised by officers that there was a historic perception and infrastructure that influenced such matters, but that the Public Value Review (PVR) was intended to ensure a greater equity of provision across the county.
5. The Committee asked what options were considered in relation to housing for those with enduring mental health difficulties. It was highlighted that only 32 people in the county had been assessed as

requiring residential care, and that supported living would be the first preference for the majority of service users.

6. Witnesses informed the Committee that the Mental Health Services PVR had improved positive outcomes for those experiencing mental health difficulties, but also highlighted the importance of advocacy in this area, particularly in relation to Gypsy Romany and Traveller communities.

**Recommendations:**

- a) That the Cabinet Member for Business Services consider the need for internal training for Surrey County Council employees, in order to prevent discrimination against staff and residents with mental health difficulties.

Action by: Cabinet Member for Business Services

- b) That the Directorate circulates a report to Local Committees advising them of the work of the Adult Mental Health Services Public Value Review and outlining the provisions in the area.

Action by: Senior Manager, Commissioning, Adult Social Care

**Actions/further information to be provided:** None.

**Committee next steps:** None.

**73/13 RECOMMENDATION TRACKER AND FORWARD WORK PROGRAMME  
[Item 10]**

**Declarations of interest:** None.

**Witnesses:** None.

**Key points of the discussion:**

1. The Chairman informed the Committee that he had requested reports on both the Local Authority Trading Company and the Adult Social Care Business Process review to be brought to the meeting on 16 January 2014. The Dementia Friendly Communities item would be deferred to the meeting on 6 March 2014.
2. The Committee also requested a short report outlining the cost implications and process in relation to appointing co-opted members onto the Committee.

**Recommendations:**

None.

**Actions/further information to be provided:** The Committee will update its Forward Work Programme to reflect the changes discussed.

**Committee next steps:** None.

**74/13 DATE OF NEXT MEETING [Item 11]**

The Committee noted that its next meeting would be held at 10am on 16 January 2014.

Meeting ended at: 12.55 pm

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**Chairman**

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Adult Social Care Select Committee  
16 January 2014

**Safeguarding Adults**

**Purpose of the report:** Scrutiny of Services

To provide an overview of the safeguarding adults process, the role and responsibility of Adult Social Care within the process, the role and function of the Surrey Safeguarding Adults Board and the anticipated impacts of the Care Bill.

**1. Introduction:**

The Committee will be scrutinising the outcomes of the Gloria Foster Serious Case Review in March 2014. This report will enable Members to have a greater understanding of the local and national safeguarding adult's agenda and the role and responsibilities of Adult Social within the safeguarding process.

**2. 'No Secrets'**

2.1. The Department of Health published '*No Secrets*' (March 2000) which provides national guidance on developing and implementing multi-agency procedures to protect adults at risk from abuse. This requires local agencies to work together for the protection of adults at risk, with the local Social Services Authority as the lead agency for co-ordinating work to safeguard adults. In Surrey, Surrey County Council Adult Social Care teams, (including Surrey and Borders Partnership NHS Foundation Trust Working Age Adult Mental Health, Drug and Alcohol and Forensic Community teams) have the lead for co-ordinating work to safeguard adults. However, it is recognised that successful responses to adults at risk need multi-agency and multi-disciplinary working.

2.2 Some instances of abuse will constitute a criminal offence. In this respect adults at risk are entitled to the protection of the law in the same way as any other member of the public. Examples of actions which may constitute criminal offences are assault, whether physical or psychological, sexual assault and rape, theft, fraud or other forms of financial exploitation and

certain forms of discrimination, whether on racial or gender grounds as well as wilful neglect or ill-treatment.

Alleged criminal offences differ from non-criminal forms of abuse in that the responsibility for taking action invariably rests with the state in the form of the police and the Crown Prosecution Service. Accordingly, when concerns about alleged abuse suggest that a criminal offence may have been committed, it is imperative that reference is made to the police as a matter of urgency. A criminal investigation by the police will take priority over all other lines of enquiry.

2.3 The 'No Secrets' guidance defined a vulnerable adult as '*a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. Whether or not a person is vulnerable in these cases will depend upon surrounding circumstances, environment and each case must be judged on its own merits*'. However, in March 2011 the Law Commission recommended that the term 'vulnerable adult' be replaced by 'adult at risk'. This is because the term vulnerable adult may wrongly imply that some of the fault for the abuse lies with the adult being abused. The Surrey Multi Agency procedures and the Surrey Safeguarding Internal procedures refer to 'adult at risk' as an exact replacement for the definition of a 'vulnerable adult', as defined by No Secrets.

An adult at risk may therefore be a person who:

- is elderly and frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and / or a sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness / condition
- misuses substances or alcohol
- is a carer (where the person meets the definition of an adult at risk)
- is unable to demonstrate the capacity to make a decision and is in need of care and support

2.4. The 'No Secrets' Guidance defines abuse as: '*a violation of an individual's human and civil rights by any other person or persons or organisation. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or omission to act, or it may occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent*'.

2.5. The Surrey Multi Agency Safeguarding Adult procedures include within its types of abuse the following:

- Physical
- Sexual
- Financial



- Neglect/omission
- Psychological/Emotional
- Domestic Abuse
- Abuse of Rights/Discriminatory
- Institutional

Other types of abuse that are recognised nationally and where identified are included under the types of abuse as listed above are:

- Professional
- Honour based violence
- Honour killings
- Forced marriage
- Dowry Abuse
- Female Genital Mutilation
- Hate Crime/Mate Crime
- Harassment
- Human Trafficking
- Exploitation by radicalisers who promote violence

### **3. Legislation and Guidance**

3.1. At this time Safeguarding Adults is not set in specific legislation, however there are a number of Acts and Guidance that may be relevant to our work in Safeguarding Adults and must be considered. It must be stressed that the legal framework for safeguarding adults at risk is potentially complex and expert legal advice will often be needed.

- No Secrets (March 2000)
- National Assistance Act 1948
- Sex Discrimination Act 1975
- Mental Health Act 1983
- Disabled Person's Act 1986
- National Health Service and Community Care Act 1990
- Carers (Recognition and Services) Act 1995
- Disability Discrimination Act 1995 Family Law Act 1996
- Protection from Harassment Act 1997
- Public Interest Disclosure Act 1998 (Whistle Blowers Charter)
- Crime and Disorder Act 1998
- Data Protection Act 1998
- Human Rights Act 1998
- Youth Justice and Criminal Evidence Act 1999
- The Carers Disabled and Children's Act (2000)
- Freedom of Information Act 2000
- Sexual Offences Act 2003
- Carers Equal Opportunities Act 2004
- Mental Capacity Act 2005 (Deprivation of Liberty Safeguards)
- Domestic Violence Crime and Victim's Act 2005
- The Fraud Act 2006
- Safeguarding Vulnerable Groups Act 2006

- Age Discrimination Act 2006
- Mental Health Act 2007
- Corporate Manslaughter and Corporate Homicide Act 2007
- Forced Marriages (Civil Protection) Act 2007
- Health and Social Care Act 2008
- Coroners and Justice Act 2009
- The Equality Act 2010

#### 4. The role of Adult Social Care

Each of the Personal Care and Support Locality Teams and Integrated Mental Health Teams receive safeguarding alerts as well as the Contact Centre (who forward immediately to the appropriate Team).

4.1. As the lead agency responsible for the coordination of all safeguarding alerts, the role of the Adult Social Care Locality Teams is to:

receive the alert; identify and manage immediate risk; undertake an initial assessment in order to make a decision as to whether the concerns meet the threshold for intervention; convene the strategy meeting inviting all relevant agency's; cause an enquiry/investigation to be undertaken by the relevant agency; ensure that ongoing risk is managed; support the service user and the person alleged to have caused harm (where they are an adult at risk); at the completion of the enquiry/investigation convene a Safeguarding conference in order to agree a protection plan; to then ensure that the protection plan is implemented in order to close the case.

4.2. There are robust Adult Social Care Safeguarding Internal Procedures in place together with supporting guidance and templates to support the process. A flowchart of the process is included within these procedures ([see Annexe 1, Safeguarding Adults Flowchart](#)). These procedures are updated on a regular basis and are available to all staff on the S Net. [link](#)

4.3. Where, following the initial assessment the decision is made that a safeguarding intervention is necessary, this will be assessed as a level 1, 2 3 or 4 and will then be progressed as a safeguarding referral. ([see Annexe 2, Thresholds of Intervention](#)).

4.4 The purpose of the initial Safeguarding Strategy Meeting is for all involved agency's to share information in order to agree the lead agency to undertake the enquiry/investigation, to consider risk and how the risk will be managed, to agree plans to support the adult(s) at risk and agree an action plan. The Locality Team Manager or Senior Operational Lead is responsible for Chairing the meeting using the standard agenda and for agreeing and circulating the notes of the meeting within the agreed timescales.

4.5. Within the Strategy meeting the Chair will nominate a person from Adult Social Care to coordinate the completion of all agreed actions and to advise the Chair immediately all actions are completed.

4.6. Upon completion of the actions agreed at the strategy meeting there will be a discussion between the Chair, the Safeguarding Advisor and the agency undertaking the enquiry/investigation as to whether the allegations have been substantiated, partially substantiated or unsubstantiated. Depending on the outcome of the enquiry/investigation and in line with internal guidance a decision will be made as to whether it is necessary to convene a Safeguarding Conference or whether the concern can be closed. (See [Annexe 3, Case Closure Guidance](#)).

4.7 Where the decision is made that there is a need to proceed to a Safeguarding Conference this will be convened by the Locality Team and the Area Safeguarding Advisor will Chair.

4.8 The purpose of the Conference is for relevant agencies, together with the service user and or their representative, to consider the outcomes of the enquiry/investigation, consider how ongoing risk will be managed and to agree with the person the protection plan.

4.9 Where the initial concerns are assessed as a Level 4 a Senior Strategy Meeting will be convened, this will be chaired by a Safeguarding Advisor or Senior Manager. Examples of concerns that would be assessed as a level 4 are:

- a) Where the concerns are in relation to more than two service users
- b) Where the person alleged to have caused harm is a member of Surrey County Council staff
- c) Where there are concerns about the safety of a Provider service
- d) Where a serious incident that has resulted in a death has taken place
- e) Where the concerns are in relation to historic sexual abuse in a care setting

4.10 For each safeguarding alert and subsequent referral it is the Locality Teams responsibility to follow the recording process at each part of the safeguarding process adhering to the principles of best practice in recording. The safeguarding module within the current information system (AIS) is a difficult module in terms of inputting and is labour intense. Ongoing discussions and workshops have been held with the Provider, Northgate, and there is assurance by them that the issues raised have been addressed within version 28. Adult Social Care is due to receive this update in 2014.

4.11 To support the management oversight of all safeguarding cases within each Locality Team there is a Safeguarding Activity Log held electronically. This log enables the Senior Managers and Managers within the Team to follow up and progress chase cases, ensuring that actions are completed in a timely manner and actions are not allowed to drift. Senior Managers in Personal Care and Support and Commissioning, Quality Assurance Managers, Safeguarding Advisors and Business Intelligence staff all have access to each Team's log to enable an oversight of safeguarding concerns in relation to specific Providers.

4.12 Business Intelligence pull off data on a monthly basis from the Team Activity Logs and from AIS recording in order to assess the volume of

safeguarding activity and analyse findings. The findings are shared with the Senior Managers and Team Managers within the locality teams who will discuss at their Area Boards and Team meetings in terms of any improvements necessary.

4.13 Each Locality Team is required to complete a 6 monthly team appraisal; Safeguarding Adults is a part of this appraisal. The outcomes of the appraisal and any required improvements are considered by the Area Senior Manager and the Assistant Director for Personal Care and Support.

4.14 There are robust links to Children's Services in terms of a formal process for Adult Social Care Teams to report safeguarding concerns where, through the safeguarding adult alert, it is identified that a child is involved or where it is evident that the victim or perpetrator should be referred to Children's Services.

4.15 Where, following a Serious Case Review an action plan is identified by the Surrey Safeguarding Adult Board (SSAB) for Adult Social Care, this is performance monitored by the Personal Care and Support Leadership Team ensuring that all recommendations are implemented.

## **5. The Role of the Safeguarding Senior Manager and Safeguarding Advisor**

5.1 There is a Senior Manager for Safeguarding, currently line managed by the Assistant Director for Personal Care and Support.

5.2 The role of the Senior Manager includes:

- a) Providing advice and information to ASC staff and partner agency's
- b) Chairing of complex Senior Strategy Meetings as necessary
- c) Providing professional supervision to the Safeguarding Advisors
- d) Producing and reviewing the Safeguarding Internal procedures and associated guidance
- e) Producing and reviewing the Safeguarding Training Framework and Competency framework for Personal Care and Support, Service Delivery and the Integrated Mental Health Teams
- f) Oversight of quality assurance of safeguarding practice through case file audit analysis
- g) Undertaking of case reviews where lessons have been learnt, cascading lessons learnt to Locality Teams
- h) Co-ordination of action plans in relation to recommendations for Adult Social Care from Serious Case Reviews and internal audits
- i) Delivering part of the internal Safeguarding training programme
- j) Oversight of the safeguarding activity in relation to Service Delivery
- k) Linking with Commissioning and Quality Assurance in relation to Safeguarding and commissioning activity
- l) Oversight of Adult Social Care safeguarding data
- m) Providing support to the Independent Chair of the Surrey Safeguarding Adults Board(SSAB)
- n) Chairing of SSAB's Policy and Procedures sub group responsible for producing and reviewing the Surrey Multi Agency procedures

- o) Member of SSAB Serious Case review Group, considering Serious Case Review Notifications
- p) Co-ordination of Serious Case Reviews
- q) Member of SSAB Quality Assurance Group responsible for coordinating multi agency case review process
- r) Member of the SSAB Training Sub Group responsible for producing multi agency competency framework and Training framework
- s) Oversight and coordination of the SSAB's newsletter to partner agency's
- t) Liaison with the Surrey Safeguarding Children's Board (SSCB) through attendance at the Children's Board and regular liaison with the SSCB Manager and Children's Local Authority Designated Officers (LADO).

5.3 There is a Safeguarding Advisor in each of the four Personal Care and Support Areas (East, North West, Mid and South West Area). In addition there is a Safeguarding Advisor for Service Delivery and for the integrated Mental Health Teams. The Safeguarding Advisors are line managed by the Senior Manager in their Area who, as the Senior Manager, has the operational responsibility for all safeguarding cases in their Area. The Safeguarding Advisors have a 'dotted line' to the Senior Manager for Safeguarding who provides their professional supervision.

5.4 The role of the Safeguarding Advisor includes:

- a) Support to the Locality Teams in their Area by providing advice and information in relation to all issues relating to Safeguarding
- b) The chairing of safeguarding conferences and Senior Strategy meetings ensuring that actions agreed at meetings are completed
- c) Ensuring that cases that have progressed to a Conference are closed by the Team
- d) Providing mentoring/coaching to all staff through the implementation of monthly Action Learning Sets
- e) Undertaking of case file audits (themed and whole case file)
- f) Delivering part of the safeguarding training programme
- g) Providing information to Senior Managers regarding performance as requested
- h) Linking with public protection groups such as MAPPA, MARAC, CIAG
- i) Linking with providers in their Area

5.5 The Senior Manager is linked with various working groups convened by the Department of Health Safeguarding Policy Lead working on the guidance that will be given in relation to the Care Bill Safeguarding Clauses. The specific pieces of work are regarding the application of the thresholds of intervention as it has been recognised that Surrey's proportionate response is good practice. The other group is in relation to the service user evaluation which is referred to fully in 6.1(b).

## **6. Safeguarding Adults Quality Assurance**

6.1 There is a robust quality assurance framework in place within Personal Care and Support that includes:

a) Undertaking a range of Case file audits by the Safeguarding Advisors, the nature of the audits will be either whole case file audits; themed audits such as auditing the threshold of intervention decision making; auditing the quality of the strategy meeting action plans; auditing how risk has been managed; audit of case closures. Audits are undertaken continually and a quarterly analysis of the outcomes is shared with the Personal Care and Support Leadership Team who will discuss within their Area Boards. Following a recent internal audit a central log is now maintained of the outcomes of the audits in terms of actions that have been identified for correction. This is then shared within the Personal Care and Support Leadership Team with the relevant Senior Managers then ensuring that actions relating to their Teams are completed.

b) Following the completion of every safeguarding meeting a customer participation survey is sent to each attendee. This enables attendees to give their feedback in relation to the quality of the meeting, the effectiveness of the Chair and whether the meeting achieved its aims. An analysis of the findings is produced and shared with the Personal Care and Support Leadership Team. Work is being undertaken to convert this to an online survey monkey.

c) Following the completion of each safeguarding case a service user evaluation is undertaken either with the service user or their representative. The purpose of this is to understand from the person's perspective whether they felt included within the safeguarding process, whether they were kept informed, did they understand what was happening, did they feel supported and most importantly do they feel safer as a result of the safeguarding intervention? Surrey is one of the few Local Authorities to have this evaluation process in place and our work has been used to inform a national pilot regarding service user feedback. Feedback received is shared with the relevant Team and practitioners to ensure learning or to commend practice.

d) Observations of Safeguarding meetings are undertaken on a regular basis by the Safeguarding Advisors and the Senior Manager for Safeguarding to ensure a good standard of chairing is in place. Where an audit identifies gaps in knowledge and skills of Chairs, further training will be provided for those staff.

6.2 Work is in place to support Service Delivery to implement their Safeguarding quality assurance framework. The framework will include assurance relating to the decision making of staff, quality of alert, an oversight of the number of alerts and type of abuse within each service.

6.3 A quality assurance framework for Commissioning is in its final stages and will bring together the capturing of intelligence received from a number of sources with clear pathways in relation to the impact of safeguarding incidents on our commissioning arrangements.

## 7. Safeguarding Adults Training

7.1 All staff in Adult Social Care are required to undertake safeguarding training in line with their role and the training framework. *(See Annexe 4 Training Matrix for Personal Care and Support staff, Integrated Mental Health Teams and Service Delivery).*

Attendance at training and the learning acquired is also used as evidence in relation to each staff's completion of the safeguarding competency framework which is in place for all staff in Personal Care and Support, Integrated Mental Health Teams and Service Delivery *(See Annexe 5 - Competency framework for all Personal Care and Support staff)*

## 8. The Surrey Safeguarding Adults Board

8.1 The Surrey Safeguarding Adults Board is made up of partner agencies within Surrey and is chaired by an Independent Chair. Representatives are senior people within their own organisation who have the lead for Safeguarding Adults.

8.2 The main Board meets three times a year with the Business Management Group meeting five times per year. The Business Management Group is made up of the core agencies: Adult Social Care, Health and the Police and representation is at the highest level.

8.3 The Board has a strategic workplan which is reviewed at all Business Management Group Meetings and also produces an annual report which is available on the Boards web pages [link](#)

8.4 The Board is funded by Adult Social Care and includes the funding of the Independent Chair, delivery of the Training Framework and the funding of the Board's administrator. Efforts in the past to have a pooled budget have been unsuccessful.

8.5 The Board has a number of sub groups that meet regularly, these are the Training Group, the Policy and Procedures Group, the Serious Case Review Group, the Quality Assurance and Audit Group, four local Safeguarding groups in each of the four Areas in Surrey. The sub groups are required to deliver the Board's strategic workplan at the local level.

8.6 The Adult Social Care Communications Team provides the support to the Board in relation to safeguarding adult's publicity information. Large and small posters are available, an accessible keeping safe booklet has recently been revised, small cards are available to service users with contact numbers and there is a card for professionals identifying key information in relation to the referral process.

8.7 Earlier this year a DVD was produced entitled 'keeping safe'. This shows the story of four service users who experienced abuse and how staff working together under the safeguarding procedures helped and made a difference. Copies have been made available to staff and to partner agencies and is also available on the Adult Social Care web pages

## 9. The Care Bill

9.1 The Care Bill has a specific section in relation to Safeguarding Adults confirming that the Local Authority will remain the lead agency responsible for coordinating the safeguarding process. Clauses include:

**a) A new duty for local authority to carry out enquiries (or ask other agencies to do so) where it suspects an adult is at risk of abuse or neglect.**

In Surrey this is already included within the Multi Agency procedures and the Internal Safeguarding procedures. The new 'duty' will therefore be business as usual.

**b) A requirement for all areas to establish a Safeguarding Adults Board to bring together the Local Authority, the NHS and Police, to coordinate activity to protect adults from abuse and neglect.**

In Surrey the Board has been established since 1999 and is represented by all appropriate partner agency's.

**c) Board's will be required to produce an annual report that must be published and hold a strategic workplan**

In Surrey the Board currently produces an annual report which is published on the Board's web pages [link](#) Accessible copies are also produced.

**d) Board's to carry out safeguarding adults reviews (Serious Case Reviews) into cases where someone who is experiencing abuse or neglect dies or there has been a failure in the way that authorities worked together, to ensure lessons are learned.**

In Surrey Serious Case reviews have been undertaken since 2008 and the Executive Summary of each SCR is published on the Board's web pages.

There is a Serious Case Review procedure, a Serious Case Review Group and a process in place for agency's to refer concerns to the Chair of the Board.

**e) A new ability for Board's to require information sharing from other partners to support reviews or other functions.**

In Surrey the majority of agencies are willing to contribute to reviews and participate within reviews. However this new provision will be welcomed as a means to 'encourage' those agency's who currently decline to contribute to a Review.

**f) Removes the existing power (under National Assistance Act 1948) for local authorities to remove people from their homes.**



In Surrey the above legislation is no longer used as the provisions within the Mental Capacity Act and Mental Health Act are more than adequate and comply with the Human Rights Act when addressing issues such as removing a person from their home.

**10. Conclusions:**

- 10.1 There are robust Internal Safeguarding Procedures in place that are reviewed on an on going basis in line with changes in legislation, guidance and learning from reviews
- 10.2 There is a staff safeguarding adults competency framework in place that is being undertaken within Locality Teams and Service Delivery Teams, this is discussed in supervision and at appraisal and informs staff's training needs
- 10.3 There is a Safeguarding Training framework in place giving a clear training pathway
- 10.4 The role of the Safeguarding Adults Advisor is embedded within the Locality Teams and is an excellent resource for the Teams
- 10.5 There is a robust case audit process in place with an analysis undertaken on a quarterly basis
- 10.6 The Safeguarding Activity Log is embedded within each Local Team and enables Commissioners to have oversight of the alerts received for a specific provider that may inform any commissioning intentions
- 10.7 A quality assurance framework and links with safeguarding is currently being completed in relation to Commissioning and Safeguarding and with Service Delivery
- 10.8 The provisions within the Care Bill are already part of Surrey's business as usual
- 10.9 All key agencies' are signed up to the Multi Agency Procedures and are represented on the Board and its sub groups.

**11. Recommendations**

a) That additional data quality assistance is considered to further support the Locality Teams.

Incomplete Safeguarding Adults recording on the AIS data system is being addressed through the current Information quality assistant support being given to the Teams. This resource however is insufficient for the volume of Teams that need support with their data.

b) That consideration is given to bringing forward the implementation of the AIS Safeguarding module version 28.

The AIS data is used for the Annual Statutory safeguarding return and as such recording needs to be current and meaningful. Currently staff spend a significant amount of time inputting into a difficult system that does not produce the data required.

## 12. Next steps:

- 1) There will continue to be a focus on staff competencies identifying gaps in skills and knowledge and ensuring that training and development needs are met to enable Surrey to be confident that we have a competent workforce – all current staff to have completed the relevant framework by May 2014.
- 2) Case file audits will continue to be undertaken and shared with the Leadership Team on a quarterly basis. Outcomes will be addressed at an individual and team level – Audits will be undertaken on a quarterly basis using a range of themes e.g. Decision making, quality of safeguarding notes, quality robustness of the action plan, audit of case closures.
- 3) A quality assurance framework for Commissioning and Service Delivery will be completed by March 2014.
- 4) There will be a focus on Safeguarding recording on AIS and in particular a strong focus on case closures – A plan for this activity is currently in place and will remain active and ongoing.
- 5) Upon the implementation of the Care Bill there will be a review of the Multi Agency Procedures and the Internal Procedures to ensure compliance –This will be completed upon the receipt of guidance from the Department of Health during mid 2014.
- 6) The Safeguarding Training framework will be reviewed in light of the findings from case audits and the competency framework where gaps in skills are identified. This will be reviewed by April 2014.
- 7) The recommendations from the Gloria Foster Serious Case Review will be implemented and reported to the Safeguarding Board. - This will be completed by February 2014.
- 8) Upon the implementation of the Care Bill there will be a review of the Board and its sub groups to ensure compliance. Within this review the issue of pooled funding will be discussed with partner agencies. - This will be completed upon the receipt of guidance from the Department of Health during mid 2014.
- 9) There will be a Peer review of Safeguarding undertaken by Buckinghamshire County Council. This will be undertaken in late March 2014. The Terms of Reference have been agreed. **(See Annexe 6)**

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### Report contact:

Christine Maclean  
Senior Manager, Safeguarding Adults  
Personal Care and Support Senior Management Team

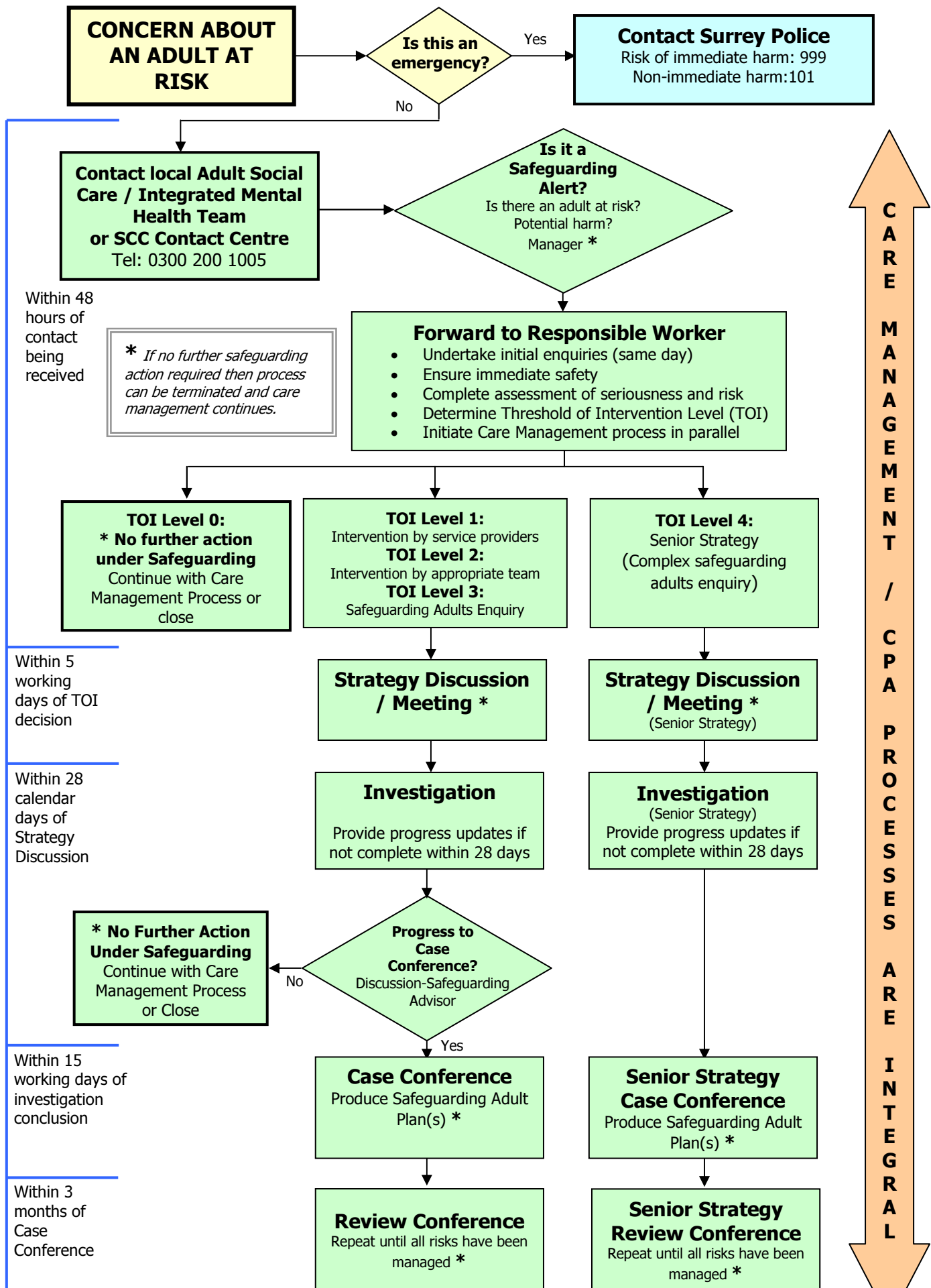
**Contact details:** 01372 833522 or [christine.maclean@surreycc.gov.uk](mailto:christine.maclean@surreycc.gov.uk)

### Sources/background papers:

Safeguarding Internal Procedures  
Surrey Safeguarding Adults Board Multi Agency procedures



# SAFEGUARDING ADULTS PROCESS FLOWCHART *(Annexe 1)*



**GUIDANCE FOR THE THRESHOLDS OF INTERVENTION FOR SAFEGUARDING ADULTS**  
**(SURREY COUNTY COUNCIL GUIDANCE)**  
(Only for use by Teams with Adult Social Care responsibility)

<b>LEVEL OF RESPONSE</b>	<b>PRESENTING INFORMATION</b>	<b>ACTION AND OUTCOMES</b>
<p><b>Level 0</b></p>	<p><b>Where, following the assessment of seriousness, the responsible worker has established through information gathered that;</b></p> <ol style="list-style-type: none"> <li>1. The alert does not involve an “Adult at Risk” and/or</li> <li>2. The concerns are not in relation to harm</li> </ol>	<ul style="list-style-type: none"> <li>➤ The criteria for a response under the Safeguarding Adults Procedures has not been met</li> <li>➤ Consider whether it is appropriate to offer the person or their carer an assessment or, if already known to Adult Social Care, whether to undertake a review</li> <li>➤ Inform the alerter and the person of the decision made</li> <li>➤ Record as a Level 0 in AIS contact, and the outcomes as no further action under safeguarding</li> </ul>

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<b>LEVEL OF RESPONSE</b>	<b>PRESENTING INFORMATION</b>	<b>ACTION AND OUTCOMES</b>
<b>Level 1</b>	<p>The Alert is a 'One-off' incident and there are concerns that harm might have occurred <b>but the answers to all of the following questions are <u>NO</u></b>;</p> <ol style="list-style-type: none"> <li>1. Is there a previous history of similar incidents recorded for the adult at risk?</li> <li>2. Is there previous history of harm by the person alleged responsible?</li> <li>3. Is this a pattern of harm?</li> <li>4. Is there a clear criminal offence described in the alert?</li> <li>5. Is there a clear intent to harm or exploit the adult at risk?</li> </ol>	<ul style="list-style-type: none"> <li>➤ Consider whether the 'needs' of the adult at risk and/or the person who is alleged to have caused harm should be formally assessed or reviewed</li> <li>➤ Consider that adjustments might need to be made to health and social care services provided to the adult at risk and/or to the person who is alleged to have caused harm</li> <li>➤ Ensure that the presenting concerns have been addressed and risk managed</li> <li>➤ The adult at risk should be empowered to contribute and express their views using appropriate support if necessary</li> <li>➤ Will require a Safeguarding Adults Telephone Strategy Discussion to be recorded on the appropriate template</li> <li>➤ Record as Level 1 in AIS contact</li> </ul>

LEVEL OF RESPONSE	PRESENTING INFORMATION	ACTION AND OUTCOMES
<p><b>Level 2</b></p>	<p>There are concerns that harm may have occurred and <b>the answer to any of the following questions are YES;</b></p> <ol style="list-style-type: none"> <li>1. Is there a previous history of similar incidents recorded for the adult at risk?</li> <li>2. Is there a previous history of harm by the person alleged responsible?</li> <li>3. Is this a pattern of harm?</li> <li>4. Is there a clear intent to harm or exploit the adult at risk?</li> </ol>	<ul style="list-style-type: none"> <li>➤ Consider a discussion with Police as to whether the allegation may have reached the criminal threshold (will be Level 3)</li> <li>➤ Consider whether the 'needs' of the adult at risk and/or the person who is alleged to have caused harm should be formally assessed or reviewed</li> <li>➤ Consider that adjustments might need to be made to health and social care services provided to the adult at risk and/or to the person who is alleged to have caused harm</li> <li>➤ Ensure that the presenting concerns have been addressed and risk managed</li> <li>➤ The adult at risk should be empowered to contribute and express their views using appropriate support if necessary</li> <li>➤ Will require a Strategy Discussion/ Meeting ( a Telephone Discussion might be appropriate) to be recorded on the appropriate template</li> <li>➤ Record as Level 2 in AIS contact</li> </ul>

<p><b>LEVEL OF RESPONSE</b></p>	<p><b>PRESENTING INFORMATION</b></p>	<p><b>ACTION AND OUTCOMES</b></p>
<p><b>Level 3</b></p>	<ul style="list-style-type: none"> <li>➤ Allegation of harm (as defined in the Multiagency Procedures) to an Adult at Risk where a criminal offence <b>may</b> have been committed</li> <li>➤ There is potentially a breach of regulations provided by the Health and Social Care Act 2008</li> <li>➤ There is potentially a Breach of Professional Codes of Conduct</li> <li>➤ There is an actual or potential risk of harm or exploitation to other adults at risk</li> <li>➤ There is a deliberate intent to exploit or harm an adult at risk</li> <li>➤ There is a breach in an implied or actual 'duty of care' between the adult at risk and the person alleged responsible</li> </ul>	<ul style="list-style-type: none"> <li>➤ There <b>must</b> be a discussion with the police as to their involvement</li> <li>➤ The adult at risk should be empowered to contribute and express their views using appropriate support if necessary</li> <li>➤ Consider whether the 'needs' of the adult at risk and/or the person who is alleged to have caused harm should be formally assessed or reviewed</li> <li>➤ Consider that adjustments might need to be made to health and social care services provided to the adult at risk and/or to the person who is alleged to have caused harm</li> <li>➤ Ensure that the presenting concerns have been addressed and risk managed</li> <li>➤ A Multi Agency Safeguarding Adults Strategy Meeting <b>must</b> be held. This <b>must</b> be a face-to-face meeting.</li> <li>➤ Record as Level 3 in AIS contact_</li> </ul>



LEVEL RESPONSE	PRESENTING INFORMATION	ACTION AND OUTCOMES
<p style="text-align: center;"><b>Level 4</b></p>	<p><b>Concerns may be considered as;</b></p> <ul style="list-style-type: none"> <li>➤ Institutionalised harm</li> <li>➤ A number of people adversely affected</li> <li>➤ A number of criminal offences may have been committed</li> <li>➤ There may potentially be a multiple breach of Health and Social Care Act 2008</li> <li>➤ The concerns are potentially high profile due to the seriousness/complexity</li> <li>➤ The alert involves a member of Surrey County Council staff or Integrated Mental Health Team staff</li> <li>➤ There is a concern regarding the 'Fitness' of the Registered Provider</li> <li>➤ There is a concern regarding the safety of a Registered Service</li> <li>➤ There are concerns of historical sexual abuse in a care setting</li> </ul>	<ul style="list-style-type: none"> <li>➤ Adults at risk should be empowered to contribute and express their views using appropriate support if necessary</li> <li>➤ The 'needs' of the adult at risk and/or person who is alleged to have caused harm are formally assessed or reviewed by a member of the appropriate team</li> <li>➤ Consider that adjustments might need to be made to health and social care services provided to the adult at risk and/or to the person who is alleged to have caused harm</li> <li>➤ Ensure that the presenting concerns have been addressed and risk managed</li> <li>➤ Senior Manager and the Safeguarding Advisor <b>must</b> agree that the threshold has been reached for a Safeguarding Adults Senior Strategy Meeting to be convened</li> <li>➤ Multi Agency Safeguarding Adults Senior Strategy Meeting <b>must</b> be held. This <b>must</b> be a face to face meeting</li> <li>➤ Record as Level 4 in AIS contact</li> </ul>

## Guidance for Closing Cases

### Introduction

This guidance relates to the closure of a case to Adult Social Care and must be followed in every case prior to closure. [The AIS Case Closure document – describes the technical steps for updating AIS but this procedure should be followed in the first instance to determine whether it is appropriate to close a case].

### 1 Closure of Cases

There are two primary circumstances where cases may be closed - other than the death of the relevant person:

- a. Where a person or their carer is no longer eligible for community care or carer services (e.g. following a period of reablement or recovery after an acute episode of need) **or**
- b. Where it is no longer necessary for the local authority to provide those services to meet a persons' needs e.g. entitlement to NHS Continuing Healthcare funding, making self-funded arrangements or where practitioner has clearly established with the carer that they are able and willing to meet those needs.

A case may also be closed if:

- c. Someone is reluctant to engage with services, refuses support or cancels services\*\*

*\*\* In these circumstances it is a requirement that a proportionate risk assessment is carried out and recorded before case closure - particularly where the person has compromised mental capacity, they are dependent on a third party to meet essential care or support needs **or** the service is refused / cancelled by a third-party rather than the relevant person directly.*

***Where the outcome of the risk assessment indicates that the person would have unmet eligible needs if local authority services were not provided OR the person would present an ongoing risk to themselves or others OR they are dependent on a third party acting in their best interests and there are safety concerns about those arrangements – the case should not be closed but rather a proportionate monitoring plan should be put in place. The purpose of this is to ensure that the person is aware that services remain available to them should they change their mind or their needs / circumstances change; the assessed risks are monitored and reviewed; the local authority is able to respond promptly to any change in need.***

- d. Someone is not receiving ongoing directly provided or funded services from the Local Authority ( e.g. minor property adaptation, equipment that does not require an annual service or ongoing maintenance, one-off respite support, services purchased with a one-off Direct Payment).

2 **Mental Capacity**

When making the decision to close a case the practitioner will need to be mindful of the different approaches and considerations to take into account depending on whether the person does or does not have the mental capacity to make informed decisions regarding their care, support or accommodation needs. (see para 4.6 & 5.6) In all situations the process of making the decision to close a case and the subsequent communication of that decision must be person-centred and timely and not informed by administrative convenience or expediency.

3 **Safeguarding**

Under no circumstances should a case be closed where there is an active safeguarding alert **or** there are outstanding unresolved safeguarding concerns **or** where the agreed actions from the final safeguarding meeting have not been completed.

4 **Individuals and carers currently being provided with a service.**

The service must not be stopped or the case closed unless there has been a full review / reassessment of the current support plan and there is a recorded decision that the person either no longer meets the eligibility criteria or it is no longer necessary for the LA to provide those services. This review process must review / reassess **any** carers needs previously identified, whether or not there is a direct service provision to the carer.

4.1 Reasonable notice must be given of the withdrawal of services and information must be given regarding alternative support that may be available to meet their non-eligible needs.

4.2 Where there is a transfer of commissioning responsibility e.g. from SCC to NHS the service or the funding **should not be ceased** (unilaterally withdrawn) **until** the effective hand-over date for both case management and funding responsibility has been agreed between the funding bodies. Subsequent refunds from NHS to SCC will be processed in accordance with DH refunds guidance and local agreement. Where the person remains carer dependent the case should not be closed until a review of the carers needs has been carried out in the light of the change in circumstances. **Carers** who continue to have eligible needs should remain open as a 'stand-alone' carer.

*NB. Carer Services can still be provided to individuals in receipt of NHS CHC funding*

4.3 Where the service being provided is OT equipment (but see 4.4 below) or minor property adaptation the case can be closed following the initial review that confirms the service is appropriate and meets the persons needs and any associated carer's needs.

4.4 Where OT equipment has been provided that requires annual service / maintenance checks e.g. moving and handling equipment or the person has a long-term deteriorating condition that requires regular review the case should not be closed and the next review date for the relevant person and their carer, must be recorded.

- 4.5 Where the person still has eligible needs and is carer dependent in order for those needs to be met, before the decision to close the case can be made a carer's assessment / review must be offered and a decision made as to whether any Carers Services need to be provided.
- 4.6 Where the relevant person lacks the mental capacity to make informed decisions regarding their, care, support, safety or accommodation needs the practitioner must be satisfied, before case closure, that there is a third party (e.g. a family member) who is actively taking responsibility for making best interest decisions (including management of their finances if necessary) and they are acting appropriately - i.e. there is no evidence of the person's best interests being significantly compromised because of the actions or inaction of a third party (see also para. 1 c.).
- 4.7 Where the council is the appointed 'Corporate Appointee' for the receipt and management of state benefits or the court appointed 'Deputy for Property and Affairs' for the person, the case must not be closed.
- 4.8 Where there is a request by the person concerned or their carer or representative, to review the decision to close the case (i) the service should continue until the review has taken place and a decision is reached and (ii) the review should be completed promptly.

## 5 People not in receipt of ongoing directly provided services or funding

- 5.1 The decision to close a case should only be made after completing and recording a proportionate review of the need for an ongoing professional support service to the relevant person and their carer - this can be limited to a telephone review if considered appropriate.
- 5.2 Where the person or their carer has received a one-off service **and** a review has been carried out to confirm that the service met their needs **and** there are no ongoing services required to meet an eligible need, the case can be closed.
- 5.3 Where no review has been carried out and recorded following previous service provision a proportionate **review** must be carried out and recorded before closure - this can be limited to a telephone review if considered appropriate.
- 5.4 Where the service being provided is solely a professional support service - which could be limited to occasional 'in-touch' contact or extend to ongoing care management support for a self-funded support package - a decision must be made as to the necessity for the ongoing provision of that service and the proportionate benefit to the person or their carer of receiving that service. Consideration should be given to the risk of the care, support or living arrangements breaking down if the case was closed, in most situations it will be sufficient to advise the person and their carer of how to contact us if their needs change and then close the case.
- 5.5 Where the person has eligible needs and is not receiving ASC funded services, but is carer dependent in order for those needs to be met, a carer's assessment / review must be offered before case closure, and a decision made as to whether any Carers Services need to be provided. Consideration should be given to the impact on the

carer's needs and the risk of the care, support or living arrangements breaking down if the case was closed,

NB. *'Carer's Emergency Registration'* should be encouraged as a way in which contingency plans can be logged with the service even whilst there is no active involvement from ASC.

- 5.6 Where the relevant person lacks the mental capacity to make informed decisions regarding their care, support or accommodation needs the practitioner must be satisfied, before case closure, that there is a third party (e.g. a family member) who is actively taking responsibility for making best interest decisions (including management of their finances) and they are acting appropriately - i.e. there is no evidence of the persons best interests being significantly compromised because of the actions or inaction of a third party.
- 5.7 Where there is a request by the person concerned or their carer or representative, to review the decision to close the case (i) the service should continue until the review has taken place and a decision is reached and (ii) the review should be completed promptly.

## 6 Communication

- 6.1 In all cases the decision to close the case and the reason for the decision must be confirmed **in writing** to the person concerned and their carer, and where they lack mental capacity to their representative.
- 6.2 Where the person remains carer dependent the carer must also be informed in writing of the decision, always being mindful of confidentiality boundaries. The correspondence should include details of who they should contact in the future if their needs change and they require a new assessment. Information should also be provided regarding who to contact if they want to request a review of the decision to close the case. The appropriateness of referring the carer to a carer support organisation for ongoing support should be discussed with the carer and the appropriate action taken.

## 7 Decision-Making

- 7.1 The decision to close a case can only be made at Senior Practice or Operational Lead level or above and the file record should clearly show who has authorised the closure. The decision-maker must be satisfied that there are no outstanding safeguarding or carer issues to address or decisions to be made before agreeing to the closure.
- 7.2 In the context of a 'whole family approach', 'case closure' refers to the ending of current PCS involvement with both an individual and their carer, where there is one
- 7.3 If it is assessed that **either** the individual **or** the carer requires ongoing support (including professional support / 'In Touch' services, a funded carer service etc) then both (all) parties involved should remain open.

## 8 Data Quality

- 8.1 Standard data quality procedures should be followed for all case closures e.g. it is **essential** that the referral is ended for every client and carer.

**Safeguarding Training Framework – Personal Care & Support 2014/15**

Everyone has the responsibility for safeguarding adults at risk.

It is the responsibility of line managers to ensure that staff attend the relevant training and meet the prerequisite criteria.

\*Denotes a refresher. SAAB-Surrey Safeguarding Adults Board courses- to apply contact [safeguardingadults.training@surreycc.gov.uk](mailto:safeguardingadults.training@surreycc.gov.uk)

	Levels	Courses	Timescales	Duration	Business Support	Team Administrators	Support Brokers	Sourcing Teams	Reablement Assistants & Team Leaders	Assistant Practitioners Level 1 & 2	Practitioners Level 1 & 2	Senior Operational & Senior Practice Leads	Team Managers	Senior and Assistant Senior Managers	
Essential and Optional	Level 1	Introduction to Safeguarding Adults	3 mths*	1 day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
		Introduction to Risk	3 mths	1 day					Yes	Yes	Yes	Yes	Yes	Yes	Yes
		SCIE Mental Capacity e-learning	3 mths	e-learn						Yes	Yes	Yes	Yes	Yes	Yes
		Working together to safeguard children	3 mths	½ day						Yes	Yes	Yes	Yes	Yes	Yes
	Level 2	Safeguarding Adults : The Legal Context	3 mths*	1 day							Yes	Yes	Yes	Yes	Yes
		Safeguarding Adults : The role of the Assistant Practitioner	3 mths*	1 day							Yes				
		Safeguarding Adults : Note Taking	3 mths*	1 day			Yes								
		Safeguarding Adults in Practice	12 mths	1 day						Yes					
	Level 3	Practitioners skills - Safeguarding, Risk & MCA	3 mths*	3 days								Yes	Yes	Yes	Yes
		Working with the Mental capacity Act	3 mths	1 day								Yes	Yes	Yes	Yes
	Level 4	Undertaking Internal Safeguarding Adults Investigations (SSAB)	12 mths	1 day										Yes	Yes
		Managers Safeguarding Workshop	4 mths*	1 day									Yes	Yes	Yes

Refreshers		Safeguarding Adults: Chairing Skills within the Legal context	4 mths	2 days								Yes	Yes	Yes
		Individual Management Reviews (SSAB)		1 day										Yes
	Level 5	Achieving Best Evidence Training									Optional	Optional	Optional	optional
	Level 1	Safeguarding Refresher - Service Delivery & Reablement	2 years	½ day					Yes					
	Level 2	Safeguarding Adults : The Legal Context	2 years	1 day						Yes	Yes	Yes	Yes	Yes
		Safeguarding Adults : Note Taking	2 years	½ day		Yes								
		Safeguarding Refresher - Assistant Practitioners	2 years	tbc						Yes				
Level 3	Safeguarding Refresher - Practitioners	2 years	1 day							Yes	Yes	Yes		
Level 4	Managers Safeguarding Workshop	2 years	½ day								Yes	Yes	Yes	
Level 5	Trained JIT's Investigation Recall	1 year	½ day							Optional	Optional	Optional	optional	

**Safeguarding Training Framework – Integrated Mental Health Teams 2014/15**

Everyone has the responsibility for safeguarding adults at risk.

It is the responsibility of line managers to ensure that staff attend the relevant training and meet the prerequisite criteria.

\*Denotes a refresher. SAAB-Surrey Safeguarding Adults Board courses- to apply contact [safeguardingadults.training@surreycc.gov.uk](mailto:safeguardingadults.training@surreycc.gov.uk)

	Levels	Courses	Timescales	Duration	Business Support	Team Administrators	Enabling Independence Workers, Carer Liaison Workers and Carer Support Workers	MH Social Workers/ Practitioners Level 1 & 2	Approved Mental Health Workers (AMPS) and Enabling Independence Practice Leads	Team Managers	Senior and Assistant Senior Managers	
Page 36 Essential and Optional	Level 1	Introduction to Safeguarding Adults	3 mths*	1 day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
		Introduction to Risk	3 mths	1 day			Yes	Yes	Yes	Yes	Yes	
		SCIE Mental Capacity e-learning	3 mths	e-learn			Yes	Yes	Yes	Yes	Yes	
		Working together to safeguard children	3 mths	½ day			Yes	Yes	Yes	Yes	Yes	
	Level 2	Safeguarding Adults : The Legal Context	3 mths*	1 day					Yes	Yes	Yes	Yes
		Safeguarding Adults : The role of the Assistant Practitioner	3 mths*	1 day				Yes				
		Safeguarding Adults : Note Taking	3 mths*	1 day			Yes					
		Safeguarding Adults in Practice	12 mths	1 day				Yes				
	Level 3	Practitioners skills - Safeguarding, Risk & MCA	3 mths*	3 days					Yes	Yes	Yes	Yes
		Working with the Mental capacity Act	3 mths	1 day					Yes	Yes	Yes	Yes
	Level 4	Undertaking Internal Safeguarding Adults Investigations (SSAB)	12 mths	1 day							Yes	Yes



		Managers Safeguarding Workshop	4 mths*	1 day					Yes	Yes	Yes
		Safeguarding Adults: Charing Skills within the Legal context	4 mths	2 days					Yes	Yes	Yes
		Individual Management Reviews (SSAB)		1 day							Yes
	<b>Level 5</b>	Achieving Best Evidence Training						Optional	Optional	Optional	optional
Refreshers	<b>Level 1</b>	Safeguarding Refresher - Service Delivery & Reablement	2 years	½ day			Yes				
	<b>Level 2</b>	Safeguarding Adults : The Legal Context	2 years	1 day				Yes	Yes	Yes	Yes
		Safeguarding Adults : Note Taking	2 years	½ day		Yes					
		Safeguarding Refresher - Assistant Practitioners	2 years	tbc			Yes				
	<b>Level 3</b>	Safeguarding Refresher - Practitioners	2 years	1 day				Yes	Yes	Yes	
	<b>Level 4</b>	Managers Safeguarding Workshop	2 years	½ day						Yes	Yes
	<b>Level 5</b>	Trained JIT's Investigation Recall	1 year	½ day				Optional	Optional	Optional	optional

**Safeguarding Training Framework – Service Delivery 2014/15**

Everyone has the responsibility for safeguarding adults at risk.

It is the responsibility of line managers to ensure that staff attend the relevant training and meet the prerequisite criteria.

\*Denotes a refresher. SAAB-Surrey Safeguarding Adults Board courses- to apply contact [safeguardingadults.training@surreycc.gov.uk](mailto:safeguardingadults.training@surreycc.gov.uk)

	Levels	Courses	Timescales	Duration	Cooks and Domestic	Administration staff	Employability Staff	Employability Managers	Day Service Officers 1& 2	Support Workers	Care staff	Practical Assistants	RSW's	Team Managers and Assistant Team Managers	Senior Managers and Assistant Senior Managers	
Essential and Optional	Level 1	Introduction to Safeguarding Adults	3 mths*	1 day	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
		Introduction to Risk	3 mths	1 day					Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		SCIE Mental Capacity e-learning	3 mths	e-learn					Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		Working together to safeguard children	3 mths	½ day					Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	Level 2	Working with the Mental capacity Act	3 mths	1 day											Yes	Yes
		What Is Adult Safeguarding? (New SSAB course coming soon)	3 mths	1 day				Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional	Optional
		Safeguarding Adults in Practice	12 mths	1 day					Optional	Yes	Yes	Yes	Yes	Yes		
	Level 3	Safeguarding Adults The Role of the Manager is Service Delivery	3 mths*	½ day											Yes	Yes

		Managing Safely (SSAB)	4 mths	1 day					Optional					Yes	Yes
	Level 4	Undertaking Internal Safeguarding Adults Investigations	12 mths	1 day											Yes
	Level 4	Training for Authors of Independent Management Reviews	12 mths	1 day											Yes
	Level 5	Achieving Best Evidence Training												Optional	Optional
Page 39 refreshers	Level 1	Safeguarding Refresher - Service Delivery & Reablement	2 years	½ day					Yes	Yes	Yes	Yes	Yes		
	Level 1	Safeguarding Refresher - Service Delivery & Reablement (Employability, Administration, Cooks and Domestic staff)	3 years	½ day	Yes	Yes	Yes								
	Level 3	Safeguarding Adults The Role of the Manager is Service Delivery	2 years	½ day										Yes	Yes
	Level 5	Trained JIT's Investigation Recall	1 year	½ day					Optional					Optional	Optional

## Safeguarding Adults Competency Framework Adult Social Care – Personal Care and Support

As a member of staff in the Personal Care and Support Directorate of Adult Social Care, safeguarding adults is a key area of responsibility you have. In order to support you in discharging this responsibility you are required to attend specific essential training. This training is at five levels (Level 5 is optional for those staff that are at Practitioner 2 and above). Level 1 is designed for support staff, up to Level 4 which is for Managers who have overall responsibility for coordinating our duties in relation to safeguarding.

Upon completion of your essential safeguarding training it is imperative for the service that your learning is applied in practice.

Your line Manager has a responsibility to ensure that you are applying your learning safely and competently in your role. The safeguarding competency framework tool below is the way in which you and your manager will discuss, assess and evidence your ongoing competence and confidence in relation to your role.

The Association of Directors of Adults Social Services made a number of recommendations for safeguarding adults work and included the following recommendation *‘That each organisation has established Safeguarding Adults competencies for each staff role and enable staff to have successive levels of training in line with their personal and professional development. Where appropriate this training should be mandatory’* (ADASS Safeguarding Adults)

### **What is a competence?**

A competence is the combination of the skills, knowledge and experience held by individual staff and this framework aims to ensure that these qualities inform safeguarding practice in a way that is commensurate with an individual’s occupational role and responsibility.

To be competent a worker needs to be able to interpret a safeguarding situation in its context, have a response of possible actions to take and have been trained in the possible actions in the repertoire, where this is relevant. Regardless of training, competence grows through experience and the abilities of the staff member to learn and adapt.

### **Assessing competence**

Competence can be assessed in a number of ways:

- Direct observation. This is usually the best way to have confidence in a person’s competence however it may also be necessary to use some other methods as described below
- Questions can be used to assess if the person has the necessary knowledge

- Scenario based questions/case studies and real life activities all a person to demonstrate their skills that would be relevant to actual situations
- Use of reflective accounts
- Accounts by a third party observer (including people from partner agencies)
- Evidence on knowledge may be shown by successful completion of mandatory safeguarding training or qualification with an assessed component against the relevant area of knowledge
- Evidence of competency may be shown by attainment of a competency based qualification such as QCF ( Qualifications Credit Framework)
- Safeguarding adults documentation, e.g. notes of safeguarding meetings, reports of alert, assessment etc
- Feedback from service users and carers
- A combination of the above where any one method does not supply sufficient evidence to give confidence of competence

The assessment of competence should combine a mix of direct observation of practice, as well as a process of exploration, discussion and questioning in supervision and appraisal meetings.

Assessment should also reflect a person's knowledge and understanding of the Surrey Multi-Agency Policy and Procedures for Safeguarding Adults and the Surrey Internal procedures and Safeguarding Practice Standards.

### **When should competency be assessed?**

Each member of staff should have a record of their competency in relation to safeguarding adults. This would usually be done

- As part of the induction process when a person commences employment
- In the event of a person taking on a new role in relation to safeguarding adults
- With existing members of staff following the immediate launch of this framework

### **Supporting the development of competence**

All staff can be helped to develop their Safeguarding competence. This can be done by participating in formal training and development opportunities, including the completion of vocational or professional awards. However, there are also

many opportunities for staff to learn and develop within the workplace. This could be via discussions in team meetings, engagement with Action Learning Sets facilitated by the Safeguarding Advisors, reflecting upon the outcomes from case file audits, 'buddying up' with more experienced practitioners, coaching and mentoring opportunities and 'best practice sessions'.

However, one thing is essential: the ability of the line manager to encourage, enable and motivate staff to develop and learn.

**Safeguarding Adults: Competence in working with people and delivering safeguarding services**

**Staff Group A:** All staff in Personal Care and Support: AD, SM, ASM, TM, SOL, SPL, P2, P1, AP2, AP, and Business Support

**\* Reference ASC Safeguarding Adults Training Framework**

Level 1, 2, 3, 4: Assistant Director & Senior Manager Safeguarding					
Competence	Suggested Evidence must be pertinent and Proportionate to role	Supported Evidence	*Date / title of Training attended	Date	Manager's Signature
1. Understand what Safeguarding is and their role in Safeguarding Adults	<ul style="list-style-type: none"> <li>Show clear understanding of their role in identifying and reporting safeguarding concerns</li> </ul>				
2. Recognise an adult at risk potentially in need of safeguarding and take action	<ul style="list-style-type: none"> <li>Show clear understanding of the meaning of 'adult at risk/vulnerable adult' as defined in relevant policy/guidance</li> <li>Show understanding of what constitutes 'abuse'</li> <li>Know the different types of abuse, recognise indicators/signs</li> <li>Demonstrate an understanding of the factors that might increase risk of abuse</li> <li>Report concerns to relevant person</li> <li>Contact emergency services if the individual is in</li> </ul>				

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	immediate danger				
3. Understanding of the procedures for making a safeguarding alert	<ul style="list-style-type: none"> <li>• Show an understanding of the Surrey Safeguarding Adult Internal procedures</li> <li>• Know how to ensure the individual is safe when the risk of abuse is high</li> <li>• Know who to contact</li> <li>• Know how/who to make a referral</li> <li>• Work in a manner to reduce the risk of abuse</li> </ul>				
4. Understand dignity and respect when working with individuals	<ul style="list-style-type: none"> <li>• Value individuality and be non-judgemental</li> <li>• Recognise an individual's rights to exercise freedom of choice</li> <li>• Recognise the individual's right to live in an abuse free environment</li> <li>• Be aware of how your values and attitude influence your understanding of the situation</li> <li>• Listen to individuals and allow them time to communicate preferences and wishes</li> </ul>				
5. Have knowledge of policy, procedures and legislation that supports safeguarding activity	<ul style="list-style-type: none"> <li>• Demonstrate knowledge of national and local policies/legislation that supports Safeguarding activity e.g. Mental Capacity Act, Deprivation of Liberty Safeguards, No Secrets, Human Rights Act, Health and Social Care Act (for registered services)</li> <li>• Understanding how to Whistleblow using related policies and procedures</li> <li>• Explicit understanding of issues of confidentiality and data protection.</li> </ul>				

Level 2					
Competence	Suggested Evidence must be pertinent and Proportionate to role	Supported Evidence	*Date / title of Training attended	Date	Manager's Signature
6. Demonstrates skills and knowledge to contribute effectively to the Safeguarding process	<ul style="list-style-type: none"> <li>• Works to local and national guidance in Safeguarding</li> <li>• Respond to alerts/referrals in a timely manner</li> <li>• Identify and reduce potential and actual risks after disclosure or an allegation has been made</li> <li>• Practice effective multi-agency partnership e.g. understand how to convene strategy meeting</li> <li>• Adhere to timescales</li> <li>• Attend and contribute to investigations / meetings</li> <li>• Information sharing</li> <li>• Develop protective strategies for those that decline services</li> <li>• Has awareness of and confidence to use 'whistle blowing' policy and procedures when required.</li> </ul>				
7. Awareness and application of a range of local and national policy and procedural	<ul style="list-style-type: none"> <li>• Show critical understanding on the levels, thresholds or pathways of investigating in response to a 'Safeguarding referral' and the requirements of gathering initial information</li> </ul>				

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<p>frameworks when undertaking Safeguarding activity.</p>	<ul style="list-style-type: none"> <li>• Describe the purpose of a strategy meeting /discussion and how to contribute to this and any subsequent investigation plan</li> <li>• Describe the purpose of a Safeguarding case conference, and how to contribute to this and any subsequent protection plan</li> <li>• Use of appropriate forms and recording systems</li> <li>• Know what legislation / policy informs a specific piece of work and why, including but not limited to:</li> </ul> <p>Mental Capacity Act (Section 44)  Deprivation of Liberty Safeguards (DoLs).  Human Rights Act 1998  Sexual Offences Act 2003  Police and Criminal Evidence Act 1984  Fraud Act 2006 (Section 4)  Health and Social Care Act 2008  Court of Protection MCA (Section 15)  Disclosure Barring Service  Multi-Agency Public Protection Arrangements (MAPPA)  Multi-Agency Risk Assessment Conference (MARAC)  Use of alternative policy and legislation to support preventative strategies e.g. carer support  Be aware and challenge if necessary</p>				
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	<p>organisational cultures that may lead to poor practice in Safeguarding.</p>				
<p>8. Ensure service users / carers are supported appropriately to understand Safeguarding issues to maximise their decision making</p>	<ul style="list-style-type: none"> <li>• Work with service users to ensure they are fully aware of all options available to them and also of the preventative measures that they may be able to put in place to protect themselves from abuse i.e. lasting powers of attorney (Mental Capacity Act) and / or police involvement</li> <li>• Recognise service users’ rights to freedom of choice</li> <li>• Show understanding of how abuse may affect individuals’ decision making processes e.g. domestic violence (Biderman’s chart of coercion)</li> <li>• Provide information on local and national groups that may be able to provide support e.g. victim support, IMCA/IMHA service and/or local carers group</li> <li>• Provide written and verbal information on local Safeguarding Adult processes and how they can be accessed by service users and carers</li> <li>• Have knowledge of resilience factors and how these might interact with Safeguarding</li> <li>• Understand how policy / legislation can have the potential to be used oppressively e.g. Mental Capacity Act, Best Interest Decisions may conflict with Human Rights (Article 3)</li> <li>• Describe the potential impact of abuse on vulnerable adults, the staff or individuals who are alleged to have committed abuse and the informal carer who may have raised the alarm</li> </ul>				

	<ul style="list-style-type: none"> <li>• Recognise perpetrators of abuse may be vulnerable themselves and require support</li> <li>• Actively engage with individuals who decline services and/or engage support of others to achieve this</li> </ul>				
9. Understand how best evidence is achieved.	<p>As appropriate to role:</p> <ul style="list-style-type: none"> <li>• Show a comprehensive and detailed knowledge of gathering, evaluating and preserving evidence</li> <li>• Describe why it is important to preserve evidence.</li> </ul>				
10. Understand when to use emergency systems to Safeguard adults	<ul style="list-style-type: none"> <li>• Use emergency services when necessary e.g. call for an ambulance and/or police intervention</li> <li>• Contact out of hours service</li> <li>• Describe when emergency protection plans may be required.</li> <li>• Use legislation where immediate action may be required e.g. Section 4 of the Mental Health Act 1983 or urgent authorisation under DOLs.</li> </ul>				
11. Maintain accurate complete and up to date records	<ul style="list-style-type: none"> <li>• Evidence of protection planning</li> <li>• Evidence of report writing</li> <li>• Evidence of information sharing</li> <li>• Evidence of multi-agency partnership working</li> <li>• Evidence of risk assessments and management plans</li> <li>• Evidence of contemporary case recordings</li> <li>• Explicit understanding of issues of confidentiality and</li> </ul>				

	data protection.				
12. Demonstrate required level of skills and knowledge to undertake a Safeguarding Adults Assessment/investigation	<p>Show thorough knowledge and application of purpose, duties, tasks involved in Safeguarding assessment/investigations</p> <ul style="list-style-type: none"> <li>• Plan and carry out agreed strategy to protect an adult from abuse during and following investigation</li> <li>• Understand the different roles and responsibilities of the different agencies involved in investigating allegations of abuse.</li> </ul>				
<b>Level 3</b>					
<b>Competence</b>	<b>Suggested Evidence must be pertinent and Proportionate to role</b>	<b>Supported Evidence</b>	<b>*Date /title of Training attended</b>	<b>Date</b>	<b>Manager's Signature</b>
13. Actively engage in supporting a positive multi-agency approach to Safeguarding Adults.	<ul style="list-style-type: none"> <li>• Demonstrate an understanding of the different roles and responsibilities of all agencies involved in investigations and ensure these are met.</li> <li>• Show awareness of updated protocols, procedures and guidance and follow / implement them</li> <li>• Demonstrate application of learning from CQC inspections and Serious Case Reviews in service development</li> <li>• Show how multi-agency prevention strategies are</li> </ul>				

	<p>being developed and used in practice.</p> <ul style="list-style-type: none"> <li>• Challenge poor practice at an intra and interagency level.</li> </ul>				
14. Support the development of robust internal systems to provide consistent, high quality Safeguarding Adults service.	<ul style="list-style-type: none"> <li>• Demonstrate a clear understanding of national policy and procedures and how these relate to the development and application of local Safeguarding policy and procedures in a multiagency context</li> <li>• Carry out effective monitoring and auditing</li> <li>• Demonstrate effective training and CPD activity is in place to support the development of Safeguarding Adult services</li> <li>• Ensure necessary policy and procedures are in place to support supervisory practice</li> <li>• Ensure supervision is carried out regularly to support Safeguarding activity</li> <li>• Ensure supervisors are suitably trained to carry out the supervisory role</li> <li>• Support 'whistleblowing' policy and procedures</li> <li>• Monitor Safeguarding systems</li> <li>• Ensure workforce has necessary skills and knowledge to work effectively</li> <li>• Ensure effective training, policy and procedures are in place to support effective risk and decision making in practice.</li> </ul>				
15. Chair Safeguarding Adults meetings or discussions.	In line with local policy and procedures chair Senior strategy meetings where it is deemed a senior manager is most appropriate e.g. level 4				
16. Ensure record systems are robust and	<ul style="list-style-type: none"> <li>• Implement audit and inspection regimes</li> <li>• Can demonstrate established systems to support</li> </ul>				

fit for purpose.	good practice e.g. maintaining records, protection plan monitoring and time management e.g investigators report. <ul style="list-style-type: none"> <li>• Ensure appropriate record keeping of Safeguarding Adults meetings e.g. note taking</li> </ul>				
<b>Level 4</b>					
<b>Competence</b>	<b>Suggested Evidence must be pertinent and Proportionate to role</b>	<b>Supported Evidence</b>	<b>Training</b>	<b>Date</b>	<b>Manager's Signature</b>
17. Lead the development of effective policy and procedures for Safeguarding Adult services in your organisation.	<ul style="list-style-type: none"> <li>• Work with partner agencies to develop a consistent intra and inter-agency approach to Safeguarding Adults</li> <li>• Have strategic understanding of the scope of Safeguarding services across the whole organisation</li> <li>• Work in partnership with a range of agencies to promote Safeguarding adult services</li> <li>• Provide leadership for the workforce stating clear aims and objectives in Safeguarding Adults</li> <li>• Ensure contractual arrangements with service providers adhere to Safeguarding Adults policy and procedures</li> <li>• Can effectively communicate a proactive approach to Safeguarding Adults within your organisation</li> <li>• Be able to account for your organisations practice</li> <li>• Ensure 'whistle blowing' systems are in place.</li> </ul>				
18. Ensure plans and targets for Safeguarding Adults are	<ul style="list-style-type: none"> <li>• Ensure internal audit systems are robust</li> <li>• Actively engage in and have comprehensive knowledge of CQC inspections and findings and how</li> </ul>				

embedded at a strategic level across your organisation.	these will be implemented to support service development in your organisation <ul style="list-style-type: none"> <li>• Be aware of the findings from Serious Case Reviews and any implication for service delivery in respect of Safeguarding Adults in your organisation.</li> </ul>				
19. Promote awareness of Safeguarding Adults systems within your organisation and outside of your organisation	<ul style="list-style-type: none"> <li>• Publicise and promote Safeguarding policy and procedures</li> <li>• Can identify systems and structures in place used to raise awareness of Safeguarding Adults at a local and national level.</li> </ul>				
20. Develop and maintain systems to ensure the involvement of those who use your services in the evaluation and development of your Safeguarding Adults services.	<ul style="list-style-type: none"> <li>• Ensure service users, patients, carers and customers are supported and involved in all aspects of activity, and that their feedback impacts upon service plans, locality action plans and the delivery of Safeguarding</li> <li>• Provide evidence of how patients, service users, carers and customers are involved in Safeguarding activity</li> </ul>				

**Sector led improvement - Surrey review of safeguarding  
Briefing note 9.11.13**

7

**1. Introduction and background**

Sector led improvement (SLI) is based on the premise that Councils can help each other improve, by sharing best practice and acting as a critical friend. The SE Association of Directors of Adult Social Services (SE ADASS) agreed that SLI would include a 'light touch' approach to peer led support for safeguarding, supporting the improvement of services and performance whilst avoiding straying into regulatory territory. The process however, ensuring that there is sufficient information to inform Councils about improvements that could be made.

**2. Proposal**

2.1 The LGA/ADASS report 'Advice and Guidance to Directors of Adult Social Services' (published March 2013) will be used as the basis for a review of safeguarding. This highlighted key messages for DASS's and Councils and includes that "the performance of your safeguarding services is regularly checked and audited". As part of our continual drive to improve services we are proposing to have a peer review of part of our Safeguarding process.

2.2 It is proposed that the review would have three specific key lines of enquiry:

**2.2.1 Responding to Safeguarding alerts** - The report suggests that we need to "ensure that guidance on assessing alerts and referrals is proportionate and kept under review according to levels of demand.....and we do not miss the really serious concerns".

As part of this review we would like to look at whether we have a robust overview of ALL alerts being received, referrals being progressed and whether our systems enable our staff to consider the low level alerts plus other intelligence received from a number of routes in order to make proportionate and safe decisions.

We would also like to look at whether our systems enable us to regularly check and follow up on response times throughout the safeguarding process

**2.2.2 Decision making** - We would like to look at who makes safeguarding decisions, how are they made and how we ensure that we make the 'right' decisions. We would like to explore whether our decision making regarding the assessed thresholds of intervention are proportionate and how they compare with other Councils

**2.2.3 Workforce**

The report states that 'safeguarding managers need to be confident and competent leaders, able to put policy into practice, supervise and support their staff to achieve positive outcomes for citizens and carers. It states that Practitioners need to be able to assess, analyse, manage and mitigate negative risks alongside enabling positive risk taking. They need to be legally



literate and able to accept and understand and access appropriate legal interventions where and when necessary’.

We would like to understand if we have the training, support, tools and guidance in place to ensure that our managers are competent leaders and that staff are competent in working with families and networks and have the skills, knowledge and permission to use the full range of legal and social work interventions.

**2.3** Given Surrey’s geography, the diverse nature of the communities we serve, and the wide range of partners and providers with whom we work, we wanted to find a way of ensuring that this review gave us a good sense of how we are operating. In order to hear from as many people as possible we are therefore proposing to have an on-line questionnaire prior to the review visit. We will use this information to support subsequent discussions with focus groups.

**2.4** We are proposing that the main activity for focus groups and meetings with practitioners will be in the following 3 geographical areas:

- **Woking**
- **Waverley**
- **Epsom**

These diverse areas, we believe, will give us a broad view of how Surrey Safeguarding operates.

**2.5** It is proposed that an on-site visit takes place in early February with a review team comprising of colleagues from SE ADASS led by a DASS and supported by the project lead for SE ADASS sector led improvement.

**2.6** The on site visit will include:

**2.6.1** Case discussion with Managers and practitioners to a maximum of 12 cases (4 per Area)

**2.6.2** Focus groups (of up to 12 people) in all 3 areas with:

- Service Users
- Carers
- Council staff
- Partner organisations
- Provider organisations

**2.6.3** Meetings with:

- DASS
- Lead Cllr for Safeguarding
- Chair of the Safeguarding Board
- ASC Senior Manager of Safeguarding
- AD for Service Delivery
- AD for Personal Care and Support
- AD for commissioning

**2.6.4** A Survey Monkey will be set up on line for a period of 4 weeks from 1<sup>st</sup> February. There will be two questionnaires one for partner agencies / members of the public and another for Surrey County Council staff. The findings of the survey will be shared with the Peer Reviewing Team.

**2.7** In order to ensure that the review team is fully briefed, they will be sent a range of documents. This will include:

- Surrey Safeguarding Adults Board Annual Report
- Structure of SCC ASC
- AVA
- Information regarding the demography of Surrey
- Number of registered Providers/type of services
- ASC Safeguarding Competency Framework
- ASC Safeguarding Training Framework
- ASC Risk Policy and Risk Tool/MCA assessment
- Provider Failure Protocol
- Missing Persons Protocol
- ASC Safeguarding Internal procedures and supporting tools/guidance
- Team Safeguarding Activity Logs
- Audit tools/audit analysis
- Service user evaluation tool and analysis
- Safeguarding Quality Assurance Framework

**2.8** Following the visit a report detailing the key findings will be written which will be shared with the Director of Adult Social Care and the Lead County Councillor

### **3. Further information and next steps**

If you have any queries regarding the above, Christine Maclean, Senior Manager for Safeguarding will be the link person.



Adult Social Care Select Committee  
16 January 2014

An update on the improvements to the Adults Information System (AIS)  
following 'Rapid Improvement Events'

**Purpose of the report:** Policy Development and Review

At the request of the Adult Social Care Select Committee, this report provides an update on the improvements undertaken in the Adults Information System following Rapid Improvement Events and the position on joint procurement of a new Adult Social Care system with East Sussex.

**Introduction:**

**Rapid Improvement Events**

1. Ensuring that the Family, Friends and Community Support approach is embedded is a key priority for the Directorate. In order for this approach to be successful, staff need to spend more time with the people they support. To facilitate this, the Strategic Director and Cabinet Member for Adult Social Care requested that a number of Rapid Improvement Events (RIEs) be conducted, with the aim of streamlining the adult social care assessment process and the way that this is recorded within the Adults Information System (AIS).
2. A Referral and Assessment RIE and a Financial Assessments and Benefits RIE were initiated in April and June 2013, respectively.
3. Each RIE was conducted in an intense and focused week of activity; however the preparation and subsequent implementation constituted significant pieces of work over a longer period, with 'go-live' being achieved in November 2013.
4. The RIEs provided an opportunity for all the key stakeholders, including front line staff, to be involved in the process and to develop an approach in a structured environment, leading to an action plan.

5. A dedicated delivery team supported the implementation of the action plan and kept the momentum going.
6. The outcomes of the RIEs have provided both Surrey residents and Surrey staff with benefits.

### **Joint Procurement Adult Social Care system with East Sussex**

7. Running alongside the RIEs, work on a joint procurement process for a new Adult Social Care system with East Sussex has taken place.
8. Initially, we worked very closely as equal partners with the East Sussex procurement team. However, due to a stagnant software market awaiting further details about the requirements of the Care Bill, and our staff commitments to the RIEs, Surrey decided to take a less involved approach.
9. Subsequently, we have met regularly to receive and offer updates with East Sussex to ensure that Surrey's best interests are served.
10. Recent feedback from East Sussex has indicated that they too intend to 'pause' the process and review their position.

### **Rapid Improvement Events**

**11. Surrey referral and Assessment RIE** - The overarching outcome and goal of the RIE was to have an assessment process which is simple, clear, timely and effective:

- A. To allow more people; a quicker response, reduced waiting time, with an improved customer experience
- B. A simplified process that reduces the recording requirements and is agreed by the key stakeholders
- C. Easy to translate into existing IT systems
- D. Improved Assessment output document sent to people/customers
- E. Ensure new process meets reporting requirements
- F. An end to end process that is quicker for staff and managers to administer and remains person centred.

**12. Key changes from the RIE:**

- A. One new referral, providing a consistency to the way people can get access to Surrey Adult Social Care services

- B. One assessment for the person and carer
- C. More than one professional can contribute to each assessment as required.
- D. Shorter assessments are available, enabling professionals to provide services of up to £125 to meet less complex needs more quickly and efficiently
- E. A new process that advise assessors when a Financial Assessment is needed
- F. Professionals are able to allocate individual budgets without authorisation within financial thresholds in the electronic system
- G. An option of 'self authorisation' of assessment (excluding placements).

### 13. Benefits from the RIE:

- A. Improved customer journey- An individual or carer only has to 'tell the story' once and will benefit from quicker processes within teams.
- B. Holistic – as all information is in one place, one assessment provides a holistic picture for the individual, carer and professional, aimed at providing an improved assessment experience.
- C. Reduced recording requirements- benchmarking carried out to study and compare recording the Contact Assessment and Surrey Self Assessment, with recording the Surrey Resource Allocation shows that the new process is 95 minutes quicker (which represents a 48% reduction in the time it takes to record an assessment).
- D. More timely- quicker provision of services by being able to provide services from the shorter assessment and enhanced authority
- E. In the pilot, 30% of assessments provided were for services up to £125, with a shorter assessment
- F. Having an embedded Financial Assessment process improves charging capability
- G. Empowering staff through enhanced authority, and a feeling of greater ownership and involvement in creating the process.

### 14. Financial Assessments and Benefits RIE - The desired outcomes and goals of the RIE was to improve the 'end-to-end' financial assessment process:

- A. A clear and timely customer focused process, that maximises income raised and the proportion collected

- B. A process that is right first time, responsive and flexible to the changing requirements and needs of people who use services
- C. Appropriate indicators are in place to measure performance and enable a proactive approach to removing bottlenecks and issues
- D. Introduce ownership in the process with clearly defined roles and responsibilities throughout the process to reduce hand-offs
- E. Assess early identification of complex, difficult and high risk cases
- F. Ensure outcomes link into previous RIEs on care assessment, billing process and model office
- G. Improve relationships between teams and people in the process
- H. Minimise the write off of debt and total amount outstanding at any time to a maximum of 60 days from date due.

#### 15. Key changes from the RIE:

- A. A new referral process to request a financial assessment went live in November, as part of changes to wider Surrey Referral and Assessment (SRA) process.
- B. Referrals are now made via the new Surrey Referral and Assessment which can generate an automated referral
- C. Following a new referral or a change in the person's circumstance, the Financial Assessments and Benefits (FAB) Team make contact with the person or their financial agent to discuss the financial assessment process
- D. The Financial Assessment Team follow up with a face to face visit where possible, or a telephone call to undertake the assessment, a full benefits entitlements check and assist with claims where needed

#### 16. Benefits of the RIE:

- A. Referrals are automatically generated via the Surrey Referral and Assessment (SRA) process
- B. The Financial Assessment is in place much earlier than previously and any missing benefits are identified and claimed at the outset to help the person plan their support in full knowledge of the resources available.

## Procurement Position

17. The joint procurement process with East Sussex revealed that current software suppliers are not offering any solutions to the changes that face social care in the future.
18. Subsequently, East Sussex has decided to undertake a review of their Business Processes, much in the same way as Surrey has through the RIEs.
19. East Sussex has indicated that this review is likely to be completed by the summer of 2014.
20. They have also indicated that they would like to build on the relationship with their incumbent supplier, mirroring Surrey's approach with its supplier Northgate.
21. Surrey is working with Northgate to improve the quality of consultancy and support we receive from them and to inform and shape how they develop the adult social care system in the future. This will include the requirements of the Care Bill. This approach will be kept under review.

## Conclusions

22. The RIEs have been an integral part of the Directorates' wider strategy of Family, Friends and Community Support.
23. The streamlining of the assessment process provides a good platform which will help social care staff to spend more time with the people exploring the sources of care and support available to them.
24. In addition, the process has enabled staff to become more involved in determining the way that they work, have greater ownership of that, and to see improvements from their commitment.
25. The work on a joint procurement process with East Sussex has been valuable in terms of building relationships and determining the current state of the market. As yet, alternative suppliers do appear to have a solution which offers more than our current supplier when weighed against the risk and resource requirements of implementing a new system.
26. At this point both Surrey and East Sussex are focusing effort on working with their current software suppliers and will keep the situation under review.

## Recommendations:

27. The Committee are asked to consider the report and make recommendations as appropriate.

**Next steps:**

**RIEs**

28. RIEs are a finite process for improvement and the outcomes are now part of 'business as usual'.
29. Some minor system amendments are required in relation to the Financial Assessment and Benefits RIE, and a review will be undertaken in three months.

**Work with East Sussex**

30. The East Sussex procurement team aim to relook at the market later in 2014 to give the suppliers time to respond to the latest government changes. As partners in this work Surrey will be provided with any intelligence that the process gathers.

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Adult Social Care

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Adult Social Care Select Committee  
16 January 2014

**Adult Social Care Select Committee: Co-opted Members**

**Purpose of the report:**

This report sets out the process by which the Select Committee can appoint co-opted members, and asks the Committee to consider whether such appointments should be made in April 2014.

**Introduction:**

1. The Adult Social Care Select Committee gave an indication at its meeting on 5 December 2013 that it would like the opportunity to consider the appointment of co-opted members. This report sets out the process by which this can be achieved, as well as outlining reasons the Committee may wish to consider such an appointment.
2. The report does not propose specific co-opted members. It is advised that any co-opted member is from a recognised organisation or special interest group, and acts in their capacity as a representative from such a body. If the Committee resolves that they would like to make any number of co-opted appointments then the Chairman and Democratic Services Officers will consult with the Adult Social Care Directorate around appropriate organisations and special interest groups to approach concerning this role.

**Process**

3. The Council's constitution states: "Committees may co-opt non-councillors, as and when required, to provide a degree of independent advice and expertise. Co-opted members cannot have voting rights unless allowed by law." (Part 2, Article 7.04).
4. The Council's Standing Orders specify that at least two-thirds of the membership of a committee must be county councillors (Standing Order 37.2).

5. The Committee would be required to make a subsequent report to the Council following the appointment of any co-opted members (Standing Order 33.2).
6. The Member's Allowance Scheme states that co-opted members are entitled to claim expenses but would not be entitled to receive any allowance in relation to their role. There would be additional costs generated as any co-opted member would be entitled to the same support and training opportunities as their elected counter-parts.
7. Any co-opted member would be entitled to the same access to any information the Committee received. This would include papers considered under Part Two arrangements.
8. Any co-opted member would be required to sign the Member Code of Conduct.
9. The Committee would need to decide how long to co-opt any member for, and how often this membership would be reviewed. In order to ensure continuity it is suggested that each co-opted member serve for four years. However, given that this is a new approach for Adult Social Care Committee, it is suggested that if co-opted members are appointed in April 2014 the Committee review membership after one year with an option to extend it for a further two years. This will bring the duration of co-opted membership in line with the next County Council elections in 2017. From 2017 onwards the Committee could co-opt members for a period of four years.

#### **Co-opted Members: Opportunities and Challenges**

10. Surrey County Council - and the Adult Social Care Directorate in particular - deliver services to some of the more vulnerable groups in society, such as older people and those with disabilities.
11. One of the Council's priorities for 2013/14 is to strengthen support for vulnerable adults, and the Adult Social Care Select Committee is helping to achieve this through reviewing and developing the Council's policies, scrutinising its services and making recommendations for action and change. Consideration should be given to whether co-opting additional members to the Committee would strengthen its ability to support the Council achieve this priority.
12. In a public policy environment where people could potentially feel excluded or apathetic, co-option could allow for greater engagement with members of the Surrey public, it could also foster greater transparency and innovation.
13. In order to support the above principles, it is advised that any proposed group would need to be user-led, Surrey-based and pan-Surrey in its scope.

14. The co-option of additional members could allow the Committee to augment its existing levels of knowledge, as well as provide skills, experience and views that might not be present in the Committee's make-up. This has the potential to encourage a broader and deeper line of scrutiny or new ideas for policy development.
15. By co-opting additional members, the Committee could give marginalised groups a voice by involving them in scrutiny, and as a result communicate more effectively with Surrey residents.
16. However, there are also other means by which the Committee has gathered the views of these groups, both formally and informally, without the need to co-opt members in the past. Examples include the provision for members of the public to submit questions, and the inclusion of user-led organisations views when considering reports.
17. The Committee should be mindful that some user-led organisations in Surrey are commissioned to provide services on the Council's behalf. Any co-option of members could potentially create a conflict of interests, or inadvertently enable a commercial advantage in some instances.

<b>Opportunities</b>	<b>Challenges</b>
Gain additional expertise and skills	Could privilege certain interests over others
Expands public reach, increases engagement	Not democratically elected members
Makes the scrutiny function more inclusionary, broadens viewpoints	Additional layer of complexity – managing the meeting
Bolsters policy development function	More administration
Potential for innovative responses to difficult issues	Potential risks linked to commercially sensitive information
Improved communication of the Council's work	

18. If the Committee decide to proceed, the Adult Social Care Directorate would be asked to make recommendations as to suitable organisations and special interest groups for the Committee's consideration. The Committee would then receive a follow-up report where there would be required

<b>Recommendations:</b>
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19. The Committee is required to review the possible opportunities and challenges presented by appointing co-opted members. The Committee is required to decide whether it wishes to recommend:
  - That the Adult Social Care Directorate propose user-led, Surrey-based organisations that would be suitable candidates for co-opted membership for Committee.

**Next steps:**

The Committee will receive a list of proposed candidates in a report to its meeting on 6 March 2013, along with a suggested approach as to the length of membership. The Committee would then need to decide whether it wished to invite these candidates to join as co-opted members.

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9

**Report contact:** Ross Pike, Scrutiny Officer, Legal & Democratic Services

**Contact details:** 0208 541 7368 / [ross.pike@surreycc.gov.uk](mailto:ross.pike@surreycc.gov.uk)

**Sources/background papers:** Constitution of the Council, Surrey County Council



Adult Social Care Select Committee  
16 January 2014

**Adult Social Care Local Authority Trading Company Business Case**

**Purpose of the report:** Scrutiny of Services /Policy Development and Review

To update the Committee following agreement by Cabinet to create a Local Authority Trading Company for the future delivery of day services and community support options for people with disabilities and older people.

**Introduction:**

1. Cabinet was presented with the business case to create a Local Authority Trading Company (LATC) at its meeting on 17 December 2013. This LATC will be responsible for the future delivery of day services and community support options for people with disabilities and older people.
2. The Cabinet report from 17 December 2013 is attached for the Committee's attention.

**Recommendations:**

3. It is suggested that the Committee review the information contained within the Cabinet report and consider recommendations as deemed necessary.

**Next steps:**

The Committee is asked to consider when this topic could be subject to further scrutiny.

**Report contact:** Simon Laker, Business Services

**Contact details:** 01483 519153

**Sources/background papers:** Please refer to attached Cabinet report.

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**SURREY COUNTY COUNCIL**

**CABINET**

**DATE: 17 DECEMBER 2013**

**REPORT OF: MR MEL FEW, CABINET MEMBER FOR ADULT SOCIAL CARE**

**LEAD OFFICER: SARAH MITCHELL, STRATEGIC DIRECTOR, ADULT SOCIAL CARE**

**SUBJECT: ADULT SOCIAL CARE LOCAL AUTHORITY TRADING COMPANY BUSINESS CASE**



10

**SUMMARY OF ISSUE:**

Adult Social Care presented an Options Appraisal to Cabinet on 22 October 2013 recommending that a Local Authority Trading Company (LATC) could be the preferred model for the future delivery of day services and community support options for people with disabilities and older people. Cabinet gave its support to the Cabinet Member for Adult Social Care to prepare a business case to confirm the feasibility of an LATC to ensure financial benefits and service outcomes are achieved while retaining the public sector ethos and values of the Council.

This report and annexes together set out that business case, present an assessment of the benefits to the Council, the expected revenue streams and profitability of the company, along with a draft business plan and consultation and engagement proposal, to be co-designed with stakeholders.

**RECOMMENDATIONS:**

It is recommended that Cabinet:

1. Approves the creation of a Local Authority Trading Company (LATC) limited by shares and owned wholly by the Council to deliver the services within the scope of this report.
2. Delegate authority to the Shareholder Board to approve the relevant steps set out in this report to form the LATC, appoint its Directors and put in place appropriate governance arrangements to commence trading activities in April 2014.
3. Approves the award of a contract to the LATC for an initial five year period with a break point after three years to deliver the services in scope on behalf of the Council.
4. Approves debt financing to the LATC to enable it to purchase operational assets from the Council, pay for start-up costs and provide working capital, as set out in paragraph 42.
5. Agrees that officers will commence consultation with staff, Trade Unions, partner organisations and stakeholders.

**REASON FOR RECOMMENDATIONS:**

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The LATC is expected to deliver benefits of £1.437m to the Council over the five year contract term. As explained in the Financial and Value for Money Implications section of this report, £1.068m of this relates to actions which, though the LATC might facilitate their progress, are in principle achievable under current arrangements.

Those benefits which could not be obtained without setting up the LATC total £369,000 (net of additional costs) over five years. Essentially, those benefits arise from price reductions which the LATC will be able to make by spreading its fixed costs over a wider base (by means of more trading than would be possible from within the Council); and from surpluses derived from that trading activity.

There is also potential to develop additional and alternative business opportunities - both within the services in scope, and by expanding into other areas - in the longer term, which could lead to substantial profits beyond the five year period covered by this proposal. These longer term gains would not be available if services remained in-house.

Central to the recommendation to create a LATC is that it will deliver benefits to Surrey residents by ensuring the sustainability and continued improvement of existing services. The benefits of the proposal include:

- continued commitment to the Personalisation Agenda
- delivery of high quality, well-regarded services for local people
- responsiveness to the requirements of commissioning plans
- the ability to meet current and projected demand
- responsiveness to the increased take-up of personal budgets and privately purchased services
- flexibility to deliver a new model of services embedded in local communities.

Trading on something close to an “as is” basis will ensure the continued stability and viability of existing services. This LATC provides a relatively low-risk environment in which to establish and take forward the principles and practice of running a trading company, which could feed positively into the broader trading developments which are an integral part of the Council’s longer term financial strategy.

<b><u>DETAILS:</u></b>
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### **Background**

1. Building on the extensive Day Services consultation in 2009 and associated Public Value Reviews, on 22 October 2013 Cabinet received a report from the Cabinet Member for Adult Social Care which outlined the options available to the Council regarding the future of in-house day services and community support for people with disabilities and older people. The in-house services under consideration were:

- **Day Services**, which provide approximately 790 people with learning and physical disabilities with a range of opportunities for leisure, activities, training, volunteering and work in a variety of settings; current annual cost £6.8m (direct costs only, excluding property)
- The **AboutUs Team**, who support people using day services with accessible learning programmes and communications projects; direct annual cost £0.2m



- **EmployAbility**, which supports approximately 650 adults and young people with disabilities who are seeking or engaged in work, volunteering or training; direct annual cost £0.9m
  - **Shared Lives Service**, which matches Shared Lives carers with people with disabilities and older people, offering short or long term care in a family home environment; direct annual cost £0.2m
  - The **Personalisation Team**, which works with adults with learning disabilities to facilitate Supported Self Assessments, uptake of personal budgets and support planning using community support networks; direct annual cost £0.4m.
2. It is anticipated the services in scope will be traded from “day one” of the proposed LATC. These services have a total current cost of £13.7m (2013/14 – including all support services, property costs and overheads), which is similar to the Year One value of the proposed contract. There are approximately 273 full time equivalent (FTE) posts, including management, and 294 staff in post (including 26 bank staff). The services represent a small proportion of the £400m Adult Social Care cash limit and overall spend, and their separate treatment will not impact significantly on the remainder of the Directorate.
  3. In-house accommodation and supported living services for older people and people with learning disabilities were not considered due to the level of investment required to make these services commercially viable.
  4. Three options were assessed in terms of their potential to meet both current and future needs of customers, secure the long-term sustainability of services, and provide the potential to trade:
    - stay “as is”
    - de-commission services and re-commission in the market
    - adopt a different model of delivery.
  5. The report concluded that a different model of delivery, potentially a LATC, was the preferred option for the following reasons:
    - *Sustainability*: The LATC model offers service continuity, modest but consistent growth projections, and ongoing efficiency savings
    - *Customer Benefits*: Greater flexibility to offer services to a wider market, including people who do not meet current eligibility criteria
    - *Ownership*: The Council will own the LATC and any surplus or dividend will revert back to the Council for further investment in services
    - *Flexibility*: The LATC will provide an agile means of delivering adaptable services, aligned to the Council’s objectives
    - *Employment*: Retaining a skilled workforce and links to the Council’s trusted brand
    - *Influence*: By retaining ownership, the Council can continue to shape a significant proportion of the market offer.
  6. On that basis, the Strategic Director was asked to proceed with developing a detailed business case for creating a LATC.

## The proposal

7. The Council's long term strategy to develop its approach to trading is to (i) safeguard the quality of services and value for money for Surrey residents and businesses and (ii) generate income to support council services for the benefit of Surrey residents and businesses.
8. This LATC proposal is based upon ensuring the sustainability of services, which has been a consistent theme of successive conversations with people who use our services, their families and carers. The proposal does not in itself mean the services will change on day one, or that income alone is the rationale for creating an LATC. Instead the proposal takes a conservative approach to commercial projection but seeks to capture the ambition of Adult Social Care staff to retain existing service levels, to grow and develop additional service offers to support a wider range of people across Surrey, and to engage stakeholders and people using services in the design and implementation of this new model of delivering high quality, valued local services.

## The benefits

9. Creating an LATC to deliver the services in scope of this proposal will deliver the following benefits to people who use services, Surrey residents and the Council:
  - Continued high quality services for people with disabilities, with increased freedom to change and respond to meet people's needs
  - Greater flexibility to offer services to a wider market, including people who do not meet current eligibility criteria, enabling the services to grow and respond to the needs of their local community
  - Services will operate in a commercial environment, further promoting innovation and a culture of continuous improvement
  - Continued transformation of Adult Social Care, furthering the Personalisation Agenda and complementing commissioning strategies
  - Financial projections show a profit over an initial five year period, which could be used to meet other council priorities, service developments, or efficiencies
  - The LATC will have additional opportunities to evolve its customer offer to generate profit in the longer term
  - Following establishment of this LATC for the services in scope, the Council will be well placed to consider the benefits of expanding the scope to include other services
  - The LATC will continue to deliver the efficiencies projected within the Council's Medium Term Financial Plan (MTFP) and has the potential to exceed those efficiencies over its five year business plan.
  - The LATC will buy support services from the Council as a customer; this approach provides the Council with an opportunity to develop its customer offer for support services through a structured commercial approach to establishing requirements and evaluating costs.
10. In addition, the commercial proposal represents a low risk to the Council, as the LATC:
  - requires no additional capital investment from the Council
  - will be commissioned by the Council for the vast majority of its business
  - will proceed to the market with a stable core business.

11. A five year contract with a break clause after three years is proposed on the basis that this commissioning arrangement will:

- provide a sufficient period of initial stability for the LATC without committing the Council as commissioner on too long-term a basis
- give enough time for the LATC to move towards a second phase of expanding provision and finding new market opportunities before its core business is subject to potential competition
- afford flexibility to change arrangements – with appropriate account taken of procurement / competition issues – after three years, should circumstances indicate that is appropriate.

### The vision

12. Adult Social Care's aspiration for this LATC is to support people throughout their lives when they need it, where they need it, underpinned by the belief that people with disabilities should be able to live as they wish, with access to employment, relationships, friendships and able to contribute to their communities.

13. The LATC will deliver day and community support opportunities, as well as assessment, planning and coordination services, for all people, of whatever age, and whatever level of support they need. The LATC will:

- create a flexible offering so that people can purchase services that most meet their needs – when and wherever they need them
- work with stakeholders in Surrey to create sustainable, quality and person-centred services fit for the future
- lead the way in developing innovative models of social care that achieve excellence, and support staff to do their best work.

14. The values of the LATC are consistent with the Council's values, and will be:

- **Personal** – offering choice and control for individuals; maximising their autonomy
- **Flexible** – innovative support options; responding to people's needs and aspirations
- **Local** – we will support people to get involved in and contribute to their communities
- **Trusted** – safe, reliable services delivered by skilled staff
- **Value for money** – cost-effective and sustainable, without compromising quality
- **Collaborative** – working with partners and local communities; supporting them to support people

### The opportunity

15. By diversifying and developing the services on offer, the LATC will be able to reach more people, creating services that are sustainable, flexible, potentially profitable, and focused on meeting the needs of people in Surrey.

16. The approach to business development will be to:

- focus on retaining our existing customer base – driving up quality and bringing down unit costs

- build customer bases and income streams at a modest initial rate with a view to more substantial development in the long term
- develop new community support services.

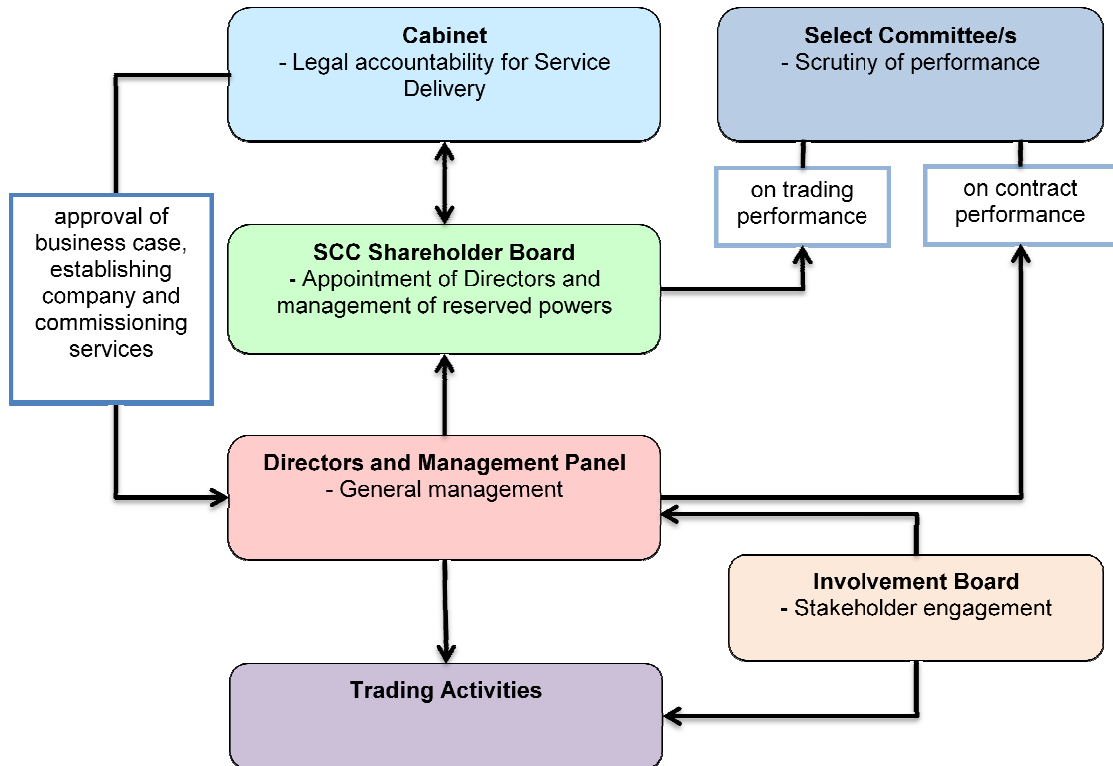
17. Below is a brief summary of market opportunities we have identified and ideas for products and services the LATC could develop for these customers.

<b>Potential Customers</b>	<b>Products and Services</b>
People who are funded by SCC or other local authorities (OLAs) but do not currently access our services: <ul style="list-style-type: none"> <li>• 100 young people with high support needs leaving school each year</li> <li>• Growing demand: dementia, autism, profound and multiple disabilities, older people</li> <li>• 2000 adults with a learning disability known to SCC are not yet supported by council services</li> </ul>	<ul style="list-style-type: none"> <li>• Bespoke group activities designed in partnership with Personalisation &amp; Assessment Team</li> <li>• Stronger focus on employment and volunteering projects</li> <li>• Extend evening and weekend activity options</li> <li>• Greater flexibility in how people access facilities, e.g. 'drop in'</li> <li>• Menu of assessment, planning and coordination options</li> </ul>
People who are not funded by SCC or OLAs) but can afford to purchase services: <ul style="list-style-type: none"> <li>• Significant and growing self funder market in Surrey – older people</li> <li>• 55,000 adults in Surrey with a physical disability</li> </ul>	<ul style="list-style-type: none"> <li>• Menu of assessment, planning and coordination options</li> <li>• Short breaks</li> <li>• Bespoke day opportunities</li> <li>• Registered personal assistance service</li> <li>• Travel training</li> </ul>
Commissioners and other organisations <ul style="list-style-type: none"> <li>• Increased assessment responsibilities for local authorities following the Care Bill</li> <li>• NHS roll-out of personal budgets</li> <li>• Increased scrutiny on assessments and care planning post Winterbourne View</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment, planning and coordination services</li> <li>• Independent safeguarding investigations</li> <li>• Accessible communication services and products</li> <li>• Training and supervision for personal assistants</li> </ul>
Local communities	<ul style="list-style-type: none"> <li>• Strong geographical presence providing:               <ul style="list-style-type: none"> <li>• Local area coordination</li> <li>• Community brokerage</li> <li>• Best use of Family, Friends and Community support</li> </ul> </li> </ul>

18. The Draft Business Plan attached as **Annex One** outlines in more detail the vision for the development of the LATC. This is subject to further consultation and co-design with staff, people who use services and other stakeholders during the implementation phase. The Business Plan will be signed off by the Council's Shareholder Board following consultation.

## Governance arrangements

19. The LATC will be a company limited by ordinary share capital wholly owned by the Council. The proposed relationship between the executive functions of the Council and the LATC is shown on the diagram below.



20. The Shareholder Board exercises the Council's shareholding powers over all Council trading activities. The Board will act with the delegated authority of Cabinet to oversee the performance of the LATC. The Shareholder Board will appoint Directors of the LATC.

21. All decisions regarding the day to day operation of the LATC, its business developments and commercial opportunities, staff terms and conditions and the development and implementation of its internal procedures, rest with the Directors of the LATC. The shareholder board will retain responsibility for significant decision making which will be described under the reserved matters of the Articles of Association for the company. This includes, for example, any proposed changes to share capital or share ownership, approval of dividend payments, the appointment and removal of directors of the company and approval of any significant capital investment proposed.

22. The LATC aims to become an exemplar by involving customers and stakeholders in the design, delivery and development of the business. This will include working with the LATC Board to influence and assist with overall strategy, management and product development, by means of an Involvement Board. The Involvement Board will include representatives of:

- people with disabilities who use services
- family carers and personal advocates
- LATC staff and volunteers.

23. The LATC will consult with relevant external advisors when deemed appropriate or necessary.

### The proposed model

24. In the first instance the LATC will be contracted by the Council contract terms issued by the Council, with all associated requirements regarding reporting, performance, quality assurance and payment terms. Contracted services will include:

Service Type	People who use services
<b>Provider Services</b>	
Day Opportunities: <ul style="list-style-type: none"> <li>Specialist Support</li> <li>Community based activities</li> <li>Evening breaks and holidays</li> <li>Volunteering Projects</li> <li>AboutUs Accessible Learning and accessible Technology</li> <li>Transport to/from activities</li> </ul>	Adults (18+) with: <ul style="list-style-type: none"> <li>Learning disabilities</li> <li>Physical disabilities and sensory impairment</li> </ul> People who are eligible for support from the Council
EmployAbility: <ul style="list-style-type: none"> <li>Job finding / job coaching and support</li> <li>Supported volunteering</li> <li>Job clubs</li> </ul>	Any adults who are eligible for support from the Council, except for people with mental health as their primary support need  Young people in schools and colleges
Shared Lives Service	Any adults who are eligible for support from the Council, including older people
<b>Assessment and Support Planning</b>	
Reassessment, Reviews and Support Planning	All adults who currently access the Council's in-house provider services

25. The overall approach to establishing the LATC will be to:

- transfer staff and services into the LATC unchanged, with a framework to enable changes over time
- minimise the impact on services and staff remaining in the Council.

26. This approach is intended to give stability to both the LATC and the Council, but with flexibility to enable to the LATC to make changes once it is operational and has a fuller understanding of what is required to deliver the business objectives.

27. The LATC proposal and financial projections are based on an assumption that the LATC will have admitted body status within the Local Government Pension Scheme, which will remain open both to Council employees transferring to the LATC and to new employees joining it. This has advantages in terms of maximising staff morale, avoiding a two tier workforce and potentially providing a recruitment and retention advantage in a market driven by the quality of staff. However, although the financial impact of this assumption is minimal over the five year business plan of the LATC, the treatment of pensions is a matter of principle with greater potential impacts looking across the whole council over the long

term. This matter will, therefore, be considered further as part of the consultation and engagement process to prepare the final business plan of this LATC.

28. The Council will continue to provide support services to the LATC, including HR and Training, Procurement, Finance, Property, IMT, Legal, Shared Services and Communications. The business case financial model is based on estimated service level requirements and associated estimated cost. The LATC will establish contractual Service Level Agreements (SLAs) with each support service from its first day of trading. These will include measurable performance indicators, break clauses and remedies for non-performance.
29. Once the LATC is operational there will be a quarterly review process to develop a support offer that meets the changing needs of the LATC. This approach will also afford the Council an opportunity to develop its customer support offer.
30. The Council will retain ownership of all its freehold premises used by the LATC and rental arrangements will be established through lease or licence. The business case financial model includes charges for fully serviced office accommodation based on expected usage.
31. The LATC will review its use of office accommodation and day services premises on an ongoing basis to ensure premises are fit for purpose and cost effective.

#### **CONSULTATION:**

32. There are no specific proposals to change the services available to Surrey residents and as a result there is no requirement for formal public consultation. However, building on the approach undertaken by the learning disability Public Value Review there is an ongoing platform for stakeholder dialogue built into formal governance arrangements and the success measures of the proposed LATC. In addition, a digital platform to support various methods of communication will complement easy-read materials.
33. A high level communications and engagement proposal is attached as **Annex Two** outlining how the service intends to engage with key stakeholders to (a) develop a process for consultation and engagement for the LATC in keeping with the principles of co-design and (b) follow that process to contribute to the final business plan.
34. Engagement regarding the preparation of this business case has included:
  - Briefing staff in affected services and creating a Questions and Answers document responding to questions raised in these sessions
  - Personalisation Team away day
  - Meetings with Trade Union representatives
  - Meeting with the Learning Disability Partnership Board on 7 November to discuss the proposal and future communication needs/ideas
  - Circulating a link to the 22 October Cabinet Report to affected staff, ASC managers and all stakeholders on the Learning Disability Partnership Board and Empowerment Boards email lists
35. Subject to approval of the recommendation to create a LATC, there will be a formal consultation with staff and trade unions as part of the TUPE process.

## **RISK MANAGEMENT AND IMPLICATIONS:**

36. Risks and issues during the implementation phase will be managed by Project Team, which will report to the Project Board initially, followed by the Shareholder Board once the LATC exists as a legal entity. Risks during the implementation include:

- Potential challenge to the business case or contract award
- Change management, such as the loss of key staff and/or organisational development capacity
- Insufficient capacity in the Council to deliver the implementation plan to the proposed timescale
- Negative impact on business as usual service delivery due to large scale change and a period of transition to the new model
- The VAT status of certain services and the relationship between regulated and non-regulated services will need to be resolved prior to trading
- Properties not owned freehold by the Council will need to be reviewed to establish the most effective means by which the LATC could continue to occupy them and mitigate against any associated liabilities and costs

37. The impact of these risks would be primarily delays to go live, or adjustments to be made to the Business Plan. Risks will be mitigated primarily through:

- The Implementation Plan, which will identify work streams and resources required to successfully implement the LATC.
- A robust Communication and Engagement Plan, which identifies key stakeholders and approaches to engaging with them based on principles of co-design.

38. Ongoing risks and issues once the LATC is operational will be managed by the Directors and management team. These will include:

- Managers transferring from the Council to the LATC may not have experience of running a commercial enterprise and will take time to adjust
- Capability of the new leadership to deliver the business plan objectives, including the development of new services to generate income
- The Draft Business Plan makes no contingent provision for unforeseen circumstances
- Any significant delays or changes to the Care Bill could have an impact on the proposed Personalisation and Assessment services.

39. This will be the first significant LATC to be created by the Council and there are risks associated with both the delivery of the business plan and the provision of support services.

## **Financial and Value for Money Implications**

40. This report explains how the Council's finances will be affected, in order to demonstrate that it is in the Council's interests to set up a LATC. The Draft Business Plan explains how the LATC's accounts are expected to look, in order to demonstrate its viability.



41. The direct financial gains to the Council during the initial five year period are modest, £369,000 over five years, however there are other potential benefits, including:
- the company itself, once set up, will have additional opportunities to generate profit in the longer term. The initial setup is predicated on stability of service and minimising risk, but once in place and potential markets are fully understood, additional benefits can be expected
  - following establishment of this LATC for the services in scope, the Council will be well placed to consider the benefits of expanding the scope to include other services.
42. The LATC will be established with share capital of £100. The Council will provide the following debt financing to the LATC:
- a fixed five year interest bearing loan of up to £700,000 to cover set-up costs and the purchase of operational assets from the Council
  - a revolving loan facility of £2m to provide working capital requirements.
43. The cost of loan financing in terms of interest payments is included in the LATC profit and loss forecast.
44. The model as set up is low risk, and in particular the continuation of existing pension arrangements at least in the short term, avoids the potential necessity of setting aside a reserve for the potential obligations arising should shortfalls occur in a separate scheme. Nonetheless, it would make sense for any available profits to be used to build up some contingency ready for when business expansion increases the risks taken.
45. The table below shows a summary of Value for Money analysis over the five year period:

<u>LATC driven benefits</u>	<u>£000s</u>
Reduced unit costs	648
Profit and contribution to SCC internal set-up costs	316
Less: Additional costs	(595)
<b>Total</b>	<b>369</b>
<u>Benefits delivered with more certainty via an LATC:</u>	<u>£000s</u>
Staff turnover - new staff paid at grade minimum	388
Staff mix changes	280
Shared Lives - economies of scale	400
<b>Total</b>	<b>1,068</b>
<b>Grand Total</b>	<b>1,437</b>

46. There are opportunities to make savings which, as explained at (ii) below, could also be made within current arrangements. Those are not relevant to making the business case for setting up a LATC, but are of potential future benefit to the

LATC and the Council. In order to understand those opportunities, it is important to distinguish between the different cost impacts:

- i. Firstly, there are costs which fall to the LATC, but which provide an offsetting benefit to the Council. For example, the LATC is required to purchase its operational assets from the Council in order to ensure that it is not inappropriately subsidised, which is a cost to the LATC and a factor to be taken into account in assessing its viability, but, from the Council's point of view, is income that would not otherwise have been received. The same is true of rental payments made by the LATC, for example. Such flows – the Council charging the LATC – are neutral in evaluation terms.
- ii. Secondly, there are savings the LATC can potentially make, but which might also have been made within the existing Council arrangements. The creation of the LATC might facilitate such opportunities, but, in principle, it does not create them. For example, the LATC may be able to make better use of its property portfolio and reduce the amount of space it occupies by remodelling its approaches to service delivery. Those actions could be taken without setting up a LATC, and so are not seen as a reason for setting up a LATC. In practice, such opportunities will directly improve the long term viability and competitiveness of the LATC, which will in turn improve the Council's financial position through higher profits or lower prices.
- iii. Thirdly, there are gains made as a result of setting up the LATC which could not have been achieved under current arrangements. The table below identifies the surpluses generated by trading on a broader basis than is currently possible, and the ability to reduce unit costs by spreading overheads over a wider base as external business increases. Those financial advantages, net of any internal reinvestment required, will flow to the Council.

47. Looking across these three categories of cost impact:

- The Draft Business Plan takes account of the first category, which reduces the LATC's ability to make a profit, but advantages the Council in equal and opposite ways.
- The second category may well benefit both the LATC and the Council, but those opportunities are not taken into account because they cannot be said to result purely from setting up a LATC.
- The third category benefits both the company (directly) and the Council (through profit share). Projections are modest over the five year period, in the context of an untested market.

48. The effects of the factors above can be summarised as follows; £1.4m of benefit can be expected over five years in the services to be provided by the LATC, but only £369,000 of that can be attributed to the setting up of the LATC. A Value for Money analysis is attached as **Annex Three**.

49. Overall, the direct effects over the five year period from setting up a LATC are modest but positive. Setting up a LATC is consistent with achieving further financial advantages and will better place the Council beyond the contract term. Given these wider considerations, the proposal provides good Value for Money for Surrey residents and for the Council.

## **Section 151 Officer Commentary**

50. All relevant business and financial matters and risks have been assessed in terms of the effects on both the Council and the proposed LATC. One issue - that of how pensions should be treated - is flagged as a matter which may require further consideration due its importance in principle.

51. The figures show that:

- existing plans to make savings in the services covered will continue to the Council's advantage (£1.068m over five years)
- the LATC is expected to make a modest profit (£163,000 over five years), demonstrating its viability
- the overall advantage to the Council as a result of setting up the LATC is assessed at £369,000 over five years.

52. Given that the risks are low, current services are protected and the Council needs to make no capital investment, this position is acceptable. However, it is not in itself a compelling demonstration of Value for Money. That requires the broader context than these services over five years:

- there is good potential for trading to escalate significantly in the longer term
- once set up, the infrastructure could potentially be used to trade additional ASC services
- this would be the first LATC to explore how best to trade, and as such would usefully inform taking forward trading to greater advantage in any of the Council's services.

53. Looked at as a first step in the long term plan of generating trading surpluses as an alternative to the more restricted income sources of grant and council tax, this proposal therefore represents short term consolidation and long term Value for Money.

## **Legal Implications – Monitoring Officer**

54. The Council is empowered, by the Local Government Act 2003, to set up a company to provide services and/or undertake trading activities. There are however procedural requirements that must be met. A full business case in support of the proposal must be prepared and approved by Cabinet. This must be a 'comprehensive statement' as to:

- the objectives of the business;
- the investment and other resources required to achieve those objectives;
- any risks the business might face and how significant these risks are; and
- the expected financial results of the business, together with any relevant outcomes that the business is expected to achieve.

This report together with the draft business plan contained in the annex provides a statement of the requisite information. The business case is intended to assist Cabinet in exercising its fiduciary duty to Surrey taxpayers, by providing the information Members need to ensure that their decision will result in a prudent use of the Council's financial and other resources.

55. In considering these proposals Cabinet also needs to keep in mind the public sector equality duty contained in the Equality Act 2010. This requires Cabinet to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This duty applies both in respect of the people who are accessing Adult Social Care services and the workforce providing those services.

- 10
56. It is proposed that, initially at least, the Council would commission services from the company without embarking on a competitive tender process. Provided that the company met certain tests, principally relating to the Council's control over it and its reliance on the Council for the 'essential part' of its business, the Council would be permitted to do this. All such commissioning by the Council should be underpinned by a properly documented contractual arrangement. The company would also be able to offer some services to the wider market identified above, but could not embark on wide scale trading activity. The business plan assumes that the income derived from external trading activities will grow throughout the five years of the plan, but the level of income anticipated would still require the company to rely on the Council for the essential part of its business.
57. It is predicted that the draft Care Bill currently making its way through Parliament will have an impact upon the activities carried out by the Personalisation Team. At present, the Council cannot delegate its assessment functions, such as those undertaken by the Personalisation Team, to external bodies. However, by virtue of section 79 of the Care Bill (as currently drafted), a local authority will be able to do this in the future. Until those provisions take effect as law, any assessments made by the Personalisation Team will need to be checked and approved internally by the Council. A process for this will need to be reflected in the contract between the Council and the LATC.
58. As the company will be a distinct legal entity from the Council, the Council cannot provide it with any unfair or anti-competitive advantage. Any accommodation, services, staff or other support provided by the Council must be charged for. This is important in the context of competition law and state aid.
59. The company will be responsible for the disclosure of information under the Freedom of Information Act 2000 in its own right. It will be required to comply with the relevant legislation and guidance and liaise with the Council as necessary. The company will also need to comply with the relevant legislation and guidance concerning Data Protection.
60. No formal consultation process has been undertaken in relation to the proposed transfer of services to the company. This is because the proposals is for an 'as is' transfer without any material changes to service delivery. As such, there is no requirement to consult at this stage. A full Equalities Impact Assessment (EIA) is still required, however. If services are to be developed or changed in the future an appropriate consultation and new EIA will need to be undertaken at that time.

61. Legal Services will continue to be involved in the proposals to ensure all the legal requirements are met.

**Equalities and Diversity**

62. A draft Equalities Impact Assessment is attached as **Annex Four**. The summary table is below.

<p><b>Information and engagement underpinning equalities analysis</b></p>	<p>Information:</p> <ul style="list-style-type: none"> <li>• Data regarding current customers from service data collection September 2013</li> <li>• Staff data from Surrey County Council Payroll and Organisational Management databases.</li> <li>• Data regarding potential future customers from the LATC Draft Business Plan.</li> </ul> <p>Engagement:</p> <p>While developing the proposals we have engaged early on with affected staff and key stakeholder groups to identify their initial concerns and questions.</p> <p>Wider consultation and engagement with staff and other stakeholders is planned as part of the next phase of the project and will include specific engagement regarding equalities impacts.</p>
<p><b>Key impacts (positive and/or negative) on people with protected characteristics</b></p>	<p>The Draft Business Plan identifies a number of opportunities to improve and develop services for existing customers and other potential customers – in particular older people, young adults with disabilities, and a wider range of people with disabilities.</p> <p>No specific negative impacts on people with protected characteristics have been identified with regard to the proposals themselves. (The Cabinet Report addresses general benefits and risks of the proposals.)</p> <p>The potential negative impacts that have been identified with regard to the process of implementing the proposals will be addressed through the HR and Communications work stream of the project team.</p>
<p><b>Changes you have made to the proposal as a result of the EIA</b></p>	<p>Incorporated ideas from early engagement into the draft Communications and Engagement Plan.</p>
<p><b>Key mitigating actions planned to address any outstanding negative impacts</b></p>	<p>The Communications and Engagement Plan will ensure that staff and other stakeholders are fully informed and consulted throughout the process of creating the LATC, particularly the development of the business plan.</p> <p>Once the LATC is established, the Involvement Board will ensure that people who use services, families, and carers, as well as staff and volunteers, will be actively involved.</p>

<b>Potential negative impacts that cannot be mitigated</b>	None identified

**WHAT HAPPENS NEXT:**

63. A project team is in place to lead the implementation of the LATC if approved by Cabinet. The Implementation Plan will include the following work streams:

- Operational Preparation
- Commercial and Legal
- Finance
- Systems and Infrastructure
- HR
- Communication

64. Critical steps will include:

Action	Target dates	Responsibility
Co-design process to develop a consultation and engagement approach with stakeholders	Dec 2013-Jan 2014	Service / Comms Leads
Full consultation with staff and Trade Unions	Jan – March 2014	HR / Service Leads
Prepare Articles of Association and create the LATC as a legal entity	Jan 2014	Legal Lead / Shareholder Board
Appointment of Director/s	Jan – March 2014	Shareholder Board
Preparation of contract and schedules for LATC services	Jan – March 2014	Commissioning / Procurement Leads
Preparation of Managed Services Agreement for support services provided by the Council	Jan – March 2014	Procurement / Service Leads
Establish financial management arrangements	Jan – March 2014	Finance Lead
Formalise contractual arrangements	By 31 March 2014	LATC Director/s
<b>'Go Live'</b>	1 April 2014	n/a
Ongoing consultation and engagement	1 April onwards	LATC Management Team

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**Consulted:**

- Council Leadership Team
- Adult Social Care Leadership Team
- New Models of Delivery Programme Board
- Senior Managers in Adult Social Care
- Team Managers and Staff – in-scope services
- Learning Disability Partnership Board
- Trade Union representatives

**Annexes:**

Annex 1: Draft Business Plan

Annex 2: Communications and Engagement Approach

Annex 3: Value for Money Analysis (part 2)

Annex 4: Draft Equalities Impact Assessment

**Sources/background papers:**

- 26 March 2013 Cabinet Report 'Strengthening the Council's Approach to Innovation'
  - 22 October 2013 Cabinet Report 'Options Appraisal: in-house support services for working age adults and older people with disabilities'
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# Adult Social Care Local Authority Trading Company

## Five Year Business Plan 2014-2019 DRAFT

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*December 2013*

DRAFT

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## Foreword

This Draft Business Plan outlines a vision for current and future services, to be provided by a new LATC created by Surrey County Council.

The vision, values and service development ideas in this document have been collated from work over the past four years, including:

- Day Services Consultation 2008/09
- Learning Disability Public Value Review 2012
- Day/Community Opportunities project planning and strategy development 2012/13, including workshops with team managers and assistant team managers
- Service Delivery Management Team business planning sessions 2012/13
- Operational Project Team planning workshops during preparation of the business case for the LATC

If the business case for the LATC is approved, we will use this draft plan as the basis for consultation, engagement and co-design with staff and other stakeholders during the implementation of the LATC, with a view to presenting an updated plan to the Shareholder Board for approval prior to the LATC going live.

## **Mission Statement**

### **Core Purpose**

The LATC will deliver day and community support opportunities, as well as assessment, planning and coordination services, for all people, whatever age, whatever level of support they need. We will:

- create a flexible offering so that people can purchase services that most meet their needs – when and wherever they need them
- work with our stakeholders to create sustainable, quality and person-centred services fit for the future
- lead the way in developing innovative models of social care that achieve excellence, and support staff to do the best work of their lives.

We believe that by diversifying and developing the services that we offer, we will be able to reach more people, creating services that are sustainable, flexible and focused on meeting the needs of people in Surrey.

Offering an assessment and planning function, as well as front line delivery services, our aspiration is to support people through their life long journey in social care – by building longer term relationship with individuals and their families and working in joined up and holistic ways we can ensure people are heard and understood, maximise their skills, abilities and independence. To be empowered and supported to articulate their choices and to take as much control in their lives as they want and are able to.

### **Vision**

We believe that people should have opportunities to live the life of their choosing and be supported to be the best that they can and want to be. We believe people with disabilities should be able to have the lives they want to live – access to homes of their own, employment, relationships, friendships and to be contributors to the communities that they live in.

Our services will support people to achieve, celebrating people's strengths and providing support where people need it, to enable people to maximise their independence and stay safe, well and an integral part of their community.

## Values

Our services will be:

- **Personal** – offering choice and control for individuals; maximising their autonomy
- **Flexible** – innovative support options; responding to people's needs and aspirations
- **Local** – we will support people to get involved in and contribute to their communities
- **Trusted** – safe, reliable services delivered by skilled staff
- **Value for money** – cost-effective and sustainable, without compromising quality
- **Collaborative** – working with partners and local communities; supporting them to support people

## Strategic Objectives

- Continue to deliver high quality services for people with disabilities, that can change and respond to meet people's needs
- Offer services to a wider market, including people who do not meet current eligibility criteria, enabling services to grow and respond to the needs of their local community
- Successful transition of services to a commercial environment, promoting innovation and further developing a culture of continuous improvement
- Support the transformation of Adult Social Care, by promoting the Personalisation Agenda and complementing commissioning strategies
- Be a leader in our field - especially in relation to involvement of stakeholders in the running and development of the organisation
- Be an employer of people with disabilities
- Find ways to actively promote models of 'community development' that build resilience and bring community members together to take collective action and generate solutions to common problems.
- Be a campaigning organisation that offers opportunities for people with or without a disability
- Deliver efficiencies and generate new income in order to sustain and develop services

## Policy Context

### National Context

Key features of the national context for adult social care services are:

- The Personalisation Agenda
- The Care Bill
- Financial pressures

There are significant financial challenges facing adult social care due to demographic change and the need for reduced expenditure. Local Authorities are reducing adult social care budgets significantly. Councils have reduced their adult social care budgets by £800m in 2013-14, bringing the total level of real-terms spending cuts to £2.68bn since 2011.<sup>1</sup>

A national assessment of funding options culminated in the Dilnot report (2011), which outlined future funding proposals for adult social care through an insurance system. However, the exact timing and nature of what will be implemented following this report is still uncertain.

A Laing and Buisson press release accompanying the report Social Care Services for Younger Adults with Learning Disabilities & Mental Illness stated that the overall value of public and private sector supply of specialist care services for learning disabilities and mental health for younger adults (18-64) is estimated at over £8 billion in the UK. The independent sector dominates supply with 79% of the market value. £4.4 billion of this £8 billion is the specialist residential services market and £3.8 billion is the non-residential care market.<sup>2</sup>

Local Authorities' gross spending on social care for adults (18-64) with learning disabilities is estimated at £5 billion (2012-13). This is 30% of Adult Social Care spending and represents a spend per head of approximately £30,000. Nine per cent of Adult Social Care spending (£1.5 billion) is spent on adults with physical disabilities.

Significant changes are occurring in the adult social care market due to the national personalisation agenda and the move towards self-directed support and personal budgets. Services need to be increasingly focused on independence and choice. The Laing and Buisson press release notes significant developments in England in supported living arrangements, shared lives schemes, and extra care housing

<sup>1</sup> <http://www.communitycare.co.uk/2013/05/07/20-wiped-off-adult-care-budgets-in-three-years-report-directors/#.UnzIVvm-2So>

<sup>2</sup> Press release accompanying Social Care Services For Younger Adults With Learning Disabilities & Mental Illness UK Market Report 2013, Laing and Buisson

options which are giving clients more choice than previous residential options.<sup>3</sup> Councils are also increasingly focused on community provision of services, and moving away from static settings.

## Local Context

*Excerpt from Surrey County Council's Adult Social Care Strategy for 2013/14-2017/18*

The next five years will be exceptionally challenging and will necessitate a radical strategic shift in the way in which Adult Social Care delivers services and a refocus of available resources. We need to make this radical strategic shift because of:

- An unprecedented financial environment in which the Directorate needs to deliver significant efficiency savings and to generate income.
- The need for a collaborative approach with health partners, particularly Clinical Commissioning Groups, to develop our plans and commission more seamless care and support, through the Integration Transformation Fund.
- Radical changes in national policy with the introduction of the Care Bill - we will need to increase our offer to people who fund their own care, give carers the same rights to assessments and services as those they care for and support a new model of paying for long-term care – all of which will have far-reaching impacts for Surrey with a very high proportion of people who fund their own care.
- The demographic pressures presented by an ageing population, with a high incidence of dementia.

Our strategy will be to:

- Connect **family, friends and community support** so people can live independently and prevent/postpone the need for care and support services
- **Collaborative working with health** and other partners to deliver integrated community health and primary care services to improve the health and social care for people
- Provide leadership in the **joint commissioning** of health and social care services to ensure diversity, quality, cost effective and sustainable services
- Offer **universal advice and information services** to all local people to promote their independence and wellbeing
- Continue our commitment to **personalisation**, with all systems, processes, staff and services giving people choice and control over their lives

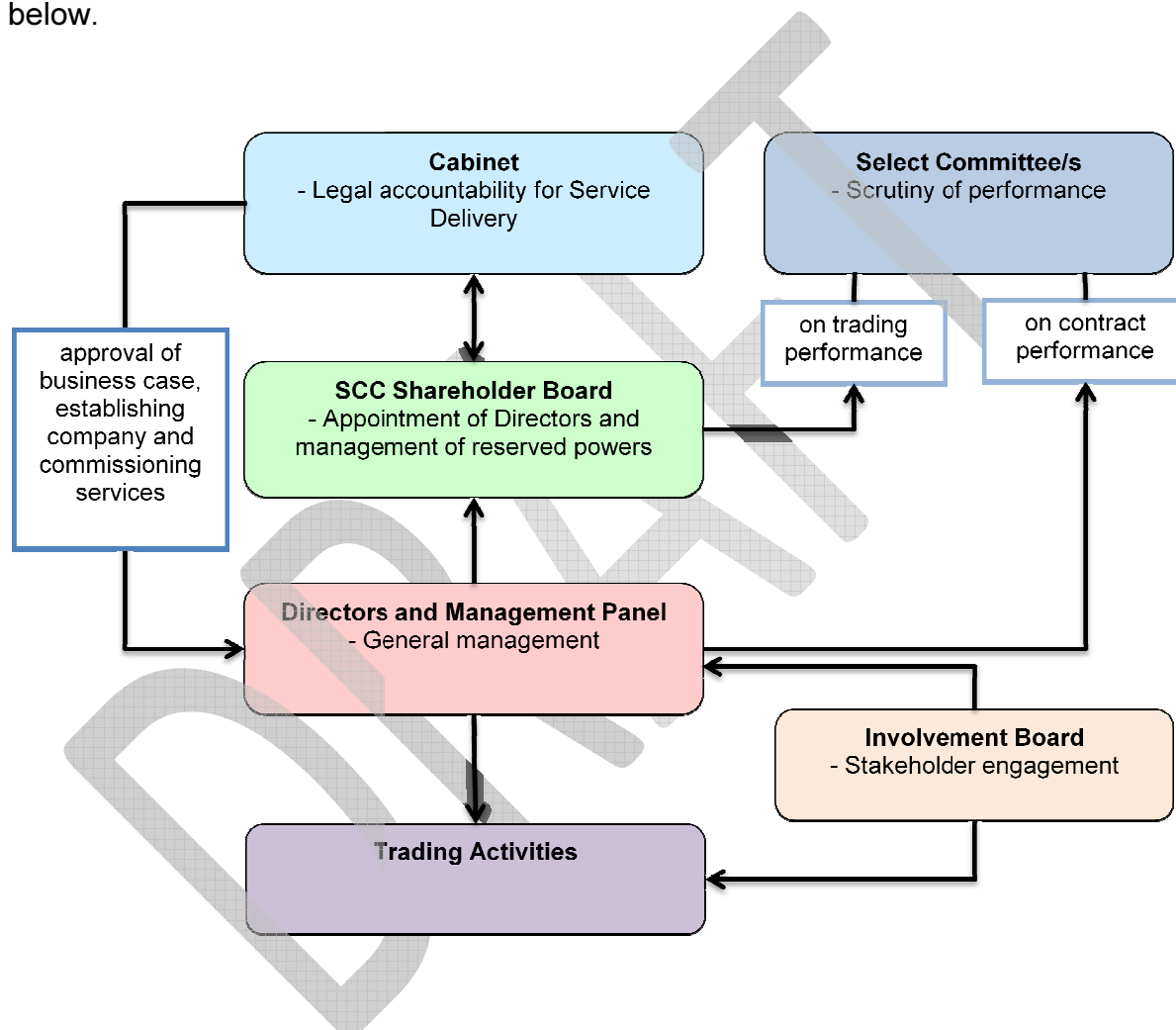
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<sup>3</sup> Press release accompanying Social Care Services For Younger Adults With Learning Disabilities & Mental Illness UK Market Report 2013, Laing and Buisson

## Governance

The LATC will be limited by ordinary share capital wholly owned by SCC. What the LATC can do and how it is structured depends upon its Articles of Association (“the Articles”). These Articles will be prepared in accordance with this section and the general legal requirements.

The LATC will be a separate legal entity from SCC. The proposed relationship between the executive functions of SCC and the LATC are shown on the diagram below.



### Roles within Governance Structure

#### *Role of Cabinet*

Cabinet has the decision making powers to approve the LATC’s business case, establish the company and commission services from it in accordance with the usual procurement processes.

Cabinet is responsible for the provision of all of SCC’s executive functions, such as its statutory duties relating to Adult Social Care. The legal responsibility for the performance of statutory services remains with SCC at all times, irrespective of who



actually carries them out on SCC's behalf. Cabinet must ensure (through Adult Social Care Personal Care and Support and Commissioning Services) that the relevant statutory functions are undertaken in accordance with the legislative requirements for such services.

Once the LATC has been established, Cabinet delegates its shareholder controls and responsibilities to the Shareholder Board.

### *Role of the Shareholder Board*

The Shareholder Board ("SHB") is made up of the Leader, the Deputy Leader, the Cabinet Member for Business Services and the Chief Executive. The s151 Officer, the Monitoring Officer, the Strategic Director for Business Services and the relevant Cabinet Portfolio Holder act as advisors to the SHB.

The SHB acts with the delegated authority of Cabinet to:

- a) Assess the financial performance of the LATC and make decisions concerning the issue of any dividends.
- b) Exercise any reserved powers contained in the LATC's Articles. These reserved powers could include, for example, a maximum spend limit on directors, the ability to raise additional finance and the winding up of the LATC.
- c) Make decisions concerning proposed changes to the LATC's business plan, such as the way it delivers statutory services on behalf of SCC or new areas of business. The SHB will also ensure that all the relevant legal requirements have been met for such proposals.

The SHB will be responsible for approving the appointment of any directors and will have the power to remove directors from their post.

The LATC's director(s) will be expected to update the SHB as to progress with the business and any future proposals being considered. The SHB can call the director(s) to account for their management of the LATC.

### *Role of the Director(s) and Management Panel*

#### Directors

The LATC is required to have at least one executive director. The appointment of the initial and any subsequent director(s) of the LATC will be made by the SHB.

It is the director(s) that will manage the day to day running of the LATC. They will make all of the routine decisions and provide the necessary leadership. The

director(s) will be subject to the standard legal requirements and duties of a company director. For example, they will be expected to obtain appropriate legal, financial and tax advice to enable them to make informed decisions concerning the running of the LATC.

If the LATC has more than one executive director they will be required to manage the LATC jointly as part of a 'Board of Directors'. However, each director may have their own defined roles and areas of responsibility. The Articles will set out the arrangements for voting rights, quorum and other aspects concerning the running of a Board meeting.

The director(s) are responsible to the LATC's shareholders (SCC) and will report to the SHB on a routine basis. This will include the production of an annual report for each financial year of the LATC's operation. The regularity of meetings between the director(s) and the SHB will vary depending on the present circumstances of the LATC.

Non-executive directors with particular expertise or independent views may be appointed to the LATC. These non-executive directors would not have voting rights but could attend and contribute to the Board of Directors meetings they were invited to. Any appointments would be made by the SHB.

The LATC is not required to have a nominated 'Company Secretary'. The director(s) will be responsible for ensuring all filing requirements with Companies House are complied with (such as annual accounts and change of directors notifications, etc).

The Articles will set out in detail the powers (and limits) of the director(s).

#### Management Panel

It is proposed to create a Management Panel ("the Panel") to assist the director(s) in business planning for the LATC. This Panel is distinct from the 'Board of Directors' and would not be able to bind the director(s) to a certain course of action.

The Management Panel will likely consist of the director(s), senior management of the LATC (as appropriate) and an elected representative(s) from the Involvement Board. The Panel is intended to provide a structured forum for the director(s) to engage with these groups concerning the running of the LATC. This would include feedback about the LATC's operations and a chance for proposals to be put to the director(s) for consideration.

#### *Role of Select Committees*

Select Committees will retain their scrutiny functions in relation to two distinct aspects of the LATC:

- a) The Council's Overview and Scrutiny Committee will be able to call the SHB to account for the overall success of the LATC and progress in relation to SCC's investment in the LATC and any returns it is making; and
- b) The Adult Social Care Select Committee will be able to call the director(s) of the LATC to account for the quality and ability of the LATC to deliver those statutory services it has been commissioned to provide.

The Select Committees report to Cabinet with their findings and make such recommendations as appropriate.

### *Role of the full Council*

The full Council may question and provide input to the Cabinet's exercising of its executive functions in accordance with SCC's constitution.

## **Stakeholder Engagement and Partner Involvement**

Greater stakeholder involvement in the governance and day-to-day operation of the LATC is seen as an essential part of the business.

Stakeholders will include:

- people with who use the LATC's services
- family carers and personal advocates
- staff and volunteers working within the organisation.

Representatives from these groups will form an active planning and steering group called the 'Involvement Board'. This group will develop its own constitution and will elect a representative (or co-representatives if so necessary in the future) to attend the Advisory Panel. This will enable stakeholders to have an active part in the LATC.

The involvement of service partners and other interested parties will also be actively sought.

## Services

The LATC will be initially contracted by the Council via Adult Social Care commissioners and will be expected to provide services according to the standard contract terms issued by the Council, with all associated requirements regarding reporting, performance, and quality assurance.

The LATC will continue to offer the following services on its first day of trading:

- **Day Services**, which provide approximately 790 people with learning and physical disabilities with a range of opportunities for leisure, activities, training, volunteering and work in a variety of settings.
- The **AboutUs Team**, which supports people using day services with accessible learning programmes and communications projects.
- **EmployAbility**, which supports approximately 650 adults and young people with disabilities who are seeking or engaged in work, volunteering or training.
- **Shared Lives Service**, which matches Shared Lives carers with people with disabilities and older people, offering short or long term care in a family home environment.
- The **Personalisation Team**, which works with adults with learning disabilities to facilitate Supported Self Assessments, uptake of personal budgets and support planning using community support networks.

Service type	People who use services (customers)
<b>Provider Services</b>	
<p>Day Opportunities:</p> <ul style="list-style-type: none"> <li>• Specialist Support</li> <li>• Community based activities</li> <li>• Evening breaks and holidays</li> <li>• Volunteering Projects</li> <li>• AboutUs Accessible Learning and accessible Technology</li> <li>• Transport to/from activities</li> </ul>	<p>Adults (18+) with:</p> <ul style="list-style-type: none"> <li>• Learning disabilities</li> <li>• Physical disabilities and sensory impairment</li> </ul> <p>People who are eligible for support from the Council</p> <p>Majority Surrey residents, some customers from other local authorities (OLAs)</p>
<p>EmployAbility:</p> <ul style="list-style-type: none"> <li>• Job finding / job coaching and support</li> <li>• Supported volunteering</li> <li>• Job clubs</li> <li>• Work with schools and colleges</li> </ul>	<p>Any adults who are eligible for support from the Council, except for people with mental health as their main support need</p> <p>Young people in schools and colleges</p> <p>Majority Surrey residents, some customers from other local authorities (OLAs)</p>
<p>Shared Lives Service</p>	<p>Any adults who are eligible for support from the Council, including older people</p> <p>Majority Surrey residents, some customers from other local authorities (OLAs)</p>
<b>Assessment and Support Planning</b>	
<p>Reassessment, Reviews and Support Planning</p>	<p>All adults who currently access the Council's in-house provider services</p>

## Operating Model

The overall approach being taken to the creation of the LATC is to:

- transfer staff and services into the LATC more or less ‘as is’, with a framework to enable changes over time
- minimise the impact on services and staff remaining in SCC.

This approach is intended to give stability to both the LATC and SCC, but with enough flexibility to enable to the LATC to make the changes it needs to once it is operational and the management team has an understanding of what is required to deliver the business plan.

## Staffing

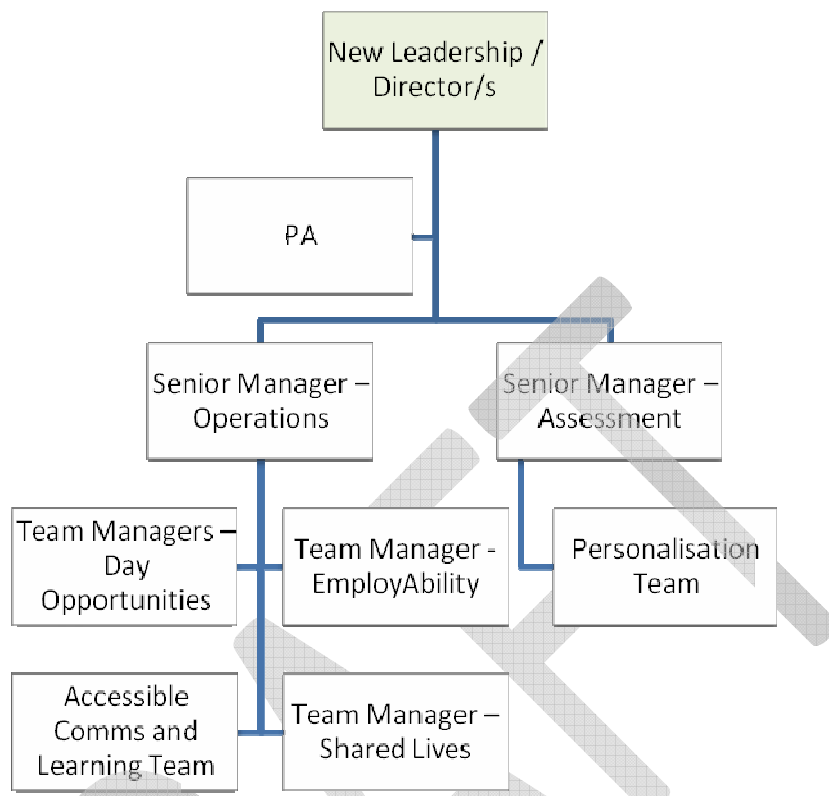
All posts within in-scope services will be transferred across to the LATC in accordance with TUPE (Transfer of Undertakings, Protection of Employment) regulations. The existing management structure will stay in place on day one, with the addition of the Shared Lives Team. Approximately 294 staff will be part of the transfer.

In addition to the posts transferring to the LATC, the financial model allows for the creation of a new leadership post. The Shareholder Board will be responsible for appointing the leadership of the LATC.

No other posts will be moved across to the LATC. Support functions such as HR and Finance will be provided initially through a Managed Services Agreement with SCC, as outlined below.

The LATC will have admitted body status within the Local Government Pension Scheme, which will remain open both to Council employees transferring to the LATC and to new employees joining it.

*LATC Staffing Structure – Day One*



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**Suppliers, Systems and Infrastructure**

SCC will continue to provide support services to the LATC for the duration of the initial contract through a *Managed Services Agreement*.

The LATC will establish contractual Service Level Agreements (SLAs) with each support service from its first day of trading. These will include measurable performance indicators, break clauses and remedies for non-performance.

Once the LATC is operational there will be a quarterly review process whereby SLAs are refined to more accurately reflect the support the LATC needs.

Support services included

- HR support – transactional including safer staffing requirements and case management activities
- Recruitment services
- Training
- Payroll
- Finance– transactional finance functions and financial controller activities
- IMT – provision of IT equipment and services – including helpdesk support

- Insurance provision (buildings, vehicles, employers and public liability)
- Property management for the operational buildings
- Professional strategic support, on a per day basis, from HR, Finance, Procurement and Property (and other departments as required).
- Communications activities – on a per project basis
- Legal Support – on a per day basis as required
- Website support
- Adult Social Care and Service Delivery support services, including business support, project support, quality and assurance, safeguarding

### **Use of External Suppliers**

At creation, the LATC will be subject to the same rules concerning procurement as SCC itself. The LATC can contract freely with SCC to acquire services from SCC without having to tender. The LATC will also be able use suppliers that SCC has approved for procurement purposes.

However, the LATC will not be bound by existing framework agreements and could contract with new suppliers. If the LATC wishes to award a contract to a new supplier and it exceeds the procurement financial thresholds, the LATC will need to comply with the EU procurement laws.

As part of the implementation phase, a Partnership Sharing Agreement will be developed between SCC and the LATC, enabling the LATC to use SCC's IMT suppliers.

### **Property and Assets**

The Head Office of the LATC will be at Fairmount House, Leatherhead.

LATC services currently use a range of different premises, which are either owned or leased by SCC, or hired on a casual basis for service activities.

We will review our use of office accommodation and day services premises on an ongoing basis to ensure premises are fit for purpose and cost effective.

Priorities for review:

- Office accommodation requirements – more mobile working, utilise capacity in operational buildings
- Continue move towards local community bases and specialist support – reshape large day centres to meet local need
- Where there is existing capacity in operational buildings, rent or hire space to partner organisations



*Approach to hiring or leasing premises*

Premises Type	Details	Approach
Office Accommodation	Fairmount House – Senior Management, Shared Lives Service, Personalisation Team, AboutUs Quadrant Court - EmployAbility	Maintain status quo – Managed Services agreement between SCC/LATC based on current usage
Day Services – SCC owned	6 day centres for learning disability services 2 physical disability resource centres 1 office project	Leases/licences to be agreed between SCC and LATC. SLAs for facilities management, maintenance etc. as part of managed services agreement
Day Services – leased by SCC	Lockwood Day Centre Frenches Lodge The Cottage Ian Goodchild Centre <sup>4</sup>	SCC will remain the Principle tenant and will grant a licence to occupy to the LATC, with an SLA for facilities management as for SCC-owned premises. This is subject to agreeing those terms with the Freeholders of those buildings.
Non-SCC owned premises used by in scope services on a casual or regular hire basis	14 sites used by community groups and volunteering projects <sup>5</sup>	LATC to continue casual arrangements as needed

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**Assets**

Property and IMT assets will be leased from SCC as part of the managed services agreement.

Small assets, such as vehicles and equipment in day centres, will be purchased from SCC by the LATC at market value when it starts trading.

<sup>4</sup> SCC is in the process of agreeing a lease, with completion expected by the end of December 2013

<sup>5</sup> At August 2013

## **Policies and Procedures**

In line with the overall approach, the LATC will continue to use all relevant SCC policies and procedures in the first instance, but will review and refine these over time to ensure they are fit for purpose.

### *Information Sharing*

An Information Sharing Protocol will also be developed during implementation with support from the ASC Information Governance team.

### *Data Protection*

The LATC will comply with the relevant legislation and guidance concerning Data Protection, including adopting suitable policies and practices to ensure data is adequately safeguarded.

### *Freedom of Information*

As a company wholly owned by SCC, the LATC will be subject to requests for the disclosure of information under the Freedom of Information Act 2000 (“FOI”) in its own right. As such, the LATC will maintain a records management system that complies with the relevant guidance concerning the maintenance and management of records.

The LATC will liaise with SCC as appropriate to ensure consistency in answering FOI requests and provide such information to SCC as it may require to answer requests it has received.

## Business Development and Marketing Strategy

In line with our vision and values, our approach to business development will be:

- Focus on retaining our existing customer base – driving up quality and bringing down unit costs
- Build customer base and income streams
- Develop new community support services

### Distinction against the market

What are the strengths of our current services?

Area of Strength	Explanation
<b>Stability</b>	<p>With many services having operated for over 25 years, they are stable and well established - as part of the Council they represent a recognisable and trusted brand.</p> <p>We've been working with our current customers for many years. They know and trust us and we know them and their needs as individuals and consumers of services. We have well established networks and relationships across all stakeholder groups in Surrey and beyond.</p>
<b>Workforce</b>	<p>Provider services are delivered by a stable and well-trained workforce. As a result risk is managed well and quality standards are maintained.</p> <p>We can provide better consistency and longer term relationships than providers with higher turnover and less investment in training.</p>
<b>Engagement with people who use services</b>	<p>We have good relationships with people who use services, families and carers. We have a track record of listening to and working with the people we support, and will continue investing in communications and engagement, such as the Easy Info for Us website.</p>

Area of Strength	Explanation
<b>Community engagement</b>	<p>Dedicated buildings, a recognised community presence and a tradition of providing safe spaces for vulnerable people suggest services are well placed to support the wider Adult Social Care agenda of developing family, friends and community support (social capital) opportunities within local communities.</p> <p>The Personalisation and Assessment team works with people in to develop networks in their communities, supporting them to access family, friends and community support; the team also sets up local stakeholder groups to ensure local engagement and communication is maintained.</p> <p>EmployAbility has excellent working relationships with local employers, schools and colleges.</p>
<b>Value for Money</b>	<p>Historically services have facilitated quality, well received 'large group' activities – leisure, music, dance, drama and creative arts.</p> <p>With a focus on inclusion and working with partners this offer could be extended to provide affordable, or free, opportunities with a focus on alleviating isolation, promoting well-being and sustaining friendship networks.</p>
<b>Scale</b>	<p>As the largest provider of day opportunities for adults with learning disabilities in Surrey, we have good coverage of services across the county and the use of dedicated facilities.</p>
<b>Expertise</b>	<p>We have some particular areas of expertise within our services, for example</p> <ul style="list-style-type: none"> <li>• working with people who have Down’s Syndrome who are developing dementia</li> <li>• award-winning EmployAbility team</li> <li>• National Autistic Society accreditation for some services</li> <li>• development of ‘Easy Read’ information and resources</li> <li>• Assessment Team who are highly skilled at enabling people with learning disabilities to have increased choice and control throughout assessment and planning processes</li> <li>• Implementation of the Mental Capacity Act 2005</li> </ul>
<b>Coordination/ planning</b>	<p>The Assessment and Planning Team is responsive to people’s needs and designs bespoke services for groups and individuals.</p>

## Current Market Position

Service Area	Market Position
<b>Day Opportunities</b>	<ul style="list-style-type: none"> <li>• Largest provider of day services for adults with learning disabilities in Surrey with coverage across the county</li> <li>• Other providers include Surrey and Borders NHS Partnership Foundation Trust and independent providers and charities</li> <li>• Limited information is available regarding fees charged by other providers for similar services, but initial assessment shows that LATC services are close to a market rate</li> </ul>
<b>EmployAbility</b>	<ul style="list-style-type: none"> <li>• The Council's EmployAbility service is the main provider of employment support for people with learning disabilities and physical disabilities in Surrey. The Council also funds two external providers through joint commissioning arrangements to provide employment support specifically to people with mental health issues.</li> <li>• There are welfare to work providers across the country, generally funded through Department for Work &amp; Pensions programmes, who also work with people with disabilities. However these providers often do not have the specialist skills and knowledge required to work with people who face significant barriers to work due to their disabilities.</li> </ul>
<b>Shared Lives</b>	<ul style="list-style-type: none"> <li>• The Shared Lives Service is almost unique in Surrey, particularly in its work with older people and people with dementia. The Service has a small but growing number of carers spread across the county, with better coverage in the east currently, particularly Epsom.</li> <li>• There is one other provider offering a similar service in Epsom for people with learning disabilities.</li> </ul>
<b>Personalisation &amp; Assessment Team</b>	<ul style="list-style-type: none"> <li>• The Personalisation and Assessment Team is in a strong position – it was created in-house as SCC was unable to achieve its objectives from the Learning Disability PVR by working with external social work providers</li> <li>• Competition is expected to grow in this area in response to opportunities created by the Care Bill</li> </ul>

## Market Opportunities

### *Customer segments*

1) People who are funded by SCC (or OLAs) but do not currently access our services:

- Adults with learning disabilities – approximately 3,300 people with a learning disability are known to SCC<sup>6</sup>; LATC services work with approximately 1000 people at present
- Young adults – according to Commissioners there is a demand for a greater range of services for young people; each year approximately 90-120 young people with high support needs are leaving school, of which 75% have a primary need of learning disability or Autism.<sup>7</sup>
- People with physical or sensory disabilities – LATC services support a very small proportion of this group

2) People who are not funded by SCC (or OLAs) but can afford to purchase services:

- Adults with learning disabilities: There are approximately 20,000 adults living in Surrey in 2013 with a learning disability<sup>8</sup>, one of the largest learning disabled populations in Europe. This is projected to increase overall by a further 5.4% by 2020, with a significant increase of 14.5% projected among people with a learning disability aged over 65. There is limited evidence regarding the existence of a self-funder market for people in this group.
- Adults with physical disabilities: There are 55,005 people aged 18-65 living in Surrey in 2013 with a physical disability, with an increase of 5.6% projected by 2020. There is little evidence of the extent of the self-funder market in Surrey for people in this group.
- The report *People who pay for care: quantitative and qualitative analysis of self-funders in the social care market*<sup>9</sup> stated “there is a considerable degree of self-funding in mental health, and to a lesser but still significant extent, in learning and physical disability, that it would be useful to explore in the future.”
- Older people: The number of Surrey residents aged 65 and over is set to rise from 209,800 in 2013 to 237,900 in 2020 (a 13.4% increase) Within this, the number of people aged 85 plus will rise from 32,400 to 42,000 over the same period (a 29.6% increase).<sup>10</sup>
- Self-funders, together with people in receipt of NHS funding and funding from other local authorities, are estimated by commissioners to make up the majority of social care customers – about 75-80% of the total market for care and support for older people.

<sup>6</sup> Swift/AIS January 2013

<sup>7</sup> Children’s Services February 2013

<sup>8</sup> POPPI and PANSI February 2013

<sup>9</sup> <http://www.thinklocalactpersonal.org.uk/Browse/Self-funders/?parent=8609&child=8647>

<sup>10</sup> POPPI December 2013

### 3) Commissioners and other organisations:

- Neighboring local authorities, who will increased assessment responsibilities following the Care Bill
- NHS / CCGs – roll-out of personal budgets, increased scrutiny on assessments and care planning post Winterbourne View
- Other providers:
  - Other day opportunities providers
  - 217 CQC-registered care homes in Surrey providing support to adults with learning disabilities
  - Personal Assistants employed by individuals
  - Schools and colleges
- Further work is needed to explore what products and services we could offer to these organisations. Initial ideas for exploration include:
  - Tender for contracts – EmployAbility, Shared Lives, Assessments and Support Planning
  - Menu of assessment and support planning services
  - Training offer to personal assistants

#### *Additional service development opportunities identified by Commissioners:*

- Evening and weekend activities
- Other commissioners – health, other local authorities
- 'Life skills' – supporting people with financial management, shopping, etc
- 'Intensive Interaction' services for high needs individuals
- Personal Assistance support to self-funders (including people who are not eligible for support), children
- Joint ventures with specialist providers
- Transport Training – supporting individuals to use public transport; working with District and Borough Community Transport
- Offering services to independent sector providers (e.g. Local residential / nursing care homes)
- Working with Kingston University to provide Social Care student placement / work experience opportunities.

## Product and Services Development

Based on the above this is a very informal collection of ideas that will need to be tested and further developed with partners and stakeholders prior to implementation:

Service Area	Development Strategies
<b>Day Opportunities</b>	<p><i>New Customers</i></p> <ul style="list-style-type: none"> <li>• Young people with disabilities</li> <li>• Private funders</li> <li>• People who do not meet current eligibility criteria</li> <li>• People living in neighbouring local authorities</li> </ul> <p><i>New Products</i></p> <ul style="list-style-type: none"> <li>• Bespoke group activities designed in partnership with Personalisation &amp; Assessment Team</li> <li>• New volunteering projects across the county</li> <li>• Extend evening and weekend activity options in response to demand</li> <li>• Greater flexibility in how people access facilities, eg ‘drop in’ rate</li> </ul>
<b>EmployAbility</b>	<p><i>New Customers</i></p> <ul style="list-style-type: none"> <li>• Young people not in employment or education</li> <li>• Working with specialist and mainstream schools to increase their work experience offer to young people (aged 14 to 18) with additional support needs</li> </ul> <p><i>New Products</i></p> <ul style="list-style-type: none"> <li>• Develop an alternate offer to college for those young people with disabilities looking to undertake more realistic job training in the work place - Phase 2 of this development area would be the inclusion of an ‘accommodation offer’ within the LATC to enable young people to have the experience of a student lifestyle as they train</li> <li>• Continued development of a self-employment model that meets the requirements of tax legislation for entrepreneurial people with a learning disability</li> </ul>
<b>Shared Lives</b>	<p><i>New Customers</i></p> <ul style="list-style-type: none"> <li>• Recruit new Shared Lives Carers across the county; focused recruitment plan for areas of high population density – Guildford / Woking etc</li> <li>• People who fund their own care – particularly older people</li> </ul> <p><i>New Products</i></p> <ul style="list-style-type: none"> <li>• Short breaks and day activities to complement the community-based day opportunities offer</li> </ul>
<b>Personalisation &amp; Assessment Team</b>	<p><i>New Customers</i></p> <ul style="list-style-type: none"> <li>• People who do not meet current eligibility criteria</li> </ul>



Service Area	Development Strategies
	<ul style="list-style-type: none"> <li>• People who fund their own care</li> <li>• Carers</li> <li>• Other Local Authorities, NHS trusts, CCGs, Providers etc.</li> <li>• SCC – extend scope of commissioned service</li> <li>• People in receipt of health funding and those in treatment and assessment units</li> </ul> <p><i>New Products</i></p> <ul style="list-style-type: none"> <li>• Expanded assessment work to support SCC and other local authorities to meet their new obligations once the Care Bill is enacted, eg support planning for self funders; support for carers</li> <li>• Menu of assessment and planning options, including: parenting assessments for adults with disabilities, occupational therapy Assessments, intervention plans and equipment provision, physiotherapy, moving and handling, speech and language therapy/ communication, telecare/technology, Capacity Assessments and Best Interest Decisions, financial management</li> <li>• Independent Safeguarding investigations</li> <li>• Housing Options Assessment and Planning</li> <li>• Person centred plans/life plans/life coaching</li> <li>• Easy read/accessible communications so you can access your information, on paper, electronically, on ‘devices’</li> <li>• Out of county work</li> <li>• Assessments where there is potential for conflict or differing views about the needs of an individual – ‘managing difficult conversations’</li> <li>• Complex case work, high cost package planning</li> <li>• Facilitating pooling of budgets and micro-commissioning</li> <li>• Community development – Local Area Coordination</li> </ul>
<p><b>Toolkit Services / New Community Support Services</b></p>	<p><i>New Customers</i></p> <ul style="list-style-type: none"> <li>• Any individual wanting to purchase support, with an initial focus on people with learning disabilities, physical disabilities and/or sensory impairment</li> <li>• Sell accessible communication services and products to other providers, organisations, local authorities</li> </ul> <p><i>New Products</i></p> <ul style="list-style-type: none"> <li>• Short-term pieces of targeted work (interventions) with individuals and the development of learning and communication ‘tools’ have the potential to support people reach the goals they set themselves and decrease their reliance on local authority support.</li> <li>• Specialist assessments and solutions</li> <li>• Development of personal communication tools</li> <li>• Increasingly roll out their technology offer, researching and testing mainstream tablet and smart phone technology to aid independence with people who use services</li> </ul>

Service Area	Development Strategies
	<ul style="list-style-type: none"><li>• Travel Training services</li><li>• Money management support</li><li>• Personal independence skills building (example: learning to cook in your own home)</li><li>• A training and supervision service for Personal Assistants employed by people with an individual budget</li><li>• Registered personal assistance service</li><li>• Telecare Response</li></ul>

## Appendices

1. Financial Projections (confidential – commercially sensitive)
2. Financial Assumptions (confidential – commercially sensitive)
3. Overview of other LATCs

### Appendix Three: Summary of Existing Local Authority Trading Companies

Name	Local Authority	Date Established	Products/services	Turnover*	Post Tax Profit*	Staff	Board composition
Norse	Norfolk County Council	2006	31 operating companies: catering, cleaning, environmental services, transport, property design and management and care services for the elderly	£270m	£2.5m	7,900	10 Directors including Chief Exec and Leader of Norfolk CC
Essex Cares	Essex County Council	2009	Supported employment, HomeSafe, Home Share, Mobility aids, Outreach, Reablement, Sensory Services, Telecare, Wellbeing Centres, Work based training	£38m	£1.3m	930	Chairman (Essex councillor) vice Chairman (solicitor) and 2 non-executive directors
Optalis	Wokingham Borough Council	2011	Adults Social Care - Advisory brokerage and management services, community based support, learning disability day services, supported employment, home care, learning disability homes	£11m	£140,000	339	Chairman, 5 directors, 1 independent director (Director ASC at Tri-borough)
Olympus	Northamptonshire County Council	2011	Adult Social care - domiciliary care, care homes, learning disability day centres, shared lives, employment and disability service, specialist equipment, community OT	£32m	£3.1m	1,347	MD, Finance Director, 4 non-executive directors
Bon Accord Care	Aberdeen City Council	2013	Meals on wheels, telecare, OT, enablement, equipment services, residential, respite and day care services, wellbeing centres	not available		not available	Chairman, MD, finance director, non-executive directors
The Barnet Group	London Borough of Barnet	2012	Your Choice Barnet - learning disability services: respite, Independent living, supported living, autism services. Barnet homes - 15,000 council homes managed, social housing applications. Your choice Barnet - adult social care (independent living, supported living, respite, day centres				chairman, 4 executive board members, 2 councillors, vice-chairs of Your Choice Barnet and Barnet Homes
Buckinghamshire Care and Support	Buckinghamshire County Council	2013	Day opportunities services, respite care, laundry services, reablement services	not available		not available	advertising
Croydon Care Solution and 2 subsidiaries: Croydon Equipment Solutions/Croydon Day Opportunities	London Borough of Croydon	2011	Day opportunities, community support for adults with learning disabilities, equipment services, employment support service, partnership services for local authorities	£4m	£13,000	94	Chairman, MD, finance director, 2 directors
Oldham Care and Support and Oldham Care at Home	Oldham Council	2013	Adult social care				
	Gateshead Council		Development & Enterprise, Design and Local Environmental Services, Construction Services				
CYT Limited	York City Council	2011	Recruitment services work with job seekers and with employers. Specialise in social workers, education, administration, manual and technical work	predicted £3m	predicted £129,000	553	
Kent County Trading	Kent County Council	2005	Commercial Services Kent, Kent Top Temps	£38m	£689,000	749	

\* Financial information found on [www.duedil.com](http://www.duedil.com)

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# Annex Two: Proposed communications and engagement approach

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	2013			2014					
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>Project Phase</b>	<b>Business Case Preparation</b> 22 Oct – 17 Dec			<b>Implementation</b> Jan – Apr 2014 -Creation of LATC and transfer of liabilities - Contract/SLA negotiations				<b>Go Live</b> April 2014 on	
<b>Staff – in-scope services</b>	<b>Early Engagement</b> - Team Managers briefing -Staff team briefings -Q&As circulated and posted on snet -Set up shared inbox for queries -Questionnaire			<b>Consultation and Engagement</b> Jan – Apr 2014 -Formal consultation regarding staff transfer -Further briefings, Q&A sessions - Themed staff working groups to support business planning and implementation				<b>Establish Involvement Board</b> Ongoing involvement of staff , people who use services, families and carers built into the governance structure of the LATC	
<b>People who use services, families and carers; partner organisations</b>	<b>Early Engagement</b> -Options paper circulated - Discussions with Learning Disability Partnership Board - Simple Q&As document circulated			<b>Engagement and co-design</b> -Co-design groups and events on business planning topics - Ongoing updates via newsletters, EasyInfo website, multi media formats -Updates to stakeholder groups				<b>Comms/Marketing Strategy</b> Ongoing work to promote services, share good news stories	
<b>General public, other SCC staff</b>	<b>Information</b> -Options Paper published on SCC website - Email circulated to key stakeholders			<b>Information</b> -Cabinet report and draft business plan to be published on SCC website and circulated in an accessible format -Respond to queries - Updates using regular communication channels – day services newsletters, e-brief					



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## 1. Topic of assessment

<b>EIA title:</b>	Adult Social Care Local Authority Trading Company (LATC) Business Case
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<b>EIA author:</b>	Simon Laker
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## 2. Approval

	Name	Date approved
<b>Approved by</b>	Directorate Equality Group	December 2013

## 3. Quality control

<b>Version number</b>	v0.3	<b>EIA completed</b>	November 2013
<b>Date saved</b>	04.12.13	<b>EIA published</b>	December 2013

## 4. EIA team

Name	Job title (if applicable)	Organisation	Role
Graham Wilkin	Interim AD, Service Delivery, Adult Social Care	Surrey County Council	Project Team Chair
Marion Price	Parent/Carer	LD partnership Board	Stakeholder
Simon Laker		Surrey County Council	Programme Manager
Omar Mehtar	HR Advisor	Surrey County Council	HR Advisor
Kat Macann	Project Manager	Surrey County Council	Project Manager

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# EQUALITY IMPACT ASSESSMENT TEMPLATE

## 5. Explaining the matter being assessed

<p><b>What policy, function or service is being introduced or reviewed?</b></p>	<p>On 17 December 2013 the council's Cabinet will be presented with report recommending the creation of a Local Authority Trading Company (LATC) as a new model of delivery for selected in-house services for adults with disabilities. This report will include a business case and a draft business plan for the LATC.</p> <p>As a starting point, this EIA focuses assessing the impact of the decision to create a LATC for the services listed below.</p> <p>If the business case is approved by Cabinet, we will start a consultation and engagement process to involve staff and other stakeholders in developing the business plan for the LATC, which will describe the company's vision and values, operating model, and plans for service development.</p> <p>This EIA will be updated over coming months to assess the impact of any changes identified through the business planning process.</p> <p>The services in scope are:</p> <ul style="list-style-type: none"><li>• Day Services for people with learning disabilities and physical disabilities</li><li>• AboutUs Accessible Learning Team</li><li>• EmployAbility</li><li>• Shared Lives Service</li><li>• Personalisation Team</li></ul> <p><b>Day Services</b> offer people with learning and physical disabilities a range of opportunities for leisure, activities, training, volunteering and work. Services sustain friendship networks and perform a critical respite function to support family carers, with specialist services provided for people on the autistic spectrum and those with dementia. The majority of services are offered on weekdays throughout the year from 9am to 4pm, with transport options provided. A range of evening breaks, social and holiday activities are also offered outside these hours on an ad hoc basis. The average age of people accessing day services is 48 and most people have been part of services for a number of years. Past consultations have indicated that these services are valued and held in high regard by people who use services, carers and families.</p> <p>The <b>AboutUs Team</b> works across the county with people who use day services. The team offers an accessible learning programme and works on accessible communications projects.</p> <p><b>EmployAbility</b> works across the county offering support for people with disabilities (with the exception of mental health) to access paid employment, volunteering, life skills and training opportunities. Demand for this service is growing, particularly from younger people coming through transition from children's to adults' services. The team has been nationally recognised for its work with employers,</p>
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# EQUALITY IMPACT ASSESSMENT TEMPLATE

	<p>schools and colleges.</p> <p>The <b>Shared Lives Service</b> offers short-, long-term and respite care in a home environment to people with any type of eligible support need. The service recruits and trains Shared Lives Carers, then matches them with the person who needs the service and provides ongoing support to both.</p> <p>The <b>Personalisation Team</b> was created as an outcome of the PVR and works with groups of people using in-house services to facilitate Supported Self Assessments, uptake of personal budgets and support planning using community support networks.</p>
<p><b>What proposals are you assessing?</b></p>	<p>We are assessing the proposal to create a Local Authority Trading Company as a new model of delivery for selected in-house services for adults with disabilities.</p> <p><b>Business Case Proposal</b></p> <p><u>No changes to the delivery of current services are proposed</u></p> <p>The basis of the business case is that the LATC will be contracted by the Council to continue delivering the current services, but moving to a formal commissioner / provider relationship with the Council.</p> <p>Once the LATC is operational, will look for opportunities to develop through a combination of:</p> <ul style="list-style-type: none"> <li>• Improving existing services</li> <li>• Offering services to a wider range of customers</li> <li>• Developing new community support services</li> </ul> <p><u>Changes to Staffing</u></p> <p>All posts within in-scope services will be transferred across to the LATC under TUPE (Transfer of Undertakings, Protection of Employment) regulations. No changes are proposed to staff terms and conditions, duties or work locations.</p> <p><u>Changes to Governance</u></p> <p>The biggest change in this proposal is to how services are managed. The business case gives a summary of the proposed governance arrangements. The LATC will be wholly owned by the Council, but services will have a different relationship with the Council and Adult Social Care.</p> <p>To ensure that people who use services continue to be at the heart of our services, we are proposing to create an 'Involvement Board' to The Involvement Board will include representatives of:</p> <ul style="list-style-type: none"> <li>• people with disabilities who use services</li> <li>• family carers and personal advocates</li> <li>• LATC staff and volunteers.</li> </ul>

# EQUALITY IMPACT ASSESSMENT TEMPLATE

It will be an active planning and steering group and will have a representative on the management panel of the LATC.

## Background

The proposal follows a large-scale consultation in 2009 on the future of Day Services and the 2012 Learning Disability Public Value Review.

On 22 October 2013 Cabinet received a report from the Strategic Director for Adult Social Care which outlined the options available to the Council regarding the future of in-house day services and community support options for people with disabilities and older people. Three options for these services were assessed in terms of their potential to meet both current and future needs of customers and secure the long term sustainability of services:

- stay “as is”
- de-commission services and re-commission in the market
- adopt a different model of delivery.

The report concluded that a different model of delivery, namely a Local Authority Trading Company (LATC), was the preferred option for the following reasons:

- *Sustainability*: The LATC model offers sustainability in terms of financial returns to the Council, modest but consistent growth projections and ongoing efficiency savings
- *Customer Benefits*: Greater flexibility to offer services to a wider market, including people who do not meet current eligibility criteria
- *Ownership*: The Council will own the LATC and any surplus or dividend will revert back to the Council for further investment in services
- The LATC will deliver flexible and adaptable services, aligned to its objectives, at comparatively low cost
- Retaining a skilled workforce and links to the Council’s trusted brand
- By retaining ownership, the Council could continue to shape the market.

Authority was given to the Strategic Director to proceed with investigating the feasibility of creating a LATC.

# EQUALITY IMPACT ASSESSMENT TEMPLATE

<b>Who is affected by the proposals outlined above?</b>	<u>Staff</u> Approximately 294 staff are expected to be part of the transfer.																
	<u>People who use services, families and carers</u> This table shows the approximate number of people each service currently works with:																
	<table border="1"> <thead> <tr> <th>Service</th> <th>Who is it for?</th> <th>Number of people<sup>1</sup></th> </tr> </thead> <tbody> <tr> <td>Day Services and AboutUs</td> <td>Adults (18+) with learning disabilities, autism, physical disabilities and/or sensory impairments</td> <td>794</td> </tr> <tr> <td>EmployAbility</td> <td>Any adults who are eligible for support from the Council, except for people with mental health as their main support need</td> <td>646 registered job seeking and/or on courses 511 in work or voluntary placements</td> </tr> <tr> <td>Shared Lives Service</td> <td>Any adults who are eligible for support from the Council, including older people</td> <td>22</td> </tr> <tr> <td>Personalisation Team</td> <td>All adults who currently access the Council's in-house provider services</td> <td>165</td> </tr> </tbody> </table>	Service	Who is it for?	Number of people <sup>1</sup>	Day Services and AboutUs	Adults (18+) with learning disabilities, autism, physical disabilities and/or sensory impairments	794	EmployAbility	Any adults who are eligible for support from the Council, except for people with mental health as their main support need	646 registered job seeking and/or on courses 511 in work or voluntary placements	Shared Lives Service	Any adults who are eligible for support from the Council, including older people	22	Personalisation Team	All adults who currently access the Council's in-house provider services	165	
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Personalisation Team	All adults who currently access the Council's in-house provider services	165															
<u>Future potential customers</u> The business case identifies opportunities for the LATC to develop new services or offer current services to a wider range of customers. These may include:																	
<ul style="list-style-type: none"> <li>• People who are funded by SCC (or Other local authorities) but do not currently access LATC services</li> <li>• People who are not funded by SCC (or OLAs) but can afford to purchase services</li> <li>• Commissioners and other organisations</li> </ul>																	

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<sup>1</sup> Data from September 2013. Some people access multiple services – the Personalisation Team currently works solely with individuals accessing an in-house service.

# EQUALITY IMPACT ASSESSMENT TEMPLATE

## 6. Sources of information

### Engagement carried out

The process of developing these proposals has built on successive consultation periods since 2009. Most significantly, the Learning Disability PVR and subsequent Commissioning Strategy were developed by the Learning Disability Partnership Board, and involved people who use services, their carers and families.

An 'easy read' style version of the 22 October Cabinet report was published on the Council's website, with a link circulated to the all affected staff, ASC managers and all stakeholders on the Learning Disability Partnership Board and Empowerment Boards email lists.

Engagement regarding the preparation of the business case has included:

- Briefing staff in affected services and creating a Questions and Answers document responding to questions raised in these sessions
- Personalisation Team away day
- Meeting with Trade Union representatives
- Meeting with the Learning Disability Partnership Board to discuss the proposal and future communication needs/ideas
- Preparation of a general 'Q&A' document for external stakeholders.

A Communication and Engagement Plan is attached to the business case, outlining plans to engage with staff and other stakeholders from January 2014 onwards. We plan to involve staff and people who use services, carers and families in a co-design process over coming months to refine the business plan for the LATC.

There has been no specific consultation with stakeholders outside the EIA team regarding the preparation of this initial EIA, aside from incorporating feedback from the ASC Directorate Equalities Group. However, the EIA will continue to be revised over coming months as part of the wider engagement that is planned.

Once the LATC is operational, the governance structure (described above) will ensure that stakeholder engagement is a key part of business as usual.

### Data used

- Data regarding people using services was updated by in-scope services in September 2013
- Staffing data, for the purpose of due diligence, has been gathered from Surrey County Council Payroll and Organisational Management databases
- Options Appraisal and SWOT analysis presented to Cabinet 22 October 2013

# EQUALITY IMPACT ASSESSMENT TEMPLATE

## 7. Impact of the new/amended policy, service or function

### 7a. Impact of the proposals on residents and service users with protected characteristics

Protected characteristic <sup>2</sup>	Potential positive impacts	Potential negative impacts	Evidence
<b>Age</b>	The LATC's draft business plan includes ideas for developing new services for younger people with disabilities and older people	None identified	Commissioners have highlighted demand for a greater of services for young people; each year approximately 90-120 young people with high support needs are leaving school, of which 75% have a primary need of learning disability or Autism. <sup>3</sup>
<b>Disability</b>	Sustainability and continued improvement of existing services Opportunities for the LATC to develop new services Flexibility for the LATC to offer services to people who are not currently eligible for support from the Council	None identified in terms of the proposal to create a LATC  People with learning disabilities may find it difficult to understand what the changes may mean for them.	The Cabinet Report on 22 October included a SWOT analysis showing the benefits of the LATC model in terms of protecting services.  The LATC will be legally allowed to trade with private individuals or businesses, whereas the Council cannot.
<b>Gender reassignment</b>	None Identified	None Identified	
<b>Pregnancy and maternity</b>	None Identified	None Identified	
<b>Race</b>	None Identified	None identified in terms of the proposal to create a LATC  We will need to ensure information regarding changes and services is accessible to people whose first language is	

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<sup>2</sup> More information on the definitions of these groups can be found [here](#).

<sup>3</sup> Children's Services February 2013

## EQUALITY IMPACT ASSESSMENT TEMPLATE

		not English	
<b>Religion and belief</b>	None Identified	None Identified	
<b>Sex</b>	None Identified	None Identified	
<b>Sexual orientation</b>	None Identified	None Identified	
<b>Marriage and civil partnerships</b>	None Identified	None Identified	
<b>Carers<sup>4</sup></b>	<p>The LATC's draft business plan includes ideas that could have a positive impact on carers, such as:</p> <ul style="list-style-type: none"> <li>• develop new services for carers, including assessments and support planning</li> <li>• extend evening and weekend options for services</li> <li>• further develop short breaks and holidays offer</li> <li>• flexibility for the LATC to offer services to people who are not currently eligible for support from the Council</li> </ul>	None Identified	

<sup>4</sup> Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

# EQUALITY IMPACT ASSESSMENT TEMPLATE

## 7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<b>Age</b>	None Identified	None Identified	<p>All staff currently employed in the services and teams listed in the proposals will transfer under TUPE to the LATC with no changes to their terms and conditions, duties or work location.</p> <p>As the proposals do not entail a significant change to current working conditions we do not anticipate any impact on staff with protected characteristics</p>
<b>Disability</b>	<p>The LATC's draft business plan states that we want to work closely with EmployAbility to identify work and volunteering opportunities for people with disabilities within the LATC</p>	<p>None identified in terms of the proposals themselves</p> <p>We will need to ensure the consultation process is fully accessible to staff with physical or sensory impairments or learning disabilities</p> <p>Possible negative impact on service delivery during implementation of the LATC if key staff/managers are heavily involved in project work</p>	As above
<b>Gender reassignment</b>	None Identified	None Identified	As above
<b>Pregnancy and maternity</b>	None Identified	<p>None identified in terms of the proposals themselves</p> <p>We will need to ensure the</p>	As above

## EQUALITY IMPACT ASSESSMENT TEMPLATE

		consultation process is fully accessible to staff who are on maternity leave	
<b>Race</b>	None Identified	<p>None identified in terms of the proposals themselves</p> <p>We will need to ensure the consultation process is fully accessible to staff whose first language is not English</p>	As above
<b>Religion and belief</b>	None Identified	None Identified	As above
<b>Sex</b>	None Identified	<p>None identified in terms of the proposals themselves</p> <p>We have a significant percentage of female staff who work part time. We will need to ensure the consultation process is fully accessible to these staff.</p>	As above
<b>Sexual orientation</b>	None Identified	None Identified	As above
<b>Marriage and civil partnerships</b>	None Identified	None Identified	As above
<b>Carers</b>	None Identified	<p>None identified in terms of the proposals themselves</p> <p>We will need to ensure the consultation process is fully accessible to staff who have caring responsibilities</p>	As above



# EQUALITY IMPACT ASSESSMENT TEMPLATE

## 8. Amendments to the proposals

Change	Reason for change
Updated Communication & Engagement plan to include ideas from the Learning Disability Partnership Board	Added ideas for communication actions in response to feedback.

## 9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
Accessibility of consultation and engagement processes for people with learning disabilities	All key public documents will be published in an 'easy read' format The Communications & Engagement Plan will include presenting information using different media such as video and radio	Full Communications Plan to be in place by 20 December	Claire Richards / Gail Petty
Accessibility of consultation and engagement processes for people with English as a second language	All key public documents will be published in an 'easy read' format Information will be presented to staff in face to face meetings and discussions. Line managers will be fully briefed and will be able to support staff individually if required	As above	Claire Richards / Gail Petty
Accessibility of consultation and engagement processes for staff who are on maternity leave, work part time or have caring responsibilities	Hard copies of all key information, including question and answer documents, will be sent to all staff. All communications will be cascaded in hard copy as well as electronic formats Line managers will be fully briefed and will be able to support staff individually if required	As above	Claire Richards / Gail Petty
Negative impact on service delivery during implementation of the LATC if key staff/managers are involved in project work	Thorough implementation planning to identify key actions and resources required; plan ahead to ensure 'business as usual' will be adequately supported Dedicated project resource to	Draft implementation plan by 18 November Full implementation plan by 20	Kat Macann

# EQUALITY IMPACT ASSESSMENT TEMPLATE

	support implementation	December	
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## 10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected

## 11. Summary of key impacts and actions

<p><b>Information and engagement underpinning equalities analysis</b></p>	<p>Information:</p> <ul style="list-style-type: none"> <li>• Data regarding current customers from service data collection September 2013</li> <li>• Staff data from Surrey County Council Payroll and Organisational Management databases.</li> <li>• Data regarding potential future customers from the LATC Draft Business Plan</li> </ul> <p>Engagement:</p> <p>While developing the proposals we have engaged early on with affected staff and key stakeholder groups to identify their initial concerns and questions.</p> <p>Wider consultation and engagement with staff and other stakeholders is planned as part of the next phase of the project and will include specific engagement regarding equalities impacts.</p>
<p><b>Key impacts (positive and/or negative) on people with protected characteristics</b></p>	<p>The Draft Business Plan identifies a number of opportunities to improve and develop services for existing customers and other potential customers – in particular older people, young adults with disabilities, and a wider range of people with disabilities.</p> <p>No specific negative impacts on people with protected characteristics have been identified with regard to the proposals themselves. (The Cabinet Report addresses general benefits and risks of the proposals.)</p> <p>The potential negative impacts that have been identified with regard to the process of implementing the proposals will be addressed through the HR and Communications workstream</p>

## EQUALITY IMPACT ASSESSMENT TEMPLATE

	of the project team.
<b>Changes you have made to the proposal as a result of the EIA</b>	Incorporated ideas from early engagement into the Communications and Engagement Plan.
<b>Key mitigating actions planned to address any outstanding negative impacts</b>	<p>The Communications and Engagement Plan will ensure that staff and other stakeholders are fully informed and consulted throughout the process of creating the LATC, particularly the development of the business plan.</p> <p>Once the LATC is established, the Involvement Board will ensure that people who use services, families, and carers, as well as staff and volunteers, will be actively involved</p>
<b>Potential negative impacts that cannot be mitigated</b>	None identified

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## Adult Social Care Select Committee Work Programme 2013-14

Date	Item	Why is this a Scrutiny Item?	Contact Officer	Additional Comments
<b>January 2014</b>				
16 Jan	Integration Transformation Fund	Scrutiny of Services - To provide information on the Integration Transformation Fund (ITF) and the joint work underway to produce the Surrey ITF Plan for sign-off by the Health and Wellbeing Board in February 2014	Dave Sargeant	Verbal Update
16 Jan	Local Authority Trading Companies  [Will contain Part 2 elements]	Policy Development – The Committee will scrutinise plans for the development of Local Authority Trading Companies (LATCs) to manage the Council’s in-house residential homes for older people and people with learning disabilities.	Simon Laker/ Kat Macann	
16 Jan	Safeguarding	Scrutiny of Services – The Committee will scrutinise current safeguarding policies and arrangements.	Sarah Mitchell Dave Sargeant	
16 Jan	Adults Systems Procurement	Scrutiny of Services – The Committee will receive an update on the improvements undertaken on the Adults Information System following a Rapid Improvement Event and updates to the software by the provider.	John Woods	
<b>February 2014</b>				
13 Feb	Adult Social Care Budget Workshop	This will be a private workshop for Members to discuss the budget for the Adult Social Care Directorate in 2014/15, as well as the Medium Term Financial Plan. This item will also include a focus on the areas of joint working between SCC and the NHS including the areas identified for the	Paul Carey-Kent	Private Workshop – joint with Health

## Adult Social Care Select Committee Work Programme 2013-14

Date	Item	Why is this a Scrutiny Item?	Contact Officer	Additional Comments
		Better Care Fund.		Scrutiny
<b>March 2014</b>				
6 March	Serious Case Review	Scrutiny of Services – The Committee will scrutinise progress against the recommendations made by the Serious Case Review into the death of Gloria Foster.	Sarah Mitchell	
6 March	Dementia-Friendly Communities	Scrutiny of Services – As part of a national drive, the Directorate initiated a project in January 2013 to create dementia-friendly communities. The Committee will scrutinise progress and performance on this project one year on.	Donal Hegarty/Jen Henderson	
6 March	Budget Monitoring	Scrutiny of Budgets – The Committee will scrutinise the most recent budget monitoring information.	Paul Carey-Kent	
6 March	Social Care Debt	Scrutiny of Services – The Committee will scrutinise the most recent social care debt information. Reducing social care debt is a priority for the Committee.	Paul Carey-Kent	
<b>May 2014</b>				
1 May	Commissioning Strategy	Scrutiny of Services/Policy Development – It is important that the Committee understands the concept of commissioning adult social care. The Committee will scrutinise the Commissioning Strategy and contribute	Anne Butler, Assistant Director for	

## Adult Social Care Select Committee Work Programme 2013-14

Date	Item	Why is this a Scrutiny Item?	Contact Officer	Additional Comments
		to any development of future policy.	Commissioning	
1 May	Managing the Market	Scrutiny of Services/Policy Development – the Commissioning service has a priority to manage the care market. The Committee will scrutinise the current policies and strategies for doing so and contribute to any ideas for improvement.	Anne Butler, Assistant Director for Commissioning	
<b>June 2014</b>				
26 June	Self-funder Strategy	Scrutiny of Services/Policy Development – The Service is working on a Self-funders Strategy, which includes the provision of information and advice. The Committee will scrutinise any draft of this strategy, and contribute to its development.	John Woods	
26 June	Budget Monitoring	Scrutiny of Budgets – The Committee will scrutinise the most recent budget monitoring information.	Paul Carey-Kent	
26 June	Social Care Debt	Scrutiny of Services – The Committee will scrutinise the most recent social care debt information and include the internal audit report . Reducing social care debt is a priority for the Committee.	Paul Carey-Kent	
<b>TO BE SCHEDULED</b>				
	Review of in-house residential homes for older people  Part 2	Policy development – The Committee will scrutinise the final options appraisal for the six in-house residential homes for older people, prior to a decision by the Cabinet.	Mark Lloyd	

**Adult Social Care Select Committee Work Programme 2013-14**

Date	Item	Why is this a Scrutiny Item?	Contact Officer	Additional Comments

**Task and Working Groups**

Group	Membership	Purpose	Reporting dates
Page 13 Family, Friends and Community Support working group	Margaret Hicks, Fiona White	To track project outcomes and deliverables for the Family, Friends and Community Support agenda	April 2014



**ADULT SOCIAL CARE SELECT COMMITTEE  
ACTIONS AND RECOMMENDATIONS TRACKER – UPDATED September 2013**

The recommendations tracker allows Committee Members to monitor responses, actions and outcomes against their recommendations or requests for further actions. The tracker is updated following each Select Committee. Once an action has been completed, it will be shaded out to indicate that it will be removed from the tracker at the next meeting. The next progress check will highlight to members where actions have not been dealt with.

**Recommendations made to Cabinet**

Date of meeting and reference	Item	Recommendations	To	Response	Progress Check On
5 December 2013 024	PROGRESS WITH IMPLEMENTATION OF THE ADULT MENTAL HEALTH SERVICES PUBLIC VALUE REVIEW (PVR) [Item 9]	That the Cabinet Member for Business Services consider the need for internal training for Surrey County Council employees, in order to prevent discrimination against staff and residents with mental health difficulties.	Cabinet Member for Business Services	This item will be referred to the Cabinet meeting on 4 February 2014	<i>March 2014</i>

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**Select Committee and Officer Actions**

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
20 June 2013 004	AGEING WELL IN SURREY [Item 7]	That the report is taken to each Local Committee.	Senior Manager, Commissioning	The Ageing Well report will be taken to all Local Committees as	<i>January 2014</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
				recommended, and that the Adult Social Care Committee will review the outcomes of these meetings in six months time.	
5 September 2013 008	INCOME / DEBT UPDATE REPORT [Item 8]	Comparative social care debt data from other local authorities to be circulated to the Committee.	Adult Social Care Directorate	This will be circulated to the Committee in advance of their budget planning workshop	<i>December 2013</i>
20 September 2013 016	CALL-IN: CONTINUING HEALTH CARE TEAM INVEST TO SAVE BID - 4 SEPTEMBER 2013 [Item 4]	That the cost of the Continuing Health Care team is included in the business plan for 2014/15 onwards.	Adult Social Care Directorate	This will be considered as part of the Business Planning for 2014/15 and a response provided when the proposal comes to Select Committee.	<i>December 2013</i>
24 October 2013 018	FAMILY, FRIENDS AND COMMUNITY SUPPORT - SOCIAL CAPITAL IN SURREY [Item 7]	That the Committee implement a working group to track project outcomes and deliverables for the Family, Friends and Community Support agenda, to report back in March 2014.	Chairman/Democratic Services	The working group have been invited to join the Family, Friends and Community Support Project Board. They will provide an update on this work	<i>April 2014</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
				in April 2014.	
24 October 2013 020	SUPPORTING CARERS [Item 8]	That each school has a governor responsible for supporting young carers.	Cabinet Associate for Adult Social Care	The Cabinet Associate for Adult Social Care has noted this and a draft letter to Surrey schools has been prepared. The Cabinet Associate will give a verbal update at today's meeting.	<i>January 2014</i>
24 October 2013 021	SUPPORTING CARERS [Item 8]	That the Directorate explores ways in which it can improve the number of carers providing feedback through the Carer survey.	Carer Development Manager	This has been noted by officers and the response rate for the next Carers Survey will be shared with the Committee.	<i>October 2014</i>
5 December 2013 022	RECRUITMENT AND RETENTION UPDATE [Item 7]	<p>a) That the Committee notes the 17 per cent vacancy rate across the Adult Social Care Directorate, and encourages officers to continue measures to address this.</p> <p>b) That officers develop closer working with universities and colleges to ensure the supply of</p>	HR Relationships Manager (Adults) / Scrutiny Officer	The Committee will receive a further report on Recruitment and Retention in 2014. This will be added to the forward work programme in due course.	<i>December 2014</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
		<p>quality applicants for vacancies within the Directorate.</p> <p>c) That the Cabinet Member lobby nationally for the development of vocational routes into the social work profession.</p> <p>d) That officers explore a regional and localised approach to sourcing agency staff.</p> <p>e) That members are involved in the development of the next workforce strategy, prior to its publication in April 2014.</p>			
5 December 2013 023	SERVICE FOR PEOPLE WITH A LEARNING DISABILITY PUBLIC VALUE REVIEW (PVR) UPDATE [Item 8]	<p>a) That officers work to increase the occupancy rate of Surrey assets with Surrey Residents.</p> <p>b) That future reports illustrate the work of community/ self-help groups in relation to each work-stream in the Public Value Review.</p> <p>c) That future reports demonstrate how the service has offered suitable alternatives to</p>	Assistant Director for Personal Care and Support	The Committee will receive a further report on the outcomes of the Public Value Review (PVR) in 2014. This will be added to the forward work programme in due course.	<i>December 2014</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
		<p>short breaks, and seeks more opportunities to identify alternatives.</p> <p>d) That officers report back to the Committee on the progress of the Service for People With A Learning Disability Public Value Review in a year.</p>			
5 December 2013 025	PROGRESS WITH IMPLEMENTATION OF THE ADULT MENTAL HEALTH SERVICES PUBLIC VALUE REVIEW (PVR) [Item 9]	That the Directorate circulates a report to Local Committees advising them of the work of the Adult Mental Health Services Public Value Review and outlining the provisions in the area.	Senior Manager, Commissioning, Adult Social Care	Officers have noted this recommendation and will provide a response for March 2014.	<i>March 2014</i>
<b>COMPLETED ITEMS</b>					
20 June 2013  SC001	BUDGET UPDATE [Item 8]	That the Cabinet examine and evaluate the realistic potential for savings via "social capital."	Cabinet	The Cabinet Member for Adult Social Care provided a response at the Cabinet meeting on 23 July 2013. A copy was included in the agenda papers at the Committee's meeting on 5 September 2013.	<i>Complete</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
5 September 2013 006	DIRECTOR'S UPDATE [Item 6]	A report on social worker recruitment and retention will be brought to a future Committee meeting.	Chairman/Scrutiny Officer	This report is on the agenda for the Committee's meeting on 24 October 2013	<i>Complete</i>
5 September 2013 013	THE CARE BILL - REFORMING CARE AND SUPPORT [Item 9]	All future reports to the Committee to contain a section that outlines the implication of the Care Bill in relation to the item.	ASC Directorate	This has been implemented where appropriate.	<i>Complete</i>
5 September 2013 009	THE CARE BILL - REFORMING CARE AND SUPPORT [Item 9]	That the Directorate deliver further Care Bill awareness events for staff and Members across all localities.	Assistant Director for Policy & Strategy	Staff across all localities have received information on the current details and implications of the Care Bill. On 23 September 2013 a large-scale event happened to provide details of changes signified by the Care Bill and to garner views on funding reforms and draft eligibility regulations work continues and will be ongoing.	<i>Complete</i>
5 September 2013 010	THE CARE BILL - REFORMING CARE AND SUPPORT [Item 9]	That the Care Bill implementation Group is initiated.	Assistant Director for Policy & Strategy	This group has been implemented.	<i>Complete</i>

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5 September 2013 011	THE CARE BILL - REFORMING CARE AND SUPPORT [Item 9]	That updates on implementation progress to come to the Adult Select Committee.	Assistant Director for Policy & Strategy	This has been noted and will be added to the Forward Work Programme when appropriate.	<i>Complete</i>
5 September 2013 012	THE CARE BILL - REFORMING CARE AND SUPPORT [Item 9]	That the Chairman of the Committee send a letter to the Department of Health, requesting that the funding formula for the allocation of central Government funding to meet the costs of the Care Bill is clarified and adequately reflects the demographic	Chairman/Scrutiny Officer	This letter has been sent and a response will be shared once received.	<i>Complete</i>
20 September 2013 014	CALL-IN: CONTINUING HEALTH CARE TEAM INVEST TO SAVE BID - 4 SEPTEMBER 2013 [Item 4]	That the Audit & Governance Committee review the new structure, membership and procedures of the Investment Panel, and report to Council Overview & Scrutiny Committee on their findings.	Chairman of Audit & Governance Committee/ Chairman of Council Overview & Scrutiny Committee	The Audit & Governance Committee will receive a report at their meeting on 2 December 2013; this will be reported onto Council Overview and Scrutiny following this meeting	<i>Complete</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
20 September 2013 015	CALL-IN: CONTINUING HEALTH CARE TEAM INVEST TO SAVE BID - 4 SEPTEMBER 2013 [Item 4] / CALL-IN: STAFFING AND SYSTEMS INVEST TO SAVE BID - 4 SEPTEMBER 2013 [Item 5]	That officers ensure that decision trails are mapped and recorded accurately within minutes and papers.	Adult Social Care Directorate	This has been noted by officers and will be implemented.	<i>Complete</i>
24 October 2013 017	DIRECTOR'S UPDATE [Item 6]	The Directorate to explore the possibility of delivering a further Dilnot and Care Bill workshop to Members.	Assistant Director for Policy & Strategy	Officers are currently reviewing potential Member seminar dates in 2014 to deliver a workshop.	<i>Complete</i>
24 October 2013 019	FAMILY, FRIENDS AND COMMUNITY SUPPORT - SOCIAL CAPITAL IN SURREY [Item 7]	That Adult Social Care should work closely with District and Borough Councils in delivering the Family, Friends and Community Support agenda.	Assistant Director for Commissioning	<ul style="list-style-type: none"> <li>The Assistant Director for Commissioning and Project Manager will be attending the Surrey Officers' Group (a collective of all the Borough &amp; District community service leads) to introduce Family, Friends and Community</li> </ul>	<i>Complete</i>



Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
				<p>Support and expand on the B&amp;D's involvement. The group invite is for January. Informal connections made will all B&amp;D community connectors.</p> <ul style="list-style-type: none"> <li>The Commissioning team are engaging directly with the B&amp;Ds around use of Personalisation, Prevention and Partnership funding to support community innovation.</li> </ul>	
24 October 2013 019	FAMILY, FRIENDS AND COMMUNITY SUPPORT - SOCIAL CAPITAL IN SURREY [Item 7]	That the Directorate raise the profile of the Friends, Family and Community Support agenda through Local Committees and local Councillors.	Assistant Director for Commissioning	<ul style="list-style-type: none"> <li>An engagement plan for all members, and the local committees is being developed.</li> </ul>	<i>Complete</i>

Date of meeting and reference	Item	Recommendations/ Actions	To	Response	Progress Check On
				<ul style="list-style-type: none"> <li>• Connection made with Parish and Town Councils through Surrey Association of Local Councils. Follow up work will be lead by commissioning, including promotion of Surrey Information Point, sharing of strategic needs and connecting with other local organisations.</li> </ul>	

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