

**Report OSB/5/11 of the Overview and Scrutiny Board
to the meeting of the Cabinet to be held on 22 March 2011**

**Annual Strategic Agreement between Torbay Council and Torbay NHS Care
Trust for the delivery of Adult Social Care 2011/2012**

1. At its meeting on 16 March 2011, the Overview and Scrutiny Board considered Report 63/2011 which set out the draft Annual Strategic Agreement (ASA) between the Council and the Care Trust for the delivery of Adult Social Care for 2011/2012. The Agreement provides a 'commissioning framework' for the Council by, amongst other things, setting out the financial inputs for the year ahead and the key performance targets for the year ahead.
2. The Cabinet Member for Health and Wellbeing and Housing and the Deputy Chief Executive of Torbay Care Trust attended the meeting to answer the questions of the Board in relation to the draft Agreement.
3. Having asked a number of questions in relation to the targets being proposed and the financial risk share arrangements between the Council and the Care Trust, the Board agreed that the following comments be made to the Cabinet:

This Board believes that there are significant issues not covered within the Annual Strategic Agreement as currently drafted and that it should be substantially more populated prior to its approval at Council. Inadequate information was presented to the Board and questions that the Board asked were not able to be answered at the meeting.

The Deputy Chief Executive of the Care Trust was not able to confirm to the Board the impact of the reduced level of resources available to it and therefore the Board was unable to make any conclusions about whether the Agreement was achievable or realistic.

For example:

The targets set out in relation to NI130 (Social care clients receiving self directed support per 100,000 population) (paragraph 2.4) are disproportionately higher than the benchmark and therefore there is concern about the validity of this target.

No information is provided about the actual numbers of people impacted by the targets in the table at paragraph 2.5.

There are no benchmarking comparisons included within the table at paragraph 2.7 and so no conclusion can be reached about the validity or otherwise of this target.

There is currently no agreement on the financial risk share arrangements between the Council and the Care Trust. Given the current financial position of both the Council and the Care Trust, this is a significant issue as the Council could be much more exposed to a much higher level of risk than in previous years.

In addition, without knowing the effect of the budget reductions facing the Care Trust, there could be critical risk issues for the most vulnerable within the community and therefore councillors would be derelict in their duty to approve the Agreement as it is currently drafted.