

# Public Document Pack

**Tony Kershaw**

Director of Law and Assurance

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7 June 2022

## Health and Adult Social Care Scrutiny Committee

A meeting of the Committee will be held at **10.30 am** on **Wednesday, 15 June 2022** at **County Hall, Chichester, PO19 1RQ**.

**The meeting will be available to watch live via the Internet at this address:**

<http://www.westsussex.public-i.tv/core/portal/home>.

**Tony Kershaw**

Director of Law and Assurance

### Agenda

#### Part I

10.30 am      1.      **Election of Chairman**

The Committee is asked to elect a Chairman for 2022-23 from the county councillors on the Committee (as listed below).

Cllr Ali, Cllr Atkins, Cllr A Cooper, Cllr Dunn, Cllr Forbes, Cllr Nagel, Cllr O'Kelly, Cllr Patel, Cllr Pudaloff, Cllr Wall and Cllr Walsh.

If the election is contested, a secret ballot will be held in accordance with Standing Order 2.17.

10.35 am      2.      **Election of Vice Chairman**

The Committee is asked to elect a Vice Chairman for 2022-23 from the county councillors on the Committee (as listed below).

Cllr Ali, Cllr Atkins, Cllr A Cooper, Cllr Dunn, Cllr Forbes, Cllr Nagel, Cllr O'Kelly, Cllr Patel, Cllr Pudaloff, Cllr Wall and Cllr Walsh.

If the election is contested, a secret ballot will be held in accordance with Standing Order 2.17.

10.40 am      3.      **Business Planning Group Membership** (Pages 5 - 6)

Report by the Director of Law and Assurance.

The Committee is asked to review the membership of the Business Planning Group in view of the Chairman and Vice-Chairman appointments. The Group should have five members including the Committee's Chairman, Vice-Chairman and at least two minority group members.

4. **Committee Membership**

The Committee to approve the co-opted membership of the Committee as follows: -

Cllr Bangert (Chichester District Council)  
Cllr Bevis (Horsham District Council)  
Cllr Loader (Adur District Council) – TBC  
Cllr Peacock (Mid Sussex District Council) – TBC  
Cllr Pendleton (Arun District Council)  
Vacancy – Crawley Borough Council  
Vacancy – Worthing Borough Council  
Katrina Broadhill – Healthwatch West Sussex

10.45 am 5. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

10.50 am 6. **Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances, including cases where the Committee needs to be informed of budgetary or performance issues affecting matters within its terms of reference, which have emerged since the publication of the agenda.

7. **Part II Matters**

Members are asked to indicate at this stage if they wish the meeting to consider bringing into Part I any items on the Part II agenda.

8. **Minutes of the last meeting of the Committee** (Pages 7 - 12)

The Committee is asked to agree the minutes of the meeting held on 7 March 2022 (cream paper).

10.55 am 9. **Responses to Recommendations** (Pages 13 - 16)

The Committee is asked to note the responses to

recommendations made at the 7 March meeting.

11.00 am      10.      **Care Quality Commission Inspection of University Hospitals Sussex NHS Foundation Trust (To Follow)**

Report by University Hospitals Sussex NHS Foundation Trust.

For the Committee to seek assurance and review the actions taken following the Care Quality Commission Inspection of University Hospitals Sussex NHS Foundation Trust.

11.40 am      11.      **Work Programme Planning and Possible Items for Future Scrutiny**

The Committee is asked to review its current draft work programme taking into account the Forward Plan of Key Decisions and any suggestions from its members for possible items for future scrutiny.

If any member puts forward such an item, the Committee's role at this meeting is to assess, briefly, whether to refer the matter to its Business Planning Group to consider in detail.

(a)      **Forward Plan of Key Decisions** (Pages 17 - 24)

Extract from the Forward Plan dated 6 June 2022 – attached.

An extract from any Forward Plan published between the date of despatch of the agenda and the date of the meeting will be tabled at the meeting.

The Committee is asked to consider whether it wishes to enquire into any of the forthcoming decisions within its portfolio.

(b)      **Work Programme** (Pages 25 - 28)

The Committee to review its draft work programme taking into consideration the checklist at Appendix A.

11.50 am      12.      **Requests for Call-in**

There have been no requests for call-in to the Committee and within its constitutional remit since the date of the last meeting. The Director of Law and Assurance will report any requests since the publication of the agenda papers.

13.      **Date of Next Meeting**

The next meeting of the Committee will be held virtually on 8 July 2022 at 10.30 am. Probable agenda items include:

- End of year Performance and Resources Report

Any member wishing to place an item on the agenda for the meeting must notify the Director of Law and Assurance by 21 June 2022.

## **Part II**

11.55 am      14.      **Shaw Healthcare Contract** (Pages 29 - 34)

Report by the Assistant Director Commissioning.

The report outlines the performance against the Shaw Healthcare Ltd contract and the plans for ensuring the contract provides the services required to meet demand in the future.

15.      **Exclusion of Press and Public**

The Committee is asked to consider in respect of the following item whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Part I of Schedule 12A of the Local Government Act 1972, as indicated below, and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

Exempt: Paragraph 3, financial or business affairs of any person (including the authority).

16.      **Shaw Healthcare Contract Appendix** (Pages 35 - 38)

Report by the Assistant Director Commissioning (**for members of the Committee only**).

**To all members of the Health and Adult Social Care Scrutiny Committee**

## **Webcasting**

Please note: this meeting is being filmed for live and subsequent broadcast via the County Council's website on the internet. The images and sound recording may be used for training purposes by the Council.

Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

## **Health and Adult Social Care Scrutiny Committee**

**15 June 2022**

### **Report by Director Law and Assurance**

#### **Appointment of the Committee's Business Planning Group**

##### **1. Introduction**

- 1.1 As set out in the County Council Constitution, each Scrutiny Committee must set up a business planning group (BPG) to oversee the Committee's work programme and prioritise issues for consideration by the Committee.
- 1.2 BPGs should have five members, be cross-party (three members from the majority political group on the County Council and two from the minority group(s)) and include the Chairman and Vice Chairman of the Scrutiny Committee. Other members of the committee may be invited to attend individual meetings as appropriate. The Chairman of the Scrutiny Committee will be the Chairman of the BPG. Membership is reviewed annually. Members should not serve on more than one BPG.
- 1.3 The BPG membership will be agreed at the meeting on 15 June 2022.
- 1.4 BPGs meet approximately quarterly, but they also carry out their work outside meetings (e.g. reviewing and discussing issues via e-mail; virtual meetings using teleconferencing facilities).
- 1.5 The Committee is asked to agree the appointment of five members to the BPG (with the membership as set out in paras 1.2 of this report).

##### **2. Role of Business Planning Group (BPG)**

- 2.1 BPG responsibilities include:
  - Overseeing the work programme for the Committee and prioritising issues for consideration by the Committee, including the proposed methodology and time tabling.
  - Agreeing objectives and planned outcomes for agenda items, and any witnesses to be invited and/or any visits or further information required by the Committee prior to its formal scrutiny of an issue.
  - Establishing Scrutiny Task and Finish Groups (TFGs)

##### **3. Implications**

- 3.1 There are no resource, risk management, social value, Crime and Disorder Act or Human Rights Act implications arising directly from this report.

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Rachel Allan, Senior Advisor, 0330 222 8966

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## **Health and Adult Social Care Scrutiny Committee**

7 March 2022 – At a meeting of the Health and Adult Social Care Scrutiny Committee held at 10.30 am at County Hall, Chichester, PO19 1RQ and via Teams.

Present: Cllr Wall (Chairman)

Cllr A Cooper	Cllr O'Kelly	Cllr Bevis
Cllr B Cooper	Cllr Pudaloff	Cllr Burgess, Left after
Cllr Forbes	Cllr Walsh, Left after item	item 6.
Cllr McGregor	6.	Cllr Peacock
Cllr Nagel	Katrina Broadhill	Cllr Pendleton
	Cllr Bangert	

Apologies were received from Cllr Bence, Cllr Atkins and Cllr Loader

Absent: Cllr Patel

Also in attendance: Cllr A Jupp and Cllr Lanzer

### **35. Declarations of Interest**

35.1 In accordance with the code of conduct, the following personal interests were declared: -

- Cllr A Cooper in respect of item 5, Proposal to Change Neonatal Services in West Sussex, as a governor of University Hospitals Sussex NHS Foundation Trust
- Cllr Pudaloff in respect of item 6, Adults' Services Quality Assurance Update, as a former user of Adults' Services

### **36. Minutes of the last meeting of the Committee**

36.1 The Committee agreed to change the word 'co-produced' to 'co-designed' in minute 35, recommendation v.

36.2 Resolved – that with the change above, the minutes of the meeting held on 21 January 2022 are approved as a correct record and are signed by the Chairman.

### **37. Responses to Recommendations**

37.1 Resolved – that the Committee notes the responses to recommendations made at its 21 January 2022 meeting.

### **38. Proposal to Change Neonatal Services in Western Sussex**

38.1 The Committee scrutinised a report by NHS England Specialised Commissioning Southeast (copy appended to the signed minutes).

38.2 Summary of responses to committee members' questions and comments: -

- Only the Chichester neonatal unit at St Richard's hospital was shown on the map of Thames Valley & Wessex Neonatal Units as this is the only one affected by the proposed change
- NHS England would work with the maternity partnership and the charity for premature and sick babies (Bliss) to ensure all users of maternity services are included in the consultation to get an understanding of their views of the impact of change on them
- Staff have been aware of the proposal for some time and had been engaged with extensively
- A service level agreement between staff at St Richard' and Queen Alexandra hospitals would be developed to maintain key skills in life support and resuscitation amongst staff
- The proposal was about improving safety and quality, not savings
- There is a well-established link with babies born below 27 weeks at Chichester being transferred to Queen Alexandra hospital, Cosham where there are facilities for parents that need to stay over
- There are care co-ordinators at neonatal centres and clinical psychologists to offer emotional/mental health support to parents
- There are good public transport links between Chichester and Portsmouth
- Moving premature/sick babies can be detrimental to them, so it is better that they be delivered at a special unit with 24/7 cover
- People will know their pathways early
- The neonatal unit at St Richard's hospital does not meet national standards so has to go through this process as do all others that do not meet the standards

38.3 Resolved – that: -

- i. The engagement strategy includes engagement with current and past service users
- ii. The Committee is provided with further information on any cost savings this proposal will bring, and where any identified savings will be reattributed to
- iii. The Business Planning Group to consider if neonatal services in the rest of West Sussex need to be added to the Work Programme, including relevant data and any impact on hospital sustainability when services are changed
- iv. The Committee concludes that this is not a substantial variation, and supports the proposals in the report

**39. Adults' Services Quality Assurance Update**

- 39.1 The Committee scrutinised a report by the Executive Director of Adults and Health (copy appended to the signed minutes).



39.2 Summary of responses to committee members' questions and comments: -

- A range of approaches was used to get customer feedback including 'Making Safeguarding Personal' surveys, complaints, learning from reviews, safeguarding adults reviews and the customer and carers group
- The six-monthly Quality Assurance update reports to the Committee will include themes from audits
- The Mental Health Quality Assurance Framework reflects ongoing learning
- Implementing the Quality Assurance Framework (QAF) will be done within current resources, as it is part of the Council's core business
- Summaries and podcasts of bulletins are produced
- Audits were co-designed with staff who are on board with them
- The QAF is focussed on the Council's practice, not external organisations. The only link to primary care is through referrals either way
- Over time the QAF will contain more detail of e.g., audits and key themes/trends
- The collection of quantitative data was paused during covid, so it is hard to compare with pre-pandemic data
- At year end, national data should be available against which the Council can measure its performance and benchmark against other authorities. Early data should appear in Summer with full data published in Autumn
- Trends in self-neglect had been identified and training introduced as a result
- Team meetings discussed trends
- The new complex case forum is a senior management group that oversees the most complex cases. This is supported by a multi-agency risk management group that discusses cases across West Sussex
- One of the themes identified is professional curiosity, looking wider than the individual e.g., their rooms and communal areas when visiting them in care homes
- The Ethical Decision-Making Audit Tool supported audits of practice. It is not the only tool used to understand the quality of practice, performance of the Council, or how the Council engages with partners in terms of understanding what it is currently doing and will be doing in future and can be adjusted
- The QAF is how the Council supports people, carries out assessments and develops care plans to meet their needs in line with its statutory duty
- Case file records should show if people think their needs are not being met
- Learning from the Ombudsman and complaints are considered and can be part of future reports

39.3 Resolved – that the Committee: -

- i. Agrees to the running of a separate workshop on the audit process

- ii. Requests that future quality assurance updates to the Committee include further detail on how feedback from service users is captured, learning from Local Government Ombudsman complaints and trends and learning being identified from audit data when appropriate
- iii. Requests that future performance and resources reports to the Committee include benchmarking data

**40. End of December 2021 (Quarter 3) Quarterly Performance and Resources Report**

40.1 The Committee scrutinised a report by the Director of Law and Assurance (copy appended to the signed minutes).

40.2 Summary of responses to committee members' questions and comments: -

- The full report on local activity around Stoptober will be shared with the Committee
- The Government has set a target of smokers being 5% or less of the population by 2030 – it is currently about 12%
- Health inequalities are exacerbated by smoking
- The Council will promote non-smoking day on 9 March
- Recruitment of social workers and occupational therapists was a challenge with vacancy rates around 15% and 12% respectively
- The coming year's budget includes £2m to match social worker pay with other local authorities – this will be reflected in recruitment campaigns
- There have been a lot of care assessments of increasing need lately, but the number of people in residential care was expected to go down against the Council's three year target
- The Cabinet Member for Public Health & Wellbeing was willing to consider the addition or amendment of key performance indicators to include one about people's activity
- The Cabinet Member for Public Health & Wellbeing would consider the best way for members of the Committee and the Health and Wellbeing Board to work together to address performance measures in health and wellbeing
- Sustainability in the care market is a local and national issue
- It is difficult to meet the needs within resources of the growing number of older people and those with disabilities and mental health issues
- The Council is developing a market sustainability plan with providers regarding recruitment and retention, including overseas recruitment, and to develop community-based services and dementia nursing care
- The Council had agreed to invest significantly in services next year to meet challenges
- The Council was a low performer in learning disability employment before Covid and will still be below average even if it meets its target – proposals to address this will be a focus of the Adults Strategy and can be scrutinised at a future date

- The Department of Health and Social Care requires care packages to be reviewed each year if performance on learning disability performance is to be counted
- Although the Council has invested in reablement, this service has been affected by recruitment difficulties and large numbers of people discharged from hospital needing care – it was hoped that this would improve in the near future
- The average gross weekly cost of older people's care since April 2018 has increased despite the number of people being cared for at home going up, and the number in residential care going down – this is due to more expensive care package costs

40.3 Resolved – that the Committee asks: -

- i. For the full report on the results of the smoking cessation programme to be shared with the Committee when available, and for the Business Planning Group to consider if any aspects of this is required for future scrutiny
- ii. The Cabinet Member for Health and Wellbeing and the Business Planning Group to consider if a wider discussion on public health performance is required through wider determinate data, possibly in conjunction with the Health and Wellbeing Board
- iii. The Business Planning Group to consider if performance supporting adults with learning disabilities in work should be scrutinised further, this could be as part of the broader work already planned for 2023/24.
- iv. To receive a breakdown in costs of residential and non-residential care and data on workforce vacancies

#### **41. Work Programme Planning and Possible Items for Future Scrutiny**

41.1 The Committee considered its work programme taking into account the Forward Plan of Key Decisions and suggestions from members.

41.2 Resolved – that the: -

- i. Committee receives an update, as per the Work programme on the provision of services for older people with mental health issues in the west of the county
- ii. The Committee to be provided with an update on the Integrated Care System at its June meeting
- iii. The Business Planning Group considers whether an item on discharge pathways should be added to the Work Programme

#### **42. Date of Next Meeting**

42.1 The next meeting of the Committee will take place on 15 June 2022.

The meeting ended at 12.48 pm

Chairman

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## Proposal to Change Neonatal Services in Western Sussex

Request	Responder	Response
The engagement strategy includes engagement with current and past service users	NHS England	<p>A six week engagement process is starting in June. This will consist of:</p> <ul style="list-style-type: none"> <li>• Posters on the unit and in the antenatal clinic that includes details on how to give feedback on proposals</li> <li>• An online questionnaire</li> <li>• A paper version of the questionnaire available on the unit and in the antenatal clinic</li> <li>• A letter and information sheet that will be sent to current and past service users by the trust to ensure this is compliant with IG, with a link to the online questionnaire as well as details on how to feed back on the proposal via post or e-mail</li> <li>• A face to face meeting at St Richard's open to the public with current &amp; past service users invited</li> <li>• A virtual meeting open to the public with current &amp; past service users invited</li> <li>• Social media with links to questionnaire and information about face to face and virtual meeting.</li> <li>• Trust newsletter</li> </ul> <p>The engagement process will conclude in July. We will then take all feedback into account,</p>

		<p>address any concerns or make any changes necessary based on the feedback received.</p> <p>The proposed go live date for the change in service would be 1st September 2022 subject to no substantial changes to the proposal being required.</p>
The Committee is provided with further information on any cost savings this proposal will bring, and where any identified savings will be reattributed to	NHS England	<p>No significant cost savings are expected for NHS England and NHS Improvement as this change will only effect a very small number of babies each year (less than 10).</p> <p>Some of these babies are also expected to be repatriated back to St Richard's for further recovery as part of their transition home.</p> <p>Staff numbers at the St Richard's Hospital unit will remain the same.</p>

### Adults' Services Quality Assurance Update

Request	Responder	Response
Agrees to the running of a separate workshop on the audit process	Cabinet Member for Adults	Democratic Services will work with service to set this up.
Requests that future quality assurance updates to the Committee include further detail on how feedback from service users is captured, learning from Local Government Ombudsman complaints and trends and learning being identified from audit data when appropriate	Cabinet Member for Adults	This will be included in the next Quality Assurance Update to Committee.

Requests that future performance and resources reports to the Committee include benchmarking data	Cabinet Member for Adults	This will be available when the national data is published in the Autumn and will be included in the performance and resources reporting to Committee.
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### End of December 2021 (Quarter 3) Quarterly Performance and Resources Report

Request	Responder	Response
For the full report on the results of the smoking cessation programme to be shared with the Committee when available, and for the Business Planning Group to consider if any aspects of this is required for future scrutiny (Stoptober Report)	Cabinet Member for Health and Wellbeing	To be shared with Committee when available.
The Cabinet Member for Health and Wellbeing and the Business Planning Group to consider if a wider discussion on public health performance is required through wider determinate data, possibly in conjunction with the Health and Wellbeing Board	Cabinet Member for Health and Wellbeing	This will be added to the BPG's agenda on 27 April 2022 ( <i>can add an update to this dependent on the outcome of the BPG</i> ).
To receive a breakdown in costs of residential and non-residential care and data on workforce vacancies	Cabinet Member for Adults	The Director will provide a written update to Committee Members.

### Work Programme Planning and Possible Items for Future Scrutiny

Request	Responder	Response
Committee receives an update, as per the Work programme on the provision of services or older people with mental health issues in the west of the county	Democratic Services	This is on the Work Programme, and an update provided to a future Business Planning Group.
The Committee to be provided with an update on the Integrated Care System at its June meeting	Cabinet Member for Adults	Considered by the Business Planning Group, will be provided as an update to all members at an appropriate time.







## Forward Plan of Key Decisions

The County Council must give at least 28 days' notice of all key decisions to be taken by councillors or officers. The Plan describes these proposals and the month in which the decisions are to be taken over a four-month period. Decisions are categorised according to [Cabinet Member](#) portfolios.

The most important decisions will be taken by the Cabinet sitting in public. The meetings are also available to watch online via our [webcasting website](#). The [schedule of monthly Cabinet meetings](#) is available on the website.

The Forward Plan is updated regularly and key decisions can be taken on any day in the month if they are not taken at Cabinet meetings. The [Plan](#) is available on the website. [Published decisions](#) are also available via the website.

A key decision is one which:

- Involves expenditure or savings of £500,000 or more (except treasury management); and/or
- Will have a significant effect on communities in two or more electoral divisions in terms of how services are provided.

The following information is provided for each entry in the Forward Plan:

<b>Decision</b>	A summary of the proposal.
<b>Decision By</b>	Who will take the decision - if the Cabinet, it will be taken at a Cabinet meeting in public.
<b>Date added</b>	The date the proposed decision was added to the Forward Plan.
<b>Month</b>	The decision will be taken on any working day in the month stated. If a Cabinet decision, it will be taken at the Cabinet meeting scheduled in that month.
<b>Consultation/Representations</b>	How views and representations about the proposal will be considered or the proposal scrutinised, including dates of Scrutiny Committee meetings.
<b>Background Documents</b>	The documents containing more information about the proposal and how to obtain them (via links on the website version of the Forward Plan). Hard copies are available on request from the decision contact.
<b>Author</b>	The contact details of the decision report author
<b>Contact</b>	Who in Democratic Services you can contact about the entry

### Finance, assets, performance and risk management

Each month the Cabinet Member for Finance and Property reviews the Council's budget position and may take adjustment decisions. A similar monthly review of Council property and assets is carried out and may lead to decisions about them. These are noted in the Forward Plan as 'rolling decisions'.

Each month the Cabinet will consider the Council's performance against its planned outcomes and in connection with a register of corporate risk. Areas of particular significance may be considered at the scheduled Cabinet meetings.

Significant proposals for the management of the Council's budget and spending plans will be dealt with at a scheduled Cabinet meeting and shown in the Plan as strategic budget options.

For questions contact Katherine De La Mora on 033 022 22535, email [katherine.delamora@westsussex.gov.uk](mailto:katherine.delamora@westsussex.gov.uk).

**Published: 6 June 2022**

## Forward Plan Summary

### Summary of all forthcoming executive decisions in Cabinet Member portfolio order

Decision Maker	Subject Matter	Date
Director of Adults and Health	YMCA Blended Counselling Contract Extension	June 2022
Director of Adults and Health	Extension of Commissioning Arrangements for Care and Support at Home	June 2022
Director of Adults and Health	Hospital Discharge Care Commissioning	June 2022
Director of Adults and Health	Commissioning of A Place to Live Services and Supported Living Services (Adults with Learning Disability)	June 2022
Director of Adults and Health	Integrated Community Equipment Service Contract Award	August 2022
Director of Public Health	Integrated Sexual Health and HIV Services Contract Extension	June 2022
Director of Public Health	Community Advice and Support Service Award of Contract	August 2022

## Adults Services

### Director of Adults and Health

YMCA Blended Counselling Contract Extension	
<p>The Contract with YMCA Downlink to provide Blended Counselling began in November 2018, to run three years until October 2021, with the facility for a 2 year extension.</p> <p>The contract is monitored quarterly by the Children and Young People Joint Commissioning Unit and is fully funded through Clinical Commissioning Group (CCG) funding which is then recharged to West Sussex County Council.</p> <p>Blended Counselling is a key component of West Sussex's Emotional Wellbeing Offer and throughout 2022-2022/23 YMCA Downlink will have a lead role in the implementation of the new West Sussex Single Point of Advice (SPOA).</p> <p>The service is currently funded at £462k p.a, and the CCG have agreed ongoing funding for the proposed extension period.</p> <p>The Director of Adults and Health is requested to extend the contract with YMCA Downlink to supply Blended Counselling for children aged 11-18 in West Sussex by applying the +2 year extension provision in the contract until 31<sup>st</sup> October 2023.</p>	
<b>Decision by</b>	Director of Adults and Health (Alan Sinclair)
<b>Date added</b>	23 February 2022
<b>Month</b>	June 2022

<b>Consultation/Representations</b>	Representations concerning this proposed decision can be made via the officer contact.
<b>Background documents</b> (via website)	None
<b>Author</b>	Linda Jones Tel: 033 022 28559
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

### Director of Adults and Health

<b>Extension of Commissioning Arrangements for Care and Support at Home</b>	
<p>Care and Support at Home services (also known as domiciliary care or home care) are purchased by the Council on behalf of people who have been assessed as having eligible social care needs. These services support people to maintain their independence through the provision of social care and support within a person's own home.</p> <p>The Council currently commissions the majority of these services from a framework agreement which commenced in 2015. In addition, the Council purchases from the wider market through a legacy contract and contingency arrangements. In June 2021 a decision was taken to extend the framework agreement until July 2022 (decision <a href="#">OKD02 (21/22)</a> refers).</p> <p>To enable stability of the market and to ensure commissioning takes account of wider forthcoming legislative and policy changes and Department of Health and Social Care requirements, the Director of Adults and Health will be asked to approve a further extension of the current contract arrangements.</p> <p>This extension will provide time to enable a Market Sustainability Plan to be completed, to assess the impact of legislation changes, and to ensure the market are in a position to respond. A new model of service for Care and Support at Home will be developed and approval to commence a procurement will be sought. This will be subject to a further decision to commence and subsequently award.</p>	
<b>Decision by</b>	Director of Adults and Health (Alan Sinclair)
<b>Date added</b>	26 April 2022
<b>Month</b>	June 2022
<b>Consultation/Representations</b>	Representations concerning this proposed decision can be made to the Director of Adults and Health, via the officer contact, by the beginning of the month in which the decision is due to be taken.
<b>Background documents</b> (via website)	Officer Key Decision OKD02 (21/22)
<b>Author</b>	Juliette Garrett Tel: 033 022 23748

<b>Contact</b>	Erica Keegan - 033 022 26050
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**Director of Adults and Health**

<b>Hospital Discharge Care Commissioning</b>	
<p>Decisions <a href="#">AS02 21/22</a> and <a href="#">OKD27 21/22</a> covered hospital discharge care commissioning as part of a seasonal pressures plan that spans to 2023. The council responds to seasonal pressures in partnership with NHS partners. The seasonal pressure plan includes the commissioning of both care and support at home and residential based service provision as well as other services that support hospital discharge or enable people to remain independent at home.</p> <p>The health and social care system continues to face pressures that has placed increased demands on services, exacerbated by the COVID-19 pandemic. Planning continues in order to avoid admission in and support discharges from hospital and support the flow across health and social care during pressured periods.</p> <p>As part of this work decision <a href="#">OKD61 21/22</a> detailed the winter 21/22 funding for commissioning provision that came from a mixture of council winter pressure funding and Hospital Discharge Payments (HDP). HDP came to an end on 31 March 2022 but locally funding was extended for 3 months in response to continued pressures. This funding is now due to cease on 30 June 2022. This decision will be taken once the health and social care system has confirmed the position from the 30 June and the council is then in a position to take the necessary action with respect to future commissioning arrangements.</p>	
<b>Decision by</b>	Director of Adults and Health (Alan Sinclair)
<b>Date added</b>	19 May 2022
<b>Month</b>	June 2022
<b>Consultation/Representations</b>	Representations concerning this proposed decision can be made via the officer contact.
<b>Background documents</b> (via website)	None
<b>Author</b>	Juliette Garrett Tel: 033 022 23748
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

**Director of Adults and Health**

<b>Commissioning of A Place to Live Services and Supported Living Services (Adults with Learning Disability)</b>
<p>A Place to Live Services (APTL) and the Supported Living Services (SLS) provide assistance and support to adults with learning disabilities who are resident in supported living accommodation in West Sussex. The SLS also provides outreach services for people living in their own home, helping adults with learning disabilities to live in their own homes in the community.</p>

Approval to procure these services was obtained in 2015 (decision [ASCH08 \(15/16\)](#) refers) and the contracts were let on a 6-year term, commencing 1st July 2016. The contracts were then extended for a further 15 months to 30 June 2022 (decision [OKD04\(21/22\)](#) refers).

Future contracting arrangements have been impacted by the Covid-19 pandemic, particularly for the Provider Market, where the Council acknowledges additional challenges because of responding to the emergency.

To allow sufficient time to identify options, codesign a detailed model and sourcing approach and implement this ahead of a future procurement process, the Director of Adults and Health will be asked to approve direct contract awards for a further 12 months until 30 June 2023 to ensure continuity of service. A revised timetable will allow the County Council to review viability of future delivery models and explore opportunities to enhance the service offer to meet increased customer need.

<b>Decision by</b>	Director of Adults and Health (Alan Sinclair)
<b>Date added</b>	30 May 2022
<b>Month</b>	June 2022
<b>Consultation/ Representations</b>	Representations concerning this proposed decision can be made via the officer contact.
<b>Background documents</b> (via website)	None
<b>Author</b>	Karen Young Tel: 0330 22 23794
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

### Director of Adults and Health

<b>Integrated Community Equipment Service Contract Award</b>
<p>West Sussex County Council (WSCC) has a contract with NRS Healthcare for the provision of Community Equipment Services. Community equipment (such as beds, chairs, perching stools and mattresses) is widely recognised as a cost-effective method of meeting eligible social care need and evidence suggests it is also effective in preventing, reducing and delaying the need for ongoing care, reducing unplanned admissions and enabling people to remain safe and independent in their own homes.</p> <p>The existing service expires on 31st March 2023. It is led and managed, via section 75 agreement, between West Sussex County Council and West Sussex CCG on behalf of the health and social care system. The annual cost, currently budgeted between £9-10 million, is split almost equitably between Health and Social Care. All equipment is prescribed by a range of professionals and attributable cost of each piece depends on circumstances, such as the location of the customer and the type of equipment.</p> <p>Following the decision taken to re-commission, to provide an all age countywide Integrated Community Equipment Service, it is proposed that once the tender process is</p>

complete the Director of Adults and Health will be asked to award the contract to the most economically advantageous bidder.	
<b>Decision by</b>	Director of Adults and Health (Alan Sinclair)
<b>Date added</b>	28 February 2022
<b>Month</b>	August 2022
<b>Consultation/ Representations</b>	Representations, on the proposed decision, can be made via the officer contact by the beginning of the month in which the decision will be taken.
<b>Background documents</b> (via website)	None
<b>Author</b>	Chris Jones Tel: 0330 022 28249
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

## Public Health and Wellbeing

### Director of Public Health

Integrated Sexual Health and HIV Services Contract Extension	
<p>The Council are mandated to commission open-access, comprehensive, sexual health services for the population of West Sussex. NHS England is responsible for the provision of HIV treatment and care services.</p> <p>In September 2019 (<a href="#">Report ref: OKD20 19/20</a>) the Director of Public Health approved the award of the Integrated Sexual Health Service and HIV Services contracts to Western Sussex Hospitals NHS Foundation Trust for an initial period of three 3 years, commencing 1<sup>st</sup> February 2020, with an option to extend for up to two years, in agreement with NHS England. The provider has now merged with a neighbouring NHS trust to become University Hospitals Sussex NHS Foundation Trust (UHSFT).</p> <p>This report requests that the Director of Public Health approves the contract extension for the provision of Integrated Sexual Health and HIV Services for the permitted two years from February 1st 2023 to 2025.</p>	
<b>Decision by</b>	Director of Public Health (Alison Challenger)
<b>Date added</b>	23 March 2022
<b>Month</b>	June 2022

<b>Consultation/ Representations</b>	Representations concerning this proposed decision can be made via the officer contact, by the beginning of the month in which the decision is due to be taken.
<b>Background documents</b> (via website)	None
<b>Author</b>	Patrick Stoakes Tel: 033 022 25314
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

**Director of Public Health**

<b>Community Advice and Support Service Award of Contract</b>	
<p><a href="#">Decision report PHW02 21/22</a> agreed the commencement of a procurement of a Community Advice &amp; Support service via an open tender process, from 1<sup>st</sup> April 2022 for a period of 3+3+1 years; that the County Council leads the tendering process on behalf of our funding partners, the West Sussex District and Borough Councils; and that authority is delegated to the Director of Public Health to award the contract to the successful bidder.</p> <p>The current demand for this service has grown and is still increasing, at the same time as facing the challenge of losing staff and volunteers to Covid19 isolation requirements. To ensure the Council receives high quality bids from organisations that would be able to mobilise a new county wide contract, with 7 local bases, it has been proposed that the new contract award is put back to 1<sup>st</sup> September 2022. To support this timeline change, a five month contract extension from, 1<sup>st</sup> April 2022 to 31<sup>st</sup> August 2022, has been authorised by the Director of Law and Assurance and the Director of Finance and Support Services at the value of £447,281.</p> <p>This decision asks the Director of Public Health to award the contract to the successful bidder following the tendering process.</p>	
<b>Decision by</b>	Director of Public Health (Alison Challenger)
<b>Date added</b>	15 February 2022
<b>Month</b>	August 2022
<b>Consultation/ Representations</b>	Representations concerning this proposed decision can be made via the officer contact, by the beginning of the month in which the decision is due to be taken.
<b>Background documents</b> (via website)	None
<b>Author</b>	Nikki Lewis Tel: 0330 022 26067
<b>Contact</b>	Erica Keegan Tel: 033 022 26050

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## Health and Adult Social Care Scrutiny Committee Work Programme 2022/23

Topic (including focus for scrutiny & focus)	Corporate or Service Priority	Performance, Outcome or Budget	Timing
<b>Committee Meetings</b>			
<b>Shaw Homes Contract</b> <ul style="list-style-type: none"> <li>To review performance against planned outcomes for the main contract for the provision of residential care and consider the impact of the contract variation one year on.</li> </ul>	Service	Performance	Jun 22
<b>Care Quality Commission Inspection of University Hospitals Sussex NHS Foundation Trust</b> <ul style="list-style-type: none"> <li>To review the actions taken to address issues raised by the inspection. Also covering midwifery.</li> </ul>	NHS	Outcome	Jun 22
<b>Progress update on Adult Social Care Strategy</b>	Service		Sept 22
<b>Access to Primary Care</b>	CCG	Outcome	Sept 22
<b>Financial Assessments Update</b>	Service	Outcome	Sept 22
<b>An update on the West Sussex Stroke Programme</b>	CCG	Outcome	Nov 22
<b>Update on mental health services transformation</b>	NHS		Nov 22
<b>Self-Harm</b> <ul style="list-style-type: none"> <li>Timing and focus for scrutiny to be determined by the BPG further to consideration of discussions at previous HASC meetings</li> </ul>	Service	Outcome	TBC
<b>The recommendations from the Task and Finish Group concerning Marjorie Cobby House and Shaw Day Service and the impact of closure</b>	Service	Outcome	TBC
<b>Informal information sharing sessions</b>			
<ul style="list-style-type: none"> <li><b>The overarching plan of how social care fits into the Integrated Care System</b> (All Member Session)</li> </ul>	Service	-	12 Nov 21
<b>Task and Finish Groups (TFGs)</b>			
<b>None</b>			
<b>Business Planning Group</b>			
<b>Work Programme Planning</b> <ul style="list-style-type: none"> <li>To consider updates from the services and stakeholders and consider whether any issues should be subject to formal scrutiny by HASC</li> </ul>	-	-	Dec 21

<b>Topic (including focus for scrutiny &amp; focus)</b>	<b>Corporate or Service Priority</b>	<b>Performance, Outcome or Budget</b>	<b>Timing</b>
<ul style="list-style-type: none"> <li>To consider if an item on discharge pathways should go to Committee</li> </ul>			
<b>Items raised by the committee in the previous council term</b> <ul style="list-style-type: none"> <li><b>Long Covid</b> – To investigate the impact/treatment of long Covid</li> <li><b>The award of block contracts for residential care and support services</b></li> </ul>	-	-	N/A
<b>Integration and Governance</b>			N/A
<b>Low Vision Services (To monitor – discuss when required)</b> <ul style="list-style-type: none"> <li>To consider the outcome of the consultation and confirm whether the item should be subject to further formal scrutiny by HASC, following a Joint Strategic Needs Assessment of services</li> </ul>	-	Outcome	N/A
The interface between the Local Transport Plan, which was subject to public consultation and public health outcomes with a focus on eliminating carbon			
<b>Committee Suggestions</b>			
A review of Care Point capacity			
Health Inequalities			
Dentistry			
Domestic Abuse			
Ambulance Response Times			
Health Provision in relation to new developments			

**Appendix A** - Checklist

## **Scrutiny Business Planning Checklist**

### **Priorities - Is the topic**

- a corporate or service priority? In what way?
- an area where performance, outcomes or budget are a concern? How?
- one that matters to residents? Why?

### **What is being scrutinised and Why?**

- What should the scrutiny focus be?
- Where can the committee add value?
- What is the desired outcome from scrutiny?

### **When and how to scrutinise?**

- When can the committee have most influence?
- What is the best approach - committee, TFG, one-off small group?
- What research, visits or other activities are needed?
- Would scrutiny benefit from external witnesses or evidence?

### **Is the work programme focused and achievable?**

- Have priorities changed – should any work be stopped or put back?
- Can there be fewer items for more in-depth consideration?
- Has sufficient capacity been retained for future work?

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**Key decision: Not applicable**  
**Unrestricted**  
**Ref:**

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## **Report to Health & Adult Social Care Scrutiny Committee**

**15 June 2022**

### **Shaw Healthcare Contract**

#### **Report by Assistant Director Commissioning**

**Electoral division(s): All**

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### **Summary**

The Council is 17 years into a 30 year contract with Shaw Healthcare Ltd. to provide 590 beds for residential and nursing care across the county. There have been challenges with occupancy within the services largely related to the impact of the pandemic and the Council is working with Shaw Healthcare Ltd on plans to improve this in the short term. In the longer term the Council will work with Shaw Healthcare Ltd around the changing demand position to ensure that the contract provides the right type of beds in the right area to meet the future need of the residents of West Sussex.

### **Focus for Scrutiny**

- 1)** The Committee is asked to consider the performance against the Shaw Healthcare Ltd contract and the plans for ensuring the contract provides the services required to meet demand in the future.
- 

### **Proposal**

#### **1 Background and context**

- 1.1** Prior to 2005 the County Council took the decision to no longer operate a number of care homes for older people. This decision led to an opportunity for interested parties to express an interest in providing the services. Consequently, the Council entered into a 30-year contract with Shaw Healthcare (West Sussex) Ltd in February 2005, to build and manage 12 care homes. Initially the services delivered care and support to those requiring help with physical frailty and dementia. Since 2009 Shaw Healthcare's portfolio (and registration) has extended to nursing.
- 1.2** The Council is 17 years into the block contract, which has a current contract value of £23.6m per annum. The Council commissions 590 beds. There are a further 160 beds available for people funding their own care.

- 1.3 In 2020 the contract was varied to reflect the changes in local policy, practice and legislation, namely changes to the eligibility threshold and enactment of the Care Act 2014. Through additional investment in staff and equipment 129 contract beds categorised as low to moderate need were changed to meet high and complex needs for residential and residential dementia provision for individuals funded by the Council.
- 1.4 The Shaw services have been significantly impacted by the pandemic including having to restrict admission into the services due to outbreaks within the homes. This has in turn impacted on the utilisation of the services and the need to commission more beds in the wider market.
- 1.5 In December 2021 the Department of Health and Social Care set out a requirement for all local authorities to complete a cost of care exercise and submit this along with a Market Sustainability Plan. A first draft of the Market Sustainability Plan must be submitted in October 2022 with a final due in February 2023. This plan presents an opportunity for the Council to review the position in advance of the Adult Social Care Reforms and having had full consideration of the local market position and the demand for services.

## **2 Proposal details**

- 2.1 A short term plan has been developed in consultation with Shaw Healthcare Ltd to support improvements in the occupancy levels of the services which are in turn expected to reduce the volume of wider market residential and nursing beds spot purchased on top of the block contract. This is largely focused on improving process, data and information and operational changes.
- 2.2 The Market Sustainability Plan along with other analysis completed is expected to provide a clearer picture of the services needed for all levels of residential and nursing care across West Sussex. This will inform commissioning intentions and plans over coming years. In addition, this year the Council is reviewing performance and delivery information on the Shaw Healthcare contract which will inform an understanding of the demand for the contracted provision in the future.
- 2.3 As a result of the development of this additional intelligence, the proposal is to embark on a full commissioning review of the provision within the Shaw Healthcare services to determine whether they deliver the right numbers of beds, of the right bed type in the right areas of the county. Where this does not represent the picture emerging within the research being undertaken, the Council will look to vary the contract further through negotiation with Shaw Healthcare Ltd to ensure that the contract is fit for purpose both now and for the future term of the contract.
- 2.4 The Committee is asked to consider in respect of this item's information contained in Appendix A whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Part I of Schedule 12A of the Local Government Act 1972, as indicated below, and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information (Exempt: Paragraph 3, financial or business affairs of any person (including the authority)).

## **3 Other options considered (and reasons for not proposing)**

- 3.1 To continue the service with the current configuration is an option, although it is likely that this will not meet the need and demand for services in the future, which may lead to underutilisation of the contract which presents a value for money risk.
- 3.2 To consider reconfiguration in advance of the Market Sustainability Plan would enable change of the contract earlier but this would not consider the full and necessary level of information and intelligence to ensure the service can deliver a good quality and value for money solution that meets the demand we anticipate.

#### **4 Consultation, engagement and advice**

- 4.1 The Council meets regularly with Shaw Healthcare Ltd to discuss and review performance of the contract and has been keeping the service provider up to date with plans for the commissioning review. Shaw Healthcare Ltd. is responsive to engaging with this process.
- 4.2 Adults Services Operational teams are involved in the review of processes and the short term plan changes and will be engaged with the process to consider future need and demand and services required to meet this.
- 4.3 Consideration of the feedback from residents of West Sussex to the recently produced strategy will be considered as part of the review process. Potential changes will be the subject of a communication and engagement plan that would include Shaw Healthcare residents and their families.

#### **5 Finance**

##### **5.1 Revenue consequences**

The cost of the Shaw contract in 2022/23 is £23.6m. This is payable in full by the Council irrespective of occupancy.

- 5.2 As a result of current levels of utilisation, the Council is needing to buy more beds in the wider market than otherwise would be necessary. This has become a major source of pressure for the Adults' budget, leading to an additional £4.5m being spent in 2021/22.

##### **5.3 The effect of the proposal:**

###### **(a) How the cost represents good value**

The proposal is to review the current contract to ensure that future development of the contract represents good value.

###### **(b) Future savings/efficiencies being delivered**

The current work to improve occupancy prior to any reconfiguration or contract variation has a target saving of £2.5m from the position as at March 2022 which represents savings to be made from commissioning in the wider social care market.

###### **(c) Human Resources, IT and Assets Impact**

Shaw Healthcare Ltd run services that are delivered in Council owned buildings. Any impact on these assets will be considered as part of any future contract variation and reconfiguration.

## 6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Ongoing restrictions to new admissions impact on ability to improve occupancy	Department of Health and Social Care and Public Health guidance must be followed and services restricted accordingly in relation to Covid outbreaks. Changes in guidance will be enacted accordingly and public health guidance sought. Operational teams map potential customers into services as restrictions are lifted. Shaw Healthcare follow infection control procedures according to the relevant guidance.
Reduction in long term demand impacts further on utilisation	A protocol to support a refocus to short term placements is in place where there is limited demand for referrals for long term placement within the service. Whilst these placements are not the primary focus, this enables placements to be filled where there are no immediate referrals for the placements.

## 7 Policy alignment and compliance

- 7.1 The Shaw Healthcare Ltd contract is supported by legal services in order to ensure that action taken under the contract is compliant with legislation and with the terms under the original contract.
- 7.2 As described in the body of the report, in order to ensure that Covid outbreaks are managed in line with guidance, advice and support is sought through public health.

Alan Sinclair  
**Director of Adults and Health**

### Contact Officers:

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**Appendix - Exempt under Part I of Schedule 12A of the Local Government Act 1972 Paragraph 3, financial or business affairs of any person (including the authority).**

**Background papers - None**

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