

Item: 6

Orkney Health and Care Committee: 15 November 2018.

Extraordinary Packages of Care.

Report by Chief Officer/Executive Director, Orkney Health and Care.

1. Purpose of Report

To consider revised governance and processes attached to high cost packages of care.

2. Recommendations

The Committee is invited to note:

2.1.

That, on 27 September 2018, the Monitoring and Audit Committee considered an internal audit on the governance processes surrounding out of Orkney placements which noted that the processes and procedures in relation to out of Orkney packages of care provided reasonable assurance that they were adequately controlled and managed.

2.2.

That, while the audit identified areas of good practice, it also identified governance issues surrounding Extraordinary Packages of Care.

2.3.

The proposed governance process and procedure in relation to Extraordinary Packages of Care, attached as Appendix 1 to this report, which has been developed in order to address the audit action point referred to at paragraph 2.2 above.

It is recommended:

2.4.

That the governance process and procedure in relation to Extraordinary Packages of Care, attached as Appendix 1 to this report, be approved.

3. Extraordinary Packages of Care

3.1.

Extraordinary packages of care occur where a package of care is required for an adult, child or young person with complex care needs and whose needs cannot be met from existing resources available within Orkney. Examples of such cases would include:

- An emergency placement for a child at risk of significant harm.
- A compulsory supervision order made by the children's hearing.
- An adult with complex learning disabilities.

3.2.

On 27 September 2018, the Monitoring and Audit Committee considered an internal audit on the governance processes surrounding out of Orkney placements.

3.3.

The audit noted that processes and procedures in relation to out of Orkney packages of care provide reasonable assurance that they are adequately controlled and managed. Areas of good practice were identified during the audit including:

- Full consideration being given to alternative options for placements by professional leads. This is supported by review by the Extraordinary Packages of Care Group.
- The circumstances of looked after children/young persons are reviewed regularly.
- Packages of care are obtained via framework agreements.

3.4.

However, the audit also identified governance issues surrounding Extraordinary Packages of Care.

4. Proposed Governance Process

4.1.

In order to address the weakness identified in the internal audit, the proposal, attached as Appendix 1 to this report, seeks to clarify the professional role by ensuring decisions are within the Scheme of Delegation to Officers.

4.1.1.

In relation to Social Work matters, section 2.11.12 of the Scheme of Delegation to Officers states that the Chief Social Work Officer should "take final decisions on behalf of the local authority in relation to a range of social work matters, including adoption, secure accommodation, guardianship and other statutory decisions required from time to time".

4.2.

The proposal offers clarity as to the role of the Chief Finance Officer, Orkney Health and Care, and the Council's Head of Finance within the planning and governance processes. Attention is paid to earlier notification of potential service requests to support financial planning as well as ensuring both officers form part of the annual governance checks.

4.3.

The proposal seeks to clarify that an annual report on extraordinary packages of care will be submitted to the Orkney Health and Care Committee and the Education, Leisure and Housing Committee, as well as the Integration Joint Board, to provide scrutiny and governance. The annual report will provide analysis in relation to data, performance and application of policy and best value principles.

5. Corporate Governance

This report relates to governance and procedural issues, including financial processes and procedures, and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

6. Financial Implications

6.1.

This proposal allows for strategic financial planning in relation to the actual and anticipated costs of extraordinary packages of care.

6.2.

This proposal seeks to introduce a single point of entry to the system for extraordinary packages of care to ensure consistent application of criteria and risk management and thus strengthen financial controls.

7. Legal Aspects

There are no legal implications in relation to this proposal however the provision of extraordinary packages of care is a statutory duty defined in relevant childcare and adult legislation.

8. Contact Officers

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9. Appendix

Appendix 1: Extraordinary Packages of Care Procedure.

Appendix 1.

Version 1.0 November 2018



Working together to make a real difference

Extraordinary Packages of Care

Introduction

This procedure applies to all Orkney Health and Care Staff and applies equally to children and adult services. Extraordinary packages of care (EPOC) are required where complex needs are professionally assessed, and these needs cannot be met from existing resources within Orkney.

This document provides guidance on the process to be followed to access EPOC and the governance attached to these processes.

1. Procedure

1.1. Identification of EPOC Cases

Existing policies and procedures provide guidance for assessment and care or support planning, and guidance supports staff to design innovative and personalised packages to meet a range of needs and outcomes, making use of both targeted and universal services. This procedure applies only where the following criteria are met:

- The individual's support, education and/or care needs cannot be met through standard or personalised delivery of existing provided or commissioned services, or existing services that can be arranged under any of the four available options set out in the Social Care (Self Directed Support) (Scotland) Act 2013 and;
- To meet assessed need, local services require to be redesigned, enhanced or new services commissioned.
- Costs of personalised delivery of existing services cannot be met from within the existing service or would significantly impact on the service budget to the detriment of other service users.

The overarching OHAC principle is that services will be provided in Orkney as far as possible, and that creativity will be applied to how local services are developed and delivered to support this. However, it is recognised that at times it will be not possible, or appropriate to do so, and in these situations the assessment and subsequent rationale is clear and understood at all stages of the decision-making process.

2. Decision Making

2.1. Integrated Assessment

Children and adults who may need an EPOC will usually already have support services in place, and a Lead Professional identified to co-ordinate planning and reviewing.

A current, comprehensive, integrated assessment incorporating input from all agencies is always required before provision of an EPOC can be considered.

The assessment must, wherever possible, be in line with usual practice, represent the views of the child, young person or adult themselves, and those of parents and/or carers/legal guardians. The legal basis for the provision of any services must also be made clear in the assessment.

A care or support plan detailing how outcomes are to be achieved through use of existing services must be created / updated following assessment or review. Where the assessment or care planning forum concludes that the criteria for an EPOC are met or are likely to be met in the foreseeable future, the Lead Professional for the case must alert the relevant service manager within 7 days. The relevant Service Manager is then responsible for satisfying themselves that the request is competent and subsequently for securing approval from the Head of Service to commence the options appraisal process.

2.2. Options Appraisal Process

The Options Appraisal, should be completed by the Lead Professional in the case, with the support of their line manager, and should take account of the views and recommendations of other relevant professionals. The principles of involving the child or adult, parents, carers/legal guardians and relevant others in assessment and support/care planning processes must also govern the drafting of an options appraisal. It will usually be expected that they will have participated as fully as possible in consideration of the options and their views must be explicitly recorded.

The Options Appraisal should be set out in the template provided in Appendix 1 and should cover the following key points:

- The risk assessment associated with pursuing a range of options including maintaining the status quo, enhanced local services, commissioned local service, commissioned out of Orkney service.
- The outcomes the options that are put forward aim to achieve.
- Indicative costs of the options. These should be developed in discussion with the relevant Finance Officer and the Procurement Manager and recorded on the template as indicated.
- Where any proposed course of action requires or leads to a change in the legal status of the case, what that change is and why it would be necessary.
- Where out of authority placements are being considered, what resources would be required to deliver this service locally. (Out of authority is defined as any

service provided by any agency other than Orkney Health and Care regardless of location).

- The contingency plan in the event that the preferred option cannot be progressed for any reason.

The options appraisal must be signed off by the relevant line manager and service manager prior to the options appraisal meeting.

2.3. Options Appraisal Meeting

All those attending the options appraisal meeting should be provided with copies of the integrated assessment, the most recent care plan and the options appraisal at least five working days in advance.

The options appraisal meeting will be chaired by a Service Manager and attended by:

- Any relevant Service Managers.
- Principal Social Worker from the relevant service.
- Principal Educational Psychologist where appropriate.
- The Lead Professional in the case.
- The Procurement Manager.
- IJB Finance Officer.
- OIC Finance Officer.
- Other staff or agencies as necessary.

The purpose of the Options Appraisal meeting is to:

- Review the assessment and progress against outcomes.
- Provide assurance that all local possibilities have been explored by all partner agencies as both single agencies and together as a partnership.
- Fully explore the potential of existing services to meet the desired outcomes if additional resourcing was available.
- Fully explore the implications of all the proposed options and consider whether there may be further alternatives.
- Agree a recommendation for consideration by the Allocation of Resources Committee (ARC). Where there are differences of view and a recommendation cannot be agreed, a majority recommendation should be provided with notes of dissent.

The meeting must be formally recorded. The role of recording the meeting will normally sit with the administrative support to the relevant service, in line with procedures for case conference recording.

At the end of the Options Appraisal meeting, if the recommendation is to support an EPOC, the relevant Service Manager will ask for the case to be included for consideration at the next ARC meeting via the directorate secretary.

The ARC meeting is the decision-making forum for recommending approval or rejection of packages prior to submission to the head of service or chief officer for final decision as per Orkney Island's Council framework for delegated authority. In all cases the IJB Chief Financial Officer and OIC Head of Finance will be involved to ensure financial oversight and to consider when application to the OIC Chief Executive may be required to exercise emergency powers.

2.4. Emergency Placements

Placements may arise outwith the procedure in the following ways, all of which are of a statutory nature:

- An emergency placement for a child formally authorised in line with legislation by the Chief Social Work Officer.
- A placement decision made by a Children's Hearing.
- A placement decision made by the Court.
- An emergency placement decision made in relation to adult care in order to safeguard an individual from risk.
- An emergency placement decision made in the event of service failure of an existing placement.

In all such cases the welfare of the individual will be paramount and will be based on assessed risk to the individual and/or wider community. In such circumstances the Council's Scheme of Delegation to Officers states that the Chief Social Work Officer should "take final decisions on behalf of the local authority in relation to a range of social work matters, including adoption, secure accommodation, guardianship and other statutory decisions required from time to time". Such cases will be considered as part of the annual governance around EPOC outlined below.

2.5. Governance of Extraordinary Packages of Care

The Chief Social Work Officer will provide an annual report to the Orkney Health and Care Committee, the Education, Leisure and Housing Committee and the Orkney Integration Joint Board. The purpose of this report is to allow the Committees and the Board to:

- Undertake a scrutiny and governance function in relation to extraordinary packages of care.
- Ensure that best value principles are adhered to and evidenced.
- Assure the corporate bodies that appropriate mechanisms to meet extraordinary care needs are functioning appropriately.

2.6. EPOC Annual Report

In order to respect the confidentiality of individuals being discussed, the EPOC report will give anonymised information unless there is a specific reason for not doing so. In order to avoid confusion case reference numbers from the "PARIS" case recording system will be used to identify individual cases. Anonymisation will be undertaken by the directorate administrative support to the Chief Social Work Officer.

The report shall consist of standing reportable items in relation to:

- Quantitative Data:
 - Number of new EPOCs in the reporting period.
 - Number of ongoing EPOCs in the reporting period.
 - Number of EPOCs that have ended in the reporting period.
 - Number of new EPOCs anticipated in the year ahead.
 - Number of ongoing EPOCs anticipated in the year ahead.
 - Number of EPOCs anticipated to end in the year ahead.
- Quality Assurance:
 - Performance of commissioning process.
 - Performance of statutory review processes.
 - Evidence of best value processes.
- Financial Context:
 - Anticipated spend for the reporting period.
 - Actual spend for the reporting period and any variance notes.
 - Anticipated spend for the year ahead.

2.7. Quality Assurance, Monitoring and Review Outside of EPOC Processes

Quality Assurance, Monitoring and Review arrangements are included in all Service Level Agreements with external providers, and should follow established procedures for provided services.

Outside of the EPOC process, cases with EPOC will be subject to statutory care planning processes where the outcomes identified for individuals will be reported on and changes made to reflect assessed need and risk.



Options Appraisal Template:
Extraordinary Packages of Care

To complete this appraisal please ensure you have the following information to hand:

- Copies of Statutory Orders
- Most recent reports
- Most recent criminology report (if applicable)
- Any current financial costs
- Any proposed financial costings

| | | | |
|------------------------------------|--|--------------|--|
| Service User | | Paris | |
| Current Legal Status | | | |
| Lead Professional | | | |
| Professional Supervisor | | | |
| Assessment Complete | | Date | |
| EPOC Criteria Met | | Date | |
| Heads of Service Advised | | Date | |
| IJB Chief Finance Officer | | Date | |
| Service Manager Advised | | Date | |
| Option Appraisal Complete | | Date | |
| Approved by Service Manager | | Date | |
| Appraisal Meeting | | Date | |
| ARC Decision | | Date | |
| OIC Head of Finance Advised | | Date | |

| Brief Outline | | |
|--|------------|-----------|
| Is a change in legal status required or likely as a result of this proposal? | YES | NO |
| <p><i>Historic situation, eligibility criteria with associated justification, current service, care arrangements, existing budget and service costs, need/rationale for change and review of timescales.</i></p> | | |
| This area is intentionally left blank for user input | | |

| | | |
|---|------------|-----------|
| Option 1: Recommend to continue Current Service Provision | | |
| State current provision | | |
| | | |
| Assessment of Risk Associated with this Option including contingency planning. | | |
| | | |
| Is a change in legal status required or likely as a result of this proposal? | YES | NO |
| Estimated Costs | | |
| | | |
| Finance Comments | | |
| | | |

| | | |
|--|-----|----|
| Option 2: Enhance Current Service Provision | | |
| <i>What could be done better?</i> <i>What is the current provider's capacity to provide this?</i> | | |
| | | |
| Assessment of Risk Associated with this Option | | |
| | | |
| Is a change in legal status required or likely as a result of this proposal? | YES | NO |
| Estimated Costs | | |
| | | |
| Finance Comments | | |
| | | |

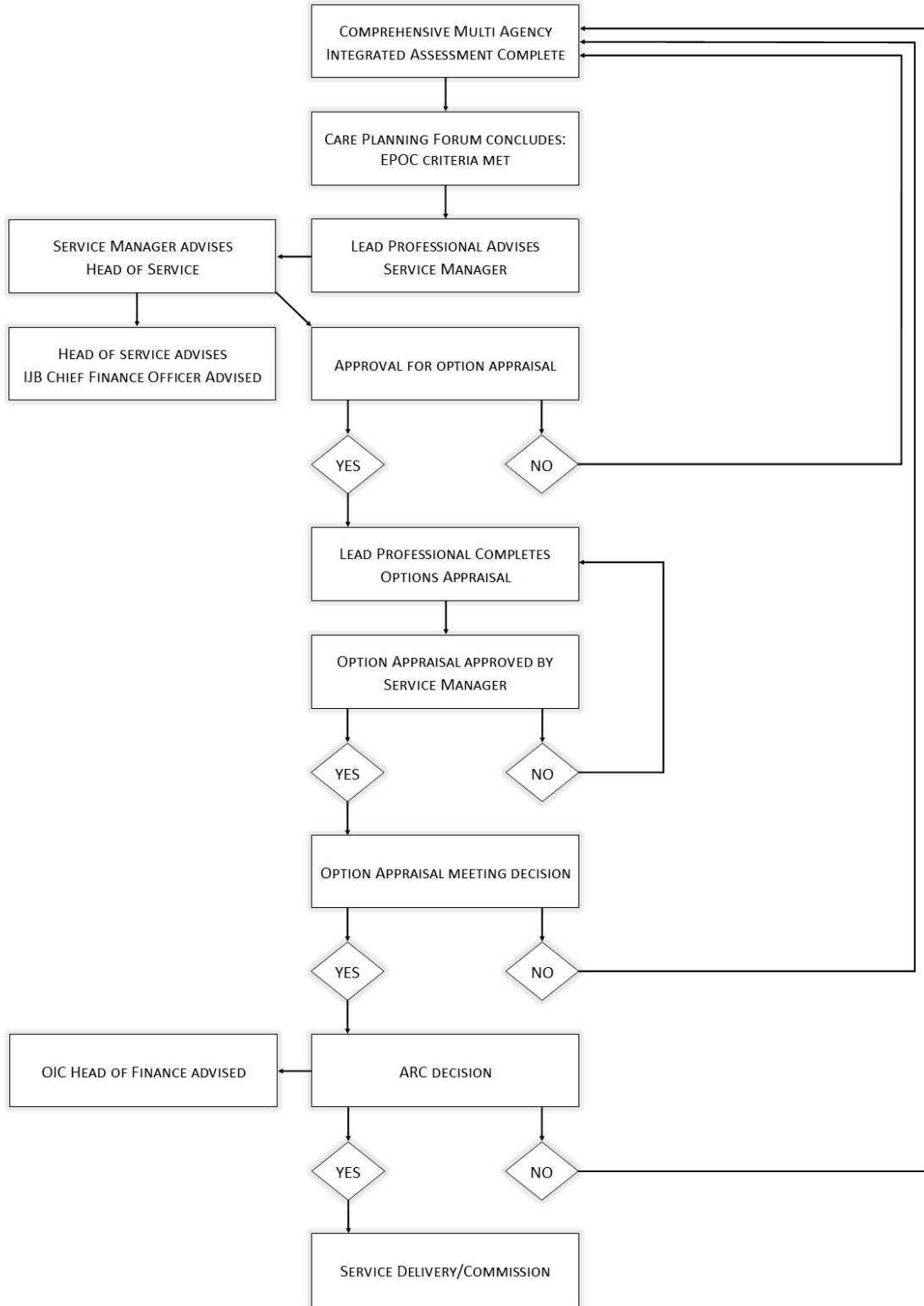
| | | |
|---|------------|-----------|
| Option 3: Commission New Services in Orkney | | |
| <i>What could be done better that cannot be provided by current services?</i> | | |
| | | |
| Assessment of Risk Associated with this Option | | |
| | | |
| Is a change in legal status required or likely as a result of this proposal? | YES | NO |
| Estimated Costs | | |
| | | |
| Finance Comments | | |
| | | |

| | | |
|---|------------|-----------|
| Option 4 Commission New Services Out of Orkney | | |
| Describe the benefits from placing in services away from Orkney | | |
| | | |
| Assessment of Risk Associated with this Option | | |
| | | |
| Is a change in legal status required or likely as a result of this proposal? | YES | NO |
| Estimated Costs | | |
| | | |
| Finance Comments | | |
| | | |

| | |
|---|--|
| Recommendation of Lead Professional of the Preferred/Proposed Option | |
| | |

| | |
|------------------------------------|--|
| Options Appraisal | |
| Lead Professional | |
| Date Completed | |
| Professional Supervisor | |
| Date Signed Off | |
| Date of Meeting | |
| Decision from Meeting | |
| Recommendations or Comments | |
| Review Date (if applicable) | |

EPOC Flow Diagram



Note – estimating costs should be done in discussion with the finance officer and procurement officer if applicable. In addition, if the enhancement of a local service is likely to include the establishment of a new team, or significant extension to current staffing in a team, costs related to the provision of any additional management and supervisory input, and training and any other set up fees must be included as far as they can be ascertained, from the outset.