



Leicester
City Council

**WARDS AFFECTED:
All Wards (City-wide issue)**

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet

25th July 2005

Adult Mental Health Integration – Extension of Partnership Agreement

Report of the Corporate Director of Social Care and Health

1. Purpose of Report

To seek Cabinet approval for extending the partnership agreement following the consultation exercise held in April 2005. The consultation took place with Social Care and Health staff employed by Leicester City Council under the terms of the partnership agreement for the Leicestershire Partnership NHS Trust (LPT). The staff involved in the consultation are currently seconded to the LPT Mental Health Services for Working Age Adults.

2. Recommendations

Cabinet is recommended:

- a) to note the method and the results of the consultation process, with the majority of staff opting for the option to extend the partnership agreement by two years from 1st April 2006;
- b) To agree that the partnership agreement with Leicestershire Partnership NHS Trust, Leicestershire County Council and Rutland County Council be extended for a period of two years with effect from 1st April 2006; and
- d) To ask the Corporate Director of Social Care and Health to conduct further consultation with staff in early 2007 about the transfer of staff into the employment of the Leicestershire Partnership NHS Trust under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 1981 and to report the outcomes of the consultation to Cabinet together with recommendations for the future of the integrated service in the Summer of 2007.

3. Summary

- 3.1 The long-term aim for the Adult Mental Health Integration exercise is to achieve fully integrated, seamless, high quality health and social care services for adults within Mental Health Services.
- 3.2 The integrated Mental Health Services for working age adults has been delivered through partnership working under the terms of an agreement based on staff being seconded to the LPT for a period of three years from 1st April 2003. The existing partnership agreement will end on 31st March 2006.
- 3.3 With regard to the future arrangements, the Joint Staff Consultative Forum held on the 15th February 2005 agreed the process of consultation and this was endorsed by the Mental Health Executive Board. As a result, three consultation meetings were held with seconded staff in April 2005.
- 3.4 Of the four options outlined in the briefing paper and discussed in detail at the Consultation meetings, the preferred option for the majority of staff was the option to extend the partnership agreement for a further period of two years. This would mean seconded staff would remain as Leicester City Council employees until 1st April 2008 and then transfer to the employment of LPT, subject to further consultations.

4. Headline Financial and Legal Implications

- 4.1 Legal Implications (Guy Goodman, Assistant Head of Legal Services – Tel. 252 7054).

The Section 31 Agreement in place for the integration provides that any extension to the duration of the agreement requires the approval of the Trust's Board and the Local Authorities' Cabinets.

- 4.2 Financial Implications (Colin Sharpe, Head of Finance – Tel. 252 8800)
There are no direct financial implications of staff remaining City Council employees for the next two years, whilst seconded to the Trust. Should a TUPE transfer be considered in the future, and then the precise financial implications will need to be established as part of the change process. The key issues would include any pay differences between Trust and Council staff that would apply to current Council staff as they TUPE to the Trust, the differences in the NHS and Local Government pension schemes for staff and the employers, and the transfer of support service work such as Human Resources, Payroll processing and Staff Development

5. Report Author/Officer to contact:

Bhupen Dave
Service Director – Adult Division
Social Care and Health

Tel: 2528312

Malcolm Hepplewhite
Service Manager – Adult
Division
Social Care and Health

Tel: 2565293

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet):



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FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet

25th July 2005

Adult Mental Health Integration – Extension of Partnership Agreement

SUPPORTING INFORMATION

1. Report

- 1.1** The purpose of this paper is to describe the results of the consultation exercise held in April 2005 with Social Care and Health Staff employed by Leicester City Council under the terms of its partnership agreement for the Leicestershire Partnership NHS Trust (LPT).
- 1.2** The staff involved in the consultation are currently seconded to LPT Mental Health Services for Working Adults.

2. Background

- 2.1** The long-term aim for all stakeholders is to have fully integrated, seamless, high quality health and social care services for adults within Mental Health Services.
- 2.2** The integration of Mental Health Services for working age adults has been delivered through partnership working under the terms of an agreement based on staff being seconded to the LPT for a period of three years from the 1st April 2003. The partnership agreement will end on the 31st March 2006.

3. Context for the Consultation

- 3.1** Leicester City Council had not made any decision about the contractual position of seconded social care and health staff at the end of the partnership agreement in March 2006.
- 3.2** Leicestershire Partnership (NHS) Trust's stated position at the outset of the consultation was that of 'no preferred option'.
- 3.3** Mental Health Improvement Programme (MHIP)
The purpose of MHIP is to make step-by-step improvements in the delivery of mental health services in partnership with the local health and social care

community along with service users and carers. Expected outcomes and recommendations are due in Autumn 2005 with implementation taking place over several years.

- 3.4** The Mental Health Bill has significant implications for the ASW service (currently the statutory responsibility for Local Authorities) in particular the proposal to introduce the Approved Mental Health Professional. At this stage, there is no clear timescale for implementation.
- 3.5** The Agenda for Change is a new NHS pay system which should offer scope to create new job profiles with fairer pay, based upon job evaluation, with better links between career and pay progression. Implementation is underway, however, local outcomes are not clear at present.

4. Consultation

- 4.1** At the Joint Staff Consultative Forum held on the 15th February 2005 the process of consultation was agreed and the Mental Health Executive Board endorsed this.
- 4.2** Three consecutive meetings were held with seconded staff on the following dates:
- 19th April 2005
 - 20th April 2005
 - 25th April 2005

Prior to the meetings, staff were sent a letter of invitation (appendix 1) and a briefing paper (appendix 2), which outlined options for consultation.

- 4.3** Staff who were unable to attend the meetings were invited to comment either by letter or e-mail to Jay Webb (Leicester City Council Social Care and Health Directorate, Human Resources) or to comment through their Trade Union representatives.
- 4.4** At each consultation meeting in attendance were representatives for Leicester City Council, Unison and Leicestershire Partnership (NHS) Trust. The consultation ended on the 6th May 2005.
- 4.5** Each meeting was structured to ensure that:-
- Consultation took place with staff on the four options outlined in the briefing paper.
 - Staff were provided with an opportunity to feedback their experience of secondment to LPT.
 - Issues were highlighted for further consideration and action.

5. Options (summary)

5.1 Option 1

The partnership agreement to be extended for a further period of two years. This would mean seconded staff would remain as Leicester City Council employees until 1st April 2008. Staff would then transfer under TUPE from Leicester City Council into the employment of LPT from the 1st April 2008.

This was the preferred option for the majority of staff consulted.

5.2 Option 2

This would involve the secondment period being extended only for ASWs and for it to end on 31st March 2006 as per the partnership agreement for all remaining staff. Those staff would then be TUPE transferred into the LPT from 1st April 2006.

Staff consulted dismissed this option.

5.3 Option 3

This was to consider whether an incremental approach to full integration by TUPE transfer of staff by job category would be more beneficial. This would commence on the 1st April 2006 with a target of full integration by 1st April 2008 depending upon the views of staff.

Staff consulted dismissed this option.

5.4 Option 4

This would involve the extension of the secondment period until April 2007 when all staff, other than ASW's and those social workers who have a contractual obligation to undertake ASW training, would TUPE transfer to LPT.

This was the preferred option for a minority of staff consulted.

6. Consultation Outcome

6.1 Over the course of the three meetings, 36 staff attended, which represents 46% of the seconded workforce. Only one member of staff not attending the meetings took the option of commenting in writing (e-mail).

6.2 The following issues were consistently raised during the consultation:

6.2.1 TUPE

Staff requested further clarification on what TUPE would mean for them and what the process would involve. It was noted that despite explanations and reassurance staff remained apprehensive about the TUPE process particularly over pensions.

6.2.2 Equal Opportunities

Staff stressed the importance of equal opportunities for both health and social care staff in the LPT. Staff also stressed the importance of a shared understanding and commitment to equality in service delivery within the LPT from both health and social care staff.

6.2.3 Values

Widespread concern that social care values and perspective being ignored by health colleagues. Seconded staff tend not to feel valued, some frustration that they have minimal impact upon service development and that they need to be more involved in decision making.

6.2.4 Access to training

Some staff reported that it is difficult to access training provided by the Social Care and Health Directorate for example NVQ training. Staff highlighted the need for a joint training and development strategy.

6.2.5 Wider Context

Some staff felt it was important that secondment continues until it is clear what the outcome will be from initiatives such as MHIP, Mental Health Bill and Agenda for Change.

The themes arising from the consultation broadly mirror the Integration Survey carried out by the LPT in 2004.

7. Outcome

7.1 Most staff welcomed the consultation meetings although several members of staff noted that it was unfortunate that meetings could not have been held at an earlier stage in the secondment period. Nevertheless, staff were generally appreciative of the opportunity to voice their concerns and to raise important issues, some of which, e.g. training, are being addressed.

7.2 In terms of the options, the consensus from staff attending the meetings (and the one member of staff who e-mailed comments) was in favour of Option 1.

8. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	Yes	Throughout report	
Policy	Yes	Throughout report	
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	No		

9. Background Information

- ◆ Partnership agreement with Leicestershire Partnership NHS Trust April 2003.
- ◆ Notes of the consultation meetings held on 19, 20 and 25 April 2005.

10. Report Author/Officer to contact:

Bhupen Dave
Service Director – Adult Division
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