

Governance and Audit Committee

Date of Meeting	28 September 2022
Report Subject	Audit Wales Review of Commissioning Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
Report Author	Chief Officer (Social Services)
Type of Report	Operational

EXECUTIVE SUMMARY

As part of its Audit programme, in August 2020, Audit Wales informed Local Authorities and the Betsi Cadwaladr University Health Board area that it would be undertaking a review of Commissioning of Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board.

A workshop was held by Audit Wales with local authority and health board partners in September 2020. The workshop worked through the draft brief for the review and the final brief for the review was issued to Local Authorities in November 2020.

Having undertaken a series of engagement activities as detailed below, Audit Wales issued the draft final report to Local Authorities and the Health Board to comment on matters of accuracy and balance in July 2021. The Health Board prepared their own response and a collective response was prepared by the North Wales Local Authority CEOs and Directors of Social Services.

The CEOs and Directors of Social Services felt strongly that report was not balanced, contained some factual inaccuracies and was not fair reflection of commissioned care home placements for older people in North Wales. As a result further discussion with Audit Wales took place and Audit Wales published their final report on the 16th December 2021.

In response to this report, each of the North Wales Local Authorities and the Health Board have been asked to prepare an agreed collective management response detailing how they will work collectively to address each of the recommendations. This was submitted to Audit Wales by the 31st January 2022 deadline.

RECOMMENDATIONS

1	Members note the recommendations in the Audit Wales report on Commissioning of Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board.
2	Members note the agreed actions in the Management Response to address these recommendations and receives regular updates on the implementation of the actions going forward.

REPORT DETAILS

1.00	EXPLAINING THE AUDIT WALES REVIEW REPORT
1.01	Adult Wales publish their annual Audit Programme and as part of this work in 2020, Audit Wales informed North Wales Local Authorities and the Health Board that they would be undertaking a review of Commissioning of Older people's Care home Placements by North Wales Councils and Betsi Cadwaladr University Health Board.
1.02	Audit Wales held a workshops with all 7 partner agencies in September 2020 and shared the draft brief for the review, the final version of which was issues to the local authorities and the health board in November 2020.
1.03	<p>As identified in the final brief, the purpose of the review was: <i>"In our Assurance and Risk Assessments for North Wales councils we identified strategic commissioning of residential and nursing care placements as a risk to both councils and the Health Board for the following reasons:</i></p> <ul style="list-style-type: none"><i>a) high level of spending on these services;</i><i>b) forecast increases in numbers of older people expected to need these services;</i><i>c) limited availability of new staff to support these services and recruitment competition with other health and social care providers; and</i><i>d) as yet untapped potential benefits of strategic commissioning across North Wales public sector bodies.</i> <p><i>Since identifying strategic commissioning of residential and nursing care placements as a risk, COVID-19 has highlighted the fragility and current capacity of the care market and the need to plan strategically and manage the market"</i></p>

1.04	<p>The brief explained that the review would seek to answer the question “<i>Are partners collaborating effectively to take account of demographic changes and other external pressures in the strategic commissioning of residential and nursing home care?</i>” and focused on the following key questions:</p> <ul style="list-style-type: none"> a) Are partners collaborating effectively to take account of demographic changes and other external pressures in the strategic commissioning of residential and nursing home care? b) Have partners formally committed to the strategic approach to commissioning residential and nursing home care? c) Have partners identified and secured commitment for the resources needed to deliver the strategy and is there commitment to manage these through the pooled budget arrangement? d) Does the strategy for commissioning residential and nursing home care align with other key strategies and meet legislative requirements? e) Is change related to delivery of this strategy being managed and reported effectively?
1.05	<p>The Audit Wales team undertook Fieldwork, Document reviews, Meeting observations and Interviews with staff and service users from November 2020 to February 2021.</p>
1.06	Report Detail
1.07	<p>Audit Wales issued the draft final report to Local Authorities and the Health Board to comment on matters of accuracy and balance in July 2021. The Health Board prepared their own response and a collective response was prepared by the North Wales Local Authority CEOs and Directors of Social Care. They felt strongly that report was not balanced, contained some factual inaccuracies and was not fair reflection of commissioned care home placements for older people in North Wales.</p>
1.08	<p>Following further discussion with Audit Wales regarding the feedback and key objections, they prepared a revised version of the report in November 2021 which was accepted by the Local Authority Chief Executives and Directors of Social Care. Audit Wales published the North Wales report on the 16th December 2021 as per their audit schedule [see Appendix 2].</p>
1.09	<p>Audit Wales prepared a corresponding report for Welsh Government in relation to the legislative and policy framework for regional partnership working, commissioning and funding care home placements with key national messages and recommendations for Welsh Government to consider. This report for Welsh Government was not shared but was published at the same time as the North Wales report and is given in Appendix 4.</p>

1.10	<p>The Audit Wales report on the Commissioning of Older People’s Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board makes 5 recommendations:</p> <ul style="list-style-type: none"> • R1 North Wales councils and Betsi Cadwaladr University Health Board need to ensure the consistent use of pre-placement agreements across the region. • R2 The current approach for commissioning care home places can cause tensions between partners and result in poor value and poor service user experience. North Wales councils and Betsi Cadwaladr University Health Board need to work together to review local arrangements for commissioning care home placements to eliminate avoidable adverse impacts on service users, and each other. • R3 Accountability is a cornerstone of public sector decision making. Governance arrangements need to scrutinise decisions and hold decision makers to account. North Wales councils and Betsi Cadwaladr University Health Board need to strengthen their partnership governance arrangements to ensure proper accountability and effective scrutiny. • R4 North Wales councils and Betsi Cadwaladr University Health Board through the Regional Commissioning Board need to develop a regionally agreed care home commissioning strategy and following this, develop an associated delivery plan. • R5 North Wales councils and Betsi Cadwaladr University Health Board need to review their commissioning arrangements for care home placements to ensure they fulfil their statutory responsibilities around the Welsh language, and the Well-being of Future Generations Act.
1.11	<p>In response to the report, each of the North Wales Local Authorities and the Health Board was asked to prepare an agreed collective management response detailing how they will work collectively to address each of the recommendations. Audit Wales asked for this collective response to be submitted by 31st January 2022. The Management Response submitted is in Appendix 3.</p>

2.00	RESOURCE IMPLICATIONS
2.01	Local and regional officer time will be required to ensure that the recommendations and management response actions are implemented.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>Officer capacity and time to implement the actions in the Management Response may delay meeting the deadlines given</p> <p>Mitigation: Allocated regional leads with dedicated time to undertake the work require have been put in place.</p>

3.02	<p>Relationship between local commissioning plans and the required regionally agreed care home commissioning strategy and associated delivery plan.</p> <p>Mitigation: Regional mapping of the relationship between local and regional plans and clarity on which aspects of the delivery plan are implemented locally and which are implemented regionally have been put in place.</p>
3.03	<p>Failure to ensure that all partners fulfil statutory responsibilities around the Welsh language, and the Well-being of Future Generations Act in our care home placement provision.</p> <p>Mitigation: Mwy na Geiriau Framework implementation is in place for all partner agencies. The Local Wellbeing Assessments and 7 Wellbeing Goals inform our local and regional commissioning plan for the future as part of the Population Needs Assessment and Market Stability Report.</p>

4.00	CONSULTATIONS REQUIRED / CARRIED OUT
4.01	Audit Wales consulted with service users and providers in the research for the report. They also consulted with Local Authorities and Health Board officers on the circulation of the draft reports and took on board their feedback to inform revised drafts of the report.

5.00	APPENDICES
5.01	Appendix 1 Audit Wales Project Brief for the review of the Commissioning of Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board
5.02	Appendix 2 The Audit Wales report on the Commissioning of Older People's Care Home Placements by North Wales Councils and Betsi Cadwaladr University Health Board
5.03	Appendix 3 North Wales Local Authorities and the Health Board collective management response
5.04	Appendix 4 Audit Wales report to Welsh Government on Care Home Commissioning

6.00	CONTACT OFFICER DETAILS
6.01	Contact Officer: Jane Davies Telephone: 01352 702503 E-mail: jane.m.davies@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Audit Wales – is the trademark of two legal entities, the Auditor General for Wales and the Wales Audit Office. It's role is to assure the people of Wales that public money is being managed well as well as explaining how public money is being used and how it meets people's needs.
7.02	Mwy Na Geiriau Framework - A Strategic Framework for Promoting the Welsh Language in Health, Social Services and Social Care. It was published in 2016.