

	<p><b>Adults and Safeguarding Committee</b></p> <p><b>19 March 2015</b></p>
<p><b>Title</b></p>	<p><b>Your Choice Barnet Task and Finish Group follow up report</b></p>
<p><b>Report of</b></p>	<p>Dawn Wakeling – Adults and Health Commissioning Director</p>
<p><b>Wards</b></p>	<p>All</p>
<p><b>Status</b></p>	<p>Public</p>
<p><b>Enclosures</b></p>	<p>None</p>
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<p><b>Summary</b></p>
<p>Safeguarding Overview and Scrutiny Committee on 27 November 2013 received a report from the Your Choice Barnet Scrutiny Task &amp; Finish Group and endorsed the report for onward referral to Cabinet. The meeting of Cabinet on 25 February 2014 supported the recommendations of the Task and Finish Group. This report provides an update on implementation of the recommendations.</p>

<p><b>Recommendations</b></p>
<p><b>1. Adults and Safeguarding Committee is asked to note and comment as appropriate on the progress made on implementation of the recommendations by the Your Choice Barnet Task and Finish Group.</b></p>

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

- 1.1 This report provides an update on implementation of the Your Choice Barnet Task and Finish Group's recommendations, which were originally presented and endorsed by Safeguarding Overview and Scrutiny Committee on 27 November 2013 for onward referral to Cabinet on 25 February 2014.
- 1.2 At its meeting of 3 July 2013 the Business Management Overview and Scrutiny Committee agreed to establish a Task and Finish Group (T&FG) to review the business plans for Your Choice Barnet (YCB) with findings being reported to the Safeguarding Overview and Scrutiny Committee (the responsible thematic overview and scrutiny committee). A final meeting of the T&FG took place on 23 September 2013, at which conclusions and recommendations were presented and endorsed for onward referral to Cabinet. The meeting of Cabinet on 25 February 2014 supported the recommendations of the T&FG. This report provides an update on implementation of the aforementioned recommendations. The following paragraphs therefore set out the Cabinet Minutes for context and each of the T&FG recommendations with an implementation update.
- 1.3 Cabinet Minutes (Item 5) 25 February 2014 resolved that Cabinet:
  - i) Support recommendations 1 and 2 of the Task and Finish Group;
  - ii) Support recommendation 3 of the Task and Finish Group and agree that the Council as well as Your Choice Barnet could explore such alternative funding models;
  - iii) Is of the opinion that recommendation 4 be revisited at a future date pending the Barnet Group's review of its structure, and implementation of the Council's new governance arrangements.
- 1.4 **T&FG Assessment** – YCB provides quality care through a team of dedicated staff. However, as a result of budget-motivated pressures to benchmark salaries and restructure staff, morale among some staff has been low. This has, in turn, had an impact on Key Performance Measures such as sickness absence. YCB should continue to engage with staff and unions on proposals that may affect terms and conditions. However, swift action should be taken to agree core staffing needs in order that staff may know where they stand in the long-term. The T&FG understood the need for high-quality agency staff to provide auxiliary support, but believes that motivated permanent staff offered a greater commitment to best quality care. Communication with staff, service users, their families and those investigating care options should highlight staff ratios, core staffing levels and the flexibility to adapt and grow.
- 1.4.1 **T&FG Recommendation One** – Core permanent (non-agency) staffing levels for each service area should be identified on the YCB Risk Register as a Risk to Continuity of Service and Reputation. Risk Management Control should be in place before December 2013 to ensure that the identified number of core permanent staff for each service is maintained or exceeded at all times in order to mitigate any perceived risk posed to quality of present service provision. 'Next Steps/Action' recorded in the Risk Register should describe

how this will be communicated across the organisation and more widely to ensure consistency and reassure Service Users and their families.

**1.4.2 YCB Officer Response to Recommendation One** – Core staffing levels for each of the services were implemented in December 2013 and a 10% flex was agreed to ensure that services can react to fluctuation in service level requirements. Supported Living recruitment campaigns started in January 2014. 8 offers were made but 2 were withdrawn due to poor references. It took up to 6 months to complete this recruitment mainly as a result of delays related to the Disclosure and Barring Scheme (DBS) requirements. A second campaign started in October 2014 where 5 offers were made with 1 withdrawn due to immigration issues. This campaign has just been completed again due to DBS issues. Of the 10 offers most had been working with us via agency therefore consistency of care was maintained. A mixture of regular agency and “as and when” staff is available for the services to call on to cover staff absence due to annual leave, sickness and training etc. Agency staff are also utilised on a short term basis to cover vacancies that have arisen in order to ensure that the services are adequately staffed. All staff including agency and “as and when” go through a recruitment and selection process. Communication on staffing levels (including use of agency and “as and when”) is managed locally through service user meetings and family meetings where appropriate. The Barnet Group risk register does identify overuse of agency, “as and when” and interim staff as a risk and is being actively managed. This risk has been in place since 2012 and has a sub risk in respect of YCB specifically which is managed and owned directly by the Director of Care & Support and reviewed every quarter.

**1.4.3** The staffing establishment and use of Agency staffing across the Supported Living Service is as follows:

Permanent staffing establishment

x 3 coordinators

x 8 support workers

x 18 assistant support workers (19 from 2015/16)

x 4 Full Time Equivalent (FTE) assistant support workers posts are also budgeted for annual leave, training and sick cover by “as and when” and agency workers.

Vacant posts (from the above staffing establishment) as at 2<sup>nd</sup> March 2015

x 1 support worker

x 6.5 assistant support workers

**1.4.4** The vacancy rate was therefore equivalent to 17.4%. YCB management have advised Adults & Communities Delivery Unit that Agency and “as and when” staff are being used to cover these vacancies as appropriate. For our day services we are operating in line with our plans for a 10% agency level and this year has seen an 11% reduction in agency spend with a further 39% reduction planned for next year now that many positions have been appointed to.

- 1.5 **T&FG Assessment** – Growth projections have been slow to materialise since the LATC was created. Group Members were encouraged to note that some positive data was being recorded with around half of all new referrals coming in from outside the borough totalling 14% of income at the start of 2013/14. The Group accepted that each element of the service was being improved and supported the approach taken by YCB to rationalise core business activity before marketing services more widely. Efforts should now focus on delivering growth across the borough and beyond.
- 1.5.1 **T&FG Recommendation Two** – YCB should analyse the potential for business growth through in-home respite as an outreach service from Valley Way. Members suggested prioritising focus in this yet to be explored potential growth area in order to deliver before April 2014.
- 1.5.2 **YCB Officer Response to Recommendation Two** – In-home respite and an outreach service from Valley Way were introduced from May 2013. However, the take-up has not been as high or as regular as originally expected, approximately 4 – 5 separate occasions as people who have complex needs are often already in receipt of services during the day and there have been limited referrals for this service. Overall occupancy for Valley Way has improved from an average 72% in 2013/14 to a projected outturn for 2014/15 of 91%. There has been significant growth during 2014/15 with referrals from Barnet Council and other local authorities (OLAs) to Flower Lane and Rosa Morison day services, achieving 97% and 99% utilisation respectively to Q3. There are currently 25 people across three services that are funded by OLAs and Health equating to 10% of the budgeted income for 2014/15.
- 1.6 **T&FG Assessment** – The T&FG were pleased to learn that fundraising activity had generated additional income that was intended to be used to improve facilities. It was clear that additional work was required by YCB to maximise the use of revenue generated through fundraising events. As a commercial entity, the opportunity for YCB to pursue grant funding was currently limited. The T&FG believed that this warranted further examination.
- 1.6.1 **T&FG Recommendation Three** – YCB should explore potential benefits of establishing an overarching charitable arm or friends group to enable access to grants or other funding opportunities and maximise tax efficiencies.
- 1.6.2 **YCB Officer Response to Recommendation Three** – There are fundraising groups linked to each of the services (except Supported Living) that have been in place and operating successfully since before Your Choice was created. Three of these groups hold charitable status and currently carry out local fundraising activities and YCB provides support for them to access grant funding raising several thousand pounds each year. For this reason we have not felt it is appropriate to move to a single charitable model as the funds raised are specific for the schemes themselves. An example of this is of a £30k bid for a sensory garden that is due to be submitted to the National Lottery Fund on behalf of the Friends of Rosa Morison.
- 1.7 **T&FG Assessment** – One of the key failures of Chelsea Cares Ltd, Royal Borough of Kensington and Chelsea, was due to the lack of dialogue between

the local authority and the management team. The T&FG were satisfied that robust arrangements were in place between the Council and YCB Ltd. However, although two Councillors sit on the board of The Barnet Group Ltd., focus on the delivery and performance of services provided by YCB may be further enhanced through representation on its own board.

**1.7.1 T&FG Recommendation Four** – The Council should have additional representation on the YCB Board. Members of the T&FG considered that, although two Councillors sit on the board of parent company (The Barnet Group Ltd.), experienced and appropriately briefed Members could serve to strengthen communication and contribute towards the joint aims in achieving strategic objectives and performance targets.

**1.7.2 YCB Officer Response to Recommendation Four** – The Barnet Group has amended their governance arrangements following the T&FG review. Although legally the YCB Board only has one Council appointee (the Chair), the two Councillors who sit on The Barnet Group Board as full members also attend YCB Board meetings and contribute to YCB business. The Board is confident that this has improved the governance arrangements.

## **2. REASONS FOR RECOMMENDATIONS**

2.1 This report is being brought to Adults and Safeguarding Committee to report back on the implementation of the T&FG's recommendations.

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

3.1 A follow up report on implementing the T&FG's recommendations is required.

## **4. POST DECISION IMPLEMENTATION**

4.1 Continued contract monitoring and performance reporting, focusing on ensuring necessary action is taken to improve performance, will take place.

## **5. IMPLICATIONS OF DECISION**

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

5.1.1 YCB is a Local Authority Trading Company and is part of the Barnet Group. Performance is monitored on a quarterly basis by Performance and Contract Management Committee, as well as by the Adults & Communities Delivery Unit, through regular contract monitoring and also via individual care planning and monitoring of client outcomes by operational staff.

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

5.2.1 YCB's annual income from services commissioned by Barnet Council is approximately £4.4m.

### 5.3 **Legal and Constitutional References**

5.3.1 The responsibilities of the Adults and Safeguarding Committee are contained within the Council's Constitution – Section 15 Responsibility for Functions (Annex A). Specific responsibilities for those powers, duties and functions of the Council in relation to Adults and Communities including the following specific functions:

- Promoting the best possible Adult Social Care services.

5.3.2 Adults and Safeguarding Committee is responsible for the following:

- Working with partners on the Health and Well-being Board to ensure that social care interventions are effectively and seamlessly joined up with public health and healthcare, and promote the Health and Well-being Strategy and its associated sub strategies.
- Ensuring that the local authority's safeguarding responsibilities is taken into account.

### 5.4 **Risk Management**

5.4.1 Failure to address issues of public concern may have a detrimental impact on the quality of services to customers, compromise safeguarding of vulnerable adults and result in reputational damage to the Council.

### 5.5 **Equalities and Diversity**

5.5.1 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

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

5.5.2 Adult Social Care works within the LBB policy framework for equalities, offers services to users within this framework, and undertakes relevant positive action to ensure social care is accessible to groups with different equalities characteristics; for example producing easy read information for people with learning disabilities and offering interpreters for service users.

5.5.3 The following is an extract from the Barnet Group's Equality Diversity Policy Statement:

"The Barnet Group is committed to ensuring Equality and Diversity are fundamental in how we provide services. One of our organisational values is *Responding to Individuals* and this is exactly how we will carry out our equality

and diversity work, by treating everyone as unique individuals and responding to their needs accordingly.

Equality and Diversity is central to delivering our business plan goals of:

- Support which enables our customers and service users to lead improved and where possible more independent lives
- Value for money services that our customers and service users want”

## 5.6 Consultation and Engagement

5.6.1 Not Applicable.

## 6. BACKGROUND PAPERS

- [Business Management Overview and Scrutiny Committee, 3 July 2013, agenda item 5](#) (Members Item: Your Choice Barnet)

The Committee resolved that a Task and Finish Group review of Your Choice Barnet be commissioned to take place to be completed by September 2013.

- [Safeguarding Overview and Scrutiny Committee 27 November 2013 \(agenda item 6\)](#).

Received the Your Choice Barnet Task & Finish Group – Final Report. The report was endorsed for onward referral to the next available meeting of Cabinet.

- [Cabinet 25 February 2014 \(agenda item 5\)](#): Reference from the Safeguarding Overview and Scrutiny Committee – Your Choice Barnet Task and Finish; and Decisions of the Cabinet 25 February 2014, published 27 February 2014.

Cabinet supported the recommendations of the Task and Finish Group.