

COUNCIL
17 FEBRUARY 2022

REPORT OF CABINET - SUMMARY OF DECISIONS TAKEN

Mental Health Aftercare Arrangements as Required Under Section 117 of the Mental Health Act 1983

1. Section 117 of the Mental Health Act 1983, as amended, requires clinical commissioning groups (CCGs) and local authorities, in co-operation with voluntary agencies, to provide or arrange for the provision of after-care services to individuals detained in hospital for treatment under sections 3, 37, 45A, 47 or 48 of the Act who then cease to be detained.
2. The great majority of people detained under the Mental Health Act 1983 are detained only for up to 28 days, under section 2 for assessment, and so are not eligible for aftercare under section 117. Of those people who are eligible for aftercare, most have been detained for treatment under section 3 (Detained in hospital for treatment).
3. Since the autumn of 2020, the Council has been working with Herefordshire and Worcestershire CCG, Herefordshire and Worcestershire Health and Care Trust (HWHCT) and Herefordshire Council to review and develop a new section 117 policy, and Standard Operating Procedure (SOP). Work has also been undertaken to clarify arrangements for quality assurance purposes and maintaining a joint register of all individuals who are entitled to section 117 aftercare. The draft policy is a joint policy between Worcestershire County Council, NHS Herefordshire and Worcestershire Clinical Commissioning Group and Herefordshire and Worcestershire Health and Care NHS Trust. Herefordshire Council has its own similar joint policy.
4. The draft Worcestershire joint section 117 policy and associated SOP clearly set out the legal framework for section 117 aftercare, the duties imposed on health and social care, with details of how each agency is required to fulfil its obligations to people.
5. Cabinet has approved the joint policy for section 117 mental health aftercare. Cabinet has authorised the Strategic Director of People, in consultation with the Cabinet Member for Health and Wellbeing and the Director of Children's Services, to make all operational decisions to ensure implementation of the policy and operating procedure, agreeing any operational changes to the documents, including those arising from case law, as required for their implementation.

Creation of an All Age Disability Service (0-25) Incorporating Adult Services Young Adult Team (YAT)

6. The Health and Social Care Act 2012 and the NHS Mandate both make clear that NHS England, CCGs and Health and Wellbeing Boards must promote the integration

of services if this will improve services and/or reduce inequality, and they should consider arrangements under section 75 of the National Health Service Act 2006, including the use of pooled budgets. The Children Act 2004 also places a duty on local authorities to make arrangements to promote cooperation with its partners (including the police, health service providers and youth offending teams and the probation services) in promoting the wellbeing of children and young people under 18 which includes safeguarding and the welfare of children

7. It is under these national drivers that there is an expectation that the Council and its wholly-owned company Worcestershire Children First (WCF) should review and implement integration of its services where it is evident it could improve services and/or reduce inequalities. This is a joint venture of design and change between Worcestershire's People's Directorate and Worcestershire Children First.

8. The All Age Disability 0-25 Service is a direct response to an engagement exercise in the Autumn of 2019 where parent carers and young people identified "Hard to navigate the maze of teams/services" and "Need to bridge the gap between children's and adult services". By bringing the three service areas together (SEND Team, Children with a Disability Team and Young Adults Team) a single point of contact will be provided in each locality and better co-ordinate services.

9. Cabinet has approved the development of an All Age Disability Service (0-25) and the transfer of staff resource in the Young Adult's team (TUPE) to be hosted by WCF as part of an All Age Disability Service (0-25) - Integrating SEND Team, Children with a Disability Team and Young Adults Team, to improve the customer experience and drive better short and long term outcomes

10. Cabinet has noted that the budget for provision and care packages remains in People Services but will be operationally managed by the new All Age Disability (0-25) service.

11. Cabinet has granted delegated authority to the Strategic Director of Commercial and Change and the Assistant Director for Legal and Governance in consultation with the Strategic Director for People, Director of Children's Services and Chief Financial Officer to amend the contract with WCF and performance reporting as needed to deliver the above.

12. Cabinet has granted delegated authority to Worcestershire Children First to exercise, on the Council's behalf, the functions of Part 1 of the Care Act 2014 in respect of children and young people up to age 25 years with the exceptions set out in paragraph 26 of the report pursuant to section 79 of the Care Act.

Transport Policy for Adult Social Care

13. The Council has a duty under the Care Act 2014 to assess adults' social care needs and a duty to meet the identified eligible needs. Where eligible needs are identified, transport assistance is not automatically provided by the Council as part of other service provisions unless it has been assessed as an eligible care need. The need for transport should be considered as part of the Needs Assessment and subsequent Support Plan to ascertain if transport provision is necessary to enable the adult to safely access facilities or services in the local community.

14. The revised Transport Policy for Adult Social Care updates the previous guidance and procedures, formalising these into a policy document which sets out clear criteria which social workers and front line Adult Social Care staff responsible for assessment and support planning will use to determine whether an adult is eligible to be provided with transport assistance from the Council and how transport will be provided.

15. The overarching principle of the Policy is to promote safe and independent travel using an adult's own strengths and community assets (i.e., the resources available to the adult in the community where they live) wherever possible. Where transport assistance is assessed as needed, the aim is to ensure the method of provision maximises independence, supports personalised approaches which make the best use of the resources available in people's own communities and offers best value for money in line with the Council's strategic aims and objectives.

16. Cabinet has noted the current work programme related to the provision of transport for adults with assessed eligible needs under the Care Act 2014, including feedback from stakeholder engagement.

17. Cabinet has also approved the new Transport Policy for Adult Social Care and has authorised the Strategic Director for People to implement the Policy.

National Bus Strategy

18. The main purpose of Worcestershire's passenger transport network is to provide an efficient, resilient and integrated system which provides access for everyone to a wide range of services and facilities which are essential for a good quality of life. These include employment, education, healthcare, retail and leisure. The Council's priorities will include home to work and home to school journeys.

19. The Enhanced Partnership is a statutory requirement with bus operators and will enable the Council to work in co-operation with commercial operators to help deliver an efficient, reliable bus network which meets the needs of Worcestershire's residents, improving customer satisfaction and encouraging increased use of local transport services. The Enhanced Partnership's principles will be those outlined in the Worcestershire's Bus Service Improvement Plan.

20. Working in partnership with stakeholders, the Council will be able to meet the key national objectives: frequent buses, low fares and priorities. To deliver the core principles, there will be a transformational programme of measures, including an increase in the number of Demand Responsive Transport Services, the ownership of bus shelters and the creation of a Worcestershire strategic bus network.

21. The Worcestershire Bus Service Improvement Plan, together with the Worcestershire Enhanced Partnership Plan and Scheme, will make a substantial contribution to the implementation of Worcestershire Passenger Transport and Local Transport Plan 4 (LTP4) policies.

22. Cabinet has acknowledged the work to date on the Worcestershire Bus Service Improvement Plan (BSIP) and how this influences Worcestershire's Enhanced Partnership and Schemes. Cabinet has approved in principle the draft Enhanced

Partnership Plan and Schemes, which has been prepared in accordance with guidance from Central Government

23. Cabinet has authorised the Strategic Director of Economy and Infrastructure, in consultation with the Cabinet Member for Highways, to implement the Plan noting that the Enhanced Partnership Schemes are contingent on Department for Transport funding (to be announced) and results of the 28-day legal requirement consultation, and formulate operational schemes and policies with an appropriate implementation schedule having regard to the Plan.

24. Cabinet has also authorised the commencement of a full review by the Strategic Director of Economy and Infrastructure of the Council's Passenger Transport network, which will incorporate all aspects of the public transport network. It has also noted that the Council has made a submission to the Department for Transport relating to the implementation of a Zero Emissions Bus Regional Area (ZEBRA).

Contact Points

Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meetings of the Cabinet held on 3 February 2022.

[Agenda for Cabinet on Thursday, 3rd February, 2022, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)