

# Adult Social Care (“People At The Heart Of Social Care”) Reform Programme and Fair Cost of Care Exercises

August 2022



**DARLINGTON**  
Borough Council

# Overview

The Government have published a set of mutually reinforcing reforms which include:

- the Health and Social Care Act 2022,
- **Health and social care integration: joining up care for people, places and populations-** a white paper which is part of the government's commitment to transform the delivery of care in England following the Prime Minister's announcement on reforms for health and social care through the Build Back Better: Our Plan for Health and Social Care and
- the adult social care reform white paper- People at the Heart of Care.



# The Health and Social Care Act 2022

- **Return of CQC assessment of council adults' services**
- **Secretary of state default powers in relation to adult social care**
- **Removal of delayed discharge regime**
- **Integrated care boards and integrated care partnerships**
- **Duty to co-operate**
- **Adult social care provider payments**
- **Cap on care costs**
- **New safeguarding body**
- **Mandatory learning disability and autism training**
- **Professional regulation**
- **Information sharing and standards**



# Key elements for Adult Social Care

1. Charging reforms
2. Fair cost of care- market capacity and sustainability
3. CQC Assurance framework
4. Integrated Care Partnerships



# 1. Charging Reform Requirements

There are four separate elements:

- increased assessments, reviews, and care management responsibilities.
- an increase in both the lower and higher thresholds which affect when the public sector starts to pay for care and how much it contributes.
- the introduction of the cap which limits the amount that individuals might contribute towards their cap.
- the implementation of Section 18 (3) of the Care Act for those in care homes. This means that self-funders can ask the local authority to commission care at local authority fee levels which would be at the local Fair Cost of Care



## 2. People at the Heart of Care White Paper and Fair Cost of Care (FCOC) Exercises

The white paper sets out an ambitious 10-year vision for how support and care in England will be transformed and revolves around 3 objectives:

- People have choice, control and support to live independent lives
- People can access outstanding quality and tailored care and support
- People find adult social care fair and accessible

Local Authorities have a duty to promote efficient and effective care market ensuring services are diverse, sustainable, and high quality for the local population, including those who pay for their own care

Paying below a FCOC risks undermining local markets, creates unfairness, affects sustainability and, at times, can lead to poorer quality outcomes for those who receive these services.





# Fair Cost Of Care Exercises

**All councils must complete Cost of Care (CoC) exercises for 65+ care homes and 18+ domiciliary care by 14 October 2022.** Exercises will need to accurately reflect local costs such as staff pay and travel time.

**All councils must complete a Market Sustainability Plan (MSP)** – a 3-year strategic plan for how councils will influence local social care sector to meet local needs.

- A final market sustainability plan, which sets out how the local authority will move towards the fair cost of care calculated in their exercise as part of their 2023 to 2024 budget setting process, is to be submitted in **February 2023.**

The MSP must include information on:

- Current challenges and local circumstances
- Existing fee position, cost of care exercises and expected implications of 18(3)
- Future approach and models of care and how the council will move towards sustainable fee rates

**All councils must submit a spend report detailing how the 2022/23 funding is to be spent.**



## 3. CQC Assurance Framework

Return to inspections of Adult Social Care.

Inspections start from April 2023.

Ratings may or may not be re-introduced.

4 key themes:

1. Working with people (inc unpaid carers) - assessing needs, care planning and review, direct payments, charging policy, supporting people to live healthier lives, prevention, well-being, information and advice
2. Providing support – market shaping, commissioning, workforce capacity and capability, integration and partnership working
3. Ensuring safety - safeguarding enquiries, reviews, Safeguarding Adult Board, safe systems and continuity of care, safe systems and continuity of care
4. Leadership - culture, strategic planning, learning, improvement, innovation, governance, management and sustainability.

Each of the themes has several quality statements and 'I' statements within it





# 4. Integrated Care Board

- **Integrated Care Boards (ICBs)** are statutory ORGANISATIONS that bring NHS and care organisations together locally to improve population health and establish shared strategic priorities within the NHS.
- Established from July 1<sup>st</sup> and replace Clinical Commissioning Groups and succeed Sustainability and Transformation partnerships.
- **The Main objective is to Improve outcomes in population health and health care by:**
  1. Use of digital and data
  2. Strategic commissioning
  3. Partnerships
  4. Delivering Value for Money and Productivity



# What does it mean for Darlington Borough Council?

- Significant practice changes – workforce, training, financial assessment
- Costs and capacity
- Resourcing Requirements
- Funding from Government
- Timescales
- Communication to public, members, partners



# Understanding the costs

- Increased annual price and pay inflation above previous budget planning assumptions in line with a local authority's overall increased expenditure on adult social care services (including implications of the Fair Cost Of Care )
- Increased resources required to manage contacts / enquiries from residents and provide information, advice and advocacy. This is likely to include both increased internal resources and potentially increases to the scale of contracts with external organisations for these services (typically provided by the voluntary sector).
- The need to implement and maintain new systems or adaptations to existing systems to enable Care Accounts to be set up and people's metering towards the cap to be tracked. These systems will then need to be integrated with the main adult social care system to enable a smooth transition when people reach their cap.



- Potential increases to adult social care debt, as people may be less willing to pay charges before they reach their cap and subject to policy decisions the total amount local authorities bill may increase (dependent in part on whether local authorities can pay people direct payments net of assessed charges).
- Increased resources required in other parts of the Council, for instance Finance, Procurement, Legal services, Communications and website information, both during the implementation and for potentially ongoing.



# National Funding for the Reforms

- To support their 10-year vision, the Government have provided the following funding streams (the main ones of which are outlined below) :

To support the undertaking of the FCOC Exercises, 3 tranches of funding totalling £1.4bn will be allocated to Councils which will be distributed using the adult social care relative needs formula, as is used for the Social Care Grant and iBCF.:

- In 2022/23 - £162m – up to 25% of this funding can be used to by councils to support work on cost of care and 18(3) with 75% expected to go to providers through increased rates
- In 2023/24 - £600m – 100% is expected to go to providers through increased rates
- In 2024/25 - £600m – 100% is expected to go to providers through increased rates



# Actions:

- Report to COE- Implementation of Fair Cost of Care/Reforms Detailing -Implications, risks, timeline and requesting resources required
- Programme management team established and plan of action agreed.
- Fair Cost of Care exercise undertaken. Work on estimating increased cost of providing care/implications/future resources required.
- Communication strategies to be developed and initiated.
- Regular updates to Scrutiny and COE.
- Baseline assessment of Adult Social Care teams

