

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

27 MARCH 2018

REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING

REGIONAL AREA PLAN AND POOLED FUND

1. Purpose of Report

1.1 To provide Cabinet with an update on Bridgend County Borough Council's position in respect of the regional Area Plan and Pooled Fund requirements under the Social Services and Wellbeing (Wales) Act 2014, and to ask Cabinet to:

- approve the Western Bay Area Plan 2018-23 (**Appendix 1**) and Action Plan 2018-19 (**Appendix 2**);
- authorise the Corporate Director, Social Services and Wellbeing to publish a link to the Area Plan and Action Plan on the Council's website; and
- authorise representatives from the City and County of Swansea to submit the Area Plan and Action Plan to Welsh Ministers on behalf of the three local authorities and the health board in the Western Bay region

2. Connection to Corporate Plan

2.1 This report links to the following improvement priorities in the Corporate Plan:

- Supporting a successful economy
- Helping people to be more self-reliant
- Smarter use of our resources

Plus the requirements of the Social Services and Well-being (Wales) Act 2014 ("the Act"), the Care and Support (Population Assessments) (Wales) Regulations 2015, and the Partnership Arrangements (Wales) Regulations 2015 ("Regulations").

3. Background

3.1 In March 2016, a report was presented to Cabinet to update on the Social Services and Well-being (Wales) Act 2014, which provides the legislative basis for social services in Wales from 6th April 2016.

3.2 Within the report, it was noted that the Act seeks to achieve a number of Welsh Government's policy objectives for health and social care through:

- Transforming the way in which social services are delivered, primarily through promoting people's independence and giving them a stronger voice and control;
- Promoting partnership working in health and social care; and
- Enhancing the preventative role of social care and health, setting out overarching wellbeing duties to reduce or delay the need for care and support.

- 3.3 The report also set out the key requirements of the Act, and the on-going work to bring the applicable Regulations and Codes into working practice both at a regional and local level.
- 3.4 The Act and related Regulations provide for Bridgend to be a member of the Western Bay Regional Partnership Board. This includes partnership arrangements for Population Assessments, Area Plans, and Pooled Budgets.
- 3.5 Not all requirements set out within the Regulations and Codes required immediate implementation from April 2016 – with some requirements allowing for a longer lead-in time – two of which are the development of a regional Area Plan and the implementation of Pooled Fund arrangements:
- **Area Plan** – Part 2 (General Functions) of the Act requires that local authorities and local health boards must jointly carry out an exercise known as a Population Assessment – which was undertaken in 2016/17 and approved by Cabinet on 23rd March 2017 and published on 1st April 2017 – and then produce a joint Area Plan in response to the findings in the Population Assessment, which must be published by April 2018.
 - **Pooled Funds** – The legal duty to develop Pooled Fund arrangements arises under Part 9 (Well-being Outcomes, Co-Operation and Partnership) of the Act, which requires partnership bodies for each of the partnership arrangements to establish and maintain pooled funds in relation to the exercise of their care home accommodation functions – which must be in place by April 2018.

Welsh Government consultation – proposed health boundary change

- 3.6 The consultation on the health board boundary change closed on March 7th 2018. The consultation proposes the health boundary change takes place in April 2019, however it also seeks views on changes taking place in April 2020.
- 3.7 Following analysis of the findings of the consultation, Welsh Government will then make an announcement in respect of the health boundary that BCBC will fall within, and also the timescales by when it is expected that these changes will take place.
- 3.8 Despite the potential that Bridgend CBC may move into the Cwm Taf region, BCBC continues to work alongside colleagues in Western Bay, but are also making connections with colleagues in Cwm Taf to ensure that, depending on the outcome of the consultation, the necessary arrangements can be made to transfer the Bridgend aspects of the Area Plan and Pooled Fund into a new region within the required timescales.
- 3.9 Since the announcement was made by Welsh Government in respect of the proposed health boundary change, officers from BCBC and the Western Bay and Cwm Taf regions have been in regular dialogue and correspondence with Welsh Government in respect of the implications the proposal may have on how each organisation and region is able to meet the impending Area Plan and Pooled Fund requirements – to ensure all parties are compliant with the Act and Regulations.

3.10 In December 2017, during a meeting involving senior officers from BCBC and Welsh Government where the Area Plan and Pooled Fund requirements were discussed, it was verbally agreed that:

- **Area Plan** – BCBC to be included within the Western Bay Area Plan from April 2018, with longer-term regional arrangements following 2018/19 being entered into pending the outcome of the health boundary consultation and decisions made by Welsh Government thereafter
- **Pooled Funds** – BCBC will stand outside of regional Pooled Fund requirements during 2018/19 – and will enter into regional Pooled Fund arrangements within timescales as determined by Welsh Government – pending the outcome of the consultation and decisions made thereafter

3.11 Written correspondence from Welsh Government clarifying the above agreements has yet to be received at the time of drafting this report, and BCBC officers are following this up with Welsh Government.

4. Current situation/proposal

Regional Area Plan

4.1 The Area Plan has been produced for the first time during 2017/18, and is the overarching regional plan for integrated health and social care joint working. The Area Plan represents what Western Bay Regional Partnership Board (RPB) will be delivering as a set of integrated regional health and social care priorities over the next 5 years, in response to the Population Assessment findings.

4.2 The Area Plan represents the future agenda for Western Bay RPB, and is an important planning tool which will be a reference point for future funding decisions and monitoring of the work the RPB will progress in future years.

4.3 A Task and Finish Group has overseen the development of the Area Plan with representatives of the Local Authorities, the Health Board and the Third Sector. Different chapters in the plan have been reviewed with input from groups within the Western Bay programme governance (e.g. Western Bay Carers Board overseeing the carers' chapter) and at a local level there has been review and input from the local authorities and health board.

4.4 The Area Plan is split into two sections. This first section is the longer-term five-year plan (2018-2023) which includes the regional priorities to be overseen by the RPB. The second section is the corresponding Action Plan, which is a one-year transition plan (2018/2019) that includes a number of key actions that Western Bay will work towards in addressing the regional priorities. Both plans can be found here: www.westernbay.org.uk/areaplan.

4.5 Given the requirement to produce an Action Plan on an annual basis, this also provides Western Bay partners the opportunity to review and refine the Area Plan priorities, as required.

Developing the Area Plan and Action Plan

- 4.6 The development of the Area Plan has been based on the suggested framework produced by Social Care Wales. The Area Plan also captures and takes forward the considerable work already in place across the Western Bay Programme.
- 4.7 In line with the statutory guidance produced by Welsh Government, each chapter of the Area Plan and associated Action Plan has been structured in accordance with the ten core themes identified within the Population Assessment.
- 4.8 RPB members agreed to focus on a smaller number of key priorities, where regional working will add the most value. Therefore, although there are ten chapters included in the Population Assessment, the Area Plan focuses on the following five chapters (themes) which include a set of regional priorities for regional and integrated working between health and social care. These themes align with the existing Western Bay Programme priorities and the priorities for the Integrated Care Fund:
- Older People
 - Children and Young People
 - Carers who need support
 - Mental Health
 - Learning Disability and Autism
- 4.9 The following areas of work, which represent the other 5 themes in the Population Assessment, are being addressed by Local Authorities and the Health Board or partners as part of their core business on a local basis or through existing partnerships between organisations across the region:
- Health and physical disabilities
 - Sensory impairment
 - Violence against women, domestic abuse and sexual violence
 - Safeguarding and Deprivation of Liberty Safeguard
 - Secure estate
- 4.10 There were also a number of cross-cutting themes that emerged through the Population Assessment exercise and the development of the Area Plan (in addition to the cross cutting priority of Carers), as below:
- Transport and Access to Services
 - Housing
 - Substance Misuse
 - Delayed Transfers of Care (DTC)
 - Data Collection, Information sharing and Improving Digital Services
 - Workforce
- 4.11 In respect of monitoring and reporting progress against these priority areas, an Annual Report will be produced, describing how the RPB has delivered against the Area Plan and the Action Plan.

Incorporating the Voice of Service Users, Carers and Wider Stakeholders

- 4.12 The statutory guidance requires citizen engagement when producing the Area Plan. It does not require formal consultation on the Area Plan, as the purpose of this requirement is to ensure there is continuous engagement with communities, from assessments through to planning.
- 4.13 The Area Plan and associated Action Plan has been reviewed by a special meeting of the Regional Citizens Panel, and feedback from this meeting was used to refine the initial draft of the Area Plan and Action Plan. Members of the Regional Citizens Panel will also be developing a publicly accessible “plan on a page” version for the public. Themes collated from the special meeting of the Regional Citizens Panel include the need to explore further opportunities for co-production in addition to engagement at both a regional and local level.
- 4.14 The Area Plan highlights that the RPB is committed to moving in this direction, but recognises that it takes time to develop trust to enable co-production to happen in a meaningful way. Going forward, work with the Regional Citizens Panel will continue to develop so that true co-production can be delivered in order to improve the outcomes achieved for people in the Western Bay area.
- 4.15 The draft Area Plan and draft Action Plan was also circulated to a range of citizen, voluntary sector and community groups for comment and feedback, including the Regional Third Sector Health, Social Care & Wellbeing Forum.

Links to other strategic plans

- 4.16 It is important that the Area Plan – in setting out regional social care and health priorities – complements and links with the three Public Services Boards (PSBs) and their respective Wellbeing Plans. There are three PSBs in the Western Bay area, established by the Well-being of Future Generations (Wales) Act 2015.
- 4.17 The purpose of the PSBs is to improve the economic, social, environmental and cultural well-being in their area, strengthening joint working across public services in Western Bay. Each PSB has prepared a well-being assessment in parallel with the Population Assessment, and are in the process of completing their Wellbeing Plans.
- 4.18 It is clear from the *draft* Wellbeing Plans that there are strong links between the priorities of each Public Services Board (PSB) and those of the regional Western Bay Area Plan. All three PSBs reference four priority areas, and whilst the specific detail varies, there is a strong focus on the following common themes:
- Ensuring children receive the best start in life during their early years
 - Building strong communities that are resilient and safe
 - Enabling citizens to live and age well within their communities and promote wellbeing
 - Sustaining natural environments and reducing the carbon footprint

Approval and Publication Requirements

- 4.19 The Western Bay Area Plan and Action Plan must be published by 1st April 2018.

- 4.20 Following review and endorsement by the Western Bay RPB, the Area Plan and Action Plan require the approval of the Board of the ABMU Health Board and the respective Cabinet of each of the three constituent local authorities.
- 4.21 When approved, the Western Bay Area Plan and Action Plan must be published on the websites of all the local authorities and Local Health Board involved in their production. A copy of the Area Plan and Action Plan must also be sent to Welsh Ministers at the time of publication. This function can be delegated to the lead co-ordinating body, who in this case is the City & County of Swansea.

Next Steps

- 4.22 Once the Area Plan has been approved by the three local authorities and the Health Board, monitoring arrangements will need to be developed for the Action Plan, many of which will be through existing Western Bay governance arrangements.
- 4.23 The link to the Area Plan and Action Plan will be hosted by the City and County of Swansea on behalf of the Western Bay partnership, with links to/from partner websites as required in the Act.

Regional Pooled Fund

- 4.24 Pooled Funds are a mechanism for achieving integrated systems of care that are more person-centred and improve outcomes for people. Integration through Pooled Funds is intended to create better quality and more efficient services and encourage partners to collaborate in a way that maximises their capacity to shape the market.
- 4.25 Pooled Funds are seen as an opportunity for partners to work together to understand issues affecting quality and stability of services. Shared understanding and common goals can help to develop more strategic, collaborative solutions for improving care and providing more relevant, sustainable services. This does not mean homogenising all services and practices, and local differences in contracting and commissioning arrangements which are necessary to maintain effective services will be accommodated where appropriate.
- 4.26 The Pooled Fund will include Older Persons care and accommodation for adults who need long term care in registered residential settings, because they have complex health and social care needs that require supported on a 24 hour basis, that cannot be delivered in their own home or alternative settings.
- 4.27 Pooled Fund arrangements will apply to commissioned services only, and not Local Authority owned and managed homes.
- 4.28 Initially, the Pooled Fund will not apply to residential placements made under s117, or in relation to care home services specialising in functional mental health where older persons may reside. However, Welsh Government have indicated that Pooled Fund arrangements should eventually apply to all adult care homes, but have not specified timescales for achieving this.

4.29 Much of the preparatory work needed to establish Pooled Fund arrangements has already been undertaken on a Western Bay basis during 2016/17 and 2017/18:

- A population needs assessment with input from the 3 LAs, ABMU HB and the Third Sector, through engagement and consultation with service users/citizens
- A regional care homes commissioning strategy has been created and endorsed by each of the LAs and the Health Board
- Each local authority has created a Market Position Statement (MPS), which has enabled the development of a regional integrated MPS document
- An integrated approach to quality assurance has been developed via the Regional Quality Framework (RQF)
- Template s33 agreements for legally binding partnership agreements have been created
- Work to create a common contract across the region has commenced, which will standardise contract terms and conditions across the four organisations
- A common process for setting fee rates is being explored. It is intended that this will lead to a shared methodology, but not a shared rate
- Work to develop a common data set and information management system is also being developed, with support from the National Commissioning Board

4.30 As agreed with officers from Welsh Government during a meeting in December, BCBC will stand outside of regional Pooled Fund requirements during 2018/19 – and will enter into regional Pooled Fund arrangements within timescales as determined by Welsh Government – pending the outcome of the consultation and decisions made thereafter.

4.31 Pending the outcome of the consultation and any resulting decisions made from Welsh Government in respect of regional working, all Pooled Fund work now undertaken on a Western Bay basis is being ‘future-proofed’, insofar as being easily detachable from Western Bay, to cause minimal impact once a decision is officially made in respect of health boundaries.

4.32 In preparation for any potential future changes, officers from BCBC have attended Cwm Taf regional Pooled Fund meetings, in order to ensure that arrangements that are being entered into in Cwm Taf are known and understood, prior to the potential integration of BCBC at a future date.

5. Effect upon Policy Framework and Procedure Rules

5.1 There is no effect upon the Policy Framework and Procedure Rules.

6. Equality Impact Assessment

6.1 In addition to the engagement outlined in paragraph 4 of this report, an equality impact assessment has been developed to support the development of the Area Plan and Action Plan. It identifies that there is greater insight into the care and support needs of some people with protected characteristics than others. Gaps in the data have been identified, included in the equality impact assessment, which will be used to inform future research and data development considerations, including any future Population Assessment exercises.

6.2 The equality impact assessment is included in **Appendix 3** alongside the pertinent engagement / feedback documentation, namely:

- Miller Research Final Engagement Report – Population Assessment
- Engagement Plan – local and regional groups
- Area Plan feedback – following engagement with local and regional groups

6.3 In respect of Pooled Fund, an Equalities Impact Assessment screening will be undertaken when an announcement is made by Welsh Government following the consultation in respect of the proposed health boundary changes, which will dictate the region and timescales within which BCBC must enter into a Pooled Fund.

7. Financial Implications

7.1 There were no financial implications in completing the Area Plan.

7.2 The Integrated Care Fund revenue commitments for 2018/19 are being identified and agreed in the Western Bay programme and align with many of the regional priorities in the Area Plan, the majority of which are already included in the delivery of Western Bay.

7.3 Potential financial implications of entering into regional Pooled Fund arrangements are not known at this stage, and will be determined when the announcement is made by Welsh Government following the consultation in respect of the proposed health boundary changes.

8. Recommendation

8.1 It is recommended that Cabinet:

- Notes BCBC's position in respect of the regional Area Plan and Pooled Fund requirements under the Social Services and Wellbeing (Wales) Act 2014;
- Approves the Western Bay Area Plan 2018-23 (**Appendix 1**) and Action Plan 2018-19 (**Appendix 2**);
- Authorises the Corporate Director, Social Services and Wellbeing to publish a link to the Area Plan and Action Plan on the Council's website; and
- Authorises the Director of People, Swansea Council to submit the Area Plan and Action Plan to Welsh Ministers on behalf of the three local authorities and the health board in the Western Bay region, countersigned by the Leaders of Bridgend CBC, Neath Port Talbot CBC, Swansea Council and the Chair of ABMU HB.

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10. Background Papers:

- Social Services and Wellbeing (Wales) Act 2014
- Part 2 Code of Practice (General Functions)
- Part 9 Statutory Guidance (Partnership Arrangements)