

Shared Services Joint Committee Wednesday, 26th October 2022

Report Title	Shared Lives Service – Variation Notice Report
Report Author	Katie Brown and Zakia Loughead
Executive Member	Cllr Helen Harrison, Executive Member for Adults, Health and Wellbeing, NNC Cllr Matt Golby, Portfolio Holder for Adult Care, Wellbeing and Health Integration, WNC

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

Contributors/Checkers/Approvers

Approver	Officer Name	Date Officer Approved Report
North MO	Adele Wylie	21 st September 2022
North S151	Janice Gotts	21 st September 2022
West MO	Catherine Whitehead	21 st September 2022
West S151	Martin Henry	21 st September 2022

List of Appendices

None

1. Purpose of Report

- 1.1 To seek approval to proceed with disaggregation of the service in a safe and legal manner, reducing the potential disruption to the statutory service and diminish risk to service users, West Northamptonshire Council (WNC) and North Northamptonshire Council (NNC).

2. Executive Summary

- 2.1 The Shared Lives Scheme is a CQC regulated care service that is delivered in accordance with North NNC and WNC's statutory obligations under the Care Act 2014 and the Health and Social Care Act 2008. It is a countywide service that provides alternative longer term and respite supports for adults over the age of 18. The service is delivered in accordance with national guidance issued by Shared Lives Plus, a national charity that facilitates 150 Shared Lives Schemes across the UK with the aims of facilitating support, reducing isolation, and providing person-centred support in the home and the community for service users in order to improve independent living, prevent poor outcomes and avoid the high costs of late intervention.
- 2.2 Shared Lives supports adults with eligible social care needs including adults with learning disabilities, mental health problems and older people, needs that make it harder for them to live on their own. The Scheme matches eligible individuals who require care, with an approved carer and is designed to provide adults, who have a range of needs, with full time, personalised support.
- 2.3 The Scheme also extends to the provision of an alternative option for care leavers / foster children to be supported in the community with identified carers under the umbrella of the 'Staying Put Scheme' in collaboration with Children's Services. Northamptonshire Children's Trust are aware of the disaggregation proposals and are part of the steering group for future developments in this area.
- 2.4 The Service is hosted by WNC, covering both Adults and Care Leavers in collaboration with the Children's Trust across Northamptonshire. The timeframe for disaggregation was set out within the Transformation Task and Finish Group.
- 2.5 Disaggregation activity relating to the service functions are underway and aligned to the agreed timeline.

3. Recommendations

- 3.1 It is recommended that the Shared Services Joint Committee
 - 3.1.1 Approve the disaggregation of Shared Lives by 31st January 2023
 - 3.1.2 Grant delegated authority to the Monitoring Officers for North and West Northamptonshire Councils to put into place a deed of variation to the Inter Authority Agreement (IAA) for the service to exit the IAA schedules 2A3 and 2A7.
 - 3.1.3 Approve that both WNC and NNC will act in accordance with Service Plans and Collaborative Working Agreements to ensure a seamless and smooth hand over, in particular to agree that NNC will reimburse WNC for the payments that are made to the NNC shared lives placements, to support the smooth transition and ensure that carers continued to be paid as per the shared lives contracts, will be agreed by both WNC and NNC service leads and approved by Monitoring Officers until such time as a formal Deed of Variation has been completed.
- 3.2 Reason for Recommendations
 - 3.2.1 The proposed option to disaggregate Shared Lives most closely aligns with the agreed requirement to disaggregate the service, as set out in the Local Government Reform (LGR) Blueprint and in the Transformation Task and Finish Group Priority Disaggregation timeline.

- 3.2.2 This option adopts the LGR Blueprint, whereby a service has been hosted for a period before it can safely and legally disaggregate.
- 3.2.3 Ensures the Councils and customers receive the most benefit from the delivery of the Shared Lives service, by enabling the organisations to tailor the service, to the local demographics and address the needs and priorities of the individual authorities.
- 3.2 Alternative Options Considered
 - 3.3.1 Shared Lives is currently being delivered as a hosted service, with WNC providing the service on behalf of NNC. This hosted arrangement could continue for a longer period before disaggregation.
 - 3.3.2 Not to disaggregate and continue with the current arrangements permanently.

4. Report Background

- 4.1 The timeline for disaggregation of the Service is currently set for the end of January 2023, as part of wider plans for the Adult Social Services disaggregation (IAA schedules 2A3 and 2A7).
- 4.2 The team currently hosted by (WNC) provides a service to North Northamptonshire Council (NNC) through a hosted arrangement in line with the Local Government Reform (LGR) blueprint previously agreed through the LGR transformation programme. The current arrangements are scheduled in the blueprint to end on the 31st January 2023.
- 4.3 The Service Recruit and monitor placements for adults with care and support needs across Northamptonshire.
- 4.4 The Service assess new applicants / carers for the Scheme
- 4.5 The Service assess the customers / scheme users referred to the Scheme.
- 4.6 The Service ensure that carers have access to training to ensure that all carers comply with annual statutory regulations and legislative training requirements.
- 4.7 The Service Run the scheme to meet the standards set out by CQC under the Health and Social Care Act 2008.
- 4.8 Quasi-Judicial Decisions Independent panel - all volunteers meet quarterly each year to approve new carers to the scheme.
- 4.9 Provide an alternative provision under the 'Staying Put Scheme' in agreement with the Northamptonshire Children's Trust. The NCT have been informed of the disaggregation timetable and have no concerns to raise.
- 4.10 The current service comprises of 5.87 FTE plus a proportion of a Registered Manager as follows:

Staff Location	Roles	Employment Type	Staff
WNC	Shared Lives Officers	Permanent	4.87 FTE
WNC	Business Support Assistants	Permanent	1
WNC	Registered Manager	Permanent	Sits under another Registered Manager remit

4.11 In June 2021, the NNC and WNC Shadow Executive Committees approved and adopted a Disaggregation Blueprint.

5. Issues and Choices

5.1 The following options are to be considered:

Option A – Continue with full disaggregation by January 2023.

Option B – The current service provision be changed to a Lead Service model.

5.2 **Option A** is the recommended option for the following reasons: The proposed option is to disaggregate the Service:

5.2.1 Resource:

The proposed structure ensures that we can meet both West and North demand.

5.2.2 Set governance timetable:

The disaggregation of the Shared Lives service will be to the agreed timeline set by Members

5.2.3 Business Plan:

- Disaggregation will allow each Council to develop the service in line with its business plan.
- It will enable each Council to provide a more personalised and connected service.
- It will allow each Council to develop an enhanced understanding of the community being served, to develop and improve the service offer.
- Opportunity for each team to develop more targeted training.

5.2.4 Data Governance:

A Data Protection Impact Assessment and a Data Splitting and Cleansing Assessment will need to be carried out during disaggregation. New Data Sharing Agreements, Data Protection Impact Assessment and new/revised privacy notices will be required, with specific note to any shared data requirements across North and West and to data retention schedules.

5.3 **Option B** is not the recommended option for the following reasons:

5.3.1 NNC will not be able to develop the service in line with its Corporate and Service plan.

5.3.2 Keeping the service hosted by the West is against the plans and principles set out in the Future Northants blueprint and not in line with the decision made by Shared Services Joint Committee Members to disaggregate the service

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 Additional resources will be required from the enabler services such as Human Resources, ICT, Legal Services, to support the disaggregation process.

6.1.2 The proposed NNC staffing structure post disaggregation will require and additional £23,854 funding per annum as shown in the table below.

Staff Location	Roles	Employment Type	Staff	Cost
NNC	Shared Lives Officers	Permanent	2.43 x FTE	£77,033
NNC	Business Support Assistants	Permanent	1 x 0.5 FTE	£12,958
NNC	Manager	Permanent	1 x 0.5 FTE	£23,854
NNC Staff Total				£113,845
Additional admin costs of approximately				£10,000
The cost for NNC's structure including on-costs totals				£123,845
NNC Budget				£100,459
NNC Funding variance				£23,386

6.1.3 However, a manager role has been identified by NNC that could absorb the Shared Lives Service as part of their remit and this would mean that this post would not need to be recruited to and funded. This would potentially therefore cover the funding gap of £23k per annum.

6.1.4 Further developments and expansion of the Services would require revisiting costs in the future.

6.2 Legal and Governance

6.2.1 The Shared Service Joint Committee is responsible for “ensuring there are robust plans for any disaggregation of services and that there is a smooth transition to new service delivery arrangements”. They are also responsible for ensuring that statutory arrangements are in place for each Council.

6.2.2 The Service is currently operating in accordance with the Inter Authority Agreement that exists between West Northamptonshire Council and North Northamptonshire Council. If the recommendation proposed within the report is agreed, then the Councils will approve any further amendments under the

Inter Authority Agreement to ensure that adequate contract and financial management and governance is in place between the authorities.

- 6.2.3 As outlined within the report, this is a statutory service. The Local Authority is legally responsible for the Service.
- 6.2.4 A Collaborative Working Agreement (CWA) may be required for a period of time following disaggregation between NNC and WNC, in particular to agree NNC will reimburse WNC for the payments that are made to the NNC shared lives placements to support the smooth transition and ensure that carers continued to be paid as per the shared lives contracts. This will be considered as part of the disaggregation process.
- 6.2.5 An Exit Plan will be drawn up as part of the programme of work in the later stages of disaggregation, to be approved by the Executive Director.
- 6.2.6 NCT have been informed of the disaggregation and timetable. Future developments will be discussed by individual Council's post disaggregation.

6.3 Relevant Polices and Plans

- 6.3.1 Disaggregation of the Service complies with the requirements of the approved Blueprint, whereby it outlines the hosted services in each authority that require disaggregating.

6.4 Risk

- 6.4.1 If the Service is disaggregated in accordance with the original timescales of January 23, the following risk and issues will arise:

Risk Assessment	Mitigating Action
Shared lives customers continuing to have access to respite in adjoining authority regardless of their ordinary residence	Data Sharing Agreement to be in place signed by both authorities to enable respite to continue
Additional £23k Budget required for NNC staffing including a part-time manager.	An existing NNC Manager Role has been identified that can absorb management of the Shared Lives Service. There will therefore be no requirement for additional budget.

6.5 Consultation

- 6.5.1 This report does not meet the parameters required for public consultation
- 6.5.2 Staff Consultation and staff TUPE is required

6.6 Consideration by Executive Advisory Panel

- 6.6.1 No considerations arising from this report

6.7 Consideration by Scrutiny

6.7.1 No considerations arising from this report

6.8 Equality Implications

6.8.1 The Service provides a service to people with protected characteristics, namely adults with learning disabilities, mental health problems and older people. This section of the community could be exposed to high risk if the Service is not disaggregated in a prudent and lawful manner. The proposed timescales will reduce the disruption and danger to service users.

6.9 Climate Impact

6.9.1 No negative impacts arising from this report.

6.10 Community Impact

6.10.1 The Community as a whole will be protected by ensuring a high-quality service is in place.

6.11 Crime and Disorder Impact

6.11.1 None

7. Next Steps

7.1 The impact assessment and Project Plan have been developed in accordance with the Joint Disaggregation Principles.

7.2 An exit plan would be developed in accordance with the requirements of the Inter Authority Agreement (IAA) for the hosted provision of functions and services between NNC and WNC.

8 Background Papers

8.1.1 None