

## **CABINET**

### **28 MARCH 2024**

# **MARKET POSITION STATEMENT AND COMMISSIONING STRATEGY, ADULT SOCIAL CARE**

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#### **Relevant Cabinet Member**

Councillor Adrian Hardman, Cabinet Member with Responsibility for Adult Social Care  
Councillor Karen May, Cabinet Member with Responsibility for Health and Wellbeing

#### **Relevant Chief Officer**

Mark Fitton- Strategic Director for People

#### **Local Member(s)**

Not applicable

#### **Recommendation**

1. **The Cabinet Member with Responsibility for Adult Social Care and Responsibility for Health and Wellbeing recommend that Cabinet:**
  - a) **Note and endorse the updated Market Position Statement 2024-2029 (final draft attached at Appendix 1)**
  - b) **Note and endorse the Commissioning Strategy 2024-2029 (final draft attached at Appendix 2)**
  - c) **Approves commencing the implementation of the above documents from April 2024.**

#### **Background**

##### **Strategic context**

2. The Adult Social Care Strategy provides a five-year plan which sets out how Worcestershire County Council will deliver Adult Social Care (ASC) with the right support for residents, at the right place and at the right time, whilst working in partnership with local people and being future focussed to ensure sustainable and high-quality services. The strategy sets out how we will achieve our statutory duties whilst enabling our residents to achieve the best possible outcomes regarding care and support needs.

3. The strategy has been developed, and takes direction, from a range of documents and key partnership arrangements including the County Council Corporate plan, the Joint Local Health and Wellbeing Strategy, the Herefordshire and Worcestershire Integrated Care Partnership Assembly and our work with the NHS and other care partners through the Integrated Care System which helps co-ordinate our services to ensure good Health and Wellbeing for our residents.

4. It is well documented that demand for Adult Social Care is growing. The number of adults (aged 18-64) requiring care is forecast to increase by 29% by 2038. For people over 65 years predictions are even higher with a forecast 57% increase in people who may require care and support over this period.

5. More people are living longer with long-term conditions. People's needs are becoming more complex as they age, making care and support more difficult to deliver in later life, often requiring more specialist care.

6. The costs of delivering care and support are rising. Currently £16.5bn is spent by Local Authorities across the Country and all are seeing increasing demand and complexity of needs of their population. Worcestershire County Council currently spends £270m on ASC services.

## **Shaping our Markets**

7. Worcestershire County Council commissions a full range of care provision for residents based on eligible care need.

8. As our population changes and as people live longer the range of services will vary and the Market Position Statement draws information on this not only from the key strategic documents and partnerships described above, but also from the 2021 census results and other key documents such as the Joint Strategic Needs Assessment.

9. Our aim to ensure our residents are supported to live as independently as possible remains at the forefront of our delivery of social care. This means maintaining the least intrusive approach whilst ensuring that people remain safe.

10. Commissioners' analysis of the data drives our strategic commissioning intentions for the coming 5 years. This enables care providers to consider their operational models, the capacity and skills required to deliver the required care needs looking ahead, for example, fewer residents entering bed-based (residential) care settings, but those who do require this level of care having increased care needs, including for dementia. It also supports our approach to ensuring that we have sufficiency of quality care, choice and appropriate resources to deliver the care that will be needed.

11. The 2024 – 2029 Market Position Statement updates all demographic information and progress against the 2021-2023 plan but maintains the same direction of travel.

12. The Commissioning Strategy 2024-2029 outlines *how* commissioners will operate both internally and with the markets to ensure capacity within the different provider markets, with care available in accordance with the aims of the adult social care strategy:

- Right support, right place, right time – ensuring market care capacity.
- Working in partnership with local people – through needs assessments, working with people with lived experience and through collaborative/partnership working
- Future focussed – anticipated future needs and service developments.

## **Legal, Financial and HR Implications**

## Legal

13. The Care Act 2014 (“the Act”) sets out the Council’s statutory duties to promote the efficient and effective operation of a market in services for meeting care and support needs to ensure any person wishing to access services has –

- (a) has a variety of providers to choose from who (taken together) provide a variety of services;
- (b) has a variety of high-quality services to choose from;
- (c) has sufficient information to make an informed decision about how to meet the needs in question.

14. In performing this duty the Council is required to have regard to a number of factors in particular: -

- (a) the need to ensure that the authority has, and makes available, information about the providers of services for meeting care and support needs and the types of services they provide;
- (b) the need to ensure that it is aware of current and likely future demand for such services and to consider how providers might meet that demand;
- (c) the importance of enabling adults with needs for care and support, and carers with needs for support, who wish to do so to participate in work, education or training;
- (d) the importance of ensuring the sustainability of the market (in circumstances where it is operating effectively as well as in circumstances where it is not);
- (e) the importance of fostering continuous improvement in the quality of such services and the efficiency and effectiveness with which such services are provided and of encouraging innovation in their provision;
- (f) the importance of fostering a workforce whose members are able to ensure the delivery of high-quality services (because, for example, they have relevant skills and appropriate working conditions).

15. Beyond the Act itself the obligations on Local Authorities are further set out in the Care Act statutory guidance issued by the government. By virtue of section 78 of the Act, Local Authorities must act within that guidance. The Care Act Statutory Guidance sets out “the steps which local authorities should take to develop and implement local approaches to market-shaping and commissioning:

- designing strategies that meet local needs
- engaging with providers and local communities
- understanding the market
- facilitating the development of the market
- integrating their approach with local partners
- securing supply in the market and assuring its quality through contracting

16. Paragraph 4.52 of the Care Act Statutory Guidance makes it clear that “commissioning and market shaping should be fundamental means for local authorities to facilitate effective services in their area and it is important that authorities develop evidence-based local strategies for how they exercise these functions and align these

with wider corporate planning. Local authorities should have in place published strategies that include plans that show how their legislative duties, corporate plans, analysis of local needs and requirements (integrated with the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy), thorough engagement with people, carers and families, market and supply analysis, market structuring and interventions, resource allocations and procurement and contract management activities translate (now and in future) into appropriate high quality services that deliver identified outcomes for the people in their area and address any identified gaps.”

17. The implementation of this strategy is in line with the Council’s statutory obligations outlined above.

## **Financial**

18. The aspiration of these documents is to provide sufficient, relevant information to the adult services care markets to ensure appropriate care can be safely delivered, at best value for the public purse.

19. The aspiration of the strategy and Market Position Statement is to provide sufficient, relevant information to the adult services care markets to ensure appropriate care can be safely delivered. However, the strategy, approach and the wider care market must also be aware and take into account of the limited resources available to the Local Government and the Worcestershire County Council budget allocated to Adult Social Care in 2024/25.

## **HR Implications**

20. There are no identifiable HR implications in relation to this strategy. The strategy describes different ways of working in terms of practice and process but does not require a change in staffing resources.

## **Risk Implications**

21. Regarding risks to health and wellbeing of residents, the highest risk relates to doing nothing which is likely to lead to an adverse impact on the long-term health and well-being of residents and an increased dependency on adult social care services and/or a lack of suitable care provision within the county to meet the needs of residents.

## **Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments**

22. Joint Impact Assessment screening (attached at **Appendix 3**) in respect of these recommendations identified that no further impact analysis was required requiring further assessment during implementation.

## **Supporting Information**

- Appendix 1 – Market Position Statement 2023-2028
- Appendix 2 – Commissioning Strategy 2024-2029
- Appendix 3 – Project Screening Impact Assessments

## **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 Strategic Director for People) there are no relevant or required background papers relating to the subject matter of this report.