

# OFFICER DECISION RECORD

For staff restructures, please also complete an RA1 form to update the HR Portal. This is attached at Annex 2.

Decision Ref. No:

AHWB0.20.2017Temporary  
SocialWorkerCHC

## Box 1

**DIRECTORATE: AHWB**

**DATE: 10/03/2017**

**Contact Name: Tricia O'Connell**

**Tel. No.: 01302 736409**

**Subject Matter: Temporary social worker for continuing healthcare**

## Box 2

### DECISION TAKEN:

To extend the assignment of the agency CHC social worker from an initial 6 months (to the end of March 2017) for another 2 months (to the end of May 2017).

## Box 3

### REASON FOR THE DECISION:

#### Give relevant background information

The original 6 month assignment was approved by ODR 2016A&C346CHCrecruitment in September 2016

The CHC process is amongst the most complex that the Authority undertakes alongside CCG health colleagues; this requires support of staff that have knowledge, skills and confidence to effectively engage and confidently challenge decisions

The CHC project has worked hard to identify areas for development and improvement around completion of checklists, engagement in DSTs and challenge at decision making panels. The project supports the need for the suitably skilled and experienced social worker who is able to work in a focussed manner, to work alongside frontline staff to embed learning into practice making it everybody's business.

Continuing healthcare (CHC) is a NHS process which has significant impact on our residents and social care. The local authority is required to work alongside health colleagues to support CHC reviews. There is potential for significant financial risk for the local authority if we do not engage in these reviews with a confident and knowledgeable manner.

The CHC project sits under the Immediate Business Improvement work streams for Adults, Health & Wellbeing, and the focus being to strengthen local authority practices, policies and processes to ensure that decisions around CHC are fair and ensures the person receives services that they are entitled to. A full PID is available to support the project.

Significant investment has been made to support frontline workers in developing their knowledge, skills and confidence to effectively challenge CHC recommendations and decisions to ensure these are in line with national guidance. It is evident from the work undertaken within the project that the scale of the challenge is significant and will only be achieved through consistent and constant improvement over a sustained period.

The decision is to request an extension to the current ODR meaning an extension in the current CHC social workers contract until the end of May 2017.

As we are moving the CHC workers out of the review function at the end of March and into locality teams we need to ensure the whole work force and managers have a good understanding of the requirements.

We have made significant improvement over the past 6 months and have increased the number of residents who are now supported by CHC.

Whilst most of this success has been focused with the current CHC reviewing officers there is scope to extend and embed this across all teams.

There is a guidance training workshop with managers in March to roll out the skills and knowledge. This is being led by the current CHC social worker

The CHC social worker will continue to report to the CHC Lead Officer.

#### **Box 4**

#### **OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:**

**If other options were considered, please specify and give reasons for recommended option**

The only other option would be to use the champions within the teams to share their knowledge and skills. However as they will be in generic assessment officer posts going forward from April 2017 this will not able dedicated time.

#### **Box 5**

#### **LEGAL IMPLICATIONS:**

S112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. Salary grade should be determined by job evaluation. The Council has policies to deal with recruitment which should be followed.

There are no legal restrictions on the use of Agency workers for a local authority. Doncaster MBC as a policy that regulates the use of Agency workers and care must be taken to ensure this policy as followed as when seeking authority to operate outside the policy this could create a precedent. There is a legal obligation to consider best value and therefore it is recommended that there be regular reviews of the decision to use agency staff to ensure this obligation is being met. The current contractual

arrangements should be reviewed and updated to include the new terms prior to the commencement of the new arrangement. There are regulations that govern the employment of agency staff which must be followed.

Reed were appointed as the Councils supplier of temporary staff following a procurement process which was compliant with both EU Procurement Regulations and Contract Procedure Rules.

In addition it should be noted that from April 2017 the rules relating to the application of the Intermediaries Legislation (IR35) for individuals engaged 'off-payroll' in the public sector will be changing. In summary, the payments we make to such workers will be subject to the application of the new legislation which means that contractors supplying their services through their own personal service companies (PSCs) will be considered to fall within IR35 unless it can be proven otherwise. The application of IR35 will require the Council to deduct and national insurance contributions for all payments made to these contractors after 6 April 2017.

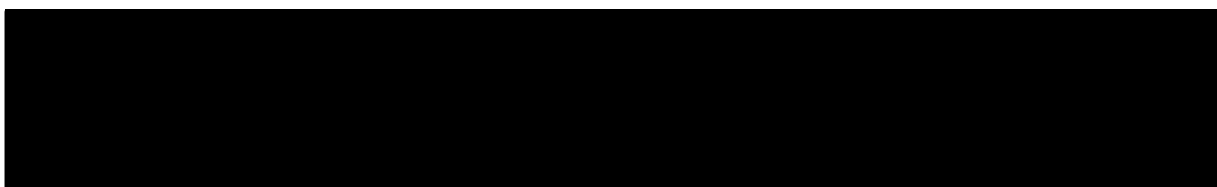
**Name:** Helen Wilson **Signature:** via e mail

**Date:** 17/03/2017

**Signature of Assistant Director of Legal and Democratic Services (or representative)**

**Box 6**

**FINANCIAL IMPLICATIONS:**



**Name:** Chris Cowan **Signature:** By email FM/AH&W **Date:** 16/03/17

**Signature of Assistant Director of Finance & Performance (or representative)**

**Box 7**

**HUMAN RESOURCE IMPLICATIONS:**

Human Resources support the decision to extend this temporary role until the end of May 2017 for the reasons provided. Further discussions should take place with the HR & OD Business Manager prior to any decisions to extend beyond this date.

**Name:** D L Dawson

**Signature:** 

**Date:** 16.03.17

**Signature of Assistant Director of Human Resources and Communications (or representative)**

**Box 8****PROCUREMENT IMPLICATIONS:**

There are no procurement implications

Name: D Bann Signature: [REDACTED] Date: 13/3/17  
Signature of Assistant Director of Finance & Performance  
(or representative)

**Box 9****ICT IMPLICATIONS:**

As with any new starters, a support call would need to be raised via the ICT Self Service Portal for any new ICT equipment/non-standard software needed and for the necessary user accounts to be created together with access permissions to relevant systems, where applicable. Requests for new ICT equipment will be considered in line with the principles of the WorkSmart strategy and 'Maximising ICT'.

In addition, it will be necessary for the social worker to sign the relevant confidentiality agreement included in the Agency Workers Induction Statement/ Checklist, available via the Intranet.

Name: Peter Ward (ICT Strategy Programme Manager)  
Signature: [REDACTED] Date: 14/03/17

Signature of Assistant Director of Customers, Digital & ICT (or representative)

**Box 10****ASSET IMPLICATIONS:**

Any requirement that might arise for additional accommodation or the reconfiguration of existing workstations to support the contract extensions as outlined, or any requirement for an accommodation solution that is not contained within the Civic Office should be directed to the Assets & Property team in the first instance in order that such needs can be provided for in line with the Council's wider Assets Transformation programme and WorkSmart strategy.

Name: Gillian Fairbrother (Assets Manager, Project Co-ordinator)  
Signature: By email Date: 14<sup>th</sup> March, 2017

Signature of Assistant Director of Trading Services and Assets  
(or representative)

**Box 11****RISK IMPLICATIONS:**

To be completed by the report author

The previous project evidenced the difficulties and delays in trying to recruit suitably skilled staff who are willing to undertake temporary contracts on DMBC terms and conditions.

Any delays in recruiting staff to this project will delay in the project starting and therefore reduce the ability to meet the outcomes under IBI.

**(Explain the impact of not taking this decision and in the case of capital schemes, any risks associated with the delivery of the project)**

**Box 12**

**EQUALITY IMPLICATIONS:**

**To be completed by the report author**

To ensure when we are recruiting agency staff we are using the correct procedures and are compliant with Equality standards. In addition when appointing to the role equality standards are being considered.

**Name: Tricia O'Connell Signature: by email  
Report author)**

**Date: 11<sup>th</sup> March 2017**

**Box 13**

**CONSULTATION**

**Officers**

**(In addition to Finance, Legal and Human Resource implications and Procurement implications where necessary, please list below any other teams consulted on this decision, together with their comments)**

**Members**

**Under the Scheme of delegation, officers are responsible for day to day operational matters as well as implementing decisions that have been taken by Council, Cabinet, Committee or individual Cabinet members. Further consultation with Members is not ordinarily required. However, where an ODR relates to a matter which has significant policy, service or operational implications or is known to be politically sensitive, the officer shall first consult with the appropriate Cabinet Member before exercising the delegated powers. In appropriate cases, officers will also need to consult with the Chair of Council, Committee Chairs or the Chair of an Overview and Scrutiny Panel as required. Officers shall also ensure that local Members are kept informed of matters affecting their Wards.**

**Please list any comments from Members below:**

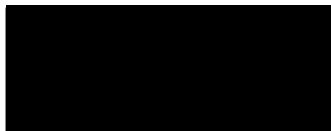
**Box 14**  
**INFORMATION NOT FOR PUBLICATION:**

It is in the public's interest to be aware of this decision under the Freedom of Information Act 2000 with redactions of signatures and financial information in box 6 which is considered to be commercially sensitive.

**Name:** Amy Haughan **Signature:** by email **Date:** 24/03/2017  
**Signature of FOI Lead Officer for service area where ODR originates**

**Box 15**

**Signed:**



Director/~~Assistant~~ Director

**Date:**

30/3/17

**Signed:**

Additional Signature of Chief Financial Officer or nominated representative for Capital decisions.

**Date:**

**Signed:**

Signature of Mayor or relevant Cabinet Member consulted on the above decision (if required).

**Date:**

- This decision can be implemented immediately unless it relates to a Capital Scheme that requires the approval of Cabinet. All Cabinet decisions are subject to call in.
- A record of this decision should be kept by the relevant Director's PA for accountability and published on the Council's website.
- A copy of this decision should be sent to the originating Directorate's FOI Lead Officer to consider 'information not for publication' prior to being published on the Council's website.
- A PDF copy of the signed decision record should be e-mailed to the LA Democratic Services mailbox