

Cabinet Meeting on Wednesday 21 September 2022

Review of the Agreement for the Provision of Adult Social Care Assessment and Case Management and Occupational Therapy in Staffordshire



Cllr Julia Jessel, Cabinet Member for Health and Care said,

“The continuation of this Agreement enables the Council to build on our successful partnership with Midlands Partnership Foundation NHS Trust that has been running for a number of years and continues to provide integrated health and social care services to older people, people with physical disabilities and people with mental health conditions.

Continuation of the Agreement is the best option for maintaining quality and value for money. It also offers continuity of services at a time when adult social care is managing the aftermath of the Covid pandemic, responding to increased demand and implementing the Government’s Adult Social Care Reforms.”

Report Summary:

Midlands Partnership NHS Foundation Trust (MPFT), and its progenitor organisations South Staffordshire and Shropshire Foundation NHS Trust and Staffordshire and Stoke-on-Trent Partnership Trust, have provided an assessment and case management and occupational therapy services for older people and people with physical disabilities on behalf of the Council since 2012, and for people living with mental health conditions in South Staffordshire since 2009.

Our current Section 75 Agreement for these services commenced on 1st April 2020, for three years, with the option to extend for a further two years. The report recommends that Cabinet implements this extension to enable the continuation of services until 31st March 2025.

Recommendations

I recommend that Cabinet:

- a. Approve that the Council extend the current Section 75 Agreement with MPFT for two years from 1st April 2023 to 31st March 2025, to continue to provide adult social care assessment and case management and occupational therapy in Staffordshire.
- b. Authorise the Director of Health and Care and Director of Corporate Services, in consultation with the Cabinet Member for Health and Care to finalise and implement the extension of the Section 75 Agreement for adult social care assessment and case management and occupational therapy in Staffordshire.



Local Members Interest
N/A

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Recommendations of the Cabinet Member for Health and Care

I recommend that Cabinet:

- a. Approve that the Council extend the current Section 75 Agreement with MPFT for two years from 1st April 2023 to 31st March 2025, to continue to provide adult social care assessment and case management and occupational therapy in Staffordshire.
- b. Authorise the Director of Health and Care and Director of Corporate Services, in consultation with the Cabinet Member for Health and Care to finalise and implement the extension of the Section 75 Agreement for adult social care assessment and case management and occupational therapy in Staffordshire.

Report of the Director for Health and Care

Reasons for Recommendations:

Background

1. Adult social care assessment and case management services carry out the Council's statutory duties for assessment of people's eligible needs under the Care Act 2014, determination of an appropriate support plan, and review of people with assessed eligible needs.
2. It also includes:
 - a. Providing professional support to prevent or reduce the need for care, including rehabilitation for people with sensory needs.
 - b. Assessing individuals' mental capacity and making Best Interest Assessments.
 - c. Completing Mental Health Act Assessments by Approved Mental Health Professionals (AMHPs); and
 - d. Completing safeguarding enquiries and developing safeguarding plans.

- e. Providing Occupational Health assessments to enable people to maximise their independence, for example through use of equipment.
3. Midlands Partnership NHS Foundation Trust (MPFT) and its progenitor organisations South Staffordshire and Shropshire Foundation NHS Trust (SSSFT) and Staffordshire and Stoke-on-Trent Partnership Trust (SSOTP) have provided adult social care assessment and case management and occupational therapy services for older people and people with physical disabilities on behalf of the Council since April 2012, and for people living with mental health conditions in south Staffordshire (the districts of Cannock, Tamworth, Stafford, South Staffordshire, Lichfield and East Staffordshire) since 2009.
4. The Section 75 Agreement was also expanded to include adult social care assessment and case management services for people living with mental health conditions in North Staffordshire (Newcastle-under-Lyme and Staffordshire Moorlands) in 2021.
5. The Council has a legal Agreement under Section 75 of the NHS Act 2006 to delegate these functions to MPFT. This Section 75 Agreement commenced on 1st April 2020, for three years, with the option to extend for a further two years.
6. Midlands Partnership NHS Foundation Trust and the Council have reviewed the Agreement and have agreed in principle to extend it until 31st March 2025, subject to Cabinet and MPFT Board approval.
7. The Section 75 Agreement includes Key Performance Indicators which demonstrate that MPFT are performing well in many areas, especially considering the 33% increase in assessments across all adult social care services compared to pre-pandemic levels, and the increase in complexity of referrals. For example:
 - a. At July 2022 MPFT completed 77% of Care Act assessments within 28 days for those requiring a detailed assessment.
 - b. At July 2022 MPFT had completed annual reviews within 12 months for 77% of older people / people with physical disabilities and 91% of people with mental health problems.
 - c. The Council and MPFT complete quality audits to provide assurance regarding the quality of assessments and ensuring that best practice is shared and areas for improvement are identified.

Financial Implications

8. The Council's financial contribution towards the Section 75 Agreement was increased in 2022/23 by £1.26m to enable MPFT to continue to provide Adult Social Care Assessment and case management functions for three reasons:
- The Council was contractually required to increase the financial contribution to recognise pay inflation.
 - Since the Agreement commenced in April 2020 there has been an increase in demand for adult social care assessment and case management which has been funded through ad hoc payments for temporary staffing. The increase in financial contribution enabled MPFT to recruit permanent resource to continue to meet this increased demand.
 - MPFT will support the Council to implement the Government's Adult Social Care reforms including the enhanced assurance framework for adult social care from 1st April 2023. MPFT and the Council are committed to working together to prepare for these arrangements.
9. The Council's annual financial contribution to the Section 75 Agreement for the additional two years is as set out in Table 1.

Table 1: Financial Contribution

Financial Contribution	Current Agreement £m	Extension of Agreement £m		
	2022/23	2023/24	2024/25	Total
Assessment & case management – Older People, People with Physical Disabilities People with Sensory needs	15.395	15.395	15.395	30.790
Occupational Therapy	1.449	1.449	1.449	2.898
Overheads	2.054	2.054	2.054	4.108
Assessment & case management – Mental Health South	2.454	2.454	2.454	4.908
Assessment & case management – Mental Health North	0.678	0.678	0.678	1.356
Total (Excluding inflation)	22.030	22.030	22.030	44.060
Estimated inflation included within MTFS	0.264	0.661	1.342	2.003
Total (including estimated inflation)	22.294	22.691	23.372	46.063

Legal Implications

10. The current Section 75 Agreement includes provision for an extension of up to two years to end of March 2025. There are therefore no legal implications of extending for two years.
11. Subject to Cabinet approval, a legal variation will be completed to formally extend the Agreement.

Climate change Implications

12. The adult social care assessment and case management service will work with people remotely where possible in order to reduce travel time and carbon emissions, recognising that some people will need to be seen face to face.

Community Impact Assessment

13. The extension of the Section 75 Agreement will enable the Council to continue to effectively support older people, people with physical disabilities, and people living with mental health conditions.
14. The alternative option of transferring the service from MPFT to the Council would be highly disruptive at a time when adult social care is managing the aftermath of the Covid pandemic, responding to increased demand and implementing the Government's Adult Social Care Reforms. It is also unlikely to significantly increase performance or be more cost effective.

List of Background Documents/Appendices:

Cabinet Paper: New Agreement for Provision of Adult Social Care Assessment and Case Management and Occupational Therapy in Staffordshire; 18th September 2019

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