

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **AUDIT COMMITTEE**

DATE: **WEDNESDAY, 24 SEPTEMBER 2014**

REPORT BY: **CHIEF OFFICER- EDUCATION & YOUTH**
 CHIEF OFFICER- SOCIAL SERVICES

SUBJECT: **OUT OF COUNTY PLACEMENTS**

1.00 PURPOSE OF REPORT

1.00 To inform the Audit Committee regarding the commissioning practices relating to Out of County (OOC) Placements.

2.00 BACKGROUND

- 2.01 Flintshire County Council commissions placements that are known as OOC where the provision required is not available within the Council's existing resources. This may be due to any of the following factors:
- the existing provision/resource has no capacity for additional placements;
 - the existing provision is unable to meet the specialist/complex needs of the child/young person;
 - secure provision or a specialist mental health placement is required; or
 - there is a need for additional support to maintain placements where Flintshire pupils attend mainstream schools in neighbouring authorities.
- 2.02 Education, Social Services and Health agencies work in partnership to commission individual placements. Although each agency is subject to their own legal framework and statutory guidance, work has been undertaken to align processes for OOC placements to improve the robustness of the commissioning process in relation to decision making and overall spend.
- 2.03 Each agency has its own process to ensure all internal options have been exhausted prior to consideration of an OOC placement. Where it has been determined that an individual's needs cannot be met through the council's existing resources, a multi-disciplinary team meeting is arranged to review the needs holistically and determine the most appropriate provision going forward. Lead officers are required to complete an options appraisal outlining the recommendations in relation to the individual's needs. Options are presented to the OOC Panel which consists of senior officers (budget holders) from Education, Social Services and Health and an external advisor with market commissioning experience.

- 2.04 Flintshire contributes to the North Wales Commissioning Hub which operates across the six authorities & Betsi Cadwalader University Health Board (BCUHB), in the role of sourcing and costing placements. Lead officers liaise with Hub staff to identify appropriate provision and a breakdown of the costs associated with each of the options presented. Officers are required to present a minimum of three options to the panel for consideration.
- 2.05 The existing processes continue to evolve in relation to local, regional and national developments, however significant work was undertaken to review and improve commissioning processes as part of the OOC Improvement Project initiated in 2010. The project outcomes are identified below.
- 2.06 ***Planned Outcome 1: Ysgol Plas Brondyffryn (YPB) to be flexible in relation to packages of respite care***
Agreement was secured with YPB to access a range of respite provision in place of the previous 2 or 4 night options and this is now accessed in line with individual needs. The need for additional in-house respite was identified as part of the project and Arosfa has successfully been established in response to this, catering for 3 children and young people for 350 days per year (previous provision being 2 children for 240 nights). Further work around placement costs is set to start from Autumn 2014.
- 2.07 ***Planned Outcome 2: Clear mechanism for regular reporting & monitoring***
Raising awareness and the profile of this work was a key aspect of the early activity. Workshops were held with members around OOC placements and regular financial and activity reports were presented to the OOC Board members via monthly meetings. Flintshire County Council (FCC) developed a standardised format for advising independent providers regarding percentage uplift. This format has now been adopted by the North Wales Consortium (NWC) in partnership with Betsi Cadwallader University Health Board (BCUHB) to advise providers. Stronger links have also been established between FCC and BCUHB finance officers.
- 2.08 ***Planned Outcome 3: Clear protocols for practitioners across Community Services for children (CS), Lifelong Learning (LLL) and health colleagues within Betsi Cadwallader University Health Board (BCUHB)***
Clear protocols and information for lead officers and parents have been developed and training events have been held for lead officers across CS and LLL in relation to these. The North Wales Commissioning Hub (NWCH) has adapted the model developed within FCC for utilisation across the NWC. The Welsh Government has now issued the final document outlining the Continuing Health Care Guidance (Children) and protocols are now being revised again in response to these developments.
- 2.09 ***Planned Outcome 4: Improved monitoring of placements***
At the onset of the project all placements were reviewed against individual need and the possibility of relocating to Flintshire provision, following which a number of placements were changed. Lead officers were made aware of the need for due diligence in relation to placement costs and expected outcomes and training was provided through the external consultants Clinical &

Commercial Solutions Ltd (CCSL) to raise awareness and offer skill development in this area. The Terms of Reference for the Childcare Panel were revised to create the Out of County Panel which provides the ongoing forum for placement consideration, agreement and monitoring by senior officers from CS, LLL and BCUHB.

2.10 ***Planned Outcome 5: Establish joint procedures for signing and monitoring contracts and agreeing high cost placements***

The OOC Panel members (CS & LLL) have the delegated responsibility for agreement and sign off on high cost placements. FCC continues to work in partnership with BCUHB to further develop these procedures which need further refinement given the WG Continuing Health Care Guidance.

2.11 ***Planned Outcome 6: Ensure best value principles apply regarding the use of resources***

External consultancy was provided through CCSL to support this area. FCC worked to produce a Framework of providers from an initial Meet the Commissioner event, through the Pre-Qualification Questionnaire / interview process to the establishment of a Preferred / Approved Provider Framework. The Framework and the process has been adopted by the NWCH as a model of good practice to be used across the Consortium. The support and training offered by CCSL has served to build capacity within CS and LLL with regard to lead / senior officers in relation to financial and business acumen around commissioning, procurement and contract monitoring, which in turn has supported the reduced spend against the OOC budget.

2.12 ***Planned Outcome 7: Develop a robust options appraisal process***

The process and associated documentation has been developed and is an integral part of the process for determining the need for, and accessing OOC placements. This has ensured that the need for OOC placements is duly considered and scrutinised against Flintshire's own provision and that of other providers. The output of this work has been adopted for use by the North Wales Regional Commissioning Hub.

3.00 CONSIDERATIONS

3.01 Flintshire County Council has duties in accordance with the Special Educational Needs (SEN) Code of Practice for Wales (2002), Towards a Stable Lives and Brighter Futures (2007) and the Equality Act (2010) to meet the needs of all children and young people within Flintshire. Our commissioning responsibilities are therefore to provide a continuum of provision to ensure these duties are fulfilled. This involves both the use of in-house and externalised resources where necessary.

3.02 The priority of all agencies is the maintenance of stable placements for children and young people in relation to their care, education and health needs.

3.03 OOC placements are made where in-house education and social care options have been exhausted. The table below indicates the annual spend

Financial Year	Ongoing Placements	Placements Ended	New Placements	Budget Allocation	Total Expenditure
2009/10	146	29	61	4,536,329	6,444,702
2010/11	130	64	18	5,776,478	6,791,361
2011/12	123	28	25	7,147,007	6,224,699
2012/13	104	32	32	6,370,492	4,624,265*
2013/14	111	43	29	6,161,028	6,886,920

*A significant underspend in 2012/13 was supported by the recouplement of outstanding health contributions which had accrued over a period time. This has now been offset by a significant reduction in health contributions to packages for complex needs.

3.04 Flintshire is not exempt from the pressures being experienced by other authorities across the UK including an increasing amount of placements with safeguarding and also complex health and educational needs. A single emergency placement can cost £250k, whilst sibling groups offer an alternative challenge. Officers across education and social care work diligently to ensure actions are taken to reduce the need for OOC placements and ensure that the budget is allocated to those individuals who are in need of highly specialist resources.

4.00 RECOMMENDATIONS

4.01 The Audit Committee consider the commissioning processes undertaken by Education and Social Care in respect of OOC placements.

5.00 FINANCIAL IMPLICATIONS

5.01 See Table 1 for finance information.

6.00 ANTI POVERTY IMPACT

6.01 None reported

7.00 ENVIRONMENTAL IMPACT

7.01 None reported.

8.00 EQUALITIES IMPACT

8.01 Processes are more robust ensuring that specialist resources are allocated appropriately to those individuals in need.

9.00 PERSONNEL IMPLICATIONS

9.01 None reported.

10.00 CONSULTATION REQUIRED

10.01 None.

11.00 CONSULTATION UNDERTAKEN

11.01 None.

12.00 APPENDICES

12.00 None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

Contact Officer: Jeanette Rock / Peter Robson
Telephone: 01352 704017 / 701028
Email: jeanette.rock@flintshire.gov.uk /
peter.robson@flintshire.gov.uk