

Performance Scrutiny Committee – 4 February 2020

Reviews of the Mental Health Outcomes Based Contract and the Section 75 Mental Health Social Work

Report by the Corporate Director of Adult Services

RECOMMENDATION

1. The Committee is RECOMMENDED to note the report.

Introduction

2. Performance Scrutiny have asked for a report regarding the Section 75 Partnership agreement between OHFT and OCC. The report is expected to cover the delivery of social work and the outcome of the transfer of the Older Adult Mental Health Team back into the council. It also includes team activity, the number of people supported and an overview of s. 117 funding.
3. Oxfordshire County Council's (OCC) contribution to the Mental Health section 75 Partnership Agreement pays for social work staff to deliver care act compliant functions of assessment, care planning and review and other mental health social work activities, on behalf of Oxfordshire County Council through Oxford Health Foundation Trust (OHFT) Adult Mental Health Community Teams (AMHTs), Early Intervention Service (EIS) and Forensic Service (FS).

Background

4. Along with the delivery of care act compliant functions the purpose of the s75 agreement is to facilitate the provision of integrated services by the Partners (OCC and OHFT) in the manner and locations specified in the agreement and to be limited to eligible people within the Council's borders.
5. The s75 agreement covers the staff in community teams. The community teams consist of three locality-based Adult/Integrated Mental Health Teams (AMHT/IMHT), an Early Intervention Service (EIS), and a Forensic Service (FS).
6. The governance and management oversight of the s75 partnership agreement is the role of the Mental Health Provider Joint Management Group (JMG); the terms of reference form part of the s75 Partnership agreement. This role includes monitoring of the budget, activity, staffing and service improvements.

The Pooled Budget

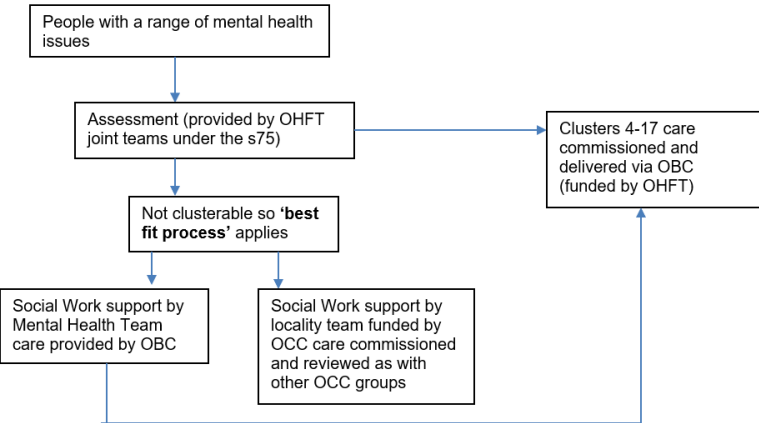
7. In 2018/19 the planned contributions to the s75 agreement by OCC were £1.8m and by OHFT was £5.8m for adults of working age.

8. The OHFT contribution to the s75 pooled budget comes from their funding from the Mental Health Outcomes Based Contract (OBC). The OBC is reviewed in detail in the associated paper; ‘The Centre for Mental Health Review of Oxfordshire Mental Health Outcomes Based Commissioning Contract Summary Report’.

Eligibility

9. Eligibility for care under the 2014 Care Act is based on an assessment identifying how an individual’s needs affect their ability to achieve relevant desired outcomes, and whether as a consequence this has a significant impact on their wellbeing. Eligibility is primarily determined through a Care Act Assessment. S75 social work is for any person for whom the Care Act indicates the need following, assessment for appropriate social care services and those needs are as a result of a mental health condition and/ or eligible for Aftercare under S117 Mental Health Act.

10. The s75 covers the statutory provision of assessment, care planning and review. People who meet the eligibility criteria for the Outcomes Based Contract have their support needs met from within this contract. This includes services sub contracted by OHFT from voluntary sector and independent sector providers. Social care support for people who do not meet the criteria for the OBC is funded via the OCC and OCCG Adults with Care and Support Needs Pooled budget.



11. The s75 partnership agreement also enables social work staff to facilitate the provision of a social care package for people meeting Care Act criteria in line with Oxfordshire County Councils “best fit” practice (as set out below). Where someone is eligible for assistance under Care Act criteria the care and recovery plan will be delivered through a personal budget. This care package is provided, as appropriate, either as a direct payment and/or via a sub-contracted service within the OBC (if eligible for an OBC service).

12. The s75 is defined as covering ‘integrated mental health and social care services for adults of working age and mental health and social exclusion (vulnerable adults)’. The population covered by the s75 agreement is broader, and more focused on social need within mental health, than the population covered by the OBC.

Mental Health Social work staff

13. The total staffing numbers for the AMHT's is 168 WTE. This number does not include the staffing for the Forensic Service or the Early Intervention Service.
14. There are currently 41.5 whole time equivalent (WTE) posts funded by OCC's contribution to the s75 partnership agreement spread across the AMHT, Forensic Service, EIS and management (these consist of senior practitioner social workers, social worker and support worker roles). Of these, 4.7 WTE remain as OCC employees seconded to the NHS organisation (OHFT).

S75 Mental Health Social Work Team Activity

15. OHFT record social work activity on the OCC Social Work case management system (LAS) and on the OHFT case management system (Carenotes). At the end of August 2019, the OHFT S75 social work case load was 580.
16. The current average Mental Health Social Worker's case load is 24 cases (this considers wte and skill mix). These caseload figures are similar to what would be expected in other social work teams in the Council.
17. The figures from LAS and Care Notes combined are an accurate position of the case work being undertaken by s75 Social Work staff. Social Workers record cases in the relevant place which is either Care Notes, LAS or both depending on the nature of the work. There is a requirement for all statutory social work to be recorded on LAS.

Outcome of the transfer of Older Adults Mental Health Social Work

18. The OCC 6-month review on the outcome of the transfer reports that some of the prior concerns regarding staffing, processes and outcomes for people receiving services did not have the anticipated level of impact after transition.
19. All staff successfully TUPE'd to OCC, social workers are now embedded in the Council system and report to have greater clarity about their roles and expectations in relation to the Care Act.
20. Overall Older Adults Mental Health team activity, as recorded on LAS is at a higher level when comparing Older Adult Community Mental Health Team data (before the transfer). This was to be expected given that pre-transfer Older Adult Mental Health social workers were not using LAS fully.

Section 117 of the Mental Health Act

21. Section 117 of the Mental Health Act covers the provision of Aftercare after a person has been detained in hospital under an eligible section of the MHA. There is no power to charge for Aftercare services. The MHA Code of practice states that Aftercare should be interpreted broadly, and it can include things such as; medication, social care and supported accommodation and social activities. These Aftercare services are services which are intended to meet a need that

arises from or relates to a mental disorder and will reduce the risk of a person's mental health condition getting worse, and them having to go back to hospital. Aftercare is a joint duty of the Local Authority and the CCG.

22. 302 people are subject to s117 Aftercare in the Older Adults Mental Health Social Work team within OCC. These are now being jointly reviewed with OHFT to establish whether people still meet the s117 criteria.
23. OHFT are responsible for the care and management of s117's for adults. There are 1664 (data from January 2019) adults of working age subject to s117 aftercare in the Adult Mental Health Teams within OHFT. OHFT are in the process of implementing the jointly developed s117 protocol. Cases are reviewed at the regular review times and work is underway to ensure that LAS is fully update with s117 information.

Conclusions

24. Data available from OHFT's case management system and the OCC case management system does provide the Council with a complete picture of activity relating to social care, care act compliant assessment and reviews. Some social care need is being met through the OBC sub contract services. These services are commissioned, and contract managed by OHFT.
25. OHFT are committed to improving the s75 social work data recording on the OCC case management system, LAS. Improvements can still be made particularly on evidencing the extent of care act eligibility within the service and ensuring social workers have enough time to undertake their statutory duties.
26. The Mental Health Provider JMG (OCC and OHFT) will continue to retain the responsibility for overseeing the s75 partnership arrangements including monitoring of budget, performance, staffing and service development.
27. The continued collaboration between system partners will ensure ongoing delivery of quality care for people requiring support with their mental health and social care needs.

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Background papers: None

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