

LONDON BOROUGH OF CROYDON

REPORT:	CABINET	
DATE OF DECISION	24 th May 2023	
REPORT TITLE:	Adult Social Care & Health Market Position Statement	
CORPORATE DIRECTOR / DIRECTOR:	Annette McParland, Corporate Director of Adult Social Care and Health (DASS) Bianca Byrne, Director of Commissioning, Policy & Improvement	
LEAD OFFICER:	Lucia Partridge, Programme Manager Lucia.partridge@croydon.gov.uk 0208 726 6000 ext 21342	
LEAD MEMBER:	Councillor Yvette Hopley Cabinet Member for Health and Adult Social Care	
KEY DECISION?	No	N/A
CONTAINS EXEMPT INFORMATION?	No	Public
WARDS AFFECTED	N/A	

1 SUMMARY OF REPORT

- 1.1 Croydon's Market Position Statement for Adult Social Care & Health (ASCH) services 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 health and social care.
- 1.2 The Market Position Statement provides strategic information for providers to inform their business and development 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 considered to be 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 Croydon.
- 1.4 We are preparing for publication in June, following publication of [Croydon's Market Sustainability Plan](#) on 27 March 2023. The two documents are complimentary.

2 RECOMMENDATIONS

For the reasons set out in the report, the Executive Mayor in Cabinet is recommended to:

- 2.1 support the content of the ASCH Market Position Statement (Appendix 1) to ensure ASCH can signal clear intentions and opportunities to the market;
- 2.2 note the feedback from residents and local providers following consultation on the contents of the Market Position Statement at our Resident Voice Group and Provider Forums as outlined in section 4.4;
- 2.3 note the publication of the ASCH Market Position Statement on the London Borough of Croydon website.

3 REASONS FOR RECOMMENDATIONS

- 3.1 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 (section 5), whilst ensuring no one goes without care if their provider's business fails and their services cease (sections 48 to 56).
- 3.2 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.
- 3.3 We will continue to maintain an open dialogue with providers and people who use the services we commission through our provider forums and resident engagement groups, to ensure there is sufficient choice of provision to help people meet their aspirations and live as independently as possible.

4 BACKGROUND AND DETAILS

- 4.1 A Market Position Statement is a document produced by commissioners within the local authority, ideally following a co-productive process with providers, people who use services and other partners, and is aimed at a wide range of care providers both current and potential. The Market Position Statement summarises supply and demand in a local authority area and signals business opportunities within the care market in that area.
- 4.2 The Market Position Statement should be the basis for strategic commissioning and be published, reviewed and updated regularly. It is intended to be used by providers to plan for the future and to inform business choices such as future investment. The information should be provided in a straightforward and easy to use format. It should tell providers what is happening now, what is planned for the future and what

commissioners' plans are. This information will enable providers to work with local authority commissioners to plan business developments.

- 4.3 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, and the development of partnerships with outstanding providers will, therefore, be crucial. The Market Position Statement aligns to the vision and supporting priorities of the Adult Social Care and Health Strategy 2021-2025.
- 4.4 We shared our commissioning intentions at Provider Forums in spring and autumn 2022 and invited feedback from our Resident Group in summer 2022. Feedback from both groups has been captured below:

Key messages from providers:

Feedback from providers following initial forums indicates providers would welcome:

- **increased transparency** from the Council about ways of working and who to contact when issues arise
- **working together and being involved in decision making** rather than being done to, which is the current perception
- **an increased understanding** about how the council commissions care services
- **increasing rates of pay** so providers can adequately recruit and retain staff.

Key messages from residents:

Residents have said that they value:

- **good quality affordable care** delivered by knowledgeable, reliable, and professional carers, that add social value to the community
- **accessible and flexible respite** offer for carers
- **support and training for carers** who are looking after family members in their own homes, especially with regards to dementia
- **a holistic and personalised approach** to care – characterised by inclusivity.

- 4.5 We have developed a Commissioning Action Plan (Appendix 1) to track progress, this in turn is directly linked to the Strategic Commissioning and Improvement Service Plan, which sets out our service transformation for the next year, and the Managing Demand programme. It is also closely aligned to the Annual Procurement Plan and procurement activity up to March 2025 (Appendix 2).
- 4.6 We expect to monitor the content of the Market Position Statement regularly and refresh when there are significant changes to report.

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 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.

6 CONSULTATION

6.1 We consulted the following groups during the development phase of the Market Position Statement:

- Resident groups on: 3 August 2022 & 27 October 2022
- Provider forums in: May and June 2022; September and October 2022
- ASCH Staff Conferences during September 2022

7. CONTRIBUTION TO COUNCIL PRIORITIES

7.1 Mayor's Business Plan 2022 – 2026:

- **Outcome 1:** The council balances its books, listens to residents and delivers good sustainable services.
- **Outcome 5:** People can lead healthier and independent lives for longer.

7.2 Adult Social Care & Health Directorate overall vision: *to promote the independence, health and well-being of our residents, and keep adults safe who are at risk of abuse and neglect.* And priorities:

- Develop our Resident Voice and fulfil all statutory responsibilities, ensuring our adults are supported and those at risk of abuse or neglect are safe.
- Implement managing demand principles and processes, strong commissioning and market management; and moving activity and expenditure to the targets in our strategy.
- Ensure health and care integration is successful and proportionate, and that it aligns to the Council's objectives for its budgets and our residents.

8. IMPLICATIONS

8.1 FINANCIAL IMPLICATIONS

8.1.1 There are no direct financial implications to publishing a Market Position Statement, as the document does not guarantee any expenditure. However, providing clear messages to the market through the publication of our Market Position Statement and action plan will support more efficient and effective delivery of services, and support the council's finances over time.

8.2 LEGAL IMPLICATIONS

8.2.1 The Market Position Statement is prepared as part of the Council's duty of market shaping under the Care Act 2014.

8.2.2 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 as a whole.

8.2.3 Sections 48-56 Care Act ensures that no one goes without care if their provider's business fails and their services cease. It covers:

- CQC market oversight
- Local authority duties for ensuring continuity of care in the event of provider failure and service cessation.

8.2.4 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.

8.2.5 **Approved by:** Doutimi Aseh, Head of Social Care & Education Law and Deputy Monitoring Officer on behalf of the Director of Legal Services and Monitoring Officer..

8.3 **EQUALITIES IMPLICATIONS**

8.3.1 Under the Public Sector Equality Duty of the Equality Act 2010, decision makers must evidence consideration of any potential impacts of proposals on groups who share the protected characteristics, before decisions are taken. This includes any decisions relating to how authorities act as employers; how they develop, evaluate and review policies; how they design, deliver and evaluate services, and also how they commission and procure services from others.

8.3.2 Section 149 of the Act requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

8.3.3 Protected characteristics defined by law include race and ethnicity, disability, sex, gender reassignment, age, sexual orientation, pregnancy and maternity, and religion or belief. Whilst there are no direct equalities implications arising from this request to endorse this latest version of Croydon's Market Position Statement for Adult Social Care & Health (ASCH), 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.

8.3.4 Approved by: Barbara Grant on behalf of Denise McCausland, Equalities programme manager.

8.4 **OTHER IMPLICATIONS**

8.4.1 Reputational damage for not publishing a Market Position Statement in line with market shaping duties.

8.4.2 Approved by: Bianca Byrne, Director of Commissioning, Policy & Improvement (Date 05/04/2023)

9. **APPENDICES**

10. BACKGROUND DOCUMENTS

N/A

11. URGENCY

N/A