

Report

Cabinet

Part 1

Date: 18 April 2018

Subject: **Integrated commissioning and Section 33 agreement for care homes for older people in Gwent**

Purpose To inform Cabinet of the progress made towards fulfilling the Councils statutory requirement & guidance to establish a regional Section 33 Agreement (also termed 'pooled funds') in relation to the exercise of care home accommodation functions (in this case care homes for older people), between Newport City Council, Caerphilly CBC, Blaenau Gwent CBC, Monmouthshire CBC, Torfaen CBC and Aneurin Bevan University Health Board (ABUHB).

Author Head of Adult and Community Services

Ward All Wards

Summary The Social Services and Well-Being Act (SSWBA) introduces statutory guidance that requires the Regional Partnership Boards in Wales to establish integrated commissioning and pooled funds in relation to the exercise of care home accommodation functions by April 2018. This report details how Newport City Council, will meet this statutory requirement using a section 33 agreement.

Proposal To approve the pooled budget arrangements for care home accommodation functions to be overseen by the Regional Partnership Board (RPB) and, in particular that the fund will not share financial risk nor introduce any potential cross-subsidy between the partners.

To agree that any changes to this approach will require further approval by all partners and further agreement by Cabinet.

To approve delegated powers to the Cabinet Member as Newport City Council member of the RPB, in the exercise of those functions, and consideration of any specific arrangements that need to be put in place to meet statutory duties at local and regional level.

To confirm the required key elements for these arrangements through development of a formal Partnership Agreement i.e a Section 33 agreement

To confirm resource implications for the local authority in relation to the pooled budget arrangements and oversight of the pooled budget agreements by the RPB.

Action by Head of Adult and Community Services

Timetable Immediate

This report was prepared after consultation with:

- Commissioning and Contracts Manager
- Senior Finance Business Partner
- Service Manager (Regional Commissioning and Partnerships) Torfaen County Borough Council

Background

Partnership and collaboration is a recurrent theme within the Social Services and Wellbeing (Wales) Act; Part 9 of the Act details the duties and expectations around partnership working. It should be noted that this is statutory guidance rather than a Code of Practice, reflecting that it relates to expected partnership arrangements between organisations.

An overview of integrated and pooled budget arrangements for the Gwent Region was the subject of a Ministerial report in January 2017 and copies were distributed to the Gwent Regional Partnership Board and Leadership Group in February 2017.

Supported by the National Commissioning Board (NCB) and Welsh Local Government Association (WLGA) the Gwent Regional Partnership Board agreed to be the pilot area for Wales for developing a Model Partnership Agreement (MPA) for pooled budget arrangements for older people under Part 9 of the SSWB Act. A short timeline for completion was agreed and put in place and a final MPA document was received in March 2017.

The Project Team which has overseen this work were keen to ensure that the scope of the agreement and its design principles were cogent with that of the agreed Regional Joint Statement of Strategic Intent for Older People, adopted by Regional Partnership Board in late 2016, and taken through formal adoption by each statutory partner.

In terms of the size and scope of the care home market in Wales, a national market analysis was conducted in 2016 with a census undertaken at the same point in time across the country. This showed that in 2015/16 there were nearly 18,000 placements by local authorities and health boards, which included 4,877 placements of people funding their own care. There were 21,823 registered beds in care homes for older people at the time of the census and the combined local authority and health board spend was approximately £369 million. This excludes client contributions, third party payments and the fees paid by those individuals who fund their own care.

Part 9 of the Statutory Guidance (Partnership Arrangements) issued in consequence of the Social Services and Wellbeing (Wales) Act 2014, states that Regional Partnership Boards will be expected to develop written agreements concerning any formal partnership arrangements which involve a delegation of functions: <http://gov.wales/docs/dhss/publications/151218part9en.pdf>

Purpose of Pooled Fund Agreements - Regulations allow for the partners to enter arrangements for the establishment and maintenance of a fund which is made up of contributions from the partners and out of which payments may be made towards expenditure incurred in the exercise of National Health Service functions or health-related (Local Authority) functions.

This is the 'Pooled Fund' and money from this fund may be used for purposes agreed between the partners (in this case to carry out the Care Home Accommodation Functions) of the partners jointly, in arranging care for Older People in Registered Homes. While the legislation suggests that the partnership agreement may cover all care home functions Welsh Government expect this to include care homes for older people (over 65) initially.

The Act envisages that this would be a single fund which removes the traditional Health/Social care division between partners, offering flexibility in the single fund's use according to locally agreed needs. However, in the Gwent region and in other regions in Wales, the approach adopted towards the 'mechanics' of the pooled fund arrangement; at least in its initial stage, will not share financial risk nor introduce any potential cross-subsidy between the partners.

Implementation update

Finance

A. Financial Position Statement in relation to Care Homes Section 33 Pooled Fund – Finance Sub Group - update as at December 2017

The Finance Sub Group was established in September 2017 with members from all 6 Gwent statutory partner organisations, chaired by the Aneurin Bevan University Health Board (ABUHB) Assistant Finance

Director. The group established a clear set of objectives to progress the development of the Section 33 Agreement for Gwent.

The objectives achieved to date:

1. Developed and produced a 'first cut' resource mapping analysis of the financial and activity for older people in care homes to establish a draft baseline position statement.
2. Captured activity and matched the financial cost analysis using statutory reported measures for LAs and current ABUHB reporting measures. The next step will need to consider the commissioning position statements emerging activity and data capture.
3. Developed an initial financial and management accounting framework and monitoring arrangements for the pooled fund. The data capture for this work has developed a pro-forma for financial and management accounts reporting, it is recommended that quarterly reporting be undertaken, these need to be codified in the Section 33 Agreement. This will also need to be referenced in the arrangements for the Pooled Fund Manager role and functions.
4. Considered and advised on financial risk sharing models and potential implications thereof. An approach that minimises financial risk and the potential for cross-subsidy has been developed, discussed and endorsed by Regional Partnership Board previously.

The 'first cut' Resource Mapping exercise has concluded and is presented in detail at appendix 1.

In Summary, across the Gwent Partnership the headlines are:

i. Spend Forecast indicates a potential Pooled Fund of £89million:

- Funded £20m from service user contributions and
- £69m from public funding (£32m ABUHB and £37m Local Authorities).

ii. Using Full Year Estimates this Funds in excess of 900,000 bed days:

- 109,000 long term bed days in LA owned Homes
- 11,000 short term and step up/step down bed days in LA owned Homes
- 600,000 Long term and short term Independent Sector bed days (including Funded Nursing Care (FNC) and step up/step down beds)
- 200,000 Continuing Health Care bed days

Next stages and objectives for the Finance Sub Group are to be completed by end of March 2018:

1. Develop and refresh the draft resource mapping to form the initial pooled fund financial plan (contributions, financial spend estimates) for 1st April 2018 implementation (February 2018).
2. Develop a financial governance framework for the pooled fund. This will be referenced to the lead commissioning organisations' arrangements.
3. Formalise the financial and management arrangements within the Section 33 Agreement
4. Develop a first stage Section 33 Agreement and advise on the 'technical wording' of the Section 33 Agreement.

The Group will work to achieve the overall timetable deadlines, recognising some of the work will be iterative and need to link in with other sub groups.

Section 33 Agreement – progress:

Work is currently being undertaken to develop the required Section 33 Agreement in line with the agreed implementation plan (appendix 3). The aim is for this to be in place by April 2018, subject to approval by all partners to the agreement.

Commissioned Services

The Commissioning Sub Group was established in August 2017 with members from all 6 Gwent statutory partner organisations, chaired by TCBC Group Manager for Commissioning & Service Transformation. The group established a clear set of objectives / tasks to progress the development of Regional Commissioning arrangements for Gwent, including:

1. Producing a snapshot “Gwent Commissioned Services Position Statement”, in respect of residential and nursing care for older people in the region.
2. Developed and agreed a Regional Common Contract and Service Specification in respect of residential and nursing care for older people.
3. Developed a Regional approach to contract monitoring.
4. Produced a Regional Market Position Statement and Regional Commissioning Strategy.
5. Agreed a common approach to Fee Setting in respect of residential and nursing care for older people.

Gwent Commissioned Services

This section provides an illustration of the current position of commissioned care home provision across the region. This forms the first step towards developing the required ‘Market Position Statement and Regional Commissioning Strategy’ which will be published initially in June 2018. The information set out below and at appendix 2 is a snap shot using the ‘census data’ of 1st September 2017.

Number of Beds:

There are a total of 95 care homes for older people offering 3,363 beds in mixed categories that comprise:

Residential Homes

Residential Homes for People with Dementia

Nursing Homes

Nursing Homes for People with Dementia

Continuing Health Care

The total number of beds comprises of 1,871 residential beds, including residential beds for people with dementia and 1,492 nursing beds, including nursing beds for people with dementia.

Number and distribution of operators:

55 operators currently operate in Gwent of which 8 operate in more than one locality. However, 40 providers own and operate just one home providing 52% of beds.

38 providers operating 50 homes are currently commissioned to provide Continuing Health Care Placements.

8 providers operate in more than one local authority area, 3 operating across Torfaen and Newport, 2 across Blaenau Gwent and Caerphilly, 1 across Newport and Blaenau Gwent, 1 across Torfaen and Caerphilly and 1 across Blaenau Gwent and Monmouthshire

There is a mixture of sole providers that own and operate one home, medium sized providers that own and operate more than one home within the Gwent region and a number of national companies that operate care homes across the region.

Few homes are registered solely for residential, residential care for people with dementia, nursing or nursing care for people with dementia. Many homes offer a combination of beds, across all types of care e.g. dual registration for residential and nursing or dual residential and nursing care for people with dementia.

Current risks and challenges in the care home sector:

- i. The recruitment and retention of registered general nurses and registered mental health nurses is becoming particularly challenging as is the recruitment and retention of registered managers and care staff
- ii. There is an increasing demand for care provision for older people with mental health conditions such as dementia, in both residential and nursing care homes, whilst there has been a decrease in demand for residential and nursing only provision. The availability of dementia nursing beds present a significant challenge to the Health Board.
- iii. People are being supported to remain in their own homes for as long as they are able to. As a consequence people entering a care home for older people now are of a greater age and often require more complex care.
- iv. Bed vacancies do not necessarily align with need as vacancies are often not in the required category of care or in the locality of need. Despite efforts to realign the market to better reflect need, the market is often slow to respond and are, of course, independent operators.
- v. There is also evidence that the size, structure, age, layout and location of care homes within Gwent is having an impact on sustainability, particularly residential and nursing homes.
- vi. Rising cost pressures is another a feature that threatens sustainability. It is anticipated that the incremental increases each year until 2020 of the National Living Wage, the growing costs of recruitment and retention, employee pension costs and other costs such as the purchase of equipment will continue to exert an upwards pressure on operating costs.
- vii. The Regulation & Inspection (Wales) Act 2016 becomes extant in April 2018. Care homes will be required to place a much greater emphasis upon the 'statement of purpose' as the driver for business focus and registration criteria. This is intended to bring a greater flexibility for operators as long as they can demonstrate the capacity and capability to deliver. Care home workers are also subject to registration from April 2018, although this will be phased in over several years. Negative consequences for costs and staff retention are anticipated as a result of this.

Common contract and contract monitoring arrangements:

Work is currently being undertaken to ensure that common contractual terms and conditions and a shared approach to contract monitoring operate across the region by April 2018. This work remains on track and in line with the regional Implementation Plan (appendix 3).

Establishment of Pooled Fund Manager:

Section 33 agreements require the establishment of a named 'pooled fund manager'. Consideration is currently being given to agreeing which partner will become the Pooled Fund Manager. This will be the subject of a separate report once expressions of interest and recommendations from RPB are known.

Stakeholder Engagement:

Steady progress is being made to ensure effective engagement with all stakeholders, particularly provider partners. An event was held on Wednesday 29th November for all care home operators and commissioning representatives. The main purpose of the meeting was to provide operators with an opportunity to comment and where possible to co-produce to common contract development process. A further consultation event

took place in January 2018 which forms part of the consultation process on the draft regional contract. A co-productive approach is adopted wherever possible.

Stakeholder engagement will remain an on-going commitment throughout the implementation of Part 9 of the SSWBA and beyond.

Conclusion

Joint commissioning and pooled budgets for care home placements for older people is a major and challenging part of the SSWB Act, and involves regional collaboration over a major part of the social care spend in Wales. Whilst this is a statutory requirement, it is also a real opportunity to make better use of available funding resources so that there is a consistent approach; which means better service to the citizens of Newport.

The level of care home spending across Wales (a total of over £89 million in the Gwent region) means that there is a real opportunity to shape and plan the provider market by working together across statutory partners and with providers, to ensure that the right care is given at the right time and in the right place in a fair and consistent way, with an emphasis on best quality at best cost.

Financial Summary

The current proposal for the pooled budget is for the contributions from each partner to match the costs committed by each partner so that financial risk can be explored before committing to financial risk sharing (proposed timetable 3-5yrs). At this stage no agreement has been reached on the risk sharing aspect or confirmed timetable.

Each partner will contribute to the pooled budget based on their expected activity levels for that financial year within the pooled budget. Any over or underspends against that activity level will result in a refund to that partner or a further payment into the pooled budget being required. At this stage there will be no sharing of over or underspends across partners.

Specifically for Newport City Council this means pooling our budgets, based on current budgeted figures for 2018/19, equates to a gross annual expenditure budget of £11.4m for external placements for elderly service users and £2.6m budget for in-house care home budget. These resources would become part of a pooled budget under a section 33 agreement.

The collection of income from service users in relation to these placement costs remains the responsibility of individual local authorities and will not form part of the pooled budget.

As already outlined earlier within the report, the proposed agreement is on a non risk sharing basis and as such Newport will retain local decision making around our pooled budget contribution, including our own internal care homes.

Risks

One of the main risks from entering a section 33 arrangement is that there is inherently less direct control by Newport City Council, due to the fact that the Regional Partnership Board will increasingly make the key decisions on issues affecting this service, albeit with Cabinet Member representation on that board.

If there is progression to a full 'pooled budget' with full financial risk sharing in years 3 to 5 within LA partners and the NHS, this potentially carries a very high financial risk for the authority in terms of control over spending within the pool and sharing of any overspends between partners – which will need very careful planning to ensure governance arrangements are robust.

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
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Ensuring partner budget management and reporting requirements are fully met. The size of the spend on this care provision means that this is vital	H	L	Appointing a pooled fund manager to oversee and coordinate	Chris Humphrey
Engaging providers in revised commissioning arrangements in due time and without compromising current provision	M	L	The Commissioning and Contracts Team are in regular contact with providers to ensure they are aware of potential changes to commissioning arrangements	Jenny Jenkins/Gareth Cooke
Ensuring joint commissioning arrangements do not cut across individual commissioners care home fees setting arrangements	M	L	We will continue to determine our own fees paid to providers based on the needs and market within Newport.	Jenny Jenkins/Gareth Cooke

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

A modernised Council – by working in partnership with the Gwent Health and Social Care Partnership to develop a common approach to commissioning residential services for older people, we will be able to deliver more efficient services to the citizens of Newport.

Resilient communities – by sharing market intelligence across the Partnership, we will be able to support providers of social care to create resilience across the sector.

Improving peoples lives – citizens of Newport will benefit from a consistent approach to commissioning.

Recommendations

1. To approve the pooled budget arrangements for care home accommodation functions to be overseen by the Regional Partnership Board (RPB) and, in particular that the fund will not share financial risk nor introduce any potential cross-subsidy between the partners.
2. To agree that any changes to this approach will require further approval by all partners and further agreement by Cabinet.
3. To approve delegated powers to the Cabinet Member as Newport City Council member of the RPB, in the exercise of those functions, and consideration of any specific arrangements that need to be put in place to meet statutory duties at local and regional level.
4. To confirm the required key elements for these arrangements through development of a formal Partnership Agreement i.e a Section 33 agreement
5. To confirm resource implications for the local authority in relation to the pooled budget arrangements and oversight of the pooled budget agreements by the RPB.

Comments of Chief Financial Officer

This report gives an update on the progress towards a statutory requirement to enter into a Section 33 pooled agreement. Establishing and running 'pooled budgets' in this context with the multiple inherent risks in place which are listed in the report is extremely challenging. Like other regions, the Gwent Partnership Board is therefore proposing that the pool does not include full financial risk sharing at this initial point.

Given this, the actual costs to this Council of delivering care for the service users included should be no different if the pool was or was not in place.

However, even at this early stage, Cabinet will need to understand and agree that there will be less direct control here with the Regional Board increasingly making decisions on how these services are run, commissioned and paid and this will impact on partners finances.

The development and agreement of the S33 agreement, which will set out responsibilities and governance will be key here and set these out.

Comments of Monitoring Officer

The Council has a statutory duty under the Social Services and Wellbeing (Wales) Act 2014 and the Statutory Guidance (Partnership Arrangements) to establish regional arrangements with other local authorities and the Health Board for collaborative joint working in relation to the provision of social care and health services. The Gwent Regional Partnership Board has agreed to be the pilot area for Wales for developing a Model Partnership Agreement for integrated commissioning and pooled funds in relation to the exercise of care home accommodation functions for older people. The traditional arrangement for establishing pooled funding and integrated working is by way of a Section 33 agreement under the National Health Services (Wales) Act 2006. This will necessitate Cabinet agreeing to commit a ring-fenced budget for the purposes of the pooled fund and agreeing to delegate lead commissioning functions to one of the partners and decision-making powers to the Regional Board. At this stage, the Report just sets out the principles of collaborative working and a further detailed report will be required in due course for Cabinet to agree detailed terms and governance arrangements within the section 33 agreement and the delegation of functions and budgets. Cabinet may then wish to delegate the approval of the wording and the sign-off of the Section 33 agreement to the statutory officers.

Comments of Head of People and Business Change

As required by the Well-being of Future Generations (Wales) Act 2015 this proposal has considered all five aspects of the sustainable development principle by proposing a long term, strategic approach to jointly commissioning care home placements for older people.

There are no human resources implications at this stage other than keeping current staff informed of the proposals. In addition a Fairness and Equality Impact Assessments (FEIA) is required and should be updated in light of the responses received in the formal consultation process. This should be reviewed again at each stage of the decision making process.

Comments of Cabinet Member

The report author is to confirm that the Cabinet Member has approved the report for consideration by cabinet.

Local issues

None

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment;

pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Not applicable

Wellbeing of Future Generations (Wales) Act 2015

The proposal ensures our continued compliance with the Wellbeing of Future Generations (Wales) Act 2015 by taking a longer term, strategic approach to jointly commissioning care home placements for older people.

- Long term, collaboration and integration: the proposal will develop a longer term approach to commissioning care home placements across the region which will help improve citizens wellbeing overall across the city
- Prevention: as resources across commissioning functions decrease, it is essential develop joined up approaches where appropriate to prevent social care providers leaving the market and under performing
- Involvement: consultation with providers has been on going throughout this process and will continue to be an integral part of the process.

Please see Well Being Assessment below for further information.

Crime and Disorder Act 1998

Not Applicable

Consultation

As joint commissioning of care home placements and pooled budgets is a statutory requirement, senior officers across all 5 local authorities in the region and the Aneurin Bevan University Health Board (ABUHB) have been part of this process, and so has the regional provider forum (spanning a wide range of care providers) and the regional citizen panel.

In addition to the above, a focus group of care home providers that represent the care home sector has been established. This group has supported this process and has co-produced the development of the regional contract. This is a significant development and sets the 'direction of travel' for joint working in the region, not only between commissioning partners, but also between commissioners and operators. It is envisaged that partners build on this to develop a market that is both flexible enough to meet fluctuating need and is sustainable for the longer term.

All parties acknowledge that providing a consistent process in relation to information, assessment and citizen choice has to be at the centre of joint commissioning and pooled budget arrangements. This will benefit our most vulnerable citizens.

Background Papers






Set out a list of any relevant background papers and whether they are available to the public.

Dated:

WELL-BEING ASSESSMENT

Project Description (key aims): *This is not a project – but outline of a statutory requirement under the Social Services and Wellbeing Act, which places a number of duties on local authorities and on statutory partners.*

Section 1) Complete the table below to assess how well you have applied the 5 ways of working.

 <p>Integration</p>	<p>1. <i>How does your project / activity deliver economic, social, environmental & cultural outcomes together?</i></p> <p>Regional Partnership Boards, on local health board footprint, are a statutory requirement under the Social Services and Well-Being Act (Wales) 2014. This activity confirms that these requirements on partnership and collaboration are met and is set to ensure best use of available resources through pooling funds.</p>
 <p>Long-term</p>	<p>2. <i>How does your project / activity balance short-term need with the long-term and planning for the future?</i></p> <p><i>This link may help you with long term planning: http://www.wlga.gov.uk/sustainable-development/generation-2050-better-long-term-decision-making-l-a-resource-for-local-government</i></p> <p>The whole emphasis with RPB's, Joint statements of Strategic Intent, and joint service planning and commissioning of care home placements is geared to meeting known short term care provision needs and longer term forward planning in relation to projected needs, based on population growth for older people.</p>
 <p>Prevention</p>	<p>3. <i>How does your project / activity put resources into preventing problems occurring or getting worse?</i></p> <p>A pooled budget approach combines partner resources to take a holistic and consistent approach focused on citizen needs, so as to provide the right services at the right time and in the right place with the right providers and the right funding. It fits with strategic direction for health and social care.</p>
 <p>Collaboration</p>	<p>4. <i>How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</i></p> <p>Regional Partnership Boards, and joint planning as to commissioning of care home placements, and pooling of funding to do this demonstrates better working together – spanning not just statutory partners but also third sector, citizen and service provider representatives.</p>
 <p>Involvement</p>	<p>5. <i>How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</i></p> <p><i>These links may help you think about involvement: National Principles for Public Engagement www.participationcymru.org.uk National Participation Standards for Children and Young People: http://www.childreninwales.org.uk/</i></p> <p>The required membership of Regional Partnership Boards does have a cross section of stakeholders, including third sector, citizen and carer representation. Joint commissioning arrangements for care home placements allows for alignment of 'support' functions, such as information provision, available service funding, and commissioning experience to allow a common approach to</p>

outcomes, and a constant and equitable service offer across the Gwent region.

Section 2) Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use **Appendix 1** to help you).

Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there anyway to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>A prosperous Wales An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>Putting in place statutory joint commissioning and pooled budget arrangements is expected to allow for better joint use of resources across health and social care, including workforce support and development in a critical part of the care sector.</p>	<p>No negative impacts expected.</p>
<p>A resilient Wales A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p><i>No direct impact to biodiversity and ecological resilience, but jointly commissioning care home placements for older people across health and social care does allow for reduced environmental impact if there is a focus on the right care at the right time and in the right place – not least in aiding families to be close to where care support is arranged.</i></p>	<p>No negative impacts expected.</p>
<p>A healthier Wales A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>Joint commissioning arrangements for care homes, including consistency as to information provision, choice and assessment, are all measures to impact positively on overall health and wellbeing.</p>	<p>No negative impacts expected.</p>
<p>A more equal Wales A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>	<p>The Social Services and Wellbeing Act links closely with preceding Disability and Equality legislation, and any new specific service developments (of care homes) will need to go through Equality Impact assessment (EIA), noting that care homes and pooled arrangements, are focused to the older adult age group.</p>	<p>No negative impacts expected.</p>

A Wales of cohesive communities Attractive, viable, safe and well-connected communities.	Regional Partnership Board arrangements, allied to joint statements of Strategic Intent, and planning for care closer to home, are all measures to allow for greater involvement of citizens in the planning and delivery of services to meet their wellbeing outcomes.	No negative impacts expected.
A Wales of vibrant culture and thriving Welsh language A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.	Publication of information in the public domain will need to comply with Welsh Language measures, in line with all other information developed by local authorities and local health boards	No negative impacts expected.
A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	Regional Partnership Board arrangements, allied to joint statements of Strategic Intent, and planning for care closer to home, have strong potential to improve overall well being in the region, although the focus is on those citizens in need of care and support.	No negative impacts expected

Section 3) Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts.

Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?
Age	Yes	No	Better integrated planning across health and social care
Disability	Yes	No	Better integrated planning across health and social care
Gender	Yes	No	Better integrated planning across health and social care
Gender reassignment	No	No	Planning is neutral – no change to expectations on statutory partners
Marriage and civil partnership	No	No	Planning is neutral – no change to expectations on statutory partners

Pregnancy and maternity	No	No	Planning is neutral – no change to expectations on statutory partners
Race	No	No	Planning is neutral – no change to expectations on statutory partners
Religion or Belief	No	No	Planning is neutral – no change to expectations on statutory partners
Sexual orientation	No	No	Planning is neutral – no change to expectations on statutory partners
Section 4) Identify decision meetings for project/ activity e.g. Cabinet, Council or delegated decisions taken by Executive Members and / or Chief Officers.			
Decisions are as set out in Cabinet report, to approve statutory arrangements under Social Services and Wellbeing Act, and high level priorities across Health and Social Care as set out in Joint statements of Strategic Intent.			
Officer Name and Job Title: David Williams Theme Lead, Regional Transformation Team		Date: May 2017	

Appendix 1

POOLED FUND FOR CARE HOMES - FINANCIAL SUMMARY	2017/18 Budget	Forecast as at 31st July 2017	Forecasted Over/(Under) spend	
	£000s	£000s	£000s	
Total Gross Cost of Residential and Nursing Placements	88,940	89,874	934	note 1
Funded By:-				
Contributions from Service Users	19,925	20,071	146	note 2
Specific Grant Funding	805	808	3	note 3
Income from Public Bodies outside Gwent	40	10	(30)	note 4
Contributions from Reserve Balances	0	43	43	note 5
Partner Contributions into pooled fund:-				
Aneurin Bevan UHB	32,078	32,078	0	note 6
Blaenau Gwent	4,758	4,666	(92)	
Caerphilly	12,784	12,667	(117)	
Monmouthshire	4,764	5,697	933	
Newport	9,052	8,649	(403)	
Torfaen	4,734	5,185	451	
Total Funding	88,940	89,874	934	

NOTES:-

- 1) Includes costs of day care provision at Caerphilly and Newport local authority owned residential homes.
- 2) Includes service user contributions for day care provision at local authority owned residential homes.
- 3) Budget and forecast include £615k Integrated Care Fund grant. The balance relates to Workforce Grant used by CCBC to uplift provider fees.
- 4) Charges to other non-Gwent local authorities for places in Gwent local authority owned homes filled by service users from outside Gwent.
- 5) A one of contribution from Newport County Council reserve balances to fund non-recurring costs included in the forecast of total gross cost.
- 6) Includes £1,592k of section 28a funding. Original budget information for 2017/18 is not available so budget assumed to match forecasts.

POOLED FUND FOR CARE HOMES - ACTIVITY SUMMARY		2017/18 Budget	Forecast as at 31st July 2017	Forecasted Over/(Under)	Comments
		Bed Days per year	Bed Days per year	Bed Days per year	
Local Authority Owned Residential Homes					
Long Term Beds :					
Blaenau Gwent		11,680	11,680	0	
Caerphilly		55,480	55,480	0	
Monmouthshire		11,680	11,680	0	
Newport		30,660	30,660	0	
Torfaen		0	0	0	
Sub Total Long Term		109,500	109,500	0	
Short Term & Step up/Step Down Beds :					
Blaenau Gwent		1,460	1,460	0	Short term only
Caerphilly		6,205	6,205	0	Includes 3,650 step up/down
Monmouthshire		0	0	0	
Newport		3,650	3,650	0	step up/down only
Torfaen		0	0	0	
Sub Total Short Term		11,315	11,315	0	
Independent Sector Provision (long Term and Step Up/Step Down)					
Commissioned by:					
Blaenau Gwent		71,003	71,003	0	see note 1
Caerphilly		155,125	157,630	2,505	see note 1
Monmouthshire		61,320	74,155	12,835	see note 1
Newport		124,018	122,534	(1,484)	see note 1
Torfaen		125,527	119,634	(5,893)	see note 1
Funded Nursing Care ABUHB only		74,806	67,499	(7,307)	see note 2
Sub Total Independent Sector Provision excluding CHC		611,799	612,455	656	
CHC places Commissioned by ABUHB		200,787	200,787	0	
Total Independent Sector		812,586	813,242	656	
GRAND TOTAL RESIDENTIAL AND NURSING PROVISION		933,401	934,057	656	

Notes:-

- 1) These figures include FNC bed days that attract both ABUHB funding and local authority funding.
- 2) This is the the number of FNC bed days that attract ABUHB funding but do not attract local authority funding. This is likely to be due to self-funding service users. ABUHB contribute to 284,528 FNC bed days in total (Budgeted and Forecast).
- 3) Also, 7,920 days of day care are provided in Caerphilly CBC owned homes and 3,750 days of day care are provided in Newport CC owned homes.

Appendix 2

Summary table of current commissioned services for care homes for older people in Gwent

	Residential	Dementia Residential	Nursing	Dementia Nursing	Total
Total No. Beds by category of care	896	975	954	538	3,363
Blaenau Gwent	40	159	129	118	446
Caerphilly	322	339	199	66	926
Monmouthshire	208	85	129	133	555
Newport	206	134	354	117	811
Torfaen	120	258	143	104	625
Total Commissioned beds by category of care Gwent Region	615	592	623	489	2,319
LA Commissioned beds by category of care	615	592	417	138	1,762
Blaenau Gwent	34	78	54	17	183
Caerphilly	300	270	83	34	687
Monmouthshire	60	18	47	23	148
Newport	120	110	163	55	448
Torfaen	101	116	70	9	296
ABUHB CHC Commissioned beds by category of care	-	-	206	351	557
Blaenau Gwent	-	-	26	64	90
Caerphilly	-	-	48	41	89
Monmouthshire	-	-	24	69	93
Newport	-	-	71	104	175
Torfaen	-	-	37	73	110
Total Funded Nursing Care payments paid by ABUHB * NB includes Self-funders and LA Funded placements	-	-	562	236	798
Blaenau Gwent	-	-	56	57	113
Caerphilly	-	-	118	23	141
Monmouthshire	-	-	107	68	175
Newport	-	-	190	57	247
Torfaen	-	-	91	31	122
Vacancies declared by providers by category of care	103	82	91	13	289
Blaenau Gwent	9	18	3	0	30
Caerphilly	22	26	40	0	88
Monmouthshire	17	12	2	9	40
Newport	33	24	7	3	67
Torfaen	22	11	30	1	64
% of total market	11%	8%	10%	2%	9%

- i. Source Commissioning Task and Finish Group*
- ii. Census date 1st September 2017*
- iii. Further breakdown by Borough is available*

Appendix 3 IMPLEMENTATION PLAN 2017 – 2019

1. Population Needs Assessment and Area Plan

No.	Requirement	Output	Completion date	Lead	Progress review
1.	Undertake a population Needs Assessment and develop an Area Plan	Regional Area Plan in place agreed by all partners.	April 2018	P Diamond	On track
1.1	PNA	PNA agreed by RPB	December 2016	P Diamond	Completed
1.2	PNA	PNA agreed at each partner's Board or Council	March 2017	P Diamond	Completed
1.3	Area Plan	Area Plan agreed by RPB	January 2018	P Diamond	First draft completed for initial consultation among partners
1.4	Area Plan	Area Plan adopted by all partners	March 2018	P Diamond	On track

2. Transparent use of resources and Section 33 Agreement

No.	Requirement	Output	Completion date	Lead	Progress review
2.	Transparent use of resources across the region:	Consolidated financial statement in place for all expenditure for care home placements for older people.	November 2017	Finance Group	Completed
3.	Section 33 developed and implemented	Section 33 Agreement in place for all partners.	April 2018	Finance Group	On track
4.	Lead Manager for Section 33 agreement to be agreed.	Pooled fund manager in place.	April 2018	RLG/RPB	
5.	Develop a collaborative fee strategy	A single methodology for agreeing fees across the region in place, (recognising that there will not be a single fee in place for April 2018 as this will have significant financial implications for all organisations).	April 2019	Programme Team	

6. Alignment of regional commissioning functions

No.	Requirement	Output	Completion	Lead	Progress review
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			date		
6.	Agree an integrated commissioning position statement	A commissioning position statement is in place demonstrating the capacity available across the region.	December 2017	Commissioning Group	completed
7.	Develop a Regional commissioning strategy for care home placements,	The Region has a Commissioning Strategy, which sets out the regional vision and commissioning and procurement intentions across the region. This will not be in place for April 2018, however the above actions will provide a firm foundation for effective development of this.	June 2018	Programme Team	On track
8.	Agree a common contract and specification	A single contract is operational across the region.	April 2018	Commissioning Group	
8.1		Develop and implement an integrated commissioning arrangement for securing care home services for older people with dementia.	March 2020	Implementation Team, RLG / RPB	

9. A common contract in place across the Gwent Partnership

No.	Requirement	Output	Completion date	Lead	Progress review
9.	Agree a common contract and specification	A common contract in use across the regional partnership	April 2018	Implementation team	On track
9.1		A common contract is drafted for legal / procurement advice/comment	December 2017	Commissioning T&F Group	On track
9.2		Legal and / or procurement advice obtained	December 2017	Commissioning T&F Group	On track
9.3		Undertake consultation with service providers	January 2017	Programme Team	On track
9.4		Partners obtain appropriate permissions within host organisations	March 2018	Commissioning T&F Group	On track
9.5		Implementation of common contract across the region for care homes for older people	April 2018	Commissioning T&F Group	On track

10. An integrated approach to contract management and quality assurance

No.	Requirement	Output	Completion date	Lead	Progress review
10.	An integrated approach to contract management and quality assurance	A common methodology in operational across the region.	April 2018	Commissioning Group	On track
10.1		A common methodology for assessing QA and performance of care homes	March 2017	Commissioning T&F Group	On track
10.2		A comprehensive integrated QA framework and regional plan in place and operational	March 2019	Commissioning T&F Group	On track

11. A comprehensive approach to stakeholder engagement and consultation

No.	Requirement	Output	Completion date	Lead	Progress review
11.	Comprehensive regional approach Stakeholder engagement and consultation	All stakeholders are engaged and have an opportunity to have their voices heard and views considered	April 2018	Programme Team	On track
11.1		Citizens' Panel engaged	On-going	Programme Team	
11.2		Regional Value Based Provider Forum engaged	On-going	Programme Team	
11.3		Responsible Individuals and Care Home providers engaged	On-going	Programme Team	Engagement events now underway

NOTE: This implementation plan is based upon the requirements set out in the Social Services and Well-being (Wales) Act 2014, Part 9, Section 62