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| Meeting of: | Healthy Living and Social Care Scrutiny Committee |
| Date of Meeting: | Tuesday, 06 September 2022 |
| Relevant Scrutiny Committee: | Healthy Living and Social Care |
| Report Title: | Cardiff and Vale of Glamorgan Market Stability Report 2022 |
| Purpose of Report: | To share the Cardiff and the Vale of Glamorgan Market Stability Report 2022 report with Elected Members of the Scrutiny Committee, to enable their contribution to the final report |
| Report Owner: | Lance Carver, Director of Social Services, Vale of Glamorgan Council Alison Law, Improvement and Development Manager for Joint Commissioning, Regional Partnership Board Team |
| Responsible Officer: | Director of Social Services |
| Elected Member and Officer Consultation: | Lance Carver, Gaynor Jones, (as members of the Regional Commissioning Board) + Rachel Evans, Karen Conway, Angela Harris. Adult and Children's services within Vale of Glamorgan Council Social Services provided knowledge, data and review, the results of which are presented in the relevant sections of the Market Stability Report. |
| Policy Framework: | <p>Development and publication of the Market Stability Report is a statutory duty under Section 144B of the Social Services and Well-being (Wales) Act 2014 ('the 2014 Act'). The Act requires local authorities to prepare and publish market stability reports, and makes provision for regulations setting out the form these must take, matters to be included, and the prescribed period for carrying out market stability assessments. These matters are set out in the Partnership Arrangements (Amendment) and Regulated Services (Market Stability Reports) (Wales) Regulations 2021.</p> <p>The statutory guidance for local authorities and Local Health Boards is issued under section 169 of the 2014 Act and deals specifically with the partnership arrangements for preparing and publishing market stability reports, and is intended to be read in conjunction with the code of practice.</p> <p>The preparation and publication of market stability reports must be carried out on a regional footprint, with local authorities and Local Health Boards working together through the seven Regional Partnership Boards (RPBs). The</p> |

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| | <p>composition, role and functions of RPBs are explained in statutory guidance on partnership arrangements in respect of Part 9 of the 2014 Act.</p> |
| <p>Executive Summary:</p> <ul style="list-style-type: none"> • Section 144B of the Social Services and Well-being (Wales) Act 2014 ('the 2014 Act') requires local authorities to prepare and publish market stability reports every five years. This is the first Market Stability Report (MSR) for Cardiff and the Vale of Glamorgan. • The MSR should be read alongside the Cardiff and the Vale of Glamorgan Population Needs Assessment (PNA) for and the Vale of Glamorgan Well-being Assessment to gain a comprehensive understanding of the population care and support needs and the ability of the market to meet those needs. • The MSR was undertaken between October 2021 and July 2022. The dedicated engagement undertaken during development of the PNA as well as existing data and reports were used to inform the MSR, alongside dedicated engagement work in the form of focus groups with professionals and providers. • Improvements in care and support services have been made across all population groups since the 2017 Population Needs Assessment, despite the challenges of COVID-19. COVID-19 has had a number of impacts, including increasing demand for services, especially mental health, and changing models of delivery for many services. However, where it is the most appropriate approach services are returning to their pre COVID-19 delivery models. The longer-term impact on care and support needs of our population, and the markets stability will require continual monitoring to ensure market sufficiency. • The MSR will be considered by Cabinet on the 3rd October 2022. • The link to the full Market Stability Report: The full Draft MSR | |

Recommendation

1. That the Scrutiny Committee considers the contents of the Cardiff and the Vale of Glamorgan Market Stability Report.

Reason for Recommendation

1. To provide Scrutiny Committee with an opportunity to review the Market Stability Report prior to it being considered by Cabinet and Full Council.

1. Background

- 1.1 Section 144B of the Social Services and Well-being (Wales) Act 2014 requires Local Authorities to prepare and publish a Market Stability Report (MSR) in partnership with Local Health Boards. The MSR must describe the market for (Social Services) regulated services across the region and within each local authority area, and assess its overall stability. It must consider services not regulated under the 2016 Act which also help meet an individual's need for care and / or support in particular support for carers and for young people leaving care.
- 1.2 A formal partnership between the Local Authorities of Cardiff and the Vale of Glamorgan, and Cardiff and Vale University Health Board has previously been established: The Regional Partnership Board (RPB). The Market Stability Report has been developed by the Regional Commissioning Board which reports to the Regional Partnership Board, and following engagement work with health and social care professionals, third sector organisations and independent providers.
- 1.3 The Market Stability Report (MSR) should be undertaken every local government electoral cycle and should look forward to encompass the time period until the next iteration. An annual assessment of market sufficiency and stability should be undertaken. This inaugural MSR will cover the period 2022 to 2027 and will help inform and shape the RPB's next five-year Joint Area Plan, along with the most recently published Population Needs Assessment and Cardiff Local Authority and Vale of Glamorgan Local Authority Well-being Assessments.
- 1.4 The Act specifies which regulated services should be included within the Market Stability Report. These are presented in the report in individual sections. Sections include details of the current service landscape, the services required to meet the needs of our citizens, a stability assessment (risks to the market segment) and the actions required. Additional sections consider the sufficiency of services to meet future needs and the strategic themes which will require consideration to ensure stability of regional care and support markets while developing the market capacity in the region so it is sufficient to meet anticipated levels of future care and support needs.

- 1.5 Well-being Assessments were conducted in both Cardiff and the Vale of Glamorgan Local Authorities concurrent to the Population Needs Assessment. The final Population Needs Assessment and the Well-being Assessments provided the citizen engagement and intelligence which have informed the care and support needs reflected in the Market Stability Report.
- 1.6 The Market Stability Report will also inform the development of the RPB's Area Plan.

2. Key Issues for Consideration

- 2.1 Development and publication of the Market Stability Report is a statutory duty under Section 144B of the Social Services and Well-being (Wales) Act 2014. The final report must be formally approved by Vale of Glamorgan Council, Cardiff Council and Cardiff and Vale University Health Board.
- 2.2 Following publication, there is a requirement for an update on sufficiency and stability of the market to be submitted to Welsh Government annually.
- 2.3 The MSR feeds into the RPB's Joint Area Plan and lays out the care and support services which are required in the future; and therefore, is a crucial document for future planning purposes.
- 2.4 The overarching findings can be found in the Executive Summary of the MSR; however, each individual population group has discrete care and support needs, which require different services, more detail can be found in the relevant section(s).
- 2.5 Common findings identified across many services are outlined below. Detailed findings for each theme are reported in the relevant section in the report.
 - 2.5.1 **Address workforce capacity and skills shortages** – Recruiting and retaining staff with the skills needed to support people with complex support needs is a particular challenge. The focus for:
 - Children and Young People Services will be on recruiting/training more in-house foster carers, kinship carers and adoptive parents.
 - Older people's services will be on recruiting/training domiciliary care staff and specialist dementia and end of life skilled care home staff.
 - Adult services will be on recruiting/training adult placement/shared lives carers and staff with specialist learning disability, autism, early onset dementia, and mental health care and support skills.
 - 2.5.2 **Ensure the fees we pay to providers are fair** – This is key to addressing the workforce recruitment and retention challenges and to addressing market stability risks where adult and older people's care and support providers are concerned about their financial sustainability. Equally, the lack of supply of residential care for our children and young people (C&YP) along with growing demand for residential care (particularly for C&YP with complex needs) has sometimes resulted in us paying high and unsustainable fees. So, we are also

aware that in a sellers' market we need to guard against paying fees that are not value for money.

- To help with this the Welsh Government published a toolkit Lets Agree to Agree for commissioners and providers in 2018. We will use this and other similar tools to help us agree a fair cost of care with providers in region over the 5-year period covered by this MSR.

2.5.3 Develop in-house services to lower market risk – Over the next 5 years we will develop more in-area children's services and services for working age adults with complex needs. Where it makes sense in terms of social value, we will develop these as in-house services and/or work in partnership with local not for profit organisations.

2.5.4 Modernise our approaches to commissioning and contracting – To give providers the certainty and confidence they need to invest to modernise service models and expand capacity we plan to:

- Co-produce our commissioning strategies. We will work in partnership with providers to shape the market.
- Build on learning during COVID. We will explore new ways of contracting based on outcomes where providers have greater choice, flexibility, and responsibility to deliver services to best meet the needs of citizens. For example, block or community contracts.
- Improve our planning evidence base. We will develop our modelling capability to underpin the development of preventative services and more integrated health and social care pathways.
- Use regional approaches where they will provide better value for money.

2.5.5 Re-establish and strengthen quality assurance processes – During the COVID pandemic we adapted or disbanded quality assurance processes to comply with new pandemic regulations. We are now restarting and modernising our approaches. The Vale of Glamorgan has appointed a quality assurance officer and implemented a new framework for quality.

2.5.6 Shape the market to close gaps in non-regulated services incl. prevention and early intervention services – The Population Needs Assessment identified that many gaps in services relate to non-regulated services. It was also identified that there is a link between gaps in non-regulated services and an increased need for regulated services. For example, prevention or early intervention service gaps were identified. If these services were in place and effective, more people would be able to live their lives without needing support from the regulated services in the scope of this Market Stability Report.

2.5.7 Maximising choice and control by deploying direct payments appropriately. We plan to increase take-up of direct payments by:

- Reviewing the micro-enterprise model currently used in Somerset County Council.

- Adapting quality assurance systems that help our citizens identify and access good quality support.
- Improving access to information and advice to help citizens make informed choices.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 Five Ways of Working

3.1.1 Long term: The Code of Practice states that each Market Stability report must look forward to the subsequent report; i.e. five years. Each section within this draft report considers what changes may take place to the populations care and support needs and market stability over the next five years, and projects the sufficiency of the care and support market to meet the populations needs.

3.1.2 Integration: Well-being Assessments were conducted in both Cardiff and the Vale of Glamorgan Local Authorities concurrent to the Population Needs Assessment. Regular meetings were held between lead authors to promote cohesion between the assessments. The final Population Needs Assessment and the Well-being Assessments provided the citizen engagement and intelligence which have informed the care and support needs reflected in the Market Stability Report.

3.1.3 Involvement: consultation is not formally required under the Social Services and Well-being (Wales) Act 2014, however, the Code of Practice stipulates that the Market Stability Report should reflect the findings of the Population Needs Assessment, where the need for citizen engagement was emphasised in the Population Needs Assessment Supplementary Guidance issued in March 2021. This assessment took the following approach:

3.1.3.1 Surveys:

- Public survey (available online, hard copy, and Easy Read).
- Children and young people survey (available online, hard copy, and Easy Read).
- Survey for people in HMP Cardiff (available as hard copy).
- Professional and provider survey (available online or hard copy).

3.1.3.2 Focus group discussions: 23 focus groups were conducted, to obtain rich information for each theme. The focus groups were led by Cardiff Third Sector Council, with input from third sector organisations. Further details are available in the Population Needs Assessment.

3.1.3.3 Existing engagement: findings from prior engagement work were included where possible.

3.1.4 Collaboration: the market stability and sufficiency assessments, which fed into the Draft Market Stability Report were conducted as a partnership between the Local Authorities of Cardiff and the Vale of Glamorgan, Cardiff and Vale

University Health Board, the Regional Partnership Board, providers of commissioned services, and third sector representatives.

3.1.5 Prevention: The recent population needs assessment process identified many gaps relate to non-regulated services where there is a link between the gaps and increased need for regulated services. If these services were in place and effective, more people would be able to live their lives without needing support from the regulated services in the scope of this Market Stability Report. During sufficiency assessments gaps in prevention services were identified and considered.

3.2 Well-being Objectives: The Market Stability Report has well-being at its core. Key well-being objectives included within the assessment of market sufficiency to meet the care and support needs of citizens include the following:

3.2.1 A Healthier Wales: the assessment of care and support needs, and the range and level of services required was conducted during development of the Population Needs Assessment (PNA). During the assessment of market sufficiency, the PNA identified where development and improvement of services to support and promote health and well-being need to take place.

3.2.2 A more equal Wales: The Supplementary Guidance issued by Welsh Government requests the consideration for self-funders during market sufficiency analysis. This is presented within relevant sections in the assessment report.

3.2.3 A Wales of vibrant culture and thriving Welsh language: Welsh language needs identified within the Population Needs Assessment show that there are gaps in our knowledge relating to the socio-economic characteristics and Welsh language profile of our citizens with care and support needs. Where known, citizens needs were considered within the sufficiency assessment for each regulated service.

4. Climate Change and Nature Implications

4.1 The Market Stability Report covers a wide range of commissioned services. Social Services will continue to work with the sector to reduce the impact of these services on the environment.

5. Resources and Legal Considerations

Financial

5.1 There are no financial resources required at this stage. The statutory requirement to produce a Joint Area Plan (which will be informed by the final Market Stability report) could have potential financial implications. These implications should be discussed as part of the development of the Area Plan.

Employment

5.2 Recruiting and retaining staff with the skills needed to support people with complex support needs is a particular challenge within the care and support

market. The Market Stability Report shows the focus for workforce initiatives considered during development of the Joint Area Plan should include:

Children and Young People Services: in-house foster carers, kinship carers and adoptive parents.

Older people's services: domiciliary care staff and specialist dementia and end of life skilled care home staff.

Adult services: adult placement/shared lives carers and staff with specialist learning disability, autism, early onset dementia, and mental health care and support skills.

Legal (Including Equalities)

- 5.3 The publication of a Market Stability Report is a statutory requirement under Section 144B of the Social Services and Well-being (Wales) Act 2014.
- 5.4 The final report must be formally approved by the Local Authorities and the Local Health Board, to ensure that the information contained in the report is considered at the most senior levels.
- 5.5 Once approved, Market Stability reports must be published on the websites of all Local Authorities and Local Health Boards.
- 5.6 A copy of the Market Stability report must also be sent to Welsh Ministers at the time of publication.
- 5.7 Following initial publication, there is a requirement for an update on sufficiency and stability of the market to be submitted to Welsh Government annually.

6. Background Papers

- 6.1 Cardiff and Vale of Glamorgan Market Stability Report, available from: <https://cavrp.org/cardiff-and-the-vale-of-glamorgan-regional-partnership-board-market-stability-report-for-the-regulated-social-services-care-and-support-market/>
- 6.2 Cardiff and the Vale of Glamorgan Population Needs Assessment 2022 [online]. Available from: <https://cavrp.org/app/uploads/2022/05/PNA-English-v2.pdf>
- 6.3 Vale of Glamorgan Well-being Assessment 2022 [online]. Available from: <https://sway.office.com/E2aJl1MxUhMAYPYU?ref=Link&loc=play>

Further papers providing the policy context can be found at the links provided below:

Social Services and Well-being (Wales) Act 2014 code of practice (Market stability reports and partnership arrangements in relation to market stability reports) (2021) [online]. Available from: <https://gov.wales/market-stability-reports-code-practice-html>

Social Services and Well-being (Wales) Act 2014 Guidance (Part 9 Partnership arrangements) (v2.0 2020) [online]. Available from: <https://gov.wales/partnership-arrangements-care-and-support-guidance>

Social Services and Well-being (Wales) Act 2014 Code of Practice (Part 2 General Functions) (2015) [online]. Available from: [General social care functions of local authorities: code of practice | GOV.WALES](#)

Population Needs Assessments: Supplementary Advice for Regional Partnership Boards (March 2021) [online]. Available from: <https://gov.wales/sites/default/files/publications/2021-03/population-needs-assessments.pdf>

Welsh Government toolkit “Lets Agree to Agree” (2018) [online]. Available from: <https://ipc.brookes.ac.uk/publications/lets-agree-to-agree>