

Report of Chief Officer of Resources and Strategy

Report to Director of Adults & Health

Date: 11/12/2019

Subject: Learning Disability Service Review and Client Contribution Recovery

Are specific electoral wards affected? If yes, name(s) of ward(s): Spread across all wards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out? With Executive Member for Health and Wellbeing and the Directorate Leadership Team in Adults and Health	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- Benchmarking work, into learning disability expenditure and total client contribution recovery levels, has indicated that Leeds has higher expenditure in learning disabilities and collects significantly less client contributions from all sources, when compared against comparator core cities.
- The above situation not only creates issues in relation to the equity of treatment between clients, but also a significant financial pressure for the council.
- To address these issues a programme of work has been agreed of strength based reassessment on all customers seeking additional care; and those who may not have been correctly billed. To enable completion of these reassessments additional resources will be required as outlined within this report. The reassessments are required in all areas but will predominantly be carried out in the Learning Disability area.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- Health and wellbeing: Extra strain on the budget to commission services if this work is not completed.
- Inclusive growth: Reduced scope for investment into services if this work is not completed

3. Resource Implications

- This report requests the creation of 8 temporary social work posts for 12 months, ranging from individual Social Workers, Team Manager and Business Support at one-off cost of £369,751.
- The project is expected to deliver sufficient efficiencies in excess of the net target to meet these costs. In the event of slippage or an insufficient savings achievement then existing funding for developments will be used to meet the cost.

Recommendations

- a) The Director of Adults & Health is recommended to approve the request to create 8 temporary social work posts for 12 months, at a cost of £369,751, as outlined in this report.

1. Purpose of this report

- 1.1 This paper has been produced to request the creation of 8 temporary social work posts for 12 months, at a cost of £369,751. This will enable the Learning Disabilities Service Review Project and Client Contribution Project to undertake a period of reassessments.

2. Background information

- 2.1 Benchmarking work, into learning disabilities expenditure and total client contribution recovery levels, has indicated that Leeds has higher expenditure in Learning Disabilities and significantly less client contributions, when compared against comparator core cities. The Learning Disability Service Review and Client Contribution Project are key service review areas identified as part of the council's medium term financial planning exercise. A core part of this work will involve reassessing care packages to ensure value for money, equity of care provision and processes are in place to ensure client contributions are collected equitably, efficiently and effectively.
- 2.2 The current situation represents a significant financial strain, at a time when resources for adult social care, and the council as a whole, are particularly under pressure. This programme of work has been set up to determine the extent of the issues outlined above. This work will put in place processes to resolve these issues and ensure equity of provision across all services. It is not intended that this project will review the charging policy for Leeds City Council, merely ensure it is applied appropriately and equitably.

3. Main issues

- 3.1 The project has indicated that Leeds has higher expenditure in learning disabilities services when compared against comparator core cities.
- 3.2 The project has also indicated that Leeds collects significantly less client contributions, across all areas, when compared against comparator core cities.
- 3.3 A request has been made to create 8 temporary social work posts for 12 months at a cost of £369,751. This will enable a programme of reassessments to be carried

out to ensure value for money, equity of care provision and processes are in place to ensure client contributions are collected equitably, efficiently and effectively.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 These proposals have been considered by the Adults and Health Directorate Leadership Team and the Executive Member for Health and Wellbeing. The Leader of the Council has also been briefed on these proposals.
- 4.1.2 The request for additional social work posts will allow every customer to have a one to one visit by a social worker. This is in compliance with the requirements of the Care Act 2014, where a re-assessment of an individual's care needs are being undertaken.
- 4.1.3 Trade Unions were briefed on 18th November 2019 by the Head of Specialist Services. Trade Unions understand that this is about equity and they did not raise any concerns about the creation of these posts. Trade Unions are in support of this proposal
- 4.1.4 Trade Unions did raise awareness that some people may not be happy and that we may see an increase in complaints. This has been considered in the creation of the team and processes drawn up. Unison have suggested the involvement of advocacy when appropriate to these situations. Again, this is something that has been considered, and would be covered by existing advocacy arrangements if needed.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 The current situation highlighted in this paper potentially creates inequity of care provision and charging. The programme of work seeks to address this current inequity in both care provision and client contribution collection.
- 4.2.2 A completed Equality, Diversity, Cohesion and Integration Screening form can be found as an appendix to this report.

4.3 Council policies and the Best Council Plan

- 4.3.1 This work fits with both the Health and wellbeing and Inclusive growth priorities within the Best Council Plan.
- 4.3.2 Health and wellbeing: Extra strain on the budget to commission services if this work is not completed.
- 4.3.3 Inclusive growth: Reduced scope for investment into services if this work is not completed

Climate Emergency

- 4.3.4 This will add to the grey miles undertaken by social work teams. Adults and Health will proactively engage with any ongoing work-streams that have been set up to quantify and reduce grey miles.

4.4 Resources, procurement and value for money

- 4.4.1 Completion of this work is required to put in place robust and equitable processes and to ensure the Council recovers the correct amount from client contributions.
- 4.4.2 The cost of this proposal is estimated at £351,751. The following posts are required
- 6 x PO1 Social Worker = £249,304
 - 1 x PO6 Team Manager = £58,077
 - 1 x B3 Business Support = £26,325

Job descriptions for these roles can be found as appendices to this report.

There are then additional costs estimated at £10,045 incurred for travel (taken from the average cost per year per social worker), and an estimated £8,000 for IT and telephony costs. There will be no need for additional finance staff.

- 4.4.3 There is a requirement for this team to complete around 1,100 assessments. This will take 6 social workers 12 months to complete the task at 70% capacity. The task is outside of the business as usual reviewing process for social work teams and requires a methodical approach that is managed within the project. This approach will require a full time manager to sign off all support plans, undertake supervision and to deal with any client issues or potential complaints.
- 4.4.4 Following approval of this report and the creation of the posts, the recruitment process can begin mid-December, and anticipate the reassessment team to be in place by February 2020. This is the earliest estimate for a start date we can give, in line with contractual processes. The posts will be offered as an internal secondment to current staff, including those who are in temporary positions, in the first instance.

4.5 Legal implications, access to information, and call-in

- 4.5.1 It is not intended that this project will review the charging policy for Leeds City Council, merely ensure it is applied appropriately. Therefore this will be a significant Operational Decision.
- 4.5.2 In undertaking the reassessments proposed Leeds City Council would be acting in accordance with the relevant legal provisions to approach clients who are requesting support and who may have not been billed accurately and put in place a new billing schedule that ensures future client contribution are accurate. This will satisfy the following charging principles; Leeds City Council should apply the charging rules equally and reduce variation in the way people are charged.
- 4.5.3 Where it is identified that the client contributions due following the reassessment need to change, this change will only be effected for client contributions due following the assessment. There will be no requests for any retrospective charges. The reason for this is twofold. Firstly, the client contribution is based upon an assessment of the client's finances at the time that the assessment takes place, and this will vary over time. Secondly, the client cannot exercise informed choice and control in the absence of a defined figure for client contribution. Therefore any adjustments to a client's bill will start after their reassessment and potential new charging assessment. This satisfies the following charging principle; ensure that people are not charged more than it is reasonably practical for them to pay. The team these posts relate to will only be undertaking reassessments of current clients.

4.5.4 Finally, the proposed actions will contribute toward ensuring that the charging policy is sustainable in the long-term and fully meets the requirements of the Care Act 2014.

4.5.5 There are no legal issues from an employment perspective.

4.6 Risk management

4.6.1 All risks will be managed by the project. There is a risk that this proposal may lead to an increase in complaints from those affected. The proposals include detailed processes to minimise the potential for complaints including support from financial services, complaints, operational social work services and the appropriate governance structure. Each stage of the project will report to Directorate Leadership Team and the Executive Member for Health and Wellbeing.

5. Conclusions

5.1 This work has been scoped and legal advice has been received to indicate that this is the most appropriate way forward to solve this issue. The request to create 8 temporary social work posts for 12 months, at a cost of £369,751, will allow this project to be completed. This will leave in place an equitable and fair process for all customers in Leeds.

6. Recommendations

6.1 The Director of Adults & Health is recommended to approve the request to create 8 temporary social work posts for 12 months, at a cost of £369,751, as outlined in this report.

7. Background documents¹

7.1.1 None

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.