

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**12 MARCH 2015**

**REPORT OF ADULT  
SERVICES AND HEALTH  
SELECT COMMITTEE**

### **CABINET DECISION**

**Adult Services and Health – Lead Cabinet Member – Councillor Beall**

#### **Scrutiny Review of Home Care**

1. Summary

The attached report outlines the findings of the review of home care. The review was undertaken by Adult Services and Health Select Committee. The review considered the commissioning and provision of home care across all client groups.

2. Recommendations

The Committee recommends that:

1. the Council should review the NICE Quality Standards for Home Care and check against current local practice when published (expected mid-2015), ensure consideration is given to including them in the next specification, and report back on this work to ASH Committee as part of the monitoring process.
2. the Council should consider the fee level ahead of the 2015 commissioning process to ensure it supports a sustainable high quality service, within the available resources.
3. a) the Council should work with commissioned providers to ensure that wherever possible zero hour contracts are not used, taking into account best HR practice, to ensure due consideration is being given to the use of minimum guaranteed hours contracts for staff;  
b) the Council consider providing a guaranteed minimum level of home care hours to providers, taking into account expected demand and activity levels, whilst ensuring service users are able to exercise their choice of provider.
4. participation in the Home Care Quality Standards Framework process to be made a contractual requirement for home care providers in the next contract

5. the outcomes from the Home Care Quality Standards Framework to be reported to ASH Committee on an annual basis, as part of the framework for monitoring the quality and safety of local care services
6. that the Council take forward discussions with the Regional Association of Directors of Adult Social Services (ADASS) and regional Care Quality Commission (CQC), in order to ensure that Local Authorities receive early notification of any issues of concern identified during CQC inspections of Adult Social Care providers, and ensure that consistent procedures are in place across the region.
7. the Council should examine procurement options so that not all of the commissioned home care service is procured at the same time. This would mitigate risks by increasing: stability in local service provision, the scope to support other models/pilot approaches, and the opportunity to develop a greater range of providers in the Borough.
8.
  - a) the Council should continue to work with and engage the voluntary, community and social enterprise (VCSE) sector to further develop its services in this area of provision, including non-personal care support where appropriate, and this should include facilitating the development of mutual service providers in the Borough;
  - b) emerging good practice examples of VCSE sector provision be reported to the Committee as part of the six-monthly monitoring process.
9. as part of the monitoring process, an update on all the issues identified in the report and recommendations be reported to Committee in six months.

### 3. Reasons for the Recommendations/Decision(s)

The report presents the findings of the scrutiny review that took place as part of the agreed work programme for 2014-15.

### 4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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**REPORT TO CABINET**

**12 MARCH 2015**

**REPORT OF ADULT SERVICES AND  
HEALTH SELECT COMMITTEE**

**CABINET DECISION**

**SCRUTINY REVIEW OF HOME CARE**

**SUMMARY**

The attached report outlines the findings of the review of home care.

**RECOMMENDATIONS**

The Committee recommends that:

1. the Council should review the NICE Quality Standards for Home Care and check against current local practice when published (expected mid-2015), ensure consideration is given to including them in the next specification, and report back on this work to ASH Committee as part of the monitoring process.
2. the Council should consider the fee level ahead of the 2015 commissioning process to ensure it supports a sustainable high quality service, within the available resources.
3. a) the Council should work with commissioned providers to ensure that wherever possible zero hour contracts are not used, taking into account best HR practice, to ensure due consideration is being given to the use of minimum guaranteed hours contracts for staff;  
  
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local service provision, the scope to support other models/pilot approaches, and the opportunity to develop a greater range of providers in the Borough.

8. a) the Council should continue to work with and engage the voluntary, community and social enterprise (VCSE) sector to further develop its services in this area of provision, including non-personal care support where appropriate, and this should include facilitating the development of mutual service providers in the Borough;
- b) emerging good practice examples of VCSE sector provision be reported to the Committee as part of the six-monthly monitoring process.
9. as part of the monitoring process, an update on all the issues identified in the report and recommendations be reported to Committee in six months.

## **DETAIL**

1. The attached report outlines the findings of the review of home care. The review was undertaken by Adult Services and Health Select Committee. The review considered the commissioning and provision of home care across all client groups.
2. Following consideration by Cabinet an action plan will be submitted to the Select Committee setting out how approved recommendations will be implemented detailing officers responsible for action and timescales.

## **FINANCIAL IMPLICATIONS**

3. There are no financial implications at this stage. The review proposes further work to understand procurement options for the future commissioning of home care.

## **LEGAL IMPLICATIONS**

4. There are no significant legal implications at this stage. The review proposes further work to understand procurement options for the future commissioning of home care.

## **RISK ASSESSMENT**

5. This review of home care is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

6. The review addresses the following Council Plan 2014-17 themes/objectives:
  - Ensure all adult service users receive personalised care and support
  - Ensure safe arrangements for protecting adults whose circumstances make them vulnerable

## EQUALITIES IMPACT ASSESSMENT

7. This report is not subject to an Equality Impact Assessment because it is making no major change to any policy or service provision.

## CONSULTATION INCLUDING WARD/COUNCILLORS

8. The Committee considered existing feedback from service users (including Quality Standard Framework surveys, the consultation informing the 2012 commissioning process, and feedback in CQC reports), and to expand on this a sample of home care users using providers on the standard framework were surveyed by Healthwatch, and clients using the enhanced providers were consulted by members of the STEPS service. Healthwatch also undertook a focus group with young carers.
9. Members of the Health and Wellbeing Board, Adult Health and Wellbeing Partnership, local GPs, the Safeguarding Local Executive Board, and local Members of Parliament were notified of the review.
10. All locally commissioned providers were surveyed and a sample were invited to Committee. CASA, an alternative social enterprise provider not currently operating in the Borough, and Catalyst attended Committee meetings.
11. Representatives of the Committee also visited the local CIC office in February following invitation.
12. The Corporate Director of Children Education and Social Care, and Cabinet Member for Adult Services and Health were consulted on the findings and recommendations.

**Name of Contact Officer:** Peter Mennear

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Education related? No

Background Paper None

Ward(s) and Ward Councillors:

Property Not applicable