



Report No: **76/2011** Public Agenda Item: **Yes**

Title: **Annual Strategic Agreement 2011/12 with Torbay NHS Care Trust**

Wards Affected: **All Wards in Torbay**

To: **Cabinet Council** On: **22 March 2011
24 March 2011**

Key Decision: **Yes – Ref X35/2010**

Change to Budget: **Yes** Change to Policy Framework: **Yes**

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1. What we are trying to achieve

1.1 To agree the areas of development and performance targets required of Torbay NHS Care Trust for 2011/12 as stipulated in the legally binding Partnership Agreement between the Council and Torbay NHS Care Trust.

2. Recommendation for decision

2.1 **That, subject to any views of the Overview and Scrutiny Board, the Council be recommended to approve the Annual Strategic Agreement for 2011/12 as set out in Appendix 1 to this report.**

2.2 **That the remaining risk related to the delivery of the required performance outlined and the ability to deliver a balanced budget, given the level of resources allocated for the delivery of Adult Social Care, be deemed acceptable.**

3. Key points and reasons for recommendations

3.1 The Annual Strategic Agreement (ASA) for each financial year is prepared by the Council and, subject to negotiation with the Trust, is agreed upon for implementation from the beginning of each financial year.

3.2 The ASA provides a 'commissioning framework' for the Council by, amongst other things, setting out the financial inputs for the year ahead (i.e. the revenue and capital budgets transferred from the Council to the Trust) and the key performance targets for the year ahead. It is important to note that the proposed budget (comprising both income and expenditure targets) to be transferred to the

Care Trust in 2010/11 is detailed in Report 20/2010.

- 3.3 The performance targets relate to the national performance indicators used by the Care Quality Commission to monitor and judge adult social care performance. It is important to note that the judgement of the performance of adult social care (star rating) is of the Council even though the Council has delegated responsibility for the delivery of adult social care. This is because the Council is accountable for the performance of these delegated statutory functions. Full details of the Care Quality Commission assessment process for 2011/12 are not known. It is expected that the Care Trust and the Council will comply with any variation to the assessment regime as it becomes known.
- 3.5 If the proposed performance targets are met in full by March 2012 the Care Trust will remain eligible for a judgement of performing well using the Care Quality Commission criteria that have existed until recently. However, other factors such as the results of any specific service inspections impact on the final performance judgement. Success also impacts on the Community Plan's priorities relating to 'stronger communities'.

For more detailed information on this proposal please refer to the supporting information attached.

**Anthony Farnsworth
Chief Executive of Torbay NHS Care Trust**

Supporting information to Report 76/2011

A1. Introduction and history

- A1.1 The Annual Strategic Agreement (ASA) is legally binding and is produced under the auspice of the Council's Partnership Agreement with the Care Trust. It is a requirement that the ASA be agreed before the start of a new financial year.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

The proposed performance targets, if met, equate to at least a performing well performance using current Care Quality Commission criteria, and assuming all other performance levels being equal to those of 2010/11, as achieved in the 2010 assessment.

The proposed targets are judged to be achievable within the envelope of resources made available to the Trust by the council. To set them at a higher level increases the risk of them not being achieved and therefore the Council would be open to criticism from the Care Quality Commission. To set them lower would not enable us to ensure a continued trajectory of improved performance overall.

A3. Other Options

- A3.1 The proposed agreement is required by the legally binding Partnership Agreement between Council and Torbay NHS Care Trust. This is subject to improvement and future delivery options will be explored as part of the review of the partnership agreement detailed in Appendix 1.

A4. Summary of resource implications

- A4.1 Proposed performance targets are based on proposed revenue, grant and income targets laid out in Report 347/2011, which includes efficiency targets.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

- A5.1 Achievement of the proposed ASA and its proposed targets will work towards reducing health and well-being inequalities, and promote access to services regardless of race, gender, disability, age, sexual orientation, religion or belief. Indeed, the ASA represents one of the most important vehicles by which the Council is seeking to create a more equal Bay. In addition, successful implementation of the ASA, which includes focus and targets around the community inclusion and safety of vulnerable adults will support the Council's efforts to reduce crime and disorder.
- A5.2 The key foci for 2011/12 are: greater service user involvement; additional resources for more deprived areas to reduce inequalities; adult safeguarding; personalisation (whereby people commission their own services and supports via direct payments or individual budgets); preventative services; reviewing and improving access to employment for vulnerable people; better integrated

community and services for older people and people with dementia; assisting people with mental health issues and those with substance misuse problems.

A6. Consultation and Customer Focus

A6.1 After a process of negotiation with the Care Trust, the draft ASA has been considered by Overview and Scrutiny.

A7. Are there any implications for other Business Units?

A7.1 The Business Unit responsible for monitoring the ASA has been fully involved in preparing these proposals; no adverse implications have been identified.

A7.2 It is important that the ASA is fully considered by Children's Services in order to deliver improved transition between children and adult services and joint management of cases where the adult social care needs of a parent have implications for their children.

A7.3 Finance Services in scrutinising spend and in developing proposals for the future funding of Adult Social Care.

Appendices

Appendix 1 – Annual Strategic Agreement 2011/12

Background Papers:

The following documents/files were used to compile this report:

None