

Executive Decision Report

Provision of Community Care Assessment Services for People who Misuse Substances

Decision to be taken by: Council
Decision to be taken on: 27 June 2013
Lead director: Ruth Lake



City Mayor

Useful information

- Ward(s) affected: All
- Report author: Sarah Morris, Head of Service, Localities
- Author contact details: Sarah.Morris@leicester.gov.uk, 0116 2211559
- Report version number: 1.1

1. Summary

The purpose of this report is:

- 1.1 To convey the success of the partnership working in this area and seek Council approval for the acceptance of a delegated function, to the City Council from Leicestershire and Rutland County Councils, thus enabling it to continue to carry out Community Care Assessment and Care Management functions for people who misuse substances living in those areas.

2. Recommendations

Executive is recommended to:

- 2.1 Note and formally approve the delegation to the Council of a social care function by Leicestershire and Rutland County Councils of their community care assessment and care management arrangements for people who misuse substances from 1st April 2013 to 31st March 2016.
- 2.2 Authorise the Director of Adult Social Care and Safeguarding to enter into agreements which give effect to the arrangements as detailed in this report and in paragraph 2.1 in consultation with and with advice from the City Barrister.

3. Supporting information including options considered:

- 3.1 Leicester City Council and Leicestershire County Council are currently party to an agreement for the provision of community care assessment services to people who misuse services. Council approved this arrangement on 25th November 2010 and 29th June 2011 for a period from 1st April 2009 – 31st March 2013. The current agreement under which these services are provided by the City Council on behalf of the County Council expires on 31st March 2013.
- 3.2 Under this agreement Leicester City Adult Social Care provides this assessment service on behalf of the County Council and is funded to do so by the Councils' social care services and the Drugs and Alcohol Action Teams.
- 3.3 The Substance Misuse Team within Leicester City Council Adult Social Care is responsible for assessing needs and determining eligibility for residential rehabilitation. The Team Leader is responsible for seeking authorisation from

senior managers within the appropriate Adult Social Care Department for any residential rehabilitation placements required and the team then arrange these and monitor them.

- 3.4 Rutland had historically been intended to be party to this agreement but withdrew before the current agreement was signed.
- 3.5 The parties wish to continue the arrangements under a new agreement, to be established from April 2013 – March 2016. Rutland County Council is also going to be party to these arrangements for this period.
- 3.6 This proposed agreement is not substantially different from the current agreement; there are some wording changes to take account of changes in job titles and staff within these roles, activity data over the last couple of years and Rutland's involvement in the new agreement.
- 3.7 Consideration was given to the option of ending the arrangements and each party providing this service on its own behalf. However, the parties are all happy with the quality of service provided by Leicester City Adult Social Care. The team comprises of 4 workers and a 0.5 management post; this specialist service could not be resourced by individual parties but the agreement arrangements allow for the provision of a specialist, skilled team to meet the needs of this particular group of people across the three local authorities. This has been an excellent example of partnership working between the councils in order to provide a quality service in an efficient and practical way through economies of scale and a streamlined management structure.
- 3.8 Consideration was also given to reviewing the function and responsibilities of this team. However, the parties will be required to review the wider provision of drugs and alcohol services over the next couple of years and so it was agreed that it would be appropriate to continue with an agreement similar to the current one whilst this work is undertaken. The function of the team can then be reviewed in depth as part of this wider review.

4. Details of Scrutiny

None

5. Financial, legal and other implications

5.1 Financial implications

The report is seeking to extend current arrangements for the next 3 financial years, 2013/14 to 215/16. No financial implications.

Rohit Rughani, Principal Accountant

5.2 Legal implications

This report sets out that Council approved the acceptance of a delegated function from Leicestershire and Rutland County Councils' for the period 1 April 2009 – 31 March 2013, and that further Council approval is required for the period beyond 31 March 2013.

The acceptance of a delegation of any function from another local authority requires Council approval, under Part 2, Article 4.02 of the Constitution.

The Council has legal powers to accept such delegation under s101 Local Government Act 1972 and enter into such agreement with Leicestershire and Rutland Councils'.

In order for the arrangement to continue beyond 31 March 2013, the Council needs to approve this acceptance of delegation of function from Leicestershire and Rutland Councils' and client officers are seeking this for the term 1 April 2013 – 31 March 2016. Legal services are advising on a revised agreement for the term proposed, subject to Council approval.

Beena Adatia, Principal Solicitor (Commercial & Contracts), ext 29 6378

5.3 Climate Change and Carbon Reduction implications

No climate change implications.

5.4 Equality Impact Assessment

An equality impact assessment has not been completed as there is no proposed change to the service being provided.

5.5 Other Implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None identified.

6. Background information and other papers:

7. Summary of appendices:

8. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

9. Is this a “key decision”?

No

10. If a key decision please explain reason

In determining whether it is a key decision you will need consider if it is likely:

- to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates.
- to be significant in terms of its effects on communities living or working *in two or more wards in the City*.

Expenditure or savings will be regarded as significant if:

- (a) In the case of additional recurrent revenue expenditure, it is not included in the approved revenue budget, and would cost in excess of £0.5m p.a.;
- (b) In the case of reductions in recurrent revenue expenditure, the provision is not included in the approved revenue budget, and savings of over £0.5m p.a. would be achieved;
- (c) In the case of one off or capital expenditure, spending of over £1m is to be committed on a scheme that has not been specifically authorised by Council.

In deciding whether a decision is significant you need to take into account:

- Whether the decision may incur a significant social, economic or environmental risk.
- The likely extent of the impact of the decision both within and outside of the City.
- The extent to which the decision is likely to result in substantial public interest
- The existence of significant communities of interest that cannot be defined spatially.