

## Slough Borough Council

<b>REPORT TO:</b>	<b>Cabinet</b>
<b>DATE:</b>	15 April 2024
<b>SUBJECT:</b>	Market Position Statement 2024/27
<b>CHIEF OFFICER:</b>	Marc Gadsby, Executive Director People Adults
<b>CONTACT OFFICER:</b>	Jane Senior, Director of Commissioning  Lynn Johnson, Interim Group Manager, Market Management
<b>WARD(S):</b>	All
<b>PORTFOLIO:</b>	Cllr Anna Wright, Social Care and Public Health
<b>KEY DECISION:</b>	YES
<b>EXEMPT:</b>	NO
<b>DECISION SUBJECT TO CALL IN:</b>	YES
<b>APPENDICES:</b>	Appendix 1 – Equality Impact Assessment Appendix 2 – MPS 2024/27 Appendix 3 – Feedback from consultation

### **1 Summary and Recommendations**

- 1.1 Slough's Market Position Statement for Adult Social Care seeks to reflect the current picture of demand for care and support alongside the design, supply, and utilisation of provision across the market to meet the changing needs of local people, and within the current financial challenges being experienced across social care.
- 1.2 The Market Position Statement provides strategic information for providers to inform their business plans within the context of meeting the Council's strategic priorities, and to deliver service innovation and value for money.
- 1.3 The Market Position Statement is a key part of delivering our market shaping duties under the Care Act 2014. Having a Market Position Statement is best practice and will enable us to work with the market to deliver services more efficiently, and to deliver the best outcomes for the people of Slough.

Cabinet is recommended to:

1. Approve the Adult Social Care Market Position Statement 2024/27 (Appendix 2) to ensure we can signal clear intentions and opportunities to the market.
2. Note the feedback from local providers following consultation on the contents of the draft Market Position Statement (Appendix 3)

3. Delegate authority to the Executive Director People Adults, in consultation with the Lead Member for Social Care and Public Health, to make updates to the Market Position Statement.

**Reason:**

- The Care Act 2014 places a requirement on local authorities to maintain a vibrant and sustainable care market to meet the needs of local people.
- A Market Position Statement is one way of fulfilling the Council's statutory obligations, including promoting diversity and quality of services for their populations, whilst ensuring no one goes without care if their provider's business fails and their services cease.
- Publishing a Market Position Statement is a clear and concise way of outlining the current supply and demand for services, what the care and support needs are of residents, and how we plan to work collaboratively with communities and providers to meet those needs.
- It allows the market to appropriately plan for how best to respond to those needs and can inform business choices.
- It is important to note that this Market Position Statement describes plans that are current or imminent and as such the statement is intended to offer providers of care (new and existing) a clear view of the types of services we are or will be commissioning.
- The primary audience for this document is, therefore, the provider market.
- We will continue to maintain an open dialogue with providers we commission through Care Connected, our provider forums to ensure there is sufficient choice of provision to help people meet their aspirations and live as independently as possible.

**Commissioner Review**

*"The commissioners are content with the recommendations in this report".*

**2 Report**

- 2.1 Publishing the Market Position Statement 2024/27 contributes to the following priorities:

**Slough Corporate Plan**

***"A town where residents can live healthier, safer and more independent lives"***

- Working with partners to target health inequalities and promote well-being.
- Supporting residents to be as independent as possible whilst providing quality services for the most vulnerable.

- Staying healthy, remaining independent at home, and meaningfully engaging with the community are crucial elements in achieving a good quality of life.

## 2.2 Options considered

No alternative options have been considered.

Publication of a Market Position Statement enables the Local Authority to evidence its market shaping duties in accordance with the Care Act 2014.

## 2.3 Background

A Market Position Statement is a document produced by the commissioning team within the local authority, ideally following a co-productive process with providers and is aimed at a wide range of care providers both current and potential.

Our new publication reflects changes to the market since the pandemic and gives an overview of demographic pressures and gaps in services to meet current and future needs, it also sets out the challenges we face in the years to come.

Effective collaborative strategic commissioning, new ways of working with residents and communities, the development of partnerships with outstanding providers will, therefore, be crucial.

2.3.1 This Market Position Statement provides an overview of the provision of Adult Social Care and support in Slough. The document and the data in it are presented to encourage providers to analyse, interpret and innovate by way of contributing to the delivery of Slough's vision for the future. The aim is to help providers:

- Understand the future strategic direction of care and support and future commissioning intentions.
- Give an overview of the current people we support, and insights into the wider market.
- Make proactive business and investment decisions.
- Understand future demand; where there are gaps in the current offer; and where a change to the current provision may be required
- Work with us to develop the market and respond to individual needs and choices.

2.3.2 Adult Services wants to develop evidence based early interventions that encourage people to manage and maintain their independence with a range of asset-based community supports.

2.3.3 Where support is required, services will be designed to ensure that people can get the right level and type of support, at the right time to help prevent, reduce, or delay the need for ongoing support, and to maximise people's independence.

2.3.4 To do this we are looking to develop and improve our communication with partners, encouraging creativity and innovation, sharing ideas and best practice, and engaging with our communities to better understand what local people need and want from their support.

### 2.3.5 The key messages therefore are:

- The approaches must be based on human rights, equality, and justice, with a focus on independence, the right to a quality life with choice and control
- The voice and experience of local people must be central and commissioning for the future must be shaped by their specific hopes, aspirations as well as concerns; we aim to make a reality of co-production and the power of lived experience
- As people remain living at home longer, an increase in demand for housing with support will need to be responded to with digital solutions integral.
- The need for residential care will decrease with the plans to expand the provision of extra care housing in the Borough. However, it is projected that the need for nursing care will increase over the coming years.
- Subsequently the spend on residential and nursing care as a proportion of our total budget on older people will decrease as more people are supported to live longer in their own homes; therefore, staying well and independent for longer will be key to mainstream services.
- There will be more of an emphasis and encouragement on people maximising their natural community support, so providers need to have a greater awareness of the community and support offers that are available to inform customers

2.3.6 The priority always will be to focus firstly on helping people to find the support they need within their communities and to avoid dependency on adult social care funded services in the long term.

2.3.7 Where people have an eligible need, the emphasis will initially be on intensive, short-term 'reablement' which restores maximum independence.

2.3.8 Where an assessment identifies that people need a longer-term service, the focus will remain on models that promote independence and ensure that people are able to make full use of community resources.

2.3.9 The market position statement is clear that this will mean:

- Focusing on the outcomes that the person wants to improve upon, the level of response required and assertive monitoring of whether their life is improved as a result
- Helping individuals to make informed choices about what to buy and from whom
- Rebalancing the profile of spend away from institutional settings to support in the community, reinforced by a wider range of accommodation options
- Continuing the shift to more flexible arrangements that encourage responsiveness to the needs and choices of people based on affordability, choice, quality, and accountability in service provision
- Focusing on the needs of individual, and purchasing highly specialist services where needed
- Emphasising co-production with communities, with eligible people and their carers, and with providers.

2.3.10 Delivering against this will require:

- A robust Voluntary, Community, Faith, and Social Enterprise Sector (VCFSE) infrastructure that can reliably deliver services and other opportunities

- A firmer evidence base, informed by more effective monitoring of outcomes and feedback from individuals to shape future commissioning intentions
- A close relationship with current and future providers which continues to share market intelligence to further the understanding of any potential gaps in provision and clarification of respective roles in responding to need
- An increasing emphasis on the provider's ability to demonstrate innovation, impact, productivity, cost effectiveness and value-for-money

2.3.11 We shared our commissioning intentions at Provider Forums in Spring 2024, feedback has been captured in Appendix 3.

2.3.12 We expect to monitor the content of the Market Position Statement regularly and to refresh when there are significant changes to report.

### **3. Implications of the Recommendation**

#### Financial implications

- 3.1 The future commissioning models for Housing with Support and Housing with Care inevitably link with the Market Position Statement, and it is the Market Position Statement that will provide the basis for targeted funding for the next 3 to 5 years and the associated commissioning.
  - 3.1.1 The gross expenditure budget for commissioned services is £35m for Adult Social Care in 2023/24 increasing to £43m in 2024/25, representing the rebasing exercise undertaken as part of the Medium-Term Financial Strategy for 2024/25. Therefore, this Market Position Statement (MPS) directly impacts a considerable element of the Council's budget.
  - 3.1.2 The recommendations from the activity and associated reports are expected to have favourable financial implications where policy or service delivery changes are implemented as a result. Any changes, and the associated financial implications, will need to be the subject of separate reports.
  - 3.1.3 The Market Position Statement contains financial information relating to the forecast 2023/24 gross spend, and the financial information will be updated as part of the Market Position Statement Annual Review to include the most up to date published financial information using the Council's Adult Social Care Finance Return (ASC-FR (Adult Social Care Finance Return)).
  - 3.1.4 The implications of the Market Position Statement must be factored into future budget setting and review processes as they become known so as not to create a pressure on the General Fund in 2024/25 or future years, or afford time to mitigate the impact of those pressures.
  - 3.1.5 Any use of resources arising from decisions linked to the Market Position Statement must be economic, drive efficiency and deliver effective outcomes for residents of Slough.
  - 3.1.6 Providing clear messages to the market through the publication of our Market Position Statement will support more efficient and effective delivery of services and support the council's finances over time.

## 3.2 Legal implications

- 3.2.1 The Market Position Statement is prepared as part of the Council's duty of market shaping under the Care Act 2014.
- 3.2.2 Section 5 Care Act - sets out duties on local authorities to facilitate a diverse, sustainable high-quality market for their whole local population, including those who pay for their own care and to promote efficient and effective operation of the adult care and support market.
- 3.2.3 It is important to develop the Market Position Statement in partnership with local people using the services and other important stakeholders as set out in the 2017 Adult Social Care Market Shaping Guidance.

## 3.3 Risk management implications

- 3.3.1 The risks associated with the Market Position Statement relate to the ability of the Council to meet individuals' needs and address gaps in the market while balancing the affordability of any service change.

## 3.4 Environmental implications

- 3.4.1 There are no environmental implications.

## 3.5 Equality implications

- 3.5.1 The Equality Impact Assessment is attached at Appendix 1.
- 3.5.2 Whilst there are no direct equalities implications arising from this request to endorse this latest version of Slough's Market Position Statement for Adult Social Care, we are committed to continually reviewing equalities and the range and impact of care provisions available in the local health market for residents. This is to ensure that the needs of those protected under the Equality Act 2010 are continuously considered and reflected in the local health market
- 3.5.3 It is intended that the MPS will have a positive impact by identifying the range of services now and needed in future to support individuals to manage their own health and wellbeing needs and to access the right support at the right time.
- 3.5.4 The MPS benefits disabled people as it seeks to identify services that will address and prevent a range of Long-Term Conditions and crises by commissioning services including across the NHS and Social Care.
- 3.5.5 The MPS contains a commitment to gather further information on the needs of local people through further development of commissioning strategies and action plans in order that we understand the needs of Slough communities.
- 3.5.6 It is intended that the MPS will have a positive impact by identifying the range of services now and needed in future to support individuals to manage their own health and wellbeing needs and to access the right support at the right time.

#### **4. Background Papers**

None

## Appendix 1

# Equality Impact Assessment

<b>Directorate: People Strategy &amp; Commissioning People (Adults)</b>	
<b>Service: Market Management</b>	
<b>Name of Officer/s completing assessment: Lynn Johnson</b>	
<b>Date of Assessment: 9 February 2024</b>	
<b>Name of service/function or policy being assessed: Market Position Statement 2024/27</b>	
1.	<p>What are the aims, objectives, outcomes, purpose of the policy, service change, function that you are assessing?</p> <p>The MPS aims to describe our commissioning priorities for ASC through key messages for the market. Importantly this will enable providers and partners currently operating in Slough, and those who may wish to in the future, to understand the range of services currently delivered and our requirements to collectively shape and develop a vibrant diverse market for current and future generations.</p>
2.	<p>Who implements or delivers the policy, service, or function? State if this is undertaken by more than one team, service, and department including any external partners.</p> <p>Delivery of the Market Position Statement will be the responsibility of the Commissioning Teams across Adult Social Care with Health partners, working with local providers and people who use services.</p>
3.	<p>Who will be affected by this proposal? For example, who are the external/internal customers, communities, partners, stakeholders, the workforce etc. Please consider all the Protected Characteristics listed (more information is available in the background information). Bear in mind that people affected by the proposals may well have more than one protected characteristic.</p> <p>Whilst there are no direct equalities implications arising from this request to endorse this latest version of Slough's Market Position Statement for Adult Social Care, we are committed to continually reviewing equalities and the range and impact of care provisions available in the local health market for residents.</p> <p>This is to ensure that the needs of those protected under the Equality Act 2010 are continuously considered and reflected in the local health market</p>



<b>Characteristic</b>	<b>Positive, Negative, Neutral or Unknown Impact</b>	<b>Rationale for Assessment</b>
<b>Age</b>	Positive	It is intended that the MPS will have a positive impact by identifying the range of services now and needed in future to support individuals to manage their own health and wellbeing needs and to access the right support at the right time.
<b>Disability</b>	Positive	The MPS benefits disabled people as it seeks to identify services that will address and prevent a range of Long-Term Conditions and crises by commissioning services including across the NHS and Social Care.
<b>Gender Reassignment:</b>	Neutral	The MPS will benefit all individuals including those who have undertaken gender reassignment.
<b>Marriage and Civil Partnership:</b>	Neutral	N/A
<b>Pregnancy and maternity:</b>	Neutral	N/A
<b>Race:</b>	Neutral	N/A
<b>Religion and Belief:</b>	Positive	People of any religion and belief should benefit from the MPS.
<b>Sexual orientation:</b>	Positive	People of any sexual orientation should benefit from the MPS.
<b>Other:</b>	Positive	

4.	<p>What are any likely positive impacts for the group/s identified in (3) above? You may wish to refer to the Equalities Duties detailed in the background information.</p> <p>Better support to individuals across all equalities categories to enable people to receive the right support at the right time.</p>
5.	<p>What are the likely negative impacts for the group/s identified in (3) above? If so, then are any particular groups affected more than others and why?</p> <p>There will be no negative impact.</p>
6.	<p>Have the impacts identified in (4) and (5) above been assessed using up to date and reliable evidence and data? Please state evidence sources and conclusions drawn (e.g., survey results, customer complaints, monitoring data etc).</p> <p>The MPS contains a commitment to gather further information on the needs of local people through further development of commissioning strategies and action plans in order that we understand the needs of Slough communities.</p>
7.	<p>Have you engaged or consulted with any identified groups or individuals if necessary and what were the results, e.g., have the staff forums/unions/ community groups been involved?</p> <p>The MPS has been shaped by engagement with providers</p>
8.	<p>Have you considered the impact the policy might have on local community relations?</p> <p>A demonstrable commitment to delivering the MPS should have a positive impact upon community relations.</p>
9.	<p>What plans do you have in place, or are developing, that will mitigate any identified negative impacts? For example, what plans, if any, will be put in place to reduce the impact?</p> <p>There are no identified negatives.</p>
10.	<p>What plans do you have in place to monitor the impact of the proposals once they have been implemented? (The full impact of the decision may only be known after the proposals have been implemented). Please see action plan below.</p> <p>Implementation of the MPS Annual refresh.</p>

<b>What course of action does this EIA suggest you take? More than one of the following may apply</b>	✓
<b>Outcome 1: No major change required.</b> The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.	✓
<b>Outcome 2: Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments would remove the barriers identified? (Complete action plan).	
<b>Outcome 3: Continue the policy</b> despite potential for adverse impact or missed opportunities to promote equality identified. You will need to ensure that the EIA clearly sets out the justifications for continuing with it. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact (see questions below). (Complete action plan).	
<b>Outcome 4: Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination. (Complete action plan).	

**Action Plan and Timetable for Implementation**

At this stage, a timetabled Action Plan should be developed to address any concerns/issues related to equality in the existing or proposed policy/service or function. This plan will need to be integrated into the appropriate Service/Business Plan.

Action	Target Groups	Lead Responsibility	Outcomes/Success Criteria	Monitoring & Evaluation	Target Date	Progress to Date

<b>Name:</b> Lynn Johnson
<b>Signed:</b> ..... (Person completing the EIA)
<b>Name:</b> .....
<b>Signed:</b> ..... (Policy Lead if not same as above)
<b>Date:</b> 23/02/2024