

BSW CCG Extraordinary Governing Body Meeting in Public 11 November 2021

Questions Received

1. The decision regarding the possible extension of the Virgin Care contract is an important one. The contractual timetable and notice periods have been known since the beginning of the contract. I appreciate that the covid pandemic has disrupted many of the usual commissioning and planning processes, but I am very surprised that the timeframe for making this decision is so tight. As a result, there has been very little opportunity for public consultation or scrutiny as to whether Virgin Care should be offered an extension.

Can you explain why the papers have only been made public a week before the CCG Board meeting and Cabinet meetings which will decide on the future of this contract?

Bath and North East Somerset, Swindon and Wiltshire Clinical Commissioning Group is an open and transparent organisation and, in accordance with our constitution, is committed to ensuring our decisions are taken in an open and transparent way.

The procedures for holding and operating meetings of our Governing Body in public are published in our Constitution which is available to download on our website here:

<https://bswccg.nhs.uk/docs-reports/policies-and-governance/326-bsw-ccg-constitution/file>.

Our constitution, which is approved by NHS England, states that “agendas and papers of meetings held in public will be published on the CCG’s website 5 business days before the meeting.” As the extension to the Virgin Contract under discussion at this Extraordinary Governing Body meeting was built into the original contract agreed in 2016, and there will be no substantive changes to any of the services provided by Virgin Care, there is no requirement for the CCG or B&NES Council to carry out any public consultation.

Updates on the Virgin Care Contract have been given periodically to the Children, Adults and Health and Wellbeing Policy Development and Scrutiny Panel and the contract extension was also considered at the latest meeting on the 9th November 2021.

2. Clearly, neither the CCG or the Council have allowed enough time to undertake a full re-tendering process or to consider other options such as insourcing large elements of the service.

Can you give me assurances that a plan and timetable will be developed regarding options for the end of the contract (2026/27). Can you also assure me that this will be done well in advance in order to consider a wide range of options and to allow consultation and engagement with local communities?

BSW CCG continues in its transition to be part of the BSW Integrated Care System (ICS) in April 2022 and it is anticipated, subject to final legislation, that our functions will transfer to the new Integrated Care Board (ICB) for Bath and North East Somerset, Swindon and Wiltshire.

In relation to future arrangements, the new Integrated Care Board and Local Authority will draw upon both relevant procurement guidance and guidance on working with people and communities to develop future contract proposals by 2026/27.

Recently published guidance on how ICBs should work with people and communities sets out 10 principles over service changes, including starting engagement early and putting the voices of people and communities at the centre of decision-making. We can offer our assurance that plans and timetables will be developed regarding options for the end of the contract and that local people and communities will be very much involved in our decision-making process with regards to the future of this contract.

More details on implementation guidance for ICSs working with people and communities can be found here:

<https://www.england.nhs.uk/wp-content/uploads/2021/06/B0661-ics-working-with-people-and-communities.pdf>

- 3. Option 3 envisages extending the contract term for the 3-year period (until 2026/27) but with identified services removed from the block contract and/or improvement trajectories for identified services. The report highlights ongoing issues regarding Virgin Care's performance with regard to social care assessments and reviews (these have persisted throughout the duration of the contract). Part of this is attributable to serious recruitment and retention problems and a lack of experience in managing social care.**

In the light of these ongoing concerns, why have social work services not been identified as services to be removed from the block contract?

The options appraisal report does not recommend that social work services be removed from Virgin Care and returned to the Council because we believe it is in the best interest of our local population that Virgin Care continues to deliver these services. We also know that there are benefits of social work provision being provided jointly with health to support care being delivered in a more integrated way for service users.

The options appraisal report highlights how, although there have been some challenges, Virgin Care are a good provider and services have been delivered well to meet the needs of the B&NES population.

In terms of delivering social care assessments within 28 days of referral, there was an overall improvement in the second year of the contract but there has been a downward trend since, because of workforce pressures. The rate of service users with up-to-date reviews has increased to 59.9% in July 2021 since its low point in October 2020 of 50.6% (target 80%).

The waiting list for social care assessments was high at contract commencement but reduced significantly by autumn 2019. An increase over the following months was addressed with actions including a new workforce model and the waiting list was reducing when Covid restrictions commenced. After peaking in December 2020, the list has slowly been reducing since then.

Pressures relating to social work provision are not unique to Virgin Care. Both regionally and nationally there are shortages of adequate social work provision with high demand for this professional expertise.

- 4. The commissioners have decided to withdraw continuing health care (CHC) as a statutory function from the contract and also to remove strategic adult safeguarding from the contract, in agreement with Virgin Care. Can the CCG confirm that the budget for the services will be transferred back to the CCG and Council budgets from Virgin Care?**

Yes, the direct costs of running Continuing Health Care and adult safeguarding services will be returned to the CCG and Council respectively. Virgin Care and the commissioners will also work together on the TUPE process for the staff to transfer to the CCG and council respectively from April 2022.