

	<b>Adults and Safeguarding Committee</b> <b>September 2015</b>
<b>Title</b>	<b>Mental Health Community Model –          Barnet Enablement Pathway Business          Case</b>
<b>Report of</b>	Dawn Wakeling – Commissioning Director Adults and Health
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A - Barnet Enablement Pathway Business Case
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## Summary

This paper seeks the approval of the mental health community model business case based on the specification for adult mental health social care services which was approved by Committee in June 2015. The Business Case details how the customer journey, staffing structure and relationship with Barnet, Enfield and Haringey Mental Health Trust should be re-shaped to re-focus social care on recovery, social inclusion and enablement. It outlines the steps needed to achieve this specification and the positive impact this should have for residents of Barnet. The business case reinforces the importance of employment outcomes and wider public health prevention as part of the Barnet Enablement Pathway.

This paper also sets out the progress made in delivering the Commissioning Intentions for Adults of Working Age Mental Health agreed by Committee in October 2014, building on the position statement given to Committee in June 2015.

## **Recommendations**

- 1. To approve the Barnet Enablement Pathway Business Case for implementation, including the recommended model of enablement articulated in the Barnet Enablement Pathway Business Case.**
- 2. To approve the withdrawal of mental health social workers from the current integrated structure with Barnet Enfield and Haringey Mental Health Trust, and authorise officers to discuss and agree with Barnet Enfield and Haringey Mental Health Trust a model of integration that delivers the objectives of the Barnet Enablement Pathway, to take place within the next two years to ensure a safe transfer of service.**
- 3. To authorise officers to put in place a new section 75 agreement covering Older Persons Mental Health, following the end of the two year period of the current Section 75 Partnership Agreement between LBB and Barnet Enfield and Haringey Mental Health Trust, with the caveat that this may change if other aspects of the service model change.**
- 4. To approve the proposals for the service restructure to form the basis for Consultation with Staff and Trade Unions with formal consultation commencing in October 2015.**
- 5. To authorise officers to undertake public consultation on the Barnet Enablement Pathway and proposed changes to the service.**
- 6. To note the position statement on progress made in delivering the Council's Commissioning Intentions demonstrating the integrated approach.**

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

1.1.1 In October 2014, the Adults and Safeguarding Committee approved its Commissioning Intentions for Mental Health for Adults of Working Age. Following a programme of resident engagement and consultation, the Adults and Safeguarding Commissioning Plan for the period 2015/16 to 2019/20 was approved by the Adults and Safeguarding Committee at its meeting on 19 March 2015.

1.1.2 The plan identified the following objectives:

- Improved social care response when mental health issues arise that supports recovery, social inclusion and enablement.
- Better support for individuals with mental health issues to retain or regain employment and suitable housing that supports their well-being.
- Greater involvement in the planning of social care services and use of direct payments to fund care and support.

- 1.1.3 The plan identified that these objectives would be met through the following service developments
- A new specification for mental health social work focused on employment, housing, earlier intervention and enablement.
  - A shift in demand and spend from expensive specialist registered provision of community based services.
  - Increased demand for community based services including early intervention and prevention.
  - Greater integration of housing with social care.
- 1.2 This report summarises the work to date against this plan further to the June 2015 Committee report, setting out the progress against the six commissioning intentions for Adult Mental Health agreed by Committee on the 2 October 2014.
- 1.3 The Adults and Safeguarding Committee is asked to approve the full business case attached as Appendix A which sets out the reasons for the implementation of the Barnet Enablement Pathway for Adult Mental Health Social Care services and the expected benefits from the transformation programme.
- 1.4 The Section 75 (S75) Partnership Agreement that London Borough of Barnet has in place with Barnet, Enfield and Haringey Mental Health Trust (BEHMT), sets out the partnership arrangement for the delivery of Social Care and Social Work in mental health services for residents who are eligible for Social Care within the Care Act 2014. The Section 75 delegates Statutory Functions to BEHMT and would not be required in its current format for Adult Mental Health Services once the new model is implemented. The Committee in June approved the renewal of the Section 75 to enable a safe transition to the new service model and this will end in August 2017. This report recommends that the S75 is amended to adjust the staffing arrangement to Social Care line management, ending the secondment of Social Workers to the Trust. A residual Section 75 will need to be in place to deliver Older Persons Mental Health Services. At this point, the form of agreement required between LBB and BEHMT will have been considered to ensure appropriate governance arrangements for joint working within Adult Mental Health service pathways covering areas such as access to systems, information governance and co-location of staff

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Business Case sets out the case for change, how the commissioning intentions will be delivered and the benefits to be achieved. The business case considers these key drivers for change:
- Increasing number of detentions under the Mental Health Act

- Service demand pressure within the Approved Mental Health Service and residential placements
- Impact of the Care Act 2014 and Deprivation of Liberty Safeguards.
- Increasing spend on Residential Care both in terms of unit cost and increasing service user numbers at a rate which is unsustainable
- Limited housing options to enable people to move on from both Residential Care and Supported living
- The required cultural change to deliver enablement and recovery for service users, expressed in ten new ways of working.

### **3. POST DECISION IMPLEMENTATION**

- 3.1 The implementation plan set out in the Business Case sets out in detail the steps required to implement the new model once this is approved.
- 3.2 Staff consultation will take place from October given the change of teams and line management for staff. There are no redundancies proposed in the structure and changes to the skills mix of the team will be managed through changes to vacant posts.
- 3.3 Co-production will continue through the Autumn and Spring to finalise the team structure and ongoing discussion with BEHMT will take place concerning integrated teams, use of estate and pathways. Should this work progress as planned, the new service model will be in place from the 1st June 2016. The council will plan the changes with BEHMT to ensure a safe transfer to the new service model. This will include piloting and roll out of the model in phases.

<b>Implementation Milestones</b>			
Full Business Case approved	Approval at Committee of full business case		September 2015
Staff consultation	Trade Union Consultation LBB Staff Consultation – briefing sessions and workshops BEHMT Consultation		October to December 2015
Detailed design of staffing, pathway and service processes	Series of co-production task groups Negotiation with BEHMT and key partners Continued Joint Commissioning of the Mental Health system informed by this work with Barnet CCG		January to March with go live from May 2016
Review and amend Section 75	Approval of revised agreement both Section 75 and Agreements for joint working		August 2017

### **4.0 IMPLICATIONS OF DECISION**

#### **4.1 Corporate Priorities and Performance**

- 4.1.1 The Corporate Plan 2015-2020 sets out a vision for redesigned local services which are integrated, intuitive and efficient, in their approach, sharing staff and assets, and developing joint solutions to manage demand and provide quality services. The Barnet Enablement Pathway is consistent with this vision enabling the council working in partnership with the NHS, Jobcentre, and other local partners
- 4.1.2 The Draft Joint Strategic Needs Assessment 2015 informed the production of the business case as insight including future demand for service and a foundation for understanding community needs. This is fully referenced in the business case.
- 4.1.3 The Health and Wellbeing (HWB) Strategy for Barnet 2012-2015 includes priorities to increase the proportion of adults with mental health problems in employment and better support perinatal mental health problems. The Health and Wellbeing Board recently considered its priorities for the HWB strategy after 2015 and mental health was identified as a key priority.
- 4.1.4 Adults and Safeguarding Committee Commissioning Plans 2015-20 sets out its ambition to transform the way that social care services are delivered. The vision for the delivery of adult mental health services provided by Barnet Council includes re-focusing social care on recovery, social inclusion and enablement. This model aims to orientate professionals towards prevention and early intervention for both carers and users..
- 4.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 4.2.2 The Section 75 agreement has no inherent value attached to it and is not a contract or subject to procurement. It is an agreement that sets out the terms of the partnership between the two responsible authorities to jointly deliver care and services. The Section 75 allows for the secondment of LBB Social Care staff to BEHMT and for the line management of those staff by BEHMT. It also delegates Social Care duties to the Trust through those Social Care staff.
- 3.1.1 The proposed staffing model will be within developed within the existing staffing budgets and subject to any workforce savings agreed through the Council's finance and business planning process. The proposal forms part of the medium term financial strategy for adult social care services and will be revenue neutral in the short term in terms of staffing budgets. However in the medium to long term the changes will result in whole system savings through a shift to more effective, lower cost interventions. This will be modelled in greater detail and reported back to the committee through the financial and

business planning process

4.2.3 Currently, estate, back office functions are shared with Barnet, Enfield and Haringey Mental Health Trust and Social Work operates from a number of community locations including primary care. The Mental Health Trust has indicated a commitment to co-location and the ongoing development of integrated teams and pathways that focus on the needs of service users. These agreements will need to be formalised to ensure robust governance of Information Sharing as well as to mitigate any risk that the implementation of the Barnet Enablement Pathway will increase cost for LBB, Barnet CCG or Barnet, Enfield and Haringey Mental Health Trust.

### **4.3 Social Value**

4.3.1 Whilst not being secured through a contract or procurement, the Barnet Enablement Pathway seeks to build social value through the integration of services with the voluntary and community sector, and the development of volunteer Peer Support roles provided through the client forum at The Network.

### **4.4 Legal and Constitutional References**

4.4.1 Terms of Reference for the Adults and Safeguarding Committee are set out in the Council's Constitution (Responsibility for Functions, Appendix A) The Adults and Safeguarding Committee has the following responsibilities:

- Promoting the best possible Adult Social Care services
- To ensure that the Council's safeguarding responsibilities are taken into account.

4.3.2 Section 75 of the National Health Service Act 2006 provides for partnership agreements between health and social care agencies.

4.3.3 The Care Act 2014 sets out a number of duties that are relevant including Section 9 of the Care Act which requires a local authority to assess an adult if they may have needs for care and support and if they do, what those needs are. Section 13 of the Care Act provides that if an adult's needs for care and support meet the eligibility criteria the local authority must consider what could be done to meet those needs. The eligibility criteria are set out in The Care and Support (Eligibility) Criteria Regulations 2015.

4.3.4 All statutory functions that relate to Adult Social Care Mental Health Social Work functions will continue to be delivered within the Barnet Enablement Pathway including the Mental Health Act 2007 and the Mental Capacity Act 2005.

### **4.5 Risk Management**

4.5.1 There is a risk of undermining local partnerships with the NHS at a time when

national policy direction is for health and social care integration through the Better Care Fund. Under the Care Act 2014, local authorities must carry out their care and support responsibilities with the aim of joining-up the services provided or other actions taken with those provided by the NHS and other health-related services (for example, housing or leisure services). It is therefore necessary to set out clearly how the new arrangement will support the integration of social work with other aspects of NHS service delivery, notably primary care and build on the partnership with BEHMT.

- 4.5.2 A risk to the achievement of these intentions is that Barnet Council, the CCG, BEHMT and other partners fail to co-ordinate their activities effectively. The development of the approach will need to as a partnership piece of work involving the joint commissioning team has ensured that plans and incentives are aligned.

#### **4.6 Equalities and Diversity**

- 4.6.1 Section 149 of the Equality Act 2010 sets out the public sector equality duty which obliges the Council to have due regard to the need to:

- a) eliminate unlawful discrimination, harassment, victimisation;
- b) advance equality of opportunity between those covered by the Equality Act and those not covered, e.g. between disabled and non- disabled people; and
- c) foster good relations between these groups.

- 5.5.1 By section 149(2) of the Equality Act 2010, the duty also applies to 'a person, who is not a public authority but who exercises public functions and therefore must, in the exercise of those functions, have due regard to the general equality duty'. This means that the council will need to have regard to their general equality duty.

- 5.5.2 The Equality Impact Assessment identified a positive impact or neutral impact and this will need continual reassessment through implementation. Currently, access to enablement services is through a number of steps and referral processes. By opening access to enablement all groups will have improved access to service and particular groups who may not have been seen as benefitting from enablement for example, people with disabilities and older people, will now have equal access to enablement and routes to employment services.

- 5.5.3 Staff have been engaged in the planning process through the social care practice forum. The equality impact assessment proposals have a neutral impact.

## **5.6 Consultation and Engagement**

- 5.6.1 The development of these proposals has drawn on consultation undertaken by the Council, Healthwatch Barnet and have been developed through co-production methods with service users and those who have received services in the past, and partner agencies. There have been particular workshops and focus groups again service users, staff, Clinical and Service leaders from both BEHMT and Barnet CCG and community organisations with mental health throughout the process to develop the specification and production of the Full Business Case.
- 5.6.1 The development of the Service Specification presented to the Committee in June 2015 was led by a working group with representation of Service Users, staff and stakeholders as well as Council Officers. The work was informed by workshops which focussed on specific issues and targeted to stakeholders and included a service user forum.
- 5.6.2 The Business Case was developed by officers working with a peer co-lead informed by a series of workshops and meetings with the same range of stakeholders. This group created the 10 new ways of working.
- 5.6.3 Informal staff consultation has taken place through the social care forum which has informed the practice elements of the case and implementation plan. Staff will be involved in the task and finish groups which will create the detail of process, systems and service pathways throughout the implementation of the business case.
- 5.6.4 Formal staff consultation will commence from October 2015. Trade Union briefings have taken place and will continue through the formal consultation period. Trade Unions will be formally consulted as set out in the protocol between LBB and Trade Unions.
- 5.6.5 The Reimagining Mental Health breakfast group is an initiative created by Barnet CCG and supported through the LBB and CCG Joint Commissioning Unit. The Reimagining Mental Health work aims to provide an open forum for anyone with an interest in mental health in Barnet to inform service commissioning. The Joint Commissioning Unit will lead the work to ensure this stakeholder group are engaged in the implementation of the Mental Health Community Model - Barnet Enablement Pathway as the reimagining group coproduce integrated services for people in Barnet.

## **5.7 Insight**

- 5.7.1 The Joint Strategic Needs Assessment 2015 was used to provide data on



population needs and future service demand in modelling the proposed service.

## **6 BACKGROUND PAPERS**

- 6.1 The Barnet Health and Well- Being Board- held on 20th March 2014 received, commented on and noted the Barnet, Enfield and Haringey Mental Health Trust: Implementation of the CQC action plan/ implementation of the BEH CCG's mental health commissioning strategy. This updated the Board on progress being made to address quality issues identified following CQC inspections of Trust services.
  
- 1.1 Health and Well-Being Board- held on 19th September 2013 received, commented on and noted the 'Tri-borough Mental Health Commissioning Strategy for Adult and Older Adult Services- 2013-2015', and Operational Plan 2013 – 2015 and agreed that the Chairman and Chief Executive of the Barnet, Enfield and Haringey Mental Health Trust attend the Board's meeting in March 2014 to discuss progress at implementing the Strategy.
  
- 1.2 Health and Well-Being Board- held on 23rd January 2014- the Board discussed the quality and safety concerns raised by the CQC reports with senior managers at the Barnet, Enfield and Haringey Mental Health Trust. Prior to this, senior officers across the NHS and Council met with the executive team at the Trust to ensure that there was clarity of expectations across commissioners and the Trust as to the actions that are being undertaken and how progress will be monitored. The Board requested an update on progress from the Trust at the March 2014 meeting.
  
- 6.4 Adults and Safeguarding Committee 2 October 2014 approval of the Mental Health Specification and approved the recommendation to develop the Barnet Enablement Pathway.
  
- 6.7 Adults and Safeguarding Committee 6 June 2015 approval of the Barnet Enablement Pathway and approval to develop the full-business Case.