

# Diversity impact assessment

<b>TITLE</b> Name / description of the issue being assessed	Recommissioning Residential and Nursing Care Services for Older People and Working Aged Adults – Diversity Impact Assessment
<b>DATE</b> Date the DIA is completed	June 2020
<b>LEAD OFFICER</b> Name, title and dept of person responsible for carrying out the DIA.	Michelle Balderston, Senior Commissioning Officer Jack Rye, Programme Lead for Registered Accommodation Services Partnership Commissioning

## 1 Summary description of the proposed change

- What is the change to policy / service / new project that is being proposed?
- How does it compare with the current situation?

Medway Council intends to jointly procure residential and nursing cares services for Working Aged Adults (18-64) and Older People (65+) during the Summer of 2021 (in two Lots). Until then, current providers of services will retain all current care packages until they come to a natural conclusion (or the assessed needs of users change).

All residential and nursing care is provided by Care Quality Commission (CQC) registered Providers.

At present, Medway Council uses a Framework of providers to purchase Older Peoples and Working Aged Adults residential and nursing care services from and the Council does not guarantee any volume of service to providers on the Framework.

Contracts were drafted in 2007 and now require updating to include regulations and legislation such as the Care Act 2014, as well as national and local policies. In addition, there have been significant market changes since 2007 including:

- a decrease in residential placements for both age groups
- an increase in use of supported living and extra care accommodation
- an urgent need for complex and challenging behaviour beds

As part of the recommissioning process, the current contract and future models will be reviewed for both age groups.

For Older Peoples contracts there is an opportunity to rename and re-price banding rates in residential and nursing settings. Access to referral staff (ART) frequently report that complex and challenging behaviours placements are difficult to secure. Partly due to individuals with undiagnosed dementias but also a lack of specific care provisions in the area which suit and can adapt to their needs. Some individuals are placed into nursing beds which are much

more expensive than the agreed band rate. As a consequence, some placements are sourced outside of Medway, at an even higher rate.

There is also an opportunity to discuss the model for purchasing working aged adult placements, moving from a framework to a dynamic purchasing system (DPS).

The commissioning intention is to;

- ensure best value
- improve quality and consistency of services
- improve visibility and reporting of provider performance
- stimulate the market to grow the type and nature of residential provision required by residents

## 2 Summary of evidence used to support this assessment

- Eg: Feedback from consultation, performance information, service user records etc.
- Eg: Comparison of service user profile with Medway Community Profile

At any time there are approximately 1580 service users placed in adult residential or nursing care across Medway. Support is provided to adults who meet the Care Act 2014 national eligibility criteria. 'Adults' includes Working Aged Adults (18-64) and Older People (65+). Adults supported could have physical, mental, sensory, learning or cognitive diseases/illnesses.

Medway Council's market statement 2016/17 described how the numbers of working aged adults accessing adult social care has increased, especially around mental health and learning disability services. This has been the case in subsequent years.

A great deal of research has been carried out for this project, including data and evidence from; CQC, QA, Healthwatch Medway, Medway Council Public Health data, JSNA on adults and older people, Public Health indicators, POPPI/PANSI population predictions for the next 15 years.

### **Engagement:**

We anticipate engagement with service users, the public, providers and stakeholders to commence in early July 2020.

Existing insight and feedback in relation to this project includes;

- Healthwatch Medway, reports/data
- CQC reviews
- Complaints
- Medway Council QA and commissioned contract intelligence
- MC/MCCG recommissioning steering group

This insight will form a small contribution towards the engagement plan. Input from internal, external stakeholders, local residents, existing service users,

providers and potential providers will help inform the future commissioning of Older Peoples' and Working Aged Adults' residential and nursing care in Medway.

Under the Equality Act 2010 we aim to engage with all groups under the protected characteristics; specifically relevant will be age, disability and people experiencing health inequalities.

An easy read version of the service user survey will be made available, and it is hoped that a telephone line offering support in completing the survey will be in place. Postal copies of the survey with a freepost address will be available on request. We will rely on carers and friends and families to assist in obtaining views from individuals who may be challenging to engage with.

Digital marketing can be targeted during the duration of the engagement period towards hard to reach groups in Medway. This will all take place while the proposal is at the formative stage and adequate time for engagement will be considered. A commissioning timeline will be included in engagement methods.

Feedback from service users, families, carers, stakeholders, and providers will be collated through electronic surveys and digital forums. The COVID-19 pandemic declared in March 2020 has restricted engagement in the traditional sense. Should current restrictions ease during the engagement period, we will review if and where we can engage, but only if it is safe and necessary to do so.

## **Feedback**

Provider and stakeholders outcomes will be reported back via a digital forum to towards the end of engagement period (possibly week 4 depending on length of engagement) as the design of the service specification and feedback on the model is required at an early stage. Service users, families and carers and the wider public will be informed once analysis is complete, possibly early autumn.

We plan on feeding back by creating an article which will be shared through social media, i.e. Twitter and Facebook as well as using our internal digital resources.

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### 3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups (Equality Act 2010)	Positive Impact	Neutral Impact	Negative impact
Age	✓		
Disability	✓		
Gender reassignment		✓	
Marriage/civil partnership		✓	
Pregnancy/maternity		✓	
Race		✓	
Religion/belief		✓	
Sex		✓	
Sexual orientation		✓	
Other (eg low income groups)		✓	

### 4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

#### The impact on how services are delivered and the range of services available

The likely impact on Older People and Working Aged Adults with regards to the referral process and the way they access services, is overall positive. The journey through to placement into care should not alter from a neutral position to one being negative. By stimulating the market and creating specialist complex and challenging behaviour beds the intention is to improve referral times, choice and person-centred care. Thus creating an overall positive impact on all age groups.

There could be an impact to Providers of residential and nursing care if bandings are revised and recalculated. There could be an impact to Providers

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of Working Aged Adults care, if we change the model from a Framework to a Dynamic Purchasing System (DPS) and we aim to discuss this in depth during the engagement phase.

Joint commissioning of residential and nursing care with the Clinical Commissioning Group (CCG) will support the strategic transformation plan (STP) and integration agenda. Both parties have a statutory duty to involve the public and patients in commissioning health services.

Although the intention is to not change the process from the service users' point of view, it is important that their views are sought and are included throughout this process.

## 5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- What alternative ways can the Council provide the service?
- Are there alternative providers?
- Can demand for services be managed differently?

The provision of nursing and residential care is a statutory requirement for both Medway Council and Kent and Medway CCG departments and is demand led. Any future joint commissioned services would need to be under a risk sharing agreement.

In the event of departments not jointly procuring these services, Medway Council will continue to recommission Older Peoples' and Working Aged Adults' residential and nursing services alone as we currently do.

## 6 Action plan

- Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
There is a need to stimulate the market and encourage providers to consider the future market in Medway. There is evidence that residential beds have decreased and a pressing need to secure complex and challenging behaviour beds. This aim is to achieve this by consulting providers, restructuring the model/price bandings to ensure our intended outcomes are met.	Jack Rye	Dec 2020

## 7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change, implementing the Action Plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

The recommendation is to jointly procure residential and nursing services in Medway. The next steps are to engage with providers, service users, families and carers, and stakeholders. Their feedback is necessary to improve service user outcomes, improve quality of care within a price point that is sustainable for Providers in Medway.

## 8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into the relevant Service Plan and monitored

**Assistant Director**

James Williams

**Date**

2/11/2020

Contact your Performance and Intelligence hub for advice on completing this assessment

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