

**Meeting:** Adult Social Care and Health Overview and Scrutiny Sub-Board/Cabinet

**Date:** 12 June 2025/14 July 2025

**Wards affected:** All

**Report Title:** Adult Social Care, Market Position Statement

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

**Cabinet Member Contact Details:** Cllr Hayley Tranter, Cabinet Member for Adult and Community Services, Public Health and Inequalities. hayley.tranter@torbay.gov.uk

**Director Contact Details:** Anna Coles, Director of Adults and Community Services.  
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## 1. Purpose of Report

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- 1.1 To seek endorsement for the publication of the updated Market Position Statement for Adult Social Care 2025 -2029 which sets out how we will work and shape the care market to manage demand and capacity. It also sets out our intentions for early interventions to enable working age adults and older people to remain well and as independent as possible.

## 2. Reason for Proposal and its benefits

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- 2.1 The proposals in this report help us to deliver our vision of a healthy, happy and prosperous Torbay by setting out key areas within the Market Position Statement (“MPS”). This explains how the council intends to work with providers of adult services to meet needs now and in the future. The MPS provides an overview of national and local context in which we work to meet the health and social care system needs and its challenges. It details the current work the Council is progressing with its NHS partners to have a clear focus on reducing demand, facilitating early intervention and prevention whilst enabling people to live well. We need to develop and support a stable and innovative provider market.
- 2.2 The reasons for the proposal and need for the decision are that the Care Act 2014 places a duty on Local Authorities to facilitate and shape our care and support market, to ensure sustainability, diversity, and to be continuously improving and innovating services. The council have statutory duties to meet the care and support needs of adults who have an assessed need under the Care Act 2014, the MPS highlights the opportunities to align resources to support all ages.

## 3. Recommendation(s) / Proposed Decision

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Recommendation to Overview and Scrutiny:

1. That the Adult Social Care and Health Overview and Scrutiny Sub-Board reviews the Market Position Statement (MPS) 2025 – 2029 as set out in Appendix 1 to the submitted report and makes recommendations to the Cabinet.

Recommendation to Cabinet:

2. That the Market Position Statement (MPS) 2025 – 2029 as set out in Appendix 1 to the submitted report be approved.

## Appendices

Appendix 1.

Draft Market Position Statement 2025 -2029

## Background Documents

NA.

### 1. Introduction

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- 1.1 Managing the care market is essential to ensure demand is met now and in the future in the most cost-effective way.
- 1.2 Quality and supply is monitored regularly to ensure a quality and a sustainable market is accessible across Torbay. Commissioners need to ensure performance and data is available and analysed to enable the direction of resources to where they are needed.
- 1.3 The Council has a duty to do the following:
- Meet needs of people eligible for care, support people and their carers.
  - Fund care for those people with eligible needs and who meet financial eligibility criteria.
  - Local market shaping to encourage quality, choice and sufficiency of provision.
  - Local contingency planning in case of provider failures.
  - Ensure care is maintained where a provider fails financially and services cease – for everyone, including self-funders – so as to ensure people’s needs continue to be met.
  - Work with NHS to promote integration including integrated commissioning and joined up services.
  - At national level, Association of Directors of Adult Social Services (ADASS) has a role in supporting contingency planning for provider failure and collaboration on market shaping through regional collaboration (via ADASS) on market shaping.

### 2. Options under consideration

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NA

### 3. Financial Opportunities and Implications

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- 3.1 This report will inform the work identified within the Medium Term Financial Plan (“MTFP”) and transformation plans held within Torbay to support Adult Social Care. Development and management of the care market will not only provide better outcomes by aligning the right services, and also promote independence for people. Spend within Adult Social Care is largely with third party external care providers through multiple contracts to support our

most vulnerable residents. Therefore, we have a duty to manage this market well and understand opportunities to develop it in line with our transformation plans.

- 3.2 The council will work with the market on how care and support are delivered in the most cost effective and efficient way as a system across all commissioning activity.

## 4. Legal Implications

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- 4.1 Statutory duties under the Care Act 2014 for care market shaping and contingency planning.

## 5. Engagement and Consultation

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- 5.1 Regular market engagement sessions are held (3 mthly) these are used to bring this document to life with our provider market.
- 5.2 As we move forward in developing our market, we will use all methods possible to co-produce with people who experience care and support.

## 6. Procurement Implications

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NA

## 7. Protecting our naturally inspiring Bay and tackling Climate Change

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- 7.1 None

## 8. Associated Risks

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- 8.1 Non-compliance with statutory duties
- 8.2 Lack of assurance for regulator (CQC).

## 9. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<p>18 per cent of Torbay residents are under 18 years old.</p> <p>55 per cent of Torbay residents are aged between 18 to 64 years old.</p> <p>27 per cent of Torbay residents are aged 65 and older.</p>	<p>This Market position statement relates to people aged over 18 years. It may have an impact on families/people of all ages who have a caring role.</p> <p>It may also impact on children who are transitioning into adult services from children's services where there is an identified care need.</p>	The MPS analyses data to shape the market to support the changing demographics across the applicable age ranges of our population.	Adults and Communities
Carers	At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these provided 50 hours or more of care.	Replacement care is identified as an area that needs development within the Torbay area.	It is an area of development needed and is identified as one of our key areas of work as a priority. This requires a co-production approach.	Adults and Communities
Disability	In the 2021 Census, 23.8% of Torbay residents answered that their day-to-day activities were limited a little or a lot by a physical or mental health condition or illness.	The MPS considers all aspects through data to help us look for gaps in provision.	The MPS analyses data to shape the market to support the changing demographics across our population.	Adults and Communities

Gender reassignment	In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. This proportion is similar to the Southwest and is lower than England.	The MPS considers all aspects through data to help us look for gaps in provision.	The MPS analyses data to shape the market to support the changing demographics across our population.	
Marriage and civil partnership	Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership.	The MPS considers all aspects through data to help us look for gaps in provision.	The MPS analyses data to shape the market to support the changing demographics across our population.	
Pregnancy and maternity	Over the period 2010 to 2021, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 63.7 per 1,000) than England (60.2) and the South West (58.4). There has been a notable fall in the numbers of live births since the middle of the last decade across all geographical areas.	NA	NA	
Race	In the 2021 Census, 96.1% of Torbay residents described their ethnicity as white. This is a higher proportion than the South West and England. Black, Asian and minority ethnic individuals are more likely to live in areas of Torbay classified as being amongst	NA	NA	

	the 20% most deprived areas in England.			
Religion and belief	64.8% of Torbay residents who stated that they have a religion in the 2021 census.	NA	NA	
Sex	51.3% of Torbay's population are female and 48.7% are male	The MPS considers all aspects through data to help us look for gaps in provision.	The MPS analyses data to shape the market to support the changing demographics across our population.	
Sexual orientation	In the 2021 Census, 3.4% of those in Torbay aged over 16 identified their sexuality as either Lesbian, Gay, Bisexual or, used another term to describe their sexual orientation.	NA	NA	
Veterans	In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. In Torbay, 5.9 per cent of the population have previously serviced in the UK armed forces.	The MPS considers all aspects through data to help us look for gaps in provision.	The MPS analyses data to shape the market to support the changing demographics across our population.	
<b>Additional considerations</b>				
Socio-economic impacts (Including impacts on child		Section 9 assessments under the Care Act 2014 are carried out to understand care needs when required this will take	Care Act duties to support vulnerable people's care needs	Adults and Communities.

poverty and deprivation)		into consideration the individuals financial situation.	including a financial assessment for support.	
Public Health impacts (Including impacts on the general health of the population of Torbay)		Societal and demographic changes	Monitoring demographic changes and plan for these in the longer term..	
Human Rights impacts		NA		
Child Friendly	Torbay Council is a Child Friendly Council and all staff and Councillors are Corporate Parents and have a responsibility towards cared for and care experienced children and young people.			



## 10. Cumulative Council Impact

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10.1 None

## 11. Cumulative Community Impacts

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11.1 None