



## **Policy Development and Decision Group (Joint Commissioning Team)**

Monday, 19 June 2017 at the rising of the Policy Development and Decision Group (Joint Operations Team) to be held in Meadfoot Room, Town Hall, Castle Circus, Torquay, TQ1 3DR

### **Membership**

Councillor Amil  
Councillor Excell  
Councillor Haddock  
Councillor King

Councillor Mills  
Mayor Oliver  
Councillor Parrott

### **Agenda**

1. **Election of Chairman**  
To elect the Chairman of the Policy Development and Decision Group (Joint Commissioning Team) for the 2017/2018 Municipal Year.
2. **Apologies**  
To receive apologies for absence.
3. **Appointment of Vice-Chairman**  
To consider the appointment of a Vice-Chairman of the Policy Development and Decision Group (Joint Commissioning Team) for the ensuing Municipal Year.
4. **Disclosure of Interests**
  - (a) To receive declarations of disclosable pecuniary interests in respect of items on this agenda

For information relating to this meeting or to request a copy in another format or language please contact:

**Teresa Buckley, Town Hall, Castle Circus, Torquay, TQ1 3DR  
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Email: [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

**For reference:** Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

**(Please Note:** If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

- (b) To receive declarations of non pecuniary interests in respect of items on this agenda

**For reference:** Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

5. **Minutes** (Pages 3 - 8)  
To confirm as a correct record the Minutes of the meetings of the Policy Development and Decision Group (Joint Commissioning Team) held on 3 April 2017 and 18 May 2017.

6. **Urgent Items**  
To consider any other items the Chairman decides are urgent.

### **Part A - Policy Development**

7. **Autism Self Assessment Framework 2016** (Pages 9 - 12)  
To consider the current position in relation to the Autism Self Assessment Framework.
8. **Improving the quality of care homes provision in Torbay** (Pages 13 - 16)  
To note the submitted report on the above.

### **Part B - Mayoral Decisions**

9. **Accessibility Strategy** (Pages 17 - 43)  
To consider the proposed Accessibility Strategy for Torbay.
10. **Integration and Better Care Fund 2017-19** (Pages 44 - 53)  
To consider the submitted report on the above.
11. **Sustainability and Transformation Plan (STP)** (Pages 54 - 57)  
To consider the submitted report on an update on the Sustainability and Transformation Plan.



## **Notes of the Policy Development and Decision Group (Joint Commissioning Team)**

**3 April 2017**

**-: Present :-**

Mayor

Councillors Amil, Excell, Haddock, King, Mills and Parrott

(Also in attendance: Councillors Barnby, Brooks, Ellery, Morey and Stubley)

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### **28. Apologies**

An apology for absence was received from Councillor Manning.

### **29. Minutes**

The minutes of the Policy Development and Decision Group held on 21 February 2017 were confirmed as a correct record and signed by the Chairman.

### **30. Market Place Positioning**

The Group considered the submitted report which updated members on the actions to develop a sustainable independent sector market for social care and support for Torbay. The report focused on the revised approach to the Market Position Statement (MPS) and aligning with the approaches of adjacent authorities. Members noted the development the web-based system aimed at adult social care and support providers to raise awareness of upcoming changes likely in the local health and care system, given the new model of care that is being developed.

Resolved:

That the report be noted.

### **31. Personal Social Services Survey of Adult Carers in England 2015-16**

The Group received a presentation on the findings of the Personal Social Services Survey of Adult Carers in England which is co-ordinated by the Health and Social Care Information Centre. Members were advised that the survey aimed to collect information about carer's experiences of social care service and support and would feed into the monitoring of the National Carers strategy.

Resolved:

That the report be noted.

**32. Annual Report of the Corporate Parenting Operational Group**

Consideration of this item was deferred.

**33. Annual Children Looked After Children: Permanence Place Planning**

The Director of Children Services and Executive Lead for Adults and Children presented the submitted report which set out a new permanence place policy and its operating principles. It was noted that policy was supported by the Pathways to Permanence Practice Guidance and will be issued to all Children's Social Care Managers and Practitioners and made available on the Children's Services intranet space.

The Policy Development and Decision Group (Joint Commissioning Team) made the following recommendation to the Mayor:

That the Permanence Policy attached at Appendix 1 to the submitted report be approved and that regular updates are provided to members.

The Mayor considered the recommendation of the Policy Development and Decision Group (Joint Commissioning Team) set out above at the meeting and the record of decision, together with further information is attached to these Minutes.

**34. Sustainability and Transformation Programme Memorandum of Understanding**

The Director of Adults presented the submitted report and explained that the Sustainability and Transformation Plan (STP) is a five year health and social care plan for Devon (including Torbay and Plymouth), linked to NHS England's Five Year Forward View which aims to build and strengthen existing local relationships and focus on long term sustainable outcomes. The Group noted that local authorities within the Devon-wide STP have been asked to sign a Memorandum of Understanding.

The Director further explained that the purpose of the Memorandum was to provide a mechanism for securing agreement and commitment to sustained engagement with and delivery of the Transformation Plan to realise a transformed model care in Devon. It was noted that the intent was to ensure the common purpose of delivering a clinically, socially and financially sustainable health and care system that will improve the health and wellbeing of the population and address inequalities.

Resolved:

That the report be noted.

**35. Children's Services Improvement Plan - Six Monthly Update**

The Director of Children's Services outlined the submitted report and improvement plan which summarised progress against recommendations. It was noted that some areas of improvement activity were less well developed particularly, those around cross cutting themes such as domestic abuse and early help. The improvement plan would be kept under regular review to ensure that any remaining gaps were addressed, that agreed actions were delivered and determine the impact of activity on outcomes for children and families.

Resolved:

That the report be noted

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Chairman

## Record of Decision

### Annual Children Looked After Children: Permanence Place Planning

#### Decision Taker

Mayor on 3 April 2017 at the Policy Development and Decision Group (Joint Commissioning Team).

#### Decision

That the Permanence Policy attached at Appendix 1 to the submitted report be approved and that regular updates are provided to members.

#### Reason for the Decision

To respond to the Ofsted's inspections which have concluded that Torbay Council's Children's Services has not, in the past, placed sufficient emphasis on the importance of permanence planning.

#### Implementation

The decision will come into force and may be implemented on 21 April 2017 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### Information

Consecutive Ofsted Inspections have concluded that Torbay Children's Services has not, in the past, placed sufficient emphasis on the importance of permanence planning. This has meant that too many children have either been moved from placement to placement, or been placed, on a long term basis, in placements that do not afford them permanence. The weaknesses in permanence planning has also contributed to the high numbers of children looked after.

As part of the improvement work underway following the Ofsted inspection a more dynamic and thoughtful approach towards permanence planning was developed, supported by the revised policy and accompanying practice guidance. The revised policy sets out Torbay's vision for achieving permanence and outlines the practical steps that practitioners and managers will take in order to improve performance and outcomes for children.

#### Alternative Options considered and rejected at the time of the decision

None

#### Is this a Key Decision?

No

#### Does the call-in procedure apply?

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None

**Published**

11 April 2017

Signed: \_\_\_\_\_  
Mayor of Torbay

Date: \_\_\_\_\_

**Minutes of the Policy Development and Decision Group  
(Joint Commissioning Team)**

**18 May 2017**

**-: Present :-**

(In attendance: Councillors Barnby, Morey, O'Dwyer, Stubley, Thomas (D),  
Tolchard and Tyerman)

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**36. Quorum**

It was reported that, as apologies for absence had been received from the Mayor and Councillors Amil, Excell, Haddock, King, Mills and Parrott, the meeting was inquorate and that the items of the agenda would stand referred to the next meeting of the Policy Development and Decision Group (Joint Commissioning Team).

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Chairman





**Meeting:** Policy Development and Decision Group

**Date:** 19 June 2017

**Wards Affected:** All

**Report Title:** Autism Self-Assessment Framework 2016 – Position Statement May 2017

**Is the decision a key decision?** No

**When does the decision need to be implemented?** Not applicable

**Executive Lead Contact Details:** Cllr Julien Parrott, Executive Lead for Adults and Children, tel: ext 7113, [julien.parrot@torbay.gov.uk](mailto:julien.parrot@torbay.gov.uk)

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## 1. Proposal and Introduction

- 1.1 Public Health England's (PHE's) learning disabilities intelligence team issued the autism self-assessment framework (SAF) which measures how local services are performing, as reported by them and their partners.
- 1.2 Autism self-assessments provide councils with benchmarks on how they are meeting quality standard goals towards the government's Adult Autism Strategy. Torbay's Autism SAF was completed in partnership with Torbay and South Devon NHS Foundation Trust, South Devon and Torbay Clinical Commissioning Group and Torbay Autism Partnership Board.
- 1.3 Torbay Council submitted the autism self-assessment framework 2016 to Public Health England, 17 October 2016. The following information provides an update on progress made to date.
- 1.4 Public Health England's autism self-assessment framework focuses on a number of key areas to benchmark against government's Adult Autism Strategy, "Think Autism". Each thematic area consists of a number of questions, all of which are RAG rated; red, amber or green. An overall RAG rating is provided below for ease:

## 2.2 Overview of action

Thematic Area	Overall RAG Rating from Autism SAF 2016	Achievements	Further Work	Who	When
Planning	A	<ul style="list-style-type: none"> <li>Strategic planning performing well.</li> <li>Autism features in JSNA</li> <li>Autism Joint Commissioning Strategy</li> <li>Autism explicit in Market Position Statement.</li> <li>Engagement and consultation of Autism Board arrangements complete.</li> </ul>	<ul style="list-style-type: none"> <li>Governance arrangements for joint Autism and Learning Disability Partnership Board to be finalised and implemented.</li> <li>Ensure consistency of data collection to understand demand</li> </ul>	<ul style="list-style-type: none"> <li>Torbay Council</li> <li>Torbay South Devon NHS Foundation Trust</li> </ul>	<ul style="list-style-type: none"> <li>June 2017</li> <li>July 2017</li> </ul>
Training	R	<ul style="list-style-type: none"> <li>Multi-agency working group established</li> <li>Training plan in development through Devon Transforming Care Partnership</li> <li>Overview of 3 tier general population awareness to detailed practitioner training developed</li> </ul>	<ul style="list-style-type: none"> <li>Detail of suitable training packages to be produced</li> <li>Identification of suitable training providers</li> <li>Develop implementation plan</li> </ul>	<ul style="list-style-type: none"> <li>Devon Transforming Care – lead organisation South Devon and Torbay CCG</li> </ul>	<ul style="list-style-type: none"> <li>to be confirmed due to staff vacancies.</li> </ul>
Diagnosis	R	<ul style="list-style-type: none"> <li>Activity not yet commenced</li> </ul>		<ul style="list-style-type: none"> <li>South Devon and Torbay CCG, Torbay Council and Devon Partnership Trust</li> </ul>	<ul style="list-style-type: none"> <li>Establish initial meeting May 2017</li> </ul>
Care and Support	A	<ul style="list-style-type: none"> <li>Access to adult social care is through a general point of contact and delivered via integrated teams.</li> <li>Advocacy is provided for people with Autism who are resident in Torbay</li> </ul>	<ul style="list-style-type: none"> <li>Work to be progressed in line with multi-agency training plan</li> <li>Mapping of current support services across voluntary, independent and public sector</li> </ul>	<ul style="list-style-type: none"> <li>Devon TCP – lead organisation South Devon and Torbay CCG</li> <li>Autism Board</li> </ul>	<ul style="list-style-type: none"> <li>To be confirmed due to staff vacancies</li> <li>To be confirmed following implementation of new governance</li> </ul>

		and meet care act eligibility criteria. <ul style="list-style-type: none"> <li>Carers assessment are offered to carers of people with autism.</li> </ul>	organisations.		arrangements.
Accommodation	<b>A</b>	<ul style="list-style-type: none"> <li>Housing requirements for people with autism are specifically mentioned within the Market Position Statement</li> <li>Housing requirements for people with autism discussed in the Torbay Housing Strategy</li> <li>An Accommodation with Care and Support Strategy is in its final stages of development.</li> <li>Supported Living Steering group established.</li> </ul>	<ul style="list-style-type: none"> <li>Finalise Accommodation with Care and Support Strategy.</li> <li>Undertake market engagement events with existing and potential new Supported Living providers.</li> <li>Rolling programme of reviews with Supported Living Providers.</li> </ul>	<ul style="list-style-type: none"> <li>Torbay Council / TSDFT</li> <li>Torbay Council / TSDFT</li> <li>TSDFT</li> </ul>	<ul style="list-style-type: none"> <li>June 2017</li> <li>May – July 2017</li> <li>Complete April 2018</li> </ul>
Employment	<b>A</b>	<ul style="list-style-type: none"> <li>Following decision in Mayor's Budget Proposal to cease funding Project Search, alternative provision secured through South Devon College and TSDFT.</li> </ul>	<ul style="list-style-type: none"> <li>Project Aspire (replacement for Project Search) go live.</li> <li>Establish employment sub-group to map existing provision / undertake gap analysis.</li> </ul>	<ul style="list-style-type: none"> <li>South Devon College and TSDFT</li> <li>Torbay Council lead with partner organisations</li> </ul>	<ul style="list-style-type: none"> <li>Commence September 2017</li> <li>Initial meeting June 2017</li> </ul>
Criminal Justice System	<b>A</b>		<ul style="list-style-type: none"> <li>Work to be progressed in line with finalisation an implementation of joint Autism / Learning Disability Partnership Board</li> </ul>	<ul style="list-style-type: none"> <li>Torbay Council</li> </ul>	<ul style="list-style-type: none"> <li>June 2017</li> </ul>

## **2. Risks**

The report notes that progress is being made in a number of areas. Lack of capacity has had an impact on progress made to date. Staff who ordinarily would have been involved in progressing this work both within South Devon and Torbay CCG and Torbay and South Devon NHS Foundation Trust are no longer employed by the respective organisations. Within the local authority capacity has been impacted on by a number of pressing issues.

## **3. Recommendation(s) / Proposed Decision**

3.1 The aim of this report is to provide an update on the submitted autism self-assessment framework 2016. There are no decisions to make at this point in time. However the following actions should be noted:

- Arrangements to be finalised for a joint Autism Board and Learning Disability Partnership Board.
- Establish working relationships with new officers in partner organisations
- Progress development of multi-agency training plan.



**Meeting:** Policy Development and Decision Group (Joint Commissioning Team)

**Date:** 19 June 2017

**Wards Affected:** All Wards

**Report Title:** Improving the quality of care homes provision in Torbay

**Is the decision a key decision?** No

**When does the decision need to be implemented?** N/A

**Executive Lead Contact Details:** Councillor Julien Parrott, Executive Lead for Adults and Children, Phone: 01803 293217 Email: [julien.parrott@torbay.gov.uk](mailto:julien.parrott@torbay.gov.uk)

**Supporting Officer Contact Details:** Rachel Carter, Strategic Commissioning Officer, Email: [rachel.carter@torbay.gov.uk](mailto:rachel.carter@torbay.gov.uk) Phone: 01803 207380

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## 1. Introduction

- 1.1 Torbay Council Joint Commissioning Team and partners are working to support and improve the quality of care provided to residents of care home in Torbay. The council currently commissions the Torbay and South Devon NHS Trust to deliver adult social care in Torbay and the provision of placements in independent sector care homes are part of this agreement.
- 1.2 The NHS also commission placements for people in care homes with very high levels and complexity of need. People can also choose to self-fund a place in a care home.
- 1.3 Care homes are registered by CQC and can provide care with or without nursing. A variety of service users can live in homes from the ages of 18 to 65 for a great variety of reasons.
- 1.4 Torbay has the third highest rate of care homes and beds, per 10,000 population aged 65 and over, of Local Authorities in England. Torbay Council publishes an annual Market Position Statement which analyses supply of residential and nursing homes, against demand for care and the vision for integrated care in community settings rather than hospital beds.

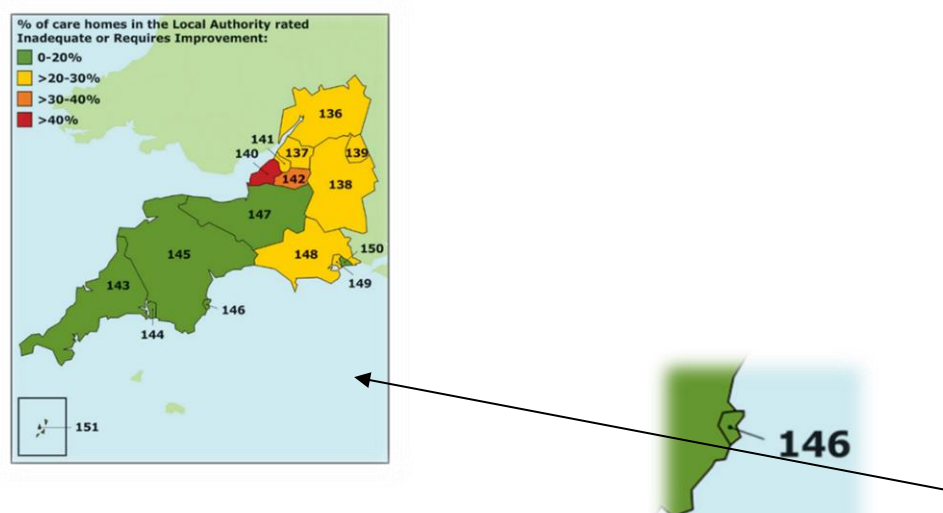
## 2. Update

- 2.1 There are currently 94 care homes in Torbay registered with the [Care Quality Commission](#) (15 care homes with nursing (624 beds) and 79 care homes without nursing (1,736 beds), 2,360 beds in total) of which the majority are rated good by CQC. <sup>1</sup> Torbay now has 1 outstanding home, 13 requires improvement homes and 3 inadequate homes.

Type of care home	CQC grades at April 2017	No	%
Care Homes with and without nursing	Outstanding	1	1%
	Good	77	82%
	RI	13	14%
	Inadequate	3	3%

- 2.2 It is positive that since the last report one home has been rated as outstanding. One home has also been proactively decommissioned by Torbay Council and partners because of inadequate care and safeguarding concerns.
- 2.3 [Independent Age](#), a national organisation, recently visited Torbay to speak to care home managers at the May 17<sup>th</sup> Multi Provider Forum and noted that in comparison to the majority of local authorities in England the quality of care homes in Torbay is good.

Figure 1 Source Independent Age



<sup>1</sup> Source CQC April 2017

- 2.4 However the quality of nursing home provision in Torbay in particular is a concern. Of the 15 care homes with nursing in Torbay 25% or 5 are graded Requires Improvement (3) or Inadequate (2). On-going work is taking place with partners to support Torbay nursing homes in particular to improve, as well as any other Requires Improvement or Inadequate homes.
- 2.5 Quality of care in Torbay care homes is assured in a number of ways:
- 2.6 CQC (Care Quality Commission) inspect and rate care homes.
- 2.7 Torbay Council and the CCG commission Torbay and South Devon NHS Foundation Trust (TSDFT) to assess and review care plans, monitor quality of care homes, and support care home providers with service improvement planning. The Trust QAIT team are responsible for quality assuring the care homes market and they work closely with them to audit, support and improve these services collating information about the homes from across the health and care system. The QAIT team has been strengthened by the addition of practitioner experience: an additional Deputy Manager who is an Occupational Therapist, as well as an additional post of a nurse.
- 2.8 Torbay Healthwatch, an independent consumer champion in health and care, also has statutory powers to enter and view care homes. Torbay Healthwatch have an Enter and View team which visits the homes. Healthwatch also have all Torbay care homes linked into their Rate and Review system. Link here <http://healthwatchtorbay.org.uk/services/?filter=social-care>. Whenever homes are visited by CQC Healthwatch are consulted. Healthwatch also link their information into the TSDFT QAIT team oversight mechanisms so that issues can be raised quickly and appropriately.
- 2.9 One element of the activity to improve care home quality is that it has been agreed that Local Authority commissioners work with members, Healthwatch, care home providers, residents and carers to develop a Torbay Residents Charter, using CQC information on standards and other information to identify what good care home should be like in Torbay.
- 2.10 Following on from a session at the recent Torbay Council run Multi Provider Forum at which Independent Age and the national [Relatives and Residents Association](#) discussed with Care Home managers Residents Rights and what makes a good care home, a project has started to develop a Torbay specific Residents Charter with funding from Arts Council England and Heritage Lottery Fund's Great Place Scheme award to Torbay, as well as funding from the Joint Commissioning Team.
- 2.11 Torbay Council Joint Commissioning Team are partnering with the Torbay Culture Board Programme Lead and the Torbay Arts and Culture Network to work with a range of residents and other stakeholders of care homes to produce a Torbay specific Care Home Residents Charter. Healthwatch, Councillors and other key stakeholders will be involved in this project. The target date to complete the project is by October 2017.

- 2.12 Prior to completion of this project a national Relatives and Residents [leaflet](#) setting out care homes' responsibilities to residents under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 has already been circulated to all homes.

### **3. Recommendation**

- 3.1 That the report be noted.





**Meeting: Policy Development and Decision Group  
(Joint Commissioning Team)**

**Date: 19 June 2017**

**Wards Affected: All**

**Report Title: Accessibility Strategy – 2017 - 2021**

**Is the decision a key decision? No**

**When does the decision need to be implemented?**

**Executive Lead Contact Details: Julien Parrott, Executive Lead for Adults and Children, [julien.parrott@torbay.gov.uk](mailto:julien.parrott@torbay.gov.uk)**

**Supporting Officer Contact Details: Andy Dempsey, Director of Children's Services, 01803 208949, [andy.dempsey@torbay.gov.uk](mailto:andy.dempsey@torbay.gov.uk)**

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## **1. Proposal and Introduction**

- 1.1 In order for disabled pupils to realise their full potential as learners, it is essential that they are able to access the curriculum, the physical learning environment and information and guidance about educational opportunities in their locality. The Equality Act 2010 requires local authorities and schools to develop and publish an Accessibility Strategy and Accessibility Plans (at a school level) outlining how they facilitate accessibility to buildings, information and educational provisions.
- 1.2 There is a significant overlap between these obligations and those set out in the Special Educational Needs and Disabilities (SEND) Code of Practice (2015). This reflects that many children supported through SEND arrangements will have a disability. The revised Accessibility Strategy 2017–21, attached at Appendix 1, has developed within the context of the collaborative working between schools, partner agencies, families and the local authority for SEND provision and seeks to ensure that accountability considerations are robustly addressed.
- 1.3 The strategy has been developed by the Head of Education, Learning and Skills in consultation with key partners and stakeholders. It is supplemented by model documents to enable schools to develop a site specific accessibility plan, while the strategy itself will be supported by a detailed action plan to ensure it meets the needs of disabled pupils and helps to raise their attainment.

## **2. Reason for Proposal**

- 2.1 Disability is defined within the Equality Act 2010, as ‘a physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out normal day to day activities.’
- 2.2 The Equality Act 2010 brought together a range of equality duties and requirements within a single piece of legislation and introduced a single, general Public Sector Equality Duty (PSED) that applies to public bodies, including maintained schools, fee schools and academies. Its duties extend to all protected characteristics – race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassessment.
- 2.3 Local authorities and schools are required to make reasonable adjustments to ensure that disabled pupils are not at a substantial disadvantage. In deciding upon reasonable adjustments, local authorities and schools will need to consider their potential impact on disabled pupils in terms of time and effort balanced against inconvenience, indignity and discomfort, lack of opportunity and diminished progress. There is a further requirement to provide Auxiliary Aids for disabled pupils to promote accessibility for disabled pupils as part of the reasonable adjustable duty.
- 2.4 The Accessibility Strategy sets out how the local authority, including schools and partners, will:
- Increase provision and access to the curriculum;
  - Improve the physical environment of schools;
  - Improve the delivery and accessibility of information; and,
  - Monitor, review and evaluate impact.
- 2.5 The Strategy is also supported by a model School Accessibility Plan (Appendix 2) that schools can use to develop a site specific plan in accordance with the Equality Act 2010 and Disability Discrimination (prescribed Times and Periods for Accessibility and Plans for Schools) (England) Regulations 2005.
- 2.6 Implementation of the Accessibility Strategy will be supported by an action plan (Appendix 3) which will be populated in consultation with schools and key partners and subject to regular monitor and review to ensure it delivers improved outcomes for disabled children and young people.

## **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Accessibility Strategy 2017-2021 be approved.
- 3.2 That the Head of Education, Learning and Skills be authorised to develop an action plan in consultation with schools and key partners and stakeholders.

## **Appendices**

Appendix 1: Accessibility Strategy 2017-2021

Appendix 2: Example School Accessibility Plan

Appendix 3: Accessibility Strategy: Action Plan Template



# Accessibility Strategy 2017 - 2021

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Appendix 1	School Accessibility Plan requirements
Appendix 2	School Accessibility Plan template
Appendix 3	Accessibility Strategy Action Plan

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## 1. Introduction

The overall aim of this strategy is to ensure that Torbay Council supports schools in meeting the needs of disabled pupils and raising their attainment. The purpose of the strategy is to ensure that accessibility of the curriculum, the physical environment and information for disabled pupils is central to the delivery of services. The strategy aims to provide information and a framework to help schools create individual accessibility plans.

## 2. Vision

We believe that:

- all learners should have access to and enjoy high quality learning experiences, which will enrich their lives and help to realise their full potential.
- children and young people with learning difficulties and disabilities should have access to support to ensure that they can participate in the same opportunities as any other young child or person in Torbay.
- parents, carers, schools, the local authority, and partners should work together to ensure opportunities for every child and young person to strive for the highest aspirations.
- we must all work towards removing any barriers that may exist to learning and participation that can hinder or exclude child and young people with SEND.

## 3. Definition of Disability

The Equalities Act defines a disability as,

*'a physical or mental impairment which has a substantial and long-term adverse effect on a persons' ability to carry out normal day-to- day activities.'*

To clarify;

- physical and mental impairment includes: sensory impairments, impairments with fluctuating or recurring effects, such as epilepsy; progressive impairments, such as muscular dystrophy; organ specific impairments; developmental impairments, such as autistic spectrum disorder (ASD); learning difficulties, mental health conditions and illnesses, such as attention deficit hyperactivity disorder (ADHD), phobia's and anxiety
- substantial means neither minor nor trivial
- long term means that the effect of the impairment has lasted or is likely to last for at least 12 months
- adverse effect means that the impairment affects one or more of the following: mobility; manual dexterity; physical co-ordination; continence, ability to lift, carry to otherwise move everyday objects; speech (including language and communication) hearing or eyesight; memory or ability to concentrate, learn or understand; or perception of the risk of physical danger
- normal day-to-day activities are things done on a regular basis including things like eating, washing, walking and learning (including reading, writing, communication, following instruction and adapting to change)

In addition, the definition also covers those with severe disfigurements; impairments which are controlled or corrected by use of medication, prosthesis, an aid or otherwise progressive symptomatic conditions; a history of an impairment; those with HIV, cancer and multiple sclerosis; and children under the age of 6 with impairments which, in an older person, would result in that person being covered.



## 4. Legislation

The Equality Act 2010 brought together a range of equality duties and requirements within one piece of legislation and introduced a single general Public Sector Equality Duty (PSED) that applies to public bodies, including maintained schools and academies (including Free Schools) and which extends to all protected characteristics - race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.

In relation to disability, this general duty requires schools, when carrying out their functions, to have due regard to the need to:

- eliminate discrimination that is unlawful under the Equality Act 2010;
- eliminate harassment of disabled pupils that is related to their disability;
- promote equality of opportunity between disabled people and other people;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- take steps to take account of disabled people's disabilities even where that involves treating disabled people more favourably than other people.

Additional requirement under the Equality Act 2010 for schools to provide Auxiliary Aids for disabled pupils subject to the Reasonable Adjustment duty was introduced in September 2012.

This duty requires schools and Local Authorities to make reasonable adjustments to ensure that disabled pupils are not at a substantial disadvantage. Reasonable adjustments meet the statutory requirements when they act to prevent disabled pupils being placed at a substantial disadvantage and when they enable pupils to participate in education and associated services. Auxiliary Aids includes aids (equipment which helps the disabled person, such as a special chair, adapted text, or special computer equipment or software) and services (something people provide, such as personal assistance). When deciding if a reasonable adjustment is necessary, schools need to consider potential impact on disabled pupils in terms of time and effort, inconvenience, indignity and discomfort, loss of opportunity and diminished progress.

The Equality Act 2010 requires Local Authority and schools to develop and publish an Accessibility Strategy and Accessibility Plans that outline how they will improve the accessibility of buildings, access to education and information for disabled pupils over time.

Requirements for local authorities to put in place an accessibility strategy are specified in schedule 10 of the Act: *Accessibility for disabled pupils*.

Schedule 10 says:

*An accessibility strategy is a strategy for, over a prescribed period—*

- (a) increasing the extent to which disabled pupils can participate in the schools' curriculums;*
- (b) improving the physical environment of the schools for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the schools;*
- (c) improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.*

The delivery of information in (c) must be:

- (a) within a reasonable time;*
- (b) in ways which are determined after taking account of the pupils' disabilities and any preferences expressed by them or their parents.*

Schools' Accessibility Plans should also consider access to after school activities and

extended school activities if they are based on their school site. There is a requirement for maintained schools, pupil referral units (PRUs), academies and free schools to produce an Accessibility Plan.

## **5. Special Educational Needs and Local Context**

There is a significant overlap between Special Educational Needs and Disabilities, therefore support for many children with disabilities is provided by schools and the Local Authority through the Special Educational Needs and Disabilities (SEND) framework, guidance for which is set out in the 2015 SEND Code of Practice: 0 to 25 years. The Code emphasises the importance of:

- the views, wishes and feelings of the child and their parents, or young person being sought and taken into account;
- the vital role parents play in supporting their child's education;
- children and young people with SEND having their needs met;
- needs normally being met in mainstream schools or settings; and
- children and young people with SEND being offered full access to a broad, balanced and relevant education, including an appropriate curriculum for the foundation stage and the National Curriculum.

Torbay has a wide range of provision available to meet the needs of children and young people with Special Educational Needs and Disabilities (SEND). The Local Authority works closely with early years providers and the childcare sector to ensure identification and individualised response takes place at the earliest opportunity. The Local Authority works in partnership with schools to ensure that provision is relevant and responsive to needs. The partnership with schools is well-established and long-term with specialist teams providing advice and support at whole-school, group and individual levels. Special schools have strong links with mainstreams schools to promote inclusion. Local Authority specialist services and outreach providers from special schools are flexible in their approach to meeting need and work with schools and each other to ensure that all pupils enjoy full participation.

Taking into account significant changes in national policy, there is now a focus on collaborative working between schools, partner agencies and the Local Authority through such developments as the Children and Families Act 2014.

The Local Authority also works alongside the local SENDCo Network to provide an on-going training and development enhancing provision and support for SEND pupils and responding to local need.

## **6. Increasing Provision and Access to curriculum**

The Local Authority provides advice and guidance to all supports schools (regardless of whether they are maintained schools, academy schools or free schools) to respond to individual needs of pupils and training needs of staff with a range of specialist services, commissioned services and part traded services. The Local Authority website and Local Offer both provide information about the provision available to support access to the curriculum for pupils with learning difficulties and disabilities. The SEND Code of Practice includes advice on approaches to identification of need and the graduated approach to meeting identified needs.

The joint commissioning of education, health and care provision for children and young people required by the Children and Families Act 2014 is leading to the development of more

integrated packages of support which will support children and young people with disabilities in accessing the curriculum.

The Local Authorities SEND Information, Advice and Support Service (SENDIASS) and the Torbay Parents Participation Forum (PPF) works collaboratively in supporting the Local Authority to engage with parents and carers of pupils with disabilities to inform and develop good practice within settings.

The variety of services which the Local Authority already offers to promote the inclusion of disabled pupils and their families in education includes:

Admission to schools	<ul style="list-style-type: none"> <li>• ensures all admission arrangements comply with the DfE School Admissions Code.</li> <li>• Co-ordinates applications for places at primary and secondary schools as part of the normal admissions rounds.</li> <li>• provides clear information to both schools and parents/carers in relation to admissions and pupils with SEND.</li> </ul>
Advisory Teacher for Early Years Inclusion	<ul style="list-style-type: none"> <li>• liaises with schools and organise transition meetings to share information about individual children who have special educational needs and disabilities, prior to them starting school. These meetings are attended by parents and other agencies working with the child.</li> <li>• is able to maintain support for the child up to the end of the Foundation Stage.</li> <li>• provides advice and support to parents/carers, carry out initial assessment of children and provide training and advice for educators.</li> </ul>
Portage Service	<ul style="list-style-type: none"> <li>• nurtures and promotes all aspects of a child's development.</li> <li>• delivers a weekly home teaching service, work alongside parents/carers to set realistic goals for their children and devise and demonstrate a range of appropriate activities for the parents/carer to undertake with their child.</li> </ul>
Educational Psychology Service (part-traded service)	<ul style="list-style-type: none"> <li>• acts as a consultation, assessment and advisory service to the LA and schools. These are achieved through day to day liaison with schools; the attendance of planning meetings and case conferences; the assessing and advising of individual child's needs; the provision of in-service training and convening of school SEN Coordinator support groups; and by engaging in 'service maintenance' activities such as obtaining client feedback and carrying out performance reviews.</li> </ul>
Torbay Hearing Support Service	<ul style="list-style-type: none"> <li>• supports children, families and schools by helping to identify, assess and meet the needs of children with hearing impairments. This involves a significant amount of individual case work.</li> <li>• offers guidance and training on a range of issues relating to children with hearing disabilities. This includes audiological issues, hearing aids, ideas for play, language development, hearing tactics and liaising with other professionals on behalf of the child and his or her family.</li> <li>• works on a one to one basis with each child.</li> </ul>
School Transport	<ul style="list-style-type: none"> <li>• assesses the individual needs of each pupil, in line with Torbay's</li> </ul>

	Transport Policy, and where appropriate tailors the transport provided to meet the needs of the specific child.
Special Educational Needs (SEN) Team	<ul style="list-style-type: none"> <li>ensures that the key duty of the LA to identify, assess and arrange suitable provision for children with SEN is carried out. This is achieved through individual allocated caseworkers, liaison with parents/carers, caseworker involvement in attending formal meetings and multi-agency co-operation.</li> <li>manages the transfer of Statements and EHC plans in line with regulations.</li> <li>manages the statutory assessment procedure, issuing EHC plans where required.</li> <li>allocates additional resources to mainstream schools to meet the needs of children and young people with Statements and EHC plans.</li> <li>arranges admission to appropriate provision, including specialist provision where required.</li> <li>monitors and reviews the progress of children and young people with Statements and EHC plans.</li> <li>commissions specialist and outreach services to support pupils with special needs and the schools they are attending.</li> </ul>
Commissioned specialist services	<ul style="list-style-type: none"> <li>visual impairment support service from the West of England School. The school provides a 3 day a week service to the LA providing guidance on curriculum matters, mobility issues and Braille training.</li> <li>ICT advisory service for pupils with special needs from the Royal School for Deaf.</li> </ul>
Commissioned outreach services	<ul style="list-style-type: none"> <li>Chestnut</li> <li>Mayfield</li> <li>Preston</li> </ul>
Commissioned service from Careers Southwest	<ul style="list-style-type: none"> <li>supports transition planning and liaising with those involved with the child.</li> <li>helps young people and their carers identify the most appropriate post-school education, training or work.</li> </ul>
Commissioned independent information, advice and support service for parents/carers and young people (SENDIASS Torbay)	<ul style="list-style-type: none"> <li>offers independent information, advice and support service for parents/carers and young people in relation to special educational needs and/or disabilities. This includes: providing clear information; listening to parent/carers concerns; providing phone or personal support with issues, letters and/or meetings; and empowering parents/carers to be fully involved with and make informed choices about their child's education.</li> <li>encourages effective communication between parents/carers, schools and other appropriate professionals.</li> <li>offers relevant training opportunities.</li> <li>signposts to other appropriate services and/or avenues of support.</li> </ul>

## 7. Improving the Physical Environment of Schools

Improving the physical environment of schools includes access to and within the school grounds and buildings, in addition to the provision of physical aids which improve access to a disabled child.

All new school buildings have to comply with current building regulations and should be physically accessible to disabled pupils, although, much of the work in this area will involve improving access to existing buildings. Any work undertaken by the Council in creating additional school places will also comply with current building regulations.

When making improvements schools need to consider potential adjustments which may be needed for disabled pupils generally, but, schools are not obliged to anticipate and make adjustments for every imaginable disability. Improvements could also be achieved by reasonable adjustments such as the allocation of rooms for particular specialisms, the removal of obstructions from circulation areas, improving the acoustic or visual environment and changing classroom layouts including the creation of safe spaces, calming areas and individual workstations. Physical aids to education could include the provision of specialist seating or desks and ICT equipment.

Advice and guidance should be sought from Physiotherapists / Occupational Therapists who are working with the children who have specific requirements where adaptations may be required.

Schools have had a statutory duty to develop and publish an Accessibility Plan since September 2002 and continue to have this duty under the [Equality Act 2010: Schedule 10, Paragraph 3](#) and [Disability Discrimination \(prescribed Times and Periods for Accessibility Strategies and Plans for Schools\) \(England\) Regulations, 2005](#).

School Accessibility Plans must:

- be in writing.
- outline how the school will improve access to education for disabled pupils over time, covering the following three strands:
  - Increasing access to the curriculum for disabled pupils;
  - Improving the physical environment to increase access to education and associated services at the school; and
  - Improving the provision of information for disabled pupils where it is provided in writing for pupils who are not disabled.
- be published in the context of the Equality Act 2010, i.e. on the school website with hard copies provided upon request, and also be able to be provided in alternative accessible formats to meet the needs of those requesting it.
- be revised at least every 3 years.

The school's Governing Body holds responsibility for publishing the Accessibility Plan, and as part of a regular review process, schools will need to have regard to the need of providing adequate resources for implementing this plan and reviewing this plan.

A template for the school accessibility plan has been produced for schools to use (Appendix 2)

A School Access Audit Checklist is available and free to download at: <http://www.accessaudits.com/wp-content/uploads/2014/06/FREE-SCHOOL-ACCESS->

It is important that the schools consider the long-term access needs of the school. Schools should use the routine refurbishment and other maintenance and equipment budgets to improve the physical environment of the school and maintain the standard of accessibility upgrade works already carried out. The Equality Act requires schools to resource their Disability Equality Schemes/ Accessibility plans adequately. Schools should recognise the costs of implementing the plan as legitimate expenditure, which should be incorporated into current budget commitments.

## **8. Improving the Delivery and Access of information**

The planning duty requires written information normally provided by a school to be made available to disabled pupils. Such information should take account of pupils' disabilities, as well as the preferred formats for pupils and parents; it should also be made available within a reasonable time frame.

Although the duty relates primarily to written information, schools will be advised to consider how other formats that could be made available. The Local Authority Corporate Communications Team provides detailed guidance on how to produce clear communications by advising on the styles and formats to use. The team also provides guidance on how to produce information in large print, braille, symbols or as an audio-tape.

The requirement in the Children and Families Act 2014 to develop a Local Offer has the express purpose of simplifying and making information about processes, systems and services that support children and young people with special educational needs and disabilities more accessible.

In addition, the Torbay SEND Information, Advice and Support Service (SENDIASS) is able to offer impartial information, advice and support over the phone and in person.

## **9. Monitoring, evaluation and review**

**This Strategy is being recommended for approval to the Policy Development and Decision Group. The strategy will run for a period of 4 years.**

The action plan and the Local Authorities performance against the identified action points will be reviewed and monitored on a regular basis through annual reports.

This strategy has been produced in association with parents and carers and in consultation with our schools and other partners. The Council will support schools in implementing the strategy which will be kept under regular review.

School improvement visits will include a question regarding the school's accessibility policy and their implementation of the Equality Act 2010.

Ofsted inspectors will discuss with each school how it is meeting statutory requirements and evaluate and report on the impact of the school's actions.

This Strategy will be published on the Torbay Local Offer website [www.fis.torbay.gov.uk](http://www.fis.torbay.gov.uk)

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## **Example School Accessibility Plan 2017 -**

### **Purpose of Plan**

The purpose of this plan is to show how our educational setting intends, over time, to increase accessibility to the physical environment, the curriculum and written information so that all pupils/students with a disability can take full advantage of their education and associated opportunities.

### **Definition of disability**

A person has a disability if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

### **Key Aims**

To increase and eventually ensure for pupils/students with a disability that they have:

- total access to our setting's environment, curriculum and information and
- full participation in the school community.



## Principles

### A - Compliance with the Equality Act

- Compliance with the Equality Act is consistent with our setting's aims and equal opportunities policy and SEN information report.
- Our staff recognise their duty under the Equality Act:
  - Not to discriminate against disabled pupils in their admissions and exclusions, and provision of education and associated services
  - Not to treat disabled pupils less favourably
  - To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
  - To publish an accessibility plan
- In performing their duties governors have regard to the Equality Act 2010
- Our setting
  - recognises and values the young person's knowledge/parents' knowledge of their child's disability
  - recognises the effect their disability has on his/her ability to carry out activities,
  - respects the parents' and child's right to confidentiality
- The setting provides all pupils with a broad and balanced curriculum that is differentiated, personalised and age appropriate.

### Current practice:-

#### B - Increasing Access for disabled pupils to the school curriculum

*This includes teaching and learning and the wider curriculum of the school such as participation in after school clubs, leisure and cultural activities or school visits.*

- 
- *School*
- 
-

### C - Improving access to the physical environment of the school

*This includes improvements to the physical environment of the school and physical aids to access education.*

- 
- *School*
- 
- 

### D - Improving the delivery of written information to disabled pupils

*This will include planning to make written information that is normally provided by the school to its pupils available to disabled pupils. Examples might include handouts, timetables, textbooks and information about school events. The information should take account of pupils' disabilities and pupils' and parents preferred formats and be made available within a reasonable time frame.*

- 
- *School*
- 
-

## E – Ensuring inclusion in the school community

*This will include all other measures taken in ensure inclusion within the whole school community.*

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- 
- 
- 

### Financial Planning and control

The headteacher, SLT and the finance committee will review the financial implications of the accessibility plan as part of the normal budget review process.

Accessibility Action Plan Template – Schools to complete contents adding rows as necessary

A - Compliance with the Equality Act					
Accessibility Outcome	Action to ensure Outcome	Who responsible	Long, medium or short-term	Time Frame	Notes

## B - Increasing Access for disabled pupils to the school curriculum

Accessibility Outcome	Action to ensure Outcome	Who responsible	Long, medium or short-term	Time Frame	Notes

C - Improving access to the physical environment of the school			A useful free access audit tool is available at: <a href="http://www.accessaudits.com/wp-content/uploads/2014/06/FREE-SCHOOL-ACCESS-AUDIT-CHECKLIST.pdf">http://www.accessaudits.com/wp-content/uploads/2014/06/FREE-SCHOOL-ACCESS-AUDIT-CHECKLIST.pdf</a>		
Accessibility Outcome	Action to ensure Outcome	Who responsible	Long, medium or short-term	Time Frame	Notes

## D - Improving the delivery of written information to disabled pupils

Accessibility Outcome	Action to ensure Outcome	Who responsible	Long, medium or short-term	Time Frame	Notes

E – Ensuring inclusion in the school community					
Accessibility Outcome	Action to ensure Outcome	Who responsible	Long, medium or short-term	Time Frame	Notes



## Accessibility Strategy Action Plan

This Action Plan will developed further in consultation with schools and parents.

Activity	Lead	Timescale	Success Criteria	Resource
Development of the Strategy				
To consult on the Accessibility Strategy				
To provide information and advice to support schools to develop their own Access Plans				
Through analysis of accessibility plans we will establish common areas of concern and provide advice and support				
To ensure compliance on the publication of the accessibility plans				
To establish common areas of concern from an analysis of the access plans and through discussions with schools				

Contextual Data to Inform the Strategy				
To aid strategic planning around sufficiency of placements				
To continue to proactively promote the Children's Disability Register (DeCiDe) to increase the relevance of this data collection to inform strategic planning				
Improvement to the Physical Environment of Schools Increasing				
Provide information about a freely available access audit checklist for schools to use				
Improving the Provision to Disabled Pupils of written Information				
To disseminate guidance to all service providers on good practice when producing information				

To raise awareness of outreach services available to support schools				
Increasing Access to the Curriculum for Disabled Pupils				
To support and challenge schools on the performance of pupils with disabilities				
To ensure governing bodies are aware of their statutory duties				
To monitor attendance of pupils with disabilities				



**Meeting: Policy Development and Decision Group (Joint Commissioning Team)**

**Date: 19 June 2017**

**Wards Affected: All**

**Report Title: Integration and Better Care Fund 2017-19**

**Is the decision a key decision? No**

When does the decision need to be implemented? 2017/18 – subject to NHS Guidance due July 2017

**Executive Lead Contact Details:** Councillor Julien Parrott, Executive Lead for Adults and Children, [Julien.Parrott@torbay.gov.uk](mailto:Julien.Parrott@torbay.gov.uk)

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## **1. Proposal and Introduction**

- 1.1 The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing, and live independently in their communities for as long as possible.
- 1.2 The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.
- 1.3 The application of the funds is agreed each year between the Clinical Commissioning Group (CCG) and the Council, and in Torbay with the input of the Torbay and South Devon NHS Foundation Trust (ICO).

## **2. Reason for Proposal**

- 2.1 The council have an obligation to reach agreement with partners on the pooling of funds in the Better Care Fund (BCF) and this is supported by the Section 75 Agreement.

- 2.2 Section 75 of the 2006 National Health Services Act gives powers to local authorities and clinical commissioning groups to establish and maintain pooled funds out of which payment may be made towards expenditure incurred in the exercise of prescribed local authority functions and prescribed NHS functions

### **3. Recommendation(s) / Proposed Decision**

- 3.1 That the Mayor be recommended that the approach being adopted in relation to the Better Care Fund be endorsed subject to future guidance from NHS England.

## **Appendices**

Appendix 1: Financial outline of Torbay BCF and Development Funding

## **Background Documents**

**Integration and Better Care Fund 2017-2019-** Department of Health, Department for Communities and Local Government, Local Government Association and NHS England

[http://www.local.gov.uk/sites/default/files/documents/BCF%202017-%202019%20planning%20requirements%20briefing%20slides\\_%20March%202017%20.pdf](http://www.local.gov.uk/sites/default/files/documents/BCF%202017-%202019%20planning%20requirements%20briefing%20slides_%20March%202017%20.pdf)

**2017-19 Integration and Better Care Fund Policy Framework** – Department of Health and Department for Communities and Local Government

<https://www.gov.uk/government/publications/integration-and-better-care-fund-policy-framework-2017-to-2019>

**The Adults Social Care Support Grant Determination 2017/18 No. 31/3065**

**The Improved Better Care Fund Grant Determination 2017/18 No 31/3064**

## Section 1: Background Information

1.	<p><b>What is the proposal / issue?</b></p> <p>The policy framework for the 2017-19 Integration and Better Care Fund was published April 2017 after the setting of NHS and Local Authority budgets. At the time of writing the final Planning Guidance is still awaited – a November 2016 version has been circulated.</p> <p>The framework and the subsequent letter to Section 151 officers emphatically states in relation to the Adult Social Care grant: <i>the Government is clear that this money should be used to fund adult social care services and will be additional to current budgeted spend</i> <i>Guidance documents and financial clarification on numbers attaching to the BCF remain outstanding</i></p>
2.	<p><b>What is the current situation?</b></p> <p>Better Care fund will cover two years and span housing, care health and <b>other public services</b>.</p> <p>These funds are not revenue funds and should not be considered within a base-funding figure. They should be applied to develop and deliver change to support the health and care interface.</p> <p>The conditions attaching to the fund are: In 2017-19, NHS England will require that BCF plans demonstrate how the area will meet the following national conditions:</p> <ul style="list-style-type: none"><li>▪ <b>Plans to be jointly agreed;</b></li><li>▪ <b>NHS contribution to adult social care is maintained in line with inflation;</b></li><li>▪ <b>Agreement to invest in NHS commissioned out-of-hospital services, which may include 7 day services and adult social care; and</b></li><li>▪ <b>Managing Transfers of Care (a new condition to ensure people's care transfers smoothly between services and settings)</b></li></ul> <p>The use of the High Impact Changes, reflecting learning and good practice from around the country, are worthy of consideration and referenced as delivery headings in producing a BCF plan. This is likely to support understanding, interpretation and sign-off when the plans are assessed and reviewed by NHS England and the Integration Partnership Board.</p> <p>The conditions of use applying to the new allocation announced in the Spring Budget 2017 and are incorporated in the Grant Determination Letter (GDL)</p>

	<p>issued in April by the Department for Communities and Local Government. The GDL also sets out the conditions applying to the Disabilities Facilities Grant.</p> <p>At the time of writing the Policy framework for the Improved Better Care Funds has been released but Planning Guidance (the detail) is to follow</p> <p>Reporting metrics reduced from 8 – 4</p> <ul style="list-style-type: none"> <li>▪ <b>Delayed transfers of care;</b></li> <li>▪ <b>Non-elective admissions (General and Acute);</b></li> <li>▪ <b>Admissions to residential and care homes; and</b></li> <li>▪ <b>Effectiveness of reablement</b></li> </ul> <p><i>Whilst no longer a requirement or metric the policy framework states - all areas should be working to embed 7-day services across the health and care system. Shared information, interoperable IT and joint care assessments are critical enablers to deliver integrated services - therefore, we expect every area to continue taking action to build on the progress made in the last two years.</i></p> <p>This provides sound direction to the development of the community resources and the wider partnerships with the necessary infrastructure to support a new model of care.</p> <p><b>FLEXIBILITY OF FORM (FOR PERSON CENTRED CARE)</b></p> <p>Integration is available in many forms. Direction is given towards existing models within the policy framework. The present model within Torbay is not the only option. Savings along with care improvements are evidenced elsewhere – signposting is within the documentation and associated resources.</p> <p>Torbay’s Delayed Transfers of Care achievements continue to be positive whilst there always remains head room for improvement. Improvement is through the ‘interface of health and care’ and reducing presentation at hospital as well as efficient discharge. This will be supported by personalised (individual’s own) management of care and support which the policy signposts to in multiple ways.</p> <p>Touch stone for any model or BCF plans is: Integrated, preventative, person-centred care. Continued use is made of National Voices’ “I can plan my care with people who work together to understand me and my carer(s), allow me control, and bring together services to achieve the outcomes important to me.” Torbay may wish to use this within its tests of plans</p> <p>Discharge to Access (Assess) is one of the High Impact Changes listed. There needs to be time for people to benefit from interventions and support and signposting with the clear view of returning them to their own home. The use of care home +/- nursing beds needs to be focussed on intermediate care and step down care. Enhanced Health in Care Homes case studies support the use of care homes whilst the focus continues to be ensuring there is improved community services and support structures to minimise long term admissions to care.</p>
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	<p>Carers (informal) whilst not one of the metrics are cited as being expected to be considered within each plan. It is expected that this will be considered when plans are being approved by NHS England and the national Integration and Partnership Board (IPB)</p> <p>Through this BCF round consideration will be given to the further development of VCSE capacity that supports carers through innovative and commercially sound CVS approaches. A range of opportunities exist in this area including circles of support, flexible working, developing peer networks and attention on mental health / wellbeing</p> <p>In respect of the above items, integrated personal commissioning (IPC) is widely featured and it is anticipated that funding at a local level through the BCF should be discussed but with boundaries being pushed in regard to IPC – both scope and timeframe</p> <p>It is notable that there is reference to ‘happy at home’ highlighting the opportunity for wellbeing initiatives and work / schemes involving wider council/public/community schemes beyond health interventions.</p> <p>BCF may or may not continue but there clear expectation is that the approach will be embedded through integrated systems by 2020. It is useful to reiterate that the policy emphasises that BCF funding is for integration and change versus revenue for as-is services.</p> <p>Professor John Bolton released a discussion paper on Demand and Performance management in Adult Social Care and consideration will be given to some of the measures contained within this paper as to where the BCF funds and the Adult Social Care Grant may be targeted. The demand management may include</p> <p>pump-priming activities– pump-priming sustainable orientated business plans and the resource to deliver them – that would further develop integration and support financial balance in year 2 and beyond. (the guidance also makes reference to frontloading of investments)</p> <p><b>FUNDING AND SIGN-OFF AND RECLAIM</b></p> <p>NHS England and ‘Integrated Partnership Board’ will sign off plans before the NHS funding spend is started. Where conditions are not met subject to reference and agreement by minister, NHS funds can be reclaimed.</p> <p>NHS will develop ‘integration metrics’ for assessing progress on integration.</p> <p>The Improved Better Care Fund can be spent as soon as agreement between the parties is reached and does not require further sign-off or external agreement. However, it is to be noted that the local authority’s Section 151 officer must:</p> <p><i>Certify that your authority will use the additional funding for adult social care.</i></p> <p>Alongside the attendant commitment to additionality beyond current spend.</p> <p><b>REPORTING – GRADUATION</b></p> <p>6-10 areas will be selected as early Graduate applicants. The graduation being the demonstration of having made progress beyond the requirements of the BCF. The first wave applications to be in before end of January. Subsequent waves to follow.</p>
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	<p><b>PARTNERSHIP</b>  <b>SECTION 75</b>  Arrangements are being reviewed by the Department of Health; further policy and guidance to follow.  The existing Section 75 has been legally reviewed Mar 2017 and found to be fit for existing purposes. This will continue to be used locally whilst awaiting updated, revised guidance.</p> <p><b>DEVON COUNTY COUNCIL</b>  Alignment will be sought wherever possible with the approaches and reporting structures of Devon County Council. The endeavour is to create a coordinated and consistent approach across the Torbay and South Devon footprint, leverage funds driving market place changes, and minimise duplication and variation in reporting.</p> <p><b>GOVERNANCE</b>  The (i)BCF will be managed as Part 2 of a meeting of the Social Care Programme Board.</p>
3.	<p><b>What options have been considered?</b></p> <p>The Better Care Fund is a national mandated initiative which local areas must implement</p>
4.	<p><b>How does this proposal support the ambitions, principles and delivery of the Corporate Plan 2015-19?</b></p> <p>The BCF progresses the work that has long been undertaken in Torbay towards integrated services which provide better outcomes for the residents of Torbay. It meets all three principles:</p> <ul style="list-style-type: none"> <li>• <i>Use reducing resources to best effect</i></li> <li>• <i>Reduce demand through prevention and innovation</i></li> <li>• <i>Integrated and joined up approach</i></li> </ul>
5.	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>People using health and care services in Torbay will be positively impacted by this work. The proposal as to entering into the Better Care Fund arrangement requires no consultation</p>
6.	<p><b>How will you propose to consult?</b></p> <p>Refer above</p>

## Section 2: Implications and Impact Assessment

7.	<p><b>What are the financial and legal implications?</b></p> <p>See Appendix 1 re the figures The council has made commitments to the BCF in previous years. Following the spring budget 2017 the council were awarded additional funds in the Adult Social Care Grant.</p>
8.	<p><b>What are the risks?</b></p> <p>Should the local partners not agree a Better Care Fund there will be external mediation and involvement for NHS and Local Government Association</p> <p>The guidance from the Department of Health is not yet available due to the election and is unlikely to be forthcoming ahead of the end of July 2017</p> <p>The local partners are progressing work and seeking to reach agreement. There is a risk that the guidance may require this to be revised. However, in terms of making best use of resources and achieving delivery the Local Government Association guidance is being used.</p>
9.	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>The agreement is between public bodies and there is no procurement of services</p>
10.	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The NHS produce information and continue to keep the council and CCG informed <a href="https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/">https://www.england.nhs.uk/ourwork/part-rel/transformation-fund/bcf-plan/</a></p>
11.	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>There was no consultation required in relation to entering into the BCF agreement</p>
12.	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>See Above (11)</p>

## Equality Impacts

13	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Yes		
	People with caring Responsibilities	Yes		
	People with a disability	Yes		
	Women or men	Yes		
	People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>	Yes		
	Religion or belief (including lack of belief)	Yes		
	People who are lesbian, gay or bisexual	Yes		
	People who are transgendered	Yes		
	People who are in a marriage or civil partnership	Yes		
	Women who are pregnant / on maternity leave	Yes		

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Yes	
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)	Yes – better integrated care services including reducing Non-elective admissions, reducing long term admissions to care homes, working to reducing Delayed Transfers of Care, and developing reablement for increased independence of clients and patients	
14	<b>Cumulative Impacts – Council wide</b> (proposed changes elsewhere which might worsen the impacts identified above)	Positive impacts will be seen from the development of housing initiatives	
15	<b>Cumulative Impacts – Other public services</b> (proposed changes elsewhere which might worsen the impacts identified above)	Opportunities exist for wider integrated working with Devon partners and through the Sustainability and Transformation Planning system across Devon's NHS and social care bodies.	

## Appendix 1. Financial Outline of Torbay BCF and Development Funding

Better Care Fund funding contribution	2016-17 (2015/16 + 1.5%)	2017-2018 (+1.79% on 2016/17 assured figs baseline as per policy framework )	2018-2019 (+1.9% on 2017/18)	Not covered by the policy framework 2019-20 Total
Minimum NHS CCG contribution Can you put in the figures that we are expecting from the CCG please	3,011,156	3,065,055	3,123,291	
Improved Better Care Fund Local Government Finance Settlement	N/A	633,138	TBC	
New grant allocation – Funding for adult social care via DCLG	N/A	3,815,560	2,366,904	1,171,936
Disabled Facilities Grant (capital grant for adaptations to houses)	1,524,090	1,631,353	TBC	
<b>IBCF Total</b>	<b>4,535,246</b>	<b>9,145,106</b>	<b>5,490,195</b>	



**Meeting:** Policy Development and Decision Group (Joint Commissioning Team)

**Date:** 19 June 2017

**Wards Affected:** All Wards

**Report Title:** Sustainability and Transformation Plan (STP)

**Is the decision a key decision?** No

**When does the decision need to be implemented?** ASAP

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## 1. Briefing

The first year of the STP has seen the NHS and upper tier Local Authorities working collaboratively together across the whole of Devon.

Working together on a single plan will ensure the long term clinical/Social and financial sustainability of our services for those who live across Devon.

Twelve organisations across Devon signed a Memorandum of Understanding in March 2017, which signaled their ambition to work closely together\*. They include:

- Northern, Eastern and Western Devon CCG
- South Devon and Torbay CCG
- Devon County Council
- Plymouth City Council
- Torbay Council
- Plymouth Hospitals NHS Trust
- Royal Devon and Exeter NHS Foundation Trust
- Northern Devon Healthcare NHS Trust
- Torbay and South Devon NHS Foundation Trust
- Devon Partnership NHS Trust
- South Western Ambulance Service NHS Foundation Trust
- Livewell Southwest CIC

\*NHS England and NHS Improvement also signed the memorandum as regulators

The STP is a comprehensive five-year plan to transform health and care services for local people so they are fit for the future. Devon's plan is one of 44 across England. These plans address how local services will evolve and become sustainable over the next five years. Specifically the STP will help us cater for an ageing population in Devon, meet the growing demands on health and care services, and help us deliver services within the budget we have available.

The STP has seven priority areas:

1. **Prevention and promoting health:** we want people and communities to be able to take a more active role in their general health and wellbeing, to prevent ill health as independent as possible.
2. **Integrated care models (ICM):** we want to reduce reliance on hospital beds and help people to live healthy independent lives for longer, closer to where they live. Care needs to be less fragmented and more joined-up so that it is safer and more efficient.
3. **Primary care:** we want to establish a consistent, high-quality and sustainable model of primary care (GPs) integrated in future service models
4. **Mental health and learning disabilities:** we want to make sure that mental and physical health services are joined-up and meet people's needs. We want to ensure people with learning disabilities can have independent lives with the right level of support for individuals.
5. **Children and families:** we want children and young people to be able to access the services they need, as close to home as possible. Services will be more joined-up so that we can better support families and also ensure that children achieve the best outcomes.
6. **Acute hospital and specialist services:** we want to make sure that acute hospital services in Devon are safe, high-quality, effective and affordable.
7. **Productivity:** we want to improve efficiency across all organisations, so we make the best use of resources.

#### Progress achieved in the first year of the STP (2016/17)

Good progress has been made by the NHS and social care working as a system in Devon during the past year.

Specific highlights include:

- Major focus on moving towards NHS financial balance for the system. By the end of the 2016/17 financial year, the overall plan was exceeded, with an improved year-end system NHS deficit of £80 million for the geographic area of Devon.
- Improvements to NHS service performance, notably around urgent referrals for cancer treatment within two-weeks, psychological therapies for mental health, and improvements to the A&E position despite huge pressures.
- A reduction in elective activity and changes in bed-based care. By the end of March 2017, 82 acute beds with further reductions planned in the first quarter of 2017/18 enabled by new models of care. Elective activity reduced by £1.2 million which is part of a planned change in resourcing.
- In NEW Devon, routine referrals were reduced by 3.4%. The Devon STP is the only STP area in the NHS England South Region to demonstrate a reduction in activity during 2016/17 which will maintain good outcomes for communities but reduce resource pressures.

- Two major public consultations to bring in a new model of care. The new model focuses on providing more care in people's homes, and less in community hospital settings.

### Plans for 2017/18

The challenges for this financial year are huge and significant. A number of key developments will be taken forward by the system, and include:

- The system is planning for an ambitious saving plan to meet its financial responsibilities. This plan is not agreed with NHSE
- A single, strategic commissioning voice for Devon will be put in place. A recruitment process will commence shortly. Work to establish Accountable Care Delivery Systems/ACOs is under way overseen by the Collaborative Board (with representation from all participating organisations in Devon).
- Ensure all localities deliver safe and effective care within their resources.
- Reductions in CCG corporate support services, with plans to introduce single functions covering the whole system.
- Tighter vacancy management and no non-clinical agency spend.

### STP programme

The STP governance arrangements include a number of important decision-making and advisory bodies as follows:

- The Programme Delivery Executive Group (PDEG) – executives from all STP organisations meet monthly to agree policy and monitor progress.
- Clinical Cabinet – key clinicians meet fortnightly to review and agree proposals for change.
- Collaborative Board – which meets quarterly and includes chairs and chief executives from all STP organisations. Lead Councillors from the 3 Local Authorities provide the local authority leadership at this group.
- Priority workstream areas – sponsored by chief executives and include patient representation.

STP organisations work closely with the three scrutiny committees across Devon to ensure active engagement, as well as with MPs, councillors, Healthwatch and other key stakeholders.

## **2. Recommendations**

That the Mayor be recommended:

- 2.1 That Councillor Parrott, Executive Lead for Adults and Children, and Caroline Taylor, Director of Adult Services (DASS) be authorised to maintain executive oversight and influence over the emerging Sustainability and Transformation Plan (STP) programme on behalf of Torbay Council, with normal scrutiny processes in place.



- 2.2 That the Council commits to a model of a single, strategic commissioning voice for Devon and considers any changed staffing or accountability of management arrangements arising from any proposal. That the Council works with partners to establish Accountable Care Delivery Systems/Accountable Care Organisations and that this development is overseen by the Collaborative Board (with representation from all participating organisations in Devon).