

Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)**Part One Screening Record****A. Summary Sheet on Accountability and Actions****Name of proposed service change**

Please use this box for the full formal name of the proposed service change, whether it is a policy, a procedure, a function, a project, an update of a strategy, etc. The term "service change" is used in this form as shorthand for whatever form the changes may take.

Residential and Nursing Care beds Commissioning Review project

Name of lead officer carrying out the screening

Rebecca Knight, Project Co-ordinator

Decision, review and monitoring

Decision	Yes	No
Part One ESIIA Only?	Yes	
Proceed to Part Two Full Report?		

If completion of a Part One assessment is an appropriate and proportionate action at this stage, please use the boxes below and sign off as indicated. If a Part Two report is required, please move on to separate full report stage.

Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations

This Residential and Nursing Care bed commissioning review project is likely to have a neutral effect on all groups of service users in society.

However, there some transition issues to be managed for providers and other practitioners involved in the delivery of the services.

- The project is intended:
 - To ensure that we commission services which will meet our current and future residential and nursing care needs for the citizens of Shropshire.
 - To ensure that we commission quality services that support people well in a value led and outcome focused manner.
 - To ensure that we commission services which represent value for money for the Council and deliver efficiencies.
 - To ensure that we commission services in a way which supports a vibrant and sustainable market
 - To ensure that we meet the duties on Local Authorities that the Care Act 2014 created relating to market shaping and commissioning and also in regards individual choice.

An initial engagement activity has been undertaken with the provider market place to ascertain views about the review. However, the numbers involved represent a small section of the market place (12 providers out of 200+) .

The LA needs to ensure that wider views are collected and considered including other groups particularly those service users and their families in receipt of the services.

There are a range of engagement and consultative activities being planned to engage the following groups in the analysis, planning and development and implementation of the recommendations from the review project.

These include:

- Care providers in the market place
- Service users and their families
- Key Partner Agencies
- Relevant Practitioners, Team Managers and Service Managers
- Local Councillors (Cabinet and Portfolio Holder)
- Local Members of Parliament as community leaders
- VCS Assembly

Officers will work with these audiences in a range of different ways (including engagement events, questionnaires and informal discussions and social media) to understand the impact on all affected individuals and groups including people in protected characteristic groupings.

<http://www.shropshiretogether.org.uk/wp-content/uploads/2013/03/HWB-Comm-Strategy-2017-18.pdf>

Where groupings are under-represented groups are identified additional measures will be identified to continue to engage and involve those groupings in the process.

Any feedback and/or concerns raised will be considered and actions will be identified to mitigate any negative impact.

Actions to review and monitor the impact of the service change in terms of equality and social inclusion considerations

This ESIIA will be updated following the engagement and consultation with the stakeholders detailed in the project plan prior to implementation.

The project plan will be monitored and reviewed on a monthly basis via the Project Group and Director's Management Team for Innovation and Commissioning (DMT).

Ongoing review and consultation will also continue via the Quarterly ASC Provider Forum and Shropshire Partners in Care (SPIC).

Shropshire Council will continue to monitor the impact of the changes in national policy and implications for meeting the statutory duties of the Care Act.

Shropshire Council is an active contributor to national policy consultations on national policy proposals which may have a differential or adverse impact on the county.

Associated ESIIAs

Residential and Nursing Care beds Commissioning Review project (PID) Approved by DMT – February 2018.

This is the initial ESIIA and will be reviewed and updated following engagement and consultation activities in the Spring of 2019.

Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations

Additional Review and Monitoring of overall impacts:

- Council's Corporate Plan

<https://staff.shropshire.gov.uk/media/708264/corporate-plan-2016-2017.pdf>

- Council's financial strategy

<https://staff.shropshire.gov.uk/media/708265/corporate-financial-strategy-201819-202223.pdf>

Scrutiny at Part One screening stage

People involved	Signatures	Date
<i>Lead officer carrying out the screening</i> Rebecca Knight, Project Co-ordinator		
<i>Any internal support*</i> N/A		
<i>Any external support**</i> Lois Dale, Rurality and Equalities Specialist		

**This refers to other officers within the service area*

***This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority*

Sign off at Part One screening stage

Name	Signatures	Date
<i>Lead officer's name</i> Rebecca Knight Project Co-ordinator		
<i>Accountable officer's name*</i> Deborah Webster Service Manager Commissioning and Governance		

**This may either be the Head of Service or the lead officer*

B. Detailed Screening Assessment

Aims of the service change and description

Shropshire council spend just over £50 million per year on residential and nursing care beds (Nursing care £17.3m & Residential Care £33.3m). This makes this area of service commissioning the single biggest area of spend for adult social care.

Commissioning of residential and nursing care has historically been built up according to need and addressed on a gradual basis. Whilst this has been an effective response to individual need it has led to a significant number of short-term commissioning solutions and increases in price.

In the last 12 months we have commissioned over 3000 beds (short and long term) This includes all service user groups (Older people, Adult learning disabilities, Mental Health).

The prices that the Council commission beds at is currently not controlled by a set structure. Prices were set in 2015 for the following 3 Financial years but these did not reflect levels required for market sustainability and consequently they have not been complied with; current rates being paid are far in excess of the set rates. (See *Appendix 1- Previously published nursing and residential care rates 2015-2019*)

To support the longer term purchasing of beds to meet both current and future needs this project will ascertain the commissioning requirements for residential and nursing care beds for the future and find solutions for the commissioning of longer-term solutions to support market development and stewardship, create positive outcomes for service users in need of nursing or residential care and gain control of prices.

Initially, this project will not include Adult Learning Disability and Mental Health prices. These will be explored in a later phase of the project, timescales to be confirmed.

This project intends to:

- Create a fixed price structure across all contracts (not including LD and MH- which need to be done differently and will be addressed in a later phase of the project)
- Explore introduction of a balance of block/ spot purchasing for specific cohorts to maximise choice/ management of voids etc.
- All spot placements to be commissioned through brokerage and if block purchasing is required a Dynamic Purchasing System is proposed.

Intended audiences and target groups for the service change

All residents in Shropshire who would need to access LA funded care home placements.

However, all service users and families should expect not to see a difference to the service they receive and the outcomes of their involvement with the revised arrangements. These changes should lead to transparency and equity and improve the speed of arrangements. Service users and their families should not be adversely affected by the proposed changes.

In order that we will be able to transition to a new standard price for bed types, we will need to manage a difficult transition period for some groups of people.

- Market response: The market is likely to respond differently depending on whether their current prices are under or over the new standard fixed rates. Full engagement is recommended and a two year transition should be considered to minimise market impact.
- Shropshire Council Internal response: The current culture and practice does not involve adherence to a fixed price structure. Whilst it is anticipated that a clear pricing structure will be welcomed in general it is also likely when workers are under pressure to find beds quickly there will be a temptation to increase prices to secure placements.

In order that we can manage a difficult transition period we may need to undertake some short term over commissioning of beds on a block basis in order that delayed transfers of care are not affected and urgent community cases are catered for. However, with over half of the market currently being paid under the recommended fixed rates it is anticipated much of the market will respond positively to the change.

Evidence used for screening of the service change

Project documentation:

Project Initiation Document (PID) - Residential and Nursing Care beds Commissioning Review project – February 2018

DMT report – December 2018 (includes Shropshire financial analysis and price comparison research with other Local Authorities)

- Appendix 1 - Previously published nursing and residential care rates 2015-2019)
- Appendix 2 - Review of Residential & Nursing Care commissioning practice 2017-18 are intended to inform DMT of the current issues and set out a proposal to control prices, ensure market sustainability and commission beds in a centrally managed way.
- Appendix 3 – Engagement with providers report

Background research and reports to inform project plans:

Shropshire Partners in Care, Shropshire Council, Telford and Wrekin Council, November 2016 – Fair Cost of Care analysis.

Older People Profile Shropshire 2018 – Information, Intelligence and Insight Team, Shropshire Council. <https://shropshire.gov.uk/media/10220/older-people-in-shropshire-profile-and-forecast-to-2036.pdf>

Shropshire Council Key Facts and Figures Shropshire Data 2017/18

<https://shropshire.gov.uk/media/11592/shropshire-council-key-facts-and-figures-ammendments-oct-2018-v2.pdf>

Competition & Markets Authority, Care homes market study

<https://assets.publishing.service.gov.uk/media/5a1fdf30e5274a750b82533a/care-homes-market-study-final-report.pdf>

Working with care providers to understand costs – A guide for adult social care commissioners

https://www.careprovideralliance.org.uk/uploads/1/0/8/0/108055907/1701-working-with-providers-to-understand-and-agree-costs_8.pdf

Specific consultation and engagement with intended audiences and target groups for the service change

An initial engagement provider engagement event was undertaken in June 2018.

Further consultation is planned with the following stakeholders as detailed below:

Stakeholder group	Channel
Cabinet Member for Adult Services and Director of Adult's Services	<ul style="list-style-type: none"> • Face to face briefings from senior team • Papers tabled at Cabinet and scrutiny • Direct email (Gov Delivery newsletter)
Directors Management Team	<ul style="list-style-type: none"> • Attendance at meetings and involvement in design • Direct email (Gov Delivery newsletter)
Providers in the marketplace	<ul style="list-style-type: none"> • Direct email (Gov Delivery newsletter) • SPIC newsletters • SPIC/LA Facebook group • Formal consultation via Shropshire Council Consultation Portal • Face to face meetings/discussions • Workshops and focus groups
Residents and Families	<ul style="list-style-type: none"> • Workshops and focus groups
Community Agencies	<ul style="list-style-type: none"> • Direct email (Gov Delivery newsletter)
CCGs	<ul style="list-style-type: none"> • Direct email (Gov Delivery newsletter) • HWBB • Workshops and focus groups
Shropshire Council Social Work and brokerage Teams	<ul style="list-style-type: none"> • Direct email (Gov Delivery newsletter) • Workshops and focus groups

The following consultation is planned:

Date	Activity
1 st March 2019 to 12 th April 2019	Consultation Launch: Proposals and supporting document published on the Consultation on: Shropshire Council website, SPIC website and social media Press release issued to promote consultation
7 th March 2019	ASC Provider Forum Workshop to discuss proposals and capture feedback
During Consultation period	Focus group meetings: Agree any residents/families meeting or groups to attend to capture any feedback
During Consultation period	Individual provider meetings: Identify any providers who would like individual meetings to discuss the impact of proposals
During Consultation period	Identify other interest parties Identify other stakeholders who want to express their views
Consultation close date 12 th April 2019	Review of responses – prepare analysis of feedback and findings and produce report for publication

Initial assessment for each group

Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.

Protected Characteristic groups and other groups in Shropshire	High negative impact <i>Part Two ESIIA required</i>	High positive impact <i>Part One ESIIA required</i>	Medium positive or negative impact <i>Part One ESIIA required</i>	Low positive or negative impact <i>Part One ESIIA required</i>
Age (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)				
Disability (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)				
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				
Pregnancy & Maternity (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Race (please include: ethnicity, nationality, culture, language, gypsy, traveller)				
Religion and belief (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				
Other: Social Inclusion (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)				

Identification of likely impact of the service change in terms of other considerations

Sustainability of the care homes market place:

Block purchasing supports market sustainability through enabling forward business planning for providers, and gives ready bed availability for ASC, however high levels of block purchasing limit choice for individuals.

Both sustainable market management and individual choice are LA responsibilities under the Care Act so careful consideration of block purchasing requirements and required block/ spot split are required to maintain a balance and meet all responsibilities.

In order to help stabilise both prices and the market it could be beneficial to block purchase more of our longer term spot beds at a set rate if a favourable price could be secured. This also has the advantage of ensuring bed availability. However void management (monitoring of unused beds) is an essential part of block purchasing which requires resources and a single central web based system for booking block beds would be required to ensure that we are minimising voids and using block bed provision before considering spot purchasing.

Local Authorities have market shaping duties which mean that they must encourage and facilitate the whole market in their area for care, support and related services. In doing so, they must be aware of current and likely future demand for such services and have regard to the need to ensure that sufficient services are available for meeting the needs for care. Sustainability of the market place will enable the Local Authority to ensure that the future projected care needs.

It is not anticipated that these changes will adversely impact the human rights of individuals or groups.

It is also not anticipated that these changes will have a negative impact on fostering good relations or on social inclusion.

It is intended that ongoing consultation and engagement will ensure that the Local Authority is able to take into account the views of the residents of Shropshire to inform the service redesigns and to identify mitigating actions where necessary.

Additional opportunities for income generation:

- CCG - The recommendations for price control and system development also create additional commercial opportunities for the council. As the single biggest purchaser in the care market the Council have significant influence over prices once they are set. However, if we partnered with the CCG and purchased on their behalf for a fee the influence on the market would be broader and will also save the CCG money as well as making income for ASC.
- Further commercial opportunities – With a significant influence over prices in the market there is a long-term opportunity to purchase on behalf of private customers for a charge.