

Change Programme's overall aim is to develop a model for Sefton Council's Adult Social Care that is sustainable, modern and flexible, delivering the four strategic priorities as set out in the ASC Strategic plan 2013-20 as approved in November 2013, and the delivery of the changes associated with the Care Act.

New requirements, duties and responsibilities associated with the Care Act will be designed, developed and implemented from April 2015 with full implementation planned for April 2016. In the light of the timescale, breadth of changes and associated risks, it is important that the Council prepares for implementation despite of a lack of clarity about some of the key features.

Alternative Options Considered and Rejected:

Maintaining the status quo is not an option due to demographic and budgetary pressures and new legislation.

What will it cost and how will it be financed?

(A) Revenue Costs

The Adult Social Care 2014/15 revenue budget is £92m. The Council's MTFP projects budget gaps for 2015/2016 and 2016/2017 of £31.6m and £22.2m respectively. The Adult Social Change Programme will need to be considered against the background of reducing Council resources. Under the New Burdens principle the Government will provide additional funding to Councils for the implications of the requirements, duties and responsibilities associated with the Care Act. Indicative allocations for Sefton suggest that the Better Care Fund for Sefton will include £0.831m for these New Burdens in 2015/2016. In addition, £285m nationally will also be available in 2015/2016 to support the transition to capped care costs and deferred payments. The DCLG has estimated that Sefton's share of the national revenue funding will be £1.811m although the methodology for allocating these resources is still under development. Funding beyond 2015/2016 is unknown. The actual level of expenditure is however unclear; serious concerns exist that expenditure will exceed the additional Government resources.

(B) Capital Costs

As part of the new burdens funding, the Council has been notified of an indicative allocation of £0.307m in 2015/16 for capital costs associated with the implications of the Care Act.

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Financial

Revenue costs and the timing of the impact of the various elements of the Care Act are yet to be determined and will need to be factored into Council's medium term financial plan. In February 2014 Cabinet were advised that reforms to adult social care will place a number of new burdens on local authorities. There is however a great deal of concern with regard to the Government's expectation of service provision, and the resultant financial costs to Sefton (when compared to the additional resources provided). Based

on available information to date, the additional resources are not expected to be sufficient.

Legal

Current social care legislation has evolved over a number of decades and the Care Act will consolidate several pieces of legislation and will replace many different pieces of legislation with one Act. The Act sets out new rights for carers, emphasis the need to prevent and reduce care and support needs and introduces a national eligibility threshold for care and support. The Act also introduces a cap on the costs that people will have to pay for care.

Preparations for the implementation of the Act may require to Council to renegotiate the terms of its contracts with commissioned service providers.

Human Resources - The implications in terms of Personnel practice and implications for the workforce are not clear yet. Regular consultation takes place with trade unions through recognised processes. Officers will continue to consult with trade unions and employees as necessary following these recognised processes.

Equality

Equality implications continue to be identified as this report does not recommend significant changes there are no equality impacts to be reported at this stage.

Impact of the Proposals on Service Delivery:

Adult Social Care's day-to-day operational model will change over the period of the programme. The impact on the individual and community is not fully understood at this stage.

The Care Act represents the most significant change in Adult Social Care in recent years, with changes to underpinning legislation, eligibility criteria, funding, the status of Adult Safeguarding and a host of other associated areas which are likely to impact across the Council.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance and ICT has been consulted and any comments have been incorporated into the report. (FD 3062/14) and Head of Corporate Legal Services ((LD2367/14)

Implementation Date for the Decision

Immediately following the expiry of the call in period

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Background Papers: The following papers are available for inspection on the Council website via these links:

[Report to Overview & Scrutiny \(Health & Social Care\) July 2014](#)

Other Information

[Strategic Plan](#)

[Market Position Statement](#)

[DoH Care & Support Consultation](#)

1. The Care Act

- 1.1 The Care Act received Royal Assent 14th May 2014. Whilst a number of features of the proposed legislation are subject to consultation and provision of greater detail, the breadth and complexity of the associated issues and the proposed timescales for implementation indicate that the Council needs to carefully consider the financial and other implications, opportunities and associated risks and begin to prepare to manage these in the context of reductions in funding for local Government services and a raft of other social care initiatives.
- 1.2 It is anticipated that further information with regard to the funding will be received in December 2014.
- 1.3 Many of the anticipated changes will have a significant impact on the community, workforce, partners, providers, suppliers, pathways, processes and technology. The programme will identify the required level of investment in modelling future demand, process redesign, improving community awareness changing ways of working, training, technology etc. Effectively scheduling and managing the dependencies between the various work packages, projects, other Council and partner initiatives are key.

2. Community Services

- 2.1 February 2013 Council approved a proposal to remodel day opportunities so that in the future opportunities will be shaped by how best to meet assessed needs and made more appropriate to people who use them. In considering this Council was made aware that this may result in
 - the closure of a number of day centres
 - use of existing and developing community offers and universal services
 - changes in transport
 - and that property will be reviewed regarding future use.
- 2.2 The proposed approach and commissioning outcomes for Community Services (previously described as day opportunities) are described below
 - To promote independence and provide sustainability
 - To provide a socially inclusive model of support
 - Enable individuals to regain, maintain and improve their physical, social and mental wellbeing
 - To enable individuals/carers to manage transitions in life
 - To enrich the lives of individuals and their carers so that they feel valued and acknowledged by the community.

- To manage change sensitively and positively to deliver an appropriate and efficient service
- To provide opportunities that are focused on user need rather than existing services/buildings
- To work in partnership with all agencies to support individuals and their carers
- Where appropriate promote the use of personal budgets or direct payments
- Enable access to the information individuals and their carers need to make good decisions about care and support
- Ensure that concerns about safety or wellbeing can be raised

2.3 It is envisaged that there will be three models of support all based upon person centred planning:

- i. Individuals and their carers can independently access a range of support to maximise independence which is founded upon a socially inclusive model within the community for example employment, education and leisure opportunities.
- ii. Individuals and their carers are provided with a mix of the above and some community provision within a physical setting
- iii. People with profound disabilities and complex needs are provided with a range of opportunities to maximise their potential within a range of physical settings, whilst at the same time provided with provision within the community which is person centred.

2.4 Legislation does not oblige the Council to fund transport for adults. It is proposed that the Council works with users of transport to identify suitable alternatives, increase independence and only fund transport in very exceptional circumstances. No immediate changes will be made without discussing changes with those people directly affected.

2.5 Cabinet is asked to agree the proposed approach associated with Community Services and note the intention to commence consultation on the models of support.

2.6 The Council currently commissions day opportunities from a range of providers. As detailed in the Market Position Statement it is forecast that the current pattern of reduced demand for more traditional day services will continue as a greater number of people choose from a wider range of activities and services. The Council will work with the marketplace when developing the models of support. It is anticipated that existing contractual arrangements will change during this process and these will be managed in line with commissioning procedures.

3. Risks

- 3.1 The programme regularly reviews strategic and operational risks and has put in place measures to manage those risks. However it must be stressed that change of this size coupled with reductions in the Council's budget cannot be achieved in a risk free environment.
- 3.2 The scale and pace of the change required with the need to identify, develop and implement new models of care and the potential associated impact on the community will require appropriate capacity to deliver change. This is on top of increasingly demanding day-to-day-work, and against a backdrop of contraction over the last few years, means capacity will have to be created to enable the delivery of a programme to change an able the Council to support those most vulnerable. It is important to note that this risk is likely to be mirrored with our partners and providers of services.
- 3.3 As Cabinet is aware the Care Act introduces new statutory requirements and duties; there would be risk for the Council in failing to plan to meet these changes. The Act needs to be considered in the context of key financial and demand risk factors already known concerning social care. These are demographic growth, particularly among older people and younger adults with complex disabilities; and increasing complexity of need among adult social care service users. Additional risks include the new duties to provide services to carers and to people who fund their own care. As identified in the February 2014 report to Cabinet the New Burdens monies identified by Government associated with implementing the changes required is not likely to meet the true cost to the Council of implementing such a significant change.
- 3.4 Cabinet is asked to be aware and take account of and note the financial and other risks to the Council.

4. Consultation & Engagement

- 4.1 A further report will presented to the Public Engagement and Consultation Panel on the 25th July 2014.
- 4.2 The Department of Health are currently consulting on the draft regulations and guidance for Part 1 of the 2014 Care Act and centres on the changes that will come into effect from April 2015. This consultation closes 15th August 2014.

5. Equality Act 2010 Duty and Impact Assessments

- 5.1 As the Council puts actions into place to deliver the Adult Social Care Strategic Plan and Care Act Changes there is a need to be clear and precise about our processes, and impact assess potential changes, identifying any risks and mitigating these as far as possible. The impact assessments, including any feedback from consultation or engagement where appropriate, will be made available to Members when final recommendations are presented for a decision. This will ensure that Members make decisions in an open minded balanced way showing due regard to the impact of the recommendations being presented in compliance with the Equality Act 2010.

6. Conclusion

- 6.1 These continue to be challenging times, the pace required to deliver the required changes cannot be underestimated. The combined impact of demographic pressures, new policy and statutory requirements present a significant challenge that will require a sustained and robust Council wide response with continued engagement with key partners. This will require us to develop solutions that ensure people remain independent for as long as possible; support carers to continue caring; encourage people to plan in advance for their care needs; and promote wellbeing and independence and community inclusion. Only a strategic approach can mitigate the demand and financial pressures that will continue to be faced by Adult Social Care.