



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL  
Social Care, Health & Well-being Cabinet Board**

**17<sup>th</sup> October 2019**

**Report of the Head of Adult Services – Ms A. Thomas**

**Matter for Decision**

**Wards Affected:** All wards

**FAIRNESS OF SERVICE PROVISION POLICY**

**Purpose of the Report:**

To inform Members of the outcome of the public consultation on the Adult Services Fairness of Service Provision Policy ('the Policy') [see Appendices 1 – 2] and seek approval to implement the Policy.

**Executive Summary:**

The Policy establishes that where an individual has an assessed social care need they will be offered a social care package which meets their needs and identified outcomes. If they wish to receive care and support by a different means than that provided by the Council they will be offered a Direct Payment at a similar appropriate level. Should the individual request care and support over and above that level they will be expected to pay any difference from their own funds.

**Background:**

On 7<sup>th</sup> March 2019 the Social Care, Health & Well-being Cabinet

Board approved a 90 day public consultation of the Policy (at the time entitled the Equitability of Service Provision Policy but renamed the Fairness of Service Provision Policy following feedback from Members on that date; see Background Papers).

The Policy set out the Council's proposal that when undertaking an assessment or reassessment of individuals' needs, the Council will take into account the social care resources available to it when considering how those needs might be met.

Set against a background of increasing demand for our services and economic pressures requiring budgetary savings, the provision of good quality and responsive adult social care support remains a priority of the Council. However, in doing so it is necessary to review what services are provided and how we deliver them.

The Council also has a responsibility to ensure that public funds are spent efficiently and effectively. In doing this, the way that services are identified to meet individual needs should be done in as transparent and equitable a way as possible.

A range of engagement and consultation activities took place between 24<sup>th</sup> April and 23<sup>rd</sup> July 2019 to help inform the Policy, and consisted of:

- Overarching public consultation;
- Stakeholder consultation, including linking with existing partner groups;
- Formal written responses.

The purpose of this was to:

- Ensure the consultation was available to as many residents and stakeholders as possible;
- Ensure the consultation documents were available in appropriate formats;

- Provide a mechanism for people to contribute their views of the Policy;
- Find out whether people agreed or disagreed with the proposals and the reasons why;
- Provide a mechanism for people to make comments and suggestions;
- Enable people to suggest alternative proposals.

In light of the consultation responses, it is proposed that amendments be made which:

- Make it clear that relative cost is a factor to be taken into account when agreeing a particular way in which an assessed need is proposed to be met;
- Sets out that personal outcomes are to be agreed, not merely set by the service user;
- Emphasises that annual reviews must take place and these will consider both eligible need and how that need might best be met at reasonable cost.

It should be noted that the essence of the original policy remains intact, i.e. it sets out the Council's proposal that when undertaking an assessment or reassessment of individuals' needs, the Council will take into account the social care resources available to it when considering how those needs might be met.

### **Financial Impacts:**

The Adult Services Fairness of Service Provision Policy has been developed on the basis of the Directorate's budgetary savings for 2019-20.

It is not expected that implementation of this policy will likely incur any additional expenditure, nor will any additional income flows likely be received as a consequence.

**Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016). The first stage impact assessment has indicated that a more in-depth assessment was required.

An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at Appendix 3, for the purposes of the meeting.

This is one of a range of new policies which aim to improve fairness of access to services, as well as the long term sustainability of service provision in line with the Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015.

When commissioning services, the Council will make a determination as to what interventions can best meet the person's identified assessed needs and agreed desired outcomes in a way that is equitable and sustainable, whilst offering maximum choice and control in regards to the care they receive. Assessed need will take into account various protected characteristics.

It is concluded that overall the draft policy will have a neutral impact on protected characteristics. The purpose of the policy is to help protect Neath Port Talbot's most vulnerable citizens. The policy's intention is to make access to services to be as fair and equitable as possible for all those with an eligible assessed need. It will also ensure long term sustainability of services in line with the Well-being of Future Generations (Wales) Act 2015.

**Valleys Communities Impacts:**

No implications.

**Workforce Impacts:**

No implications.

**Legal Impacts:**

The draft policy has been developed in line with the Social Services and Well-being (Wales) Act 2014, Regulations and Codes of Practice that set out the Council's duty to assess an individual's need for care and support, as well as the Well-being of Future Generations Act (Wales) Act 2015 which includes responsibility for ensuring sustainability of services.

**Risk Management Impacts:**

Failure to implement the policy will require equivalent financial savings to be made by other means.

**Consultation:**

On 7<sup>th</sup> March 2019 Members approved a 90 day public consultation in respect of the Policy. During this period, 24<sup>th</sup> April to 23<sup>rd</sup> July 2019, a number of consultation and engagement activities took place. The outcome of the activity is detailed in Appendix 4, and has helped confirm the content of the final Officer draft of the Policy which is the subject of this report.

**Recommendations:**

It is recommended that Members grant permission for Officers to implement the Adult Services Fairness of Service Provision Policy attached as Appendix 1 and 2 to this report.

**Reasons for Proposed Decision:**

To take into account the social care resources available when undertaking an assessment or reassessment of individuals' needs, to

ensure a sustainable range of good quality adult social care services are available to meet the needs of the most vulnerable citizens of Neath Port Talbot, and contribute towards the budgetary savings identified in the Council's Forward Financial Plan.

**Implementation of Decision:**

The decision is proposed for implementation after the three day call in period.

**Appendices:**

Appendix 1 – Adult Services Fairness of Service Provision Policy.

Appendix 2 – Easy Read Policy Document.

Appendix 3 – Integrated Impact Assessment.

Appendix 4 – Consultation Report.

**List of Background Papers:**

Equitability of Service Provision Policy permission to consult:

<http://moderngov.neath-porttalbot.gov.uk/documents/s45477/Equitability%20Policy%20-%20Committee%20Report%207%20March%202019.pdf>

**Officer Contact:**

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