

<b><u>MEETING</u></b>
<b>URGENCY COMMITTEE</b>
<b><u>DATE AND TIME</u></b>
<b>MONDAY 17TH OCTOBER, 2016</b>
<b>AT 6.00 PM</b>
<b><u>VENUE</u></b>
<b>HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ</b>

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
1.	UPDATE ON ADULT SOCIAL CARE ENABLEMENT SERVICE	3 - 10
1.	UPDATE ON ADULT SOCIAL CARE ENABLEMENT SERVICE (EXEMPT)	11 - 16

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## Urgency Committee

### 17 October 2016

<b>Title</b>	<b>Update on adult social care enablement service</b>
<b>Report of</b>	Adults and Health Commissioning Director Adults and Communities Director
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	Yes
<b>Key</b>	No
<b>Enclosures</b>	None
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### Summary

At Policy and Resources Committee on 5 October 2016, it was agreed that a report would be presented to the Urgency committee, giving an update on the social care enablement service.

On 5th September 2016 the Council's Enablement Homecare Service transferred from the previous incumbent provider, Housing and Care 21, to Aquaflo Care Ltd. Despite measures in place to mitigate the risk of disruption during the mobilisation period, the transfer has proven problematic and the Council has had to take steps to ensure that continuity of enablement and home care support is provided to residents receiving a service from AquaFlo.

Actions taken have included frequent contact and reviews of service users, provision of visits from home care workers to check on welfare and attend to personal care needs, moving vulnerable clients to alternative care providers, mobilising an out-of-hours response service and close working with the provider on improvements. These ensured that where possible any negative impacts of loss of service were mitigated and resolved. The reviews of clients have not identified any enduring issues attributable to this service failure. This report outlines the issues that arose, the response of the Council to date and further actions planned.

## **Recommendations**

- 1. That the Committee notes the report setting out an update on the enablement service in Barnet.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 On 5th September the Council's Enablement Homecare Service transferred from the incumbent provider, Housing and Care 21, to Aquaflo Care Ltd. Despite measures in place to mitigate the risk of disruption during the mobilisation period, the transfer has proven problematic and the Council has had to take steps to ensure that continuity of enablement and home care support is provided to residents who are users of the AquaFlo service.
- 1.2 Enablement is a service for those initially entering the social care system. It provides tailored short term rehabilitation support to meet a person's identified goals, in order to improve skills and confidence in living independently in their own home and allow them to access their community.
- 1.3 For some people, this can be achieved in a week or two, for others it may be up to six weeks. During the enablement period, social work practitioners within Barnet Council undertake regular reviews to identify whether someone needs care and support for the longer term. Enablement packages for individuals will range from a couple of visits per week to multiple daily calls of between thirty minutes and an hour depending on individual needs. Clients using the service tend not to be the most vulnerable that the Council supports and over 70% require no further social care service at the end of the enablement period. In a typical year, 1,600 people will use the enablement service, approximately 24% of those who use Council funded adult social care.
- 1.4 Barnet Council first established an enablement service in 2009 through a variation to an existing home care contract. This was then procured through a competitive procurement process in 2010. The provider was Housing and Care 21. The contract length was four years with a one year extension and there was a requirement under contract procedure rules to re-procure the service.

### **Procurement process**

- 1.5 Following a review by officers in the Joint Commissioning Unit of the health and social care enablement pathway, a strategy for all local enablement services was developed. This included the gathering of best practice and review of current services to inform the specification for the re-commissioning of the enablement homecare provision. The Council's home care contracts were also coming to an end and the enablement service formed a specific lot within the home and community support procurement.

- 1.6 The Council undertook a competitive procurement process for Home and Community Support as required under EU public procurement legislation. The Enablement Service was one lot within this larger procurement. The authorisation to commence came from the Procurement Forward Plan 2015/2016, which was agreed by Policy and Resources Committee on 13 January 2015. A working group of ten service users and carers were involved for over a year in the procurement process for home and community support, including bid evaluation.
- 1.7 Following a report to Adults and Safeguarding Committee in November 2015, where it was agreed to include the payment of travel time for care workers in home and community support contracts, the procurement specified that bidders needed to pay travel time. The procurement also specified that bidders had to take account of increases in the National Living Wage in their bids.
- 1.8 The bids were subject to comprehensive evaluation, carried out by Legal, Procurement, Adults & Communities, commissioners, users and carers, that included:
- A series of pass/fail questions to eliminate those not meeting essential quality and safety selection criteria including financial standing, professional conduct, insurance, health and safety, quality assurance, safeguarding, equality, business continuity, experience, electronic call monitoring and training.
  - Experience and quality testing including adherence to quality standards for all scored qualitative responses. These included capacity, planning, service provision, recruitment, quality assurance, risk, safeguarding, business management and social value.
  - Price assessment.
- 1.9 Experienced staff from the Council's procurement finance and social care services undertook each part of the evaluation. A number of providers did not meet the minimum quality criteria and therefore did not proceed to the final stages of the evaluation process.
- 1.10 The contract award was approved on 8 March 2016 by a delegated powers report signed by the Adults and Communities Director in consultation with the Chairmen of Adults and Safeguarding and Children, Education, Libraries and Safeguarding Committees, in accordance with the Council's Contract Procedure Rules.

## **Mobilisation**

- 1.11 A thorough service transfer and mobilisation plan was agreed with both the old and new provider and regular weekly meetings were held to assess progress against this. This was managed using the Council's project management methodology. The project was overseen by a project board chaired by the Community and Wellbeing Assistant Director in the Adults and Communities Delivery Unit. The project had the full range of formal project

controls in place including regular progress and risk reporting along with regularly updated action, risk and issue logs.

- 1.12 Four weeks prior to the new service commencing, existing enablement service users received a letter from Barnet Council notifying them that there would be a change of supplier from 5th September and provided contact details if there were any concerns or questions.
- 1.13 Staff within Housing and Care 21 were consulted in line with Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). Prior to the new service commencing, these staff met with the new provider as a group and then had individual meetings with the registered manager of AquaFlo to brief them on the changes.
- 1.14 Adult social care staff in the Council received regular written updates on the transition and mobilisation via the Adults and Communities communications team and all staff face to face briefings led by the Adults and Communities Senior Management Team. There were also specific and tailored briefings from the Heads of Service and their managers in team meetings. The staff who would be working directly with Aquaflo met weekly with them to agree the handover.
- 1.15 On 6 September 2016, the Council's project manager escalated to managers within the Adults and Communities delivery unit that there were concerns about the service. This triggered an immediate response by adult social care management and staff to ensure that service users received care and that their welfare was assured.
- 1.16 Once made aware of the concerns about the new service the Council put in place a number of measures to ensure the continuity and provision of care to residents in accordance with council policies. These included:
  - Adults and Communities staff contacted everyone who should have received care to confirm their well-being. Where alternative care was urgently needed it was put in place immediately. Further checks were then made throughout the period of each client's enablement service.
  - Two members of adult social care staff were sent to Aquaflo's Office to support them.
  - For some cases the Council immediately put in place care from other homecare providers instead of the AquaFlo service and informed individuals and their families of this.
  - The Council commissioned additional capacity from its strategic homecare providers to make any urgent care visits. This included 57 welfare checks on 7 September.
  - Adults and Communities suspended any new referrals to Aquaflo's enablement service.
  - Adults and Communities put in place an out of hours emergency support service to deal with concerns from clients and provide additional cover for

care visits over the weekend. This included care provision from Your Choice Barnet, which has established a personal assistant service.

- Regular updates from management on situation management were cascaded to the various teams in Adults and Communities responding to the situation.
- Carrying out social work reviews of clients to assess their on-going needs and ensure that these are met.
- Regular meetings led by the Delivery Unit Director and / or the Assistant Director to ensure swift action was taken to address concerns.
- Providing regular updates to staff including through emails and verbal briefings.
- Conversations were held with staff members to help them re-prioritise their work to ensure there was sufficient capacity to respond to the urgent issues. In addition to management cover, five staff members volunteered to provide additional out-of-hours capacity paid at over-time rates to telephone service users, check on their welfare and respond to any issues in care provision, arranging alternative provision where necessary.
- The Adults and Communities senior management team held multiple daily status and planning meetings with the appropriate officers working with clients and providers; regularly briefing the Leader, Committee Chairman, Chief Executive, Commissioning Director and taking on weekend duty work to respond to the situation.

1.17 Providers of registered care can experience quality failures and when this occurs the Council will oversee a process of support and improvement to ensure residents are kept safe and services improve, or that people are appropriately moved to a new provider. In these circumstances the Council works closely with the Care Quality Commission (CQC).

### **Impact on service users**

1.18 The Council has worked hard to minimise the impact on clients. Everyone who contacted the Council with a concern has had a review of service within a week. There was a quick response to every individual issue raised and it was ensured that those most vulnerable were guaranteed quality service provision. Open cases all have an allocated worker who has seen the adult face-to-face at least once.

1.19 Under the old contract, there was sometimes a waiting list for enablement as the care market more generally is stretched and recruitment to care worker posts can be challenging. The Council has an enablement triage team in place to screen and prioritise all referrals. As at 12 October there were 14 enablement clients awaiting allocation, of which 2 were in hospital and awaiting discharge. The challenges with the contract have coincided with an increase in referrals from hospitals.

## **AquaFlo background**

- 1.20 AquaFlo was established in 2006 and passed all financial checks in the procurement process. They are delivering 1,500 hours of homecare in Brent (out of the same registered office as Barnet service) and the enablement service for Bexley.
- 1.21 The company has six London branches and a branch in Edinburgh. Only two London braches have published Care Quality Commission (CQC) inspection reports - Bexley (judged as Good in February 2016) and Wandsworth (judged as Requires Improvement in June 2016).

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 To ensure the Committee are informed and updated on the current situation with Barnet's enablement service.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The work to ensure a safe and sustainable enablement service is delivered to the residents of Barnet will continue.
- 4.2 The enablement service was raised as an urgent item by the Chairman at the 19 September meeting of the Adults and Safeguarding Committee. At this meeting it was agreed that a further report reviewing the problems with the service and identifying lessons that can be learned will be prepared and presented to a future meeting of the Adults and Safeguarding Committee. The review will include a review of the chronology of events and key documents; interviews with those involved; and workshops with the Council teams most impacted.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Enablement service supports the Corporate Plan priorities of Managing Demand for Services (Fairness) and Transforming Services (Opportunity), specifically:

*Working with older people to design and manage services that help them to be more independent and self-care through access to information, resources and community networks.*

*Helping the NHS manage the cost of A&E and hospital admissions through greater provision of primary and community care and improving the*

*experience of service users, promoting independence and enabling self-care. By 2020 social care services for adults will be remodelled to focus on promoting independence, with a greater emphasis on early intervention. This approach, working with housing and health services, will enable more people to live for longer in their own homes.*

## **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The enablement contract was procured as one lot in the home and community support contract which overall has seen a net pressure to the Adults and Communities Budget although the hourly rate for enablement has reduced. This was not a savings driven procurement and providers had to meet a broad set of minimum quality standards to qualify as well as ensuring that they pay their staff the National Living Wage and travel time.

## **5.3 Social Value**

5.3.1 N/A

## **5.4 Legal and Constitutional References**

5.4.1 Under s2 of the Care Act 2014, there is a duty to provide or arrange services that reduce needs for support among people and their carers in the local area, and contributes towards preventing or delaying the development of such needs. Enablement usually encompasses providing support and services within the service user's own home and must be provided for up to 6 weeks without any financial charge being made.

## **5.5 Risk Management**

5.5.1 The Council has actively sought to mitigate risk arising through these contract issues in the ways described above. The priority is now to ensure a sustainable service to ensure that those requiring a short-term enabling service in their own homes can be effectively supported to regain their independence.

5.5.2 Work with local NHS partners will also continue to help mitigate the risk to vulnerable residents.

## **5.6 Equalities and Diversity**

5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

## **5.7 Consultation and Engagement**

5.7.1 Representatives of service users and carers were involved in the procurement evaluation.

5.8 **Insight**

5.8.1 N/A

**6. BACKGROUND PAPERS**

6.1 Approval to commence procurement via sign-off of procurement forward plan 2015/2016 - Policy and Resources Committee, agenda item 10, 13 January 2015

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MId=7864&Ver=4>

6.2 Approval of contract award via Officer Full DPR, 8 March 2016 signed by the Adults and Communities Director in consultation with the Chairmen of Adults and Safeguarding and Children, Education, Libraries and Safeguarding Committees <http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=6186>

6.3 Approval of the Enablement Home Care Commissioning Strategy, Adults and Safeguarding Committee, agenda item 13, 12th November 2015

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=698&MId=8362&Ver=4>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

## AGENDA ITEM 12

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