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Shared Services Joint Committee 18 January 2023

Report Title	Visual Impairment (VI) – Change Request (Updated from Draft Report for SSJC 26 October 2022)
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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	

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1. Purpose of Report

1.1 To seek approval from Shared Services Joint Committee to:

- Reprofile the hosted Visual Impairment Service disaggregation timelines, which is currently March 2023, adjusting the Inter-Authority Agreement (IAA).
- To delay disaggregation of the Service until it is safe and legal to do so.
- To receive a report on progress and timescales within the Visual Impairment Service in March 2024.

1.2 This approval is sought in order to reduce the potential disruption to the Statutory Service and diminish risk to North Northamptonshire Council (NNC), West Northamptonshire Council (WNC) and their residents, this report seeks the approval to:

2. Executive Summary

2.1 Visual Impairment (VI) is a Statutory Service, due to the high risk to the safety of customers of the service, for which the Local Authorities (LAs) are legally responsible.

2.2 The Service is hosted by WNC, serving both Children and Adults across Northamptonshire.

2.3 The timeframe for disaggregation was set out within the Inter Authority Agreement (IAA) Blueprint approved by NCC and WNC.

2.4 The Service has in place an IAA which lays out the service to be provided, statutory requirements and KPIs which must be reported against. There are also detailed arrangements laid down regarding the UK GDPR Article 28 regulations regarding the holding and processing of information.

2.5 To ensure NNC and WNC can continue to deliver the Service safely as part of their statutory duties, without additional risk to customers, this report sets out

the recommendation to reprofile the disaggregation of this function and the request to report in March 2023, detailing progress and a recommended timescale for disaggregation.

- 2.6 There is a national shortage of suitably qualified personnel for the VI Service. The Service will be at a high risk of failure if it is disaggregated prior to suitable staffing arrangements being in place. The risk to residents is significant (including potentially fatal) if the Service is not adequately resourced prior to disaggregation.
- 2.7 The Service is a Statutory provision delivered pursuant to the Care Act (2014) and its Code of Practice.

3. Recommendations

- 3.1 It is recommended that the Shared Services Joint Committee:
 - Approve reprofiling the timeline to disaggregate the VI Service and amending the IAA Blueprint accordingly,
 - Approve delaying disaggregation of the Service until it is safe and legal to do so
 - Approve to receive a report on progress and timescales with the VI service in March 2024.

3.2 This is **Option B**

4.0 Reasons for the Recommendation

- 4.1. Approving the proposed option to reprofile the disaggregation of the Service will provide enough time to ensure staff can be recruited, adequately trained and qualified to provide safe and effective service delivery.
- 4.2 VI is a statutory function and reprofiling the disaggregation of the Service will reduce the significant risks to vulnerable users' health as well as reducing risks of Local Authority (LA) liability and reputational damage to NNC and WNC.

Alternative Options Considered

Option A – Continue with full disaggregation by March 2023.

Option C – Not to disaggregate.

5.0 Report Background

- 5.1 From 1 April 2021, NNC and WNC entered an IAA for the delivery of hosted services as agreed as part of the Future Northants Disaggregation Blueprint.
- 5.2 The timeline for disaggregation of the Service is currently set for 2023 (IAA schedule 2A8), as part of wider plans for the Adult Social Services Disaggregation.

- 5.3 Recruitment to these specialist roles is challenging, there is potential to 'grow our own' through training and developing different ways of working. The most effective mitigation to manage this risk is to delay disaggregation until the Executive Directors are confident that it is safe and legal to do so.
- 5.4 The Service is Statutory and LAs are legally responsible for the delivery of the Service. In Northamptonshire the VI Service operates across the whole County (WNC and NNC) responding to requests for support from customers.
- 5.5 During the project activity to disaggregate the Service, significant risks were identified. At the 16 June 2022 Adults IAA meeting, it was agreed that disaggregating per the current blueprint would pose significant risks for the vulnerable people dependent on this statutory service, so it has been proposed a change request is taken requesting for delegated authority to disaggregate when the Service is ready.
- 5.6 The Service is a statutory provision, under the Care Act 2014, providing a countywide Specialist Rehabilitation Service for Adults and Children who have a visual impairment and those who may need help with mobility training and/or daily living skills training. This includes the administration of specialist equipment which is supplied to customers undergoing rehabilitation programmes to provide support in their homes and in the community; the Service objective is to promote customers' independence whilst improving their quality life, providing safety and managing risk to the service user.
- 5.7 The team (2 FTE posts) currently hosted by WNC, provides a Service to NNC through a hosted arrangement in line with the LGR blueprint previously agreed through the LGR transformation programme.
- 5.8 The Service maintains a register of residents with visual impairments in accordance with statutory requirements to plan the provision of Services to meet demand for care and support and monitors changes to the number of adults in the area with the need for care and the types of needs they have.
- 5.9 The Service has a three-yearly statutory obligation to report on the register of blind and partially sighted people (SSDA902).
- 5.10 The Service is responsible for documentation, liaison with NHS consultants, and updating registers and records, in line with the Care Act (2014) accordingly.
- 5.11 The Service delivers a 09:00 – 17:00 service across Monday to Friday.
- 5.12 It is considered impossible, at this time, to split the Service further. The Service has experienced challenges which included difficulties recruiting appropriate officers with the required qualifications as there are current shortages in the labour market for qualified personnel. The existing members of staff were cultivated through university programmes by the current team. Recruitment to these specialist roles is challenging, but we can 'grow our own' through the apprenticeship scheme. Alternative ways of working are also being considered in order to address these issues.

- 5.13 The Service comprises 2 permanent Full Time Equivalent staff: one Qualified Senior Rehabilitation Officer (Visual Impairment) and one Qualified Rehabilitation Officer (Visual Impairment). Both roles require qualifications:
- 5.14 It is not viable to run the service on one member of staff per unitary. The different grade levels of the two members of staff mean that the balance of the two unitary councils' ability to deliver the same service would be compromised.
- 5.15 The qualification for the Qualified Senior Rehabilitation Officer (Rehabilitation Officer Certificate or equivalent) takes four years to complete. The qualification for the Qualified Rehabilitation Officer (Visual Impairment Rehabilitation Certificate (Foundation Degree)) takes two years to complete.
- 5.16 Work is ongoing to understand how demand and pay aligns with other Authorities locally. It is believed that pay is an issue that contributes to the difficulties in hiring and retaining staff, in addition to the national shortage of people with the required qualifications for the Service.

6. Links and Dependencies

- 6.1 The Service works closely with the Northamptonshire Association for the Blind (NAB).
- 6.2 The Service is involved in a pilot scheme with the Royal National Institute of Blind People (RNIB) offering places on a “Living Well with Sight Loss” free phone course at the point of registration. The aim of the pilot is to link people with the RNIB services, information and advice and with other people with a visual impairment. It doesn't take away any of the work the team provide face to face in people's homes.
- 6.3 The Service is part of the wider Community Therapy team.

7. Issues and Choices

7.1 The following options are to be considered:

Option A – Continue with full disaggregation by March 2023.

Option B – Approval of a delay to disaggregation and request a further report in March 2024, which gives details of progress and a recommended timescale for disaggregation.

Option C – Not to disaggregate at all

7.2 The recommended option is Option B

7.2.1 Option A – Continue with full disaggregation by March 2023

Advantage / Disadvantage	Visual Impairment
Advantage 1	The Service would be disaggregated in line with the timeline on the Disaggregation Blueprint.

Disadvantage 1	The Shared Service Joint Committee (SSJC) would not be able to ensure there are robust plans for disaggregation of the Service and that there is a smooth transition to new service delivery arrangements.
Disadvantage 2	The SSJC would not be able to ensure the Statutory Service is disaggregated safely and legally which is imperative.
Disadvantage 3	Disaggregating the Service in the current state would mean that both Authorities would be understaffed and lack resilience. Each Council would need to have appropriate numbers of staff members to ensure there is suitable resilience. Disaggregation will result in some vacancies. There is a national shortage of suitably qualified people and therefore recruitment to vacant posts would be difficult, potentially leaving: <ul style="list-style-type: none"> • Vulnerable Service users exposed and unsafe • NNC and WNC under resourced and unable to meet its statutory duties and at risk of reputational damage
Disadvantage 4	There will be no time to ensure that the Service have fully qualified substantive staff to ensure an undisrupted, safe, resilient service to customers.

7.2.2 Option B (Recommended Option) – Approval of a delay to disaggregation and receive a report in March 2024 on progress and a recommended timescale for disaggregation.

Advantage / Disadvantage	Visual Impairment
Advantage 1	Both WNC and NNC agree that disaggregation per the current timelines would present a high statutory risk to both LAs, leaving Service users vulnerable and pose a potential danger to themselves or others. This option would mitigate these risks.
Advantage 2	The Safeguarding of Service Users is paramount, ensuring that they receive the best outcomes during periods of extreme crisis. This option would enable the Service to continue to deliver on these requirements until it is safe and legal to disaggregate the Service.

<p>Advantage 3</p>	<p>Allowing additional time would enable the Service to recruit people, facilitate them obtaining the relevant qualifications and train them to the required standard prior to disaggregating in a manner that is safe and legal.</p> <p>Staff within the Service must undergo extensive specialist training and obtain relevant qualifications:</p> <ul style="list-style-type: none"> • The qualification for the Qualified Senior Rehabilitation Officer takes four years to complete • The qualification for the Qualified Rehabilitation Officer takes two years to complete. <p>There is a national shortage of suitably qualified people, it is anticipated that the unqualified people will need to be recruited and the Councils will need to facilitate them obtaining the relevant qualifications.</p>
<p>Advantage 4</p>	<p>The service is the statutory responsibility of each LA. Delaying disaggregation would allow the Service to carry out their roles lawfully.</p> <p>The VI Service operates across core working hours from Monday to Friday, providing a countywide Specialist Rehabilitation Service for adults and children who have a visual impairment and people who may need help with mobility training and / or daily living skills training. This includes the administration of specialist equipment to customers undergoing a rehabilitation programme to provide support in their homes and in the community.</p> <p>The Service objective is to promote customer's independence whilst improving their quality of life. This option would enable the Service to continue to deliver on its statutory functions and objectives whilst recruiting and training staff appropriately.</p>
<p>Disadvantage 1</p>	<p>Hosting arrangement places a potential additional burden on the host authorities by continuation of line management requirements and financial costs.</p>
<p>Disadvantage 2</p>	<p>There may be a perceived lack of local focus of the Service by NNC during this extended period leading to a less personalised and connected Service for Service users.</p>

7.2.3 Option C – Not to Disaggregate

<p>Advantage / Disadvantage</p>	<p>Visual Impairment</p>
<p>Advantage 1</p>	<p>The Service would be able to continue to deliver the statutory service as they currently do.</p>

Advantage 2	As a hosted arrangement, this is, financially, a cost-effective delivery option to both Councils. The current volume of referrals in this service is being managed by the existing arrangements. Both WNC and NNC agree that the service could be promoted wider and could do more with additional staff.
Disadvantage 1	There would be a potential additional burden on the host authority to continue to host the Service through line management requirements and financial costs.
Disadvantage 2	There may be a perceived lack of local focus of the Service by NNC.
Disadvantage 3	It may be a perceived that there is not the depth of understanding of the community at the local level and the offer may not provide for the specific needs of the area and a less personalised and connected Service for customers.
Disadvantage 4	Not disaggregating would conflict with the desire to fully disaggregate the Service, giving each authority greater control over decision making in line with what is appropriate for its Service users.

8. Implications (including financial implications)

8.1 Resources and Financial

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

8.1.2 Recruitment and training of staff to ensure future suitably qualified staff for the Service.

8.1.3 Succession planning, alternative ways of training and working, such as collaborative support agreements between WNC and NNC will need to be explored to ensure that services can be delivered, with resilience is built in to protect customers.

8.2 Legal and Governance

8.2.1 The SSJC 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.

8.2.2 The Service is currently operating in accordance with the IAA that exists between NNC and WNC. If the recommendation proposed within the report is agreed, then the Councils will approve any further amendments under the IAA to ensure that adequate collaborative, contract and financial management and governance is in place between the authorities.

8.2.3 As outlined within the report, VI is a Statutory Service and the LAs are legally responsible for the Service. It is imperative to ensure that the Service is disaggregated when it is safe and legal to do so. If there is not a delay to disaggregation, then there is a risk that legal requirements would not be met, and vulnerable service users will be put in danger.

8.3 Relevant Polices and Plans

8.3.1 Reprofiled disaggregation of the VI Service complies with the requirements of the approved Blueprint, whereby it outlines the hosted Services in each authority that require disaggregating.

8.4 Risk

8.4.1 If the Service are disaggregated in accordance with the original timescales of March 2023, the following risks and issues will arise:

Risk Assessment	Mitigating Action
<p>Continuing with disaggregation by March 2023 could mean the Service cannot be delivered in accordance with statutory requirements due the low numbers of staff within the Service.</p>	<p>Delaying disaggregation provides more time to ensure that:</p> <ul style="list-style-type: none"> • There are sufficiently trained and qualified staff at NNC and WNC to safeguard the Service, and • Executive Directors can be confident that the Service can be split in a safe and legal manner.
<p>Disaggregation by March 2023 would leave the Service at WNC and NNC vulnerable due insufficient numbers of qualified staff, to provide resilience especially if there is sickness or resignations.</p> <p>There are currently 2 FTE members of staff in Visual Impairment posts in WNC covering both Councils.</p>	<p>Delaying disaggregation provides more time to ensure that:</p> <ul style="list-style-type: none"> • There are sufficiently trained and qualified staff at NNC and WNC to safeguard the Service. • There is adequate time to explore alternative ways of training and working and • Executive Directors can be confident that the Service can be split in a safe and legal manner.
<p>Residents may be left vulnerable to harm including potential death, if they do not get required the support in a timely manner e.g. road safety, if the Service cannot adequately meet the demands placed on it, and each LA may be exposed to reputational risk.</p>	<p>Delaying disaggregation provides more time to ensure that:</p> <ul style="list-style-type: none"> • There are sufficiently trained and qualified staff at NNC and WNC to safeguard the Service. • There is adequate time to explore alternative ways of training and working and • Executive Directors can be confident that the Service can be split in a safe and legal manner.

Risk Assessment	Mitigating Action
<p>Key Performance Indicators may not be met if the service is disaggregated in March 2023 including the statutory requirement for service users to be added to the Visual Impairment Register and the local target of 90% of referrals responded to within 5 working days.</p> <p>This would result in not fulfilling the Council's legal responsibilities and leaving vulnerable residents without a service to ensure their safety for an unacceptable length of time.</p>	<p>Delay in disaggregation would allow resources to be put in place to ensure that each Council will be able to meet their statutory responsibilities and agreed service standards (as stated in the VI Service Plan – schedule 3A8)</p>
<p>Resilience to ensure the Service can be delivered by each authority independently, safely and legally:</p> <ul style="list-style-type: none"> • Qualified Rehabilitation Officer – There is only one person in the Service that has the relevant qualifications and experience to deliver this role. • Qualified Senior Rehabilitation Officer – There is only one person in the Service that has the relevant qualifications and experience to deliver this role. • Geographical location – Existing staff that work within the Service are both geographically located within West Northamptonshire. This would likely lead to both members of the team staying with WNC, leaving NNC with no staff for their Service. 	<p>Delaying disaggregation provides more time to ensure that:</p> <ul style="list-style-type: none"> • There are sufficiently trained and qualified staff at NNC and WNC to safeguard the Service, and • Executive Directors can be confident that the Service can be split in a safe and legal manner.
<p>Pay to ensure people can be recruited and retained:</p> <p>Work is ongoing to compare pay for roles within the service. Early findings suggest that there is a significant gap between what WNC staff are paid in comparison to other authorities, therefore it is difficult to recruit. Trained and qualified staff can be lost to better paid roles.</p>	<p>NNC and WNC Services to investigate with HR the scope to improve pay within this team (outside of the Project).</p>

6.4.3 If the Service is reprofiled and disaggregation delayed, this will significantly reduce the risk of the Service not meeting their Statutory duties. It will also allow for recruitment and training and sufficient transfer of knowledge, data, and systems to enable the Service to function satisfactorily and safely.

8.5 Consultation

8.5.1 This report does not meet the parameters required for public consultation.

8.6 Consideration by Executive Advisory Panel

8.6.1 No considerations arising from this report

8.7 Consideration by Scrutiny

8.7.1 No considerations arising from this report

8.8 Equality Implications

8.8.1 The Service supports people with protected characteristics, namely those who are visually impaired. This section of the community could be exposed to high risk in terms of safety, independence, access to education, work and community life, if the Service is not disaggregated in a prudent and lawful manner. The proposed delay to disaggregation will reduce the disruption and danger to Service users.

8.9 Climate Impact

8.9.1 No negative impacts arising from this report.

8.10 Community Impact

8.10.1 The Community will be protected by ensuring high-quality Services are in place.

8.11 Crime and Disorder Impact

8.11.1 No negative impacts arising from this report.

9.0 Background Paper

9.1 None

Appendix A - Glossary of Terms

Acronym	Meaning
DASS	Director of Adult Social Services
FTE	Full Time Equivalent
IAA	Inter-Authority Agreement
LA	Local Authority
LGR	Local Government Reform
NAB	Northamptonshire Association for the Blind
NHFT	Northamptonshire Healthcare NHS Foundation Trust
NNC	North Northamptonshire Council
RNIB	Royal National Institute of Blind People
SSJC	Shared Services Joint Committee
VI	Visual Impairment
WNC	West Northamptonshire Council