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**Report to Health and Social Care Committee**

# **Overview of Oldham's Adult Social Care market**

**Portfolio Holder:**

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## **Reason for Briefing**

To provide Overview and Scrutiny Committee with an overview of Oldham's care market.

A presentation will be delivered to members of the Health and Social Care Overview and Scrutiny Committee to accompany this briefing note which will include details of the following areas:

- ASC Commissioning responsibilities through the Care Act 2014
- Demographics in Oldham
- What is commissioned and how
- Quality of the market
- Risks in the market and how they are managed
- Areas for market development

## **Recommendations**

To note the contents of the presentation and cover report.

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## Overview of the Adult Social Care market

### 1 Background

1.1 The Health and Social Care Overview and Scrutiny Committee have requested an overview of the adult social care market in Oldham. A presentation providing details is to accompany this cover briefing note.

1.2 Under the Care Act 2014, Adult Social Care departments in Local Authorities have the following commissioning responsibilities:

#### 1.2.1 *The Duty to Promote Diversity and Quality in Service Provision*

The Care Act statutory guidance states that 'high quality, personalized care and support can only be achieved where there is a vibrant, responsive market of services available.' The Local Authority role is seen as critical and under section 5 of the Care Act, the duty to promote the efficient and effective operation of the market of services for meeting care and support needs in the local area is firmly placed with them.

In order to execute this, local authorities should engage in market shaping activities to ensure that any person requiring Care and Support/Support Services:

- a) Has a variety of providers supplying a variety of services to choose from;
- b) Has a variety of high quality services to choose from; and
- c) Has sufficient information to make an informed decision about how to meet the needs in question.

In order to fulfil its duty to promote diversity and quality in service provision local authorities should ensure it has effective strategies to understand likely demand for such services, ensure stability and to shape the marketplace so that the right services are available.

#### 1.2.2 *Market Shaping and Commissioning of Adult Care and Support Services*

This section of the Care Act and commissioning duty refers to; market shaping, commissioning, procurement, contracting, recommissioning and decommissioning activities. The principles which should underpin all market shaping and commissioning activity is that there is a focus on wellbeing, outcomes and outcomes-based commissioning.

There is a focus on promoting and monitoring quality being provided by individual providers and also the marketplace as a whole. It should:

- a) Encourage local providers to develop a skilled and valued workforce
- b) Monitor how capable, timely, reliable, appropriate and flexible services being delivered are in relation to the promotion of individual wellbeing;
- c) Monitor the capacity and sustainability of service provision to maintain quality; and
- d) Ensure that services it commissions directly or those delivered on its behalf comply with the requirements of the Equality Act 2010.

In supporting and sustaining a suitable market local authorities must develop markets for Care and Support provision that ensure there is adequate high-quality care available to meet expected needs, whilst also recognizing the fact that from time to time providers will exit the marketplace. The Local Authority should work with providers in its area and support

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those facing challenges, making changes to commissioning arrangements where appropriate.

Ensuring there is choice in services available to those who require is a necessity and the Local Authority must encourage and support a variety of different providers and types of services to ensure that there is sufficient choice for people regardless of their care and support needs, geographical location or method of arrangement. The different types of service provision that the Local Authority must ensure choice include; Domiciliary care, Care homes and nursing homes; Specialist care for people with complex needs or multiple needs; Reablement services; Supported Living and Extra Care; Shared Lives services and other housing options.

The steps that Local Authorities should take to develop and implement local approaches to market shaping and commissioning include designing strategies that meet local needs and engaging with providers and local communities. These activities help commissioners to understand the local market, where there may be gaps or over provision and facilitate the development of the market.

### 1.2.3 *Managing Provider Failure*

This section of the Care Act applies to regulated Care and Support provision only and in order to fulfil this market oversight and engagement with providers is essential in order to prevent as far as is possible. If a service provider providing regulated Care and Support activities in a Local Authority areas becomes no longer able to do so because of business failure then the Local Authority has a temporary duty under section 48 of the Care Act to meet the needs of affected persons or carers. This duty applies for as long as it appears to do so. Contingency planning is required and Local Authorities should consider how they would respond to a range of service interruptions so that they are prepared and able to respond both quickly and appropriately.

## 2 **Current Position**

- 2.1 A presentation will be delivered to committee members which will provide an overview of the adult social care market in Oldham. The overview will include:
- a) Oldham Demographics
  - b) What we commission and how
  - c) The current quality of the care market
  - d) Identified risks in the market and how they are managed
  - e) Areas for market development and plans for progressing

## 3 **Options/Alternatives**

- 3.1 None to discuss.

## 4 **Preferred Option**

- 4.1 Not applicable.

## 5 **Consultation**

- 5.1 Not applicable.

## 6 **Financial Implications**

- 6.1 Not applicable.

## 7 **Legal Services Comments**

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- 7.1 Not applicable.
8. **Co-operative Implications**
- 8.1 [All reports must include this heading. Reports should identify how this will impact/support the Council's Cooperative agenda]
- 9 **Human Resources Comments**
- 9.1 Not applicable.
- 10 **Risk Assessments**
- 10.1 Not applicable.
- 11 **IT Implications**
- 11.1 Not applicable.
- 12 **Property Implications**
- 12.1 Not applicable.
- 13 **Procurement Implications**
- 13.1 Not applicable.
- 14 **Environmental and Health & Safety Implications**
- 14.1 Not applicable.
- 15 **Community cohesion, including crime and disorder implications in accordance with Section 17 of the Crime and Disorder Act 1998**
- 15.1 Not applicable.
- 16 **Equality Impact – including implications for Children and Young People**
- 16.1 Not applicable.
- 17 **Key Decision**
- 17.1 No
- 18 **Key Decision Reference**
- 18.1 Not applicable.
- 19 **Background Papers**
- 19.1 Not applicable.
- 20 **Appendices**
- 20.1 There are none.
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Signed _____ Executive Director/Deputy Chief Executive	Dated _____