

Cabinet Member Decision

2 December 2014

COUNCIL PROVIDED DAY SERVICES FOR ADULTS WITH A LEARNING DISABILITY: ASSESSMENT AND SUPPORT PLANNING ASSURANCE (WYRE FOREST)

Relevant Cabinet Member

Mrs S L Blagg

Relevant Officer

Director of Adult Services and Health

Recommendation

- 1. The Director of Adult Services and Health recommends that the Cabinet Member with Responsibility for Adult Social Care:**
 - (a) considers the outcomes of service user re-assessments and support plans and supports and accepts the professionals' reassurance that individuals' eligible needs can be met with the proposed new use of buildings in Wyre Forest;**
 - (b) approves the final decision to use the proposed buildings for Council-provided day services for adults with a learning disability as set out in paragraph 7; and**
 - (c) requests that the Director proceeds to implement this decision in line with the report with immediate effect.**

Background information

2. On 8 November 2012 Cabinet agreed that a new model of Council provided day services for adults with a learning disability would be rolled out across the county, having regard to the outcome of a pilot and consultation. Alongside the pilot, the Adult Care and Well-being Overview and Scrutiny Panel carried out its own scrutiny of the model and changes taking place, which fed into Cabinet's decision. The pilot in Wychavon had challenged the traditional model with all service users, regardless of their needs, attending large centres.

The new model is based on four key elements:

- i. Improved local support for people with profound and multiple disabilities;
- ii. Specialist support for older people with a learning disability including those with dementia;
- iii. A diverse community-based support programme to replace large resource centres with small drop-in services. This enables universal services, specialist services and other resources to be used to offer more personalised support packages;
- iv. Improved access to employment, training and volunteering opportunities for those that are able to participate, utilising social enterprise, self-employment and traditional routes to work or training.

3. The new model is based on three types of day service:
 - Resource Centres, for people with more complex needs
 - Individually commissioned services for people growing old with a learning disability, and
 - Connect, for people who are able to use universal services with support.
4. The new model is consistent with the approach outlined in the report commissioned by the Department of Health "Raising Our Sights: Services for Adults with Profound Intellectual and Multiple Disabilities" (DH 2010).
5. Having agreed the principle of how the service would be provided in the future, Cabinet authorised the then Director of Adult and Community Services to consult on the location of buildings to provide the new model of day services, and required that the outcomes of the consultation should be reported back to Cabinet for decision. This consultation was to take place in two phases: the North of the county between May and August 2013, and the South between September and December 2013.
6. At the Adult Care and Well-Being Overview and Scrutiny Panel on 7 March 2013, progress and lessons learned from the pilot were noted, with the need for clear messages and communication highlighted as crucial for the consultation process.

Consultation

Decision in principle

Assessments and support planning

7. The consultation process and outcomes have been reported previously to Cabinet on 7 November 2013. Cabinet noted the outcomes of the detailed consultation which had been carried out on the use of buildings in the North and agreed in principle to their use, authorising the Cabinet Member to come to a final decision subject to confirmation that eligible assessed needs of current service users could be met.
8. The decision in principle that was agreed in relation to the use of buildings for day services for adults with a learning disability in Wyre Forest was:
 - Blackwell Street Connect would house the Wyre Forest Learning Disabilities/Physical Disabilities (LD/PD) Connect
 - Orchard Street Day Centre would house the Wyre Forest Resource Centre, and
 - The Odell Centre in Wyre Forest would house the growing old with a learning disability (GOLD) service in the North.
9. The work to ensure that assessed eligible care needs can be met through the new use of buildings in Wyre Forest has now been done and that assurance can now be given to the Cabinet Member. The assessment and support planning process involved a series of meetings with service users and carers, typically 2-5 meetings per service user, as well as input from staff and advocates. A core of five staff undertook the process in order to ensure consistency, supported by three other staff in order to complete assessments and support plans within the required timescales. The staff used their professional expertise to ensure that assessments and support plans accurately reflected individual needs. At each stage of the process the service users and their carers have been sent a copy of the assessment and support plan in order to check and clarify the information presented. This process has enabled the development of a detailed understanding of the needs of each service user through an open process which brought together both factual evidence and professional judgement. Where a decision was disputed it was openly discussed with all the individuals who are important to the service user. A manager would also become involved where necessary and visit the service user or their carer. Appendix 1 gives an overview of proposed service user moves.
10. All of the assessments and support plans in Wyre Forest (68) have been completed. In addition, as a

representative sample, 5 anonymised support plans have been reviewed by the Cabinet Member with Responsibility for Adult Social Care and the Director of Adult Services and Health. The main issue identified in support plans was:

- potential loss of friendship groups and social networks

11. The individual support plans identify the actions required to mitigate the issues, including:

- The facilitation of fortnightly lunch time visits to the resource centres, or meet ups in the community, for those accessing the Connect services
- A continuation of established community activities jointly attended by Connect and Resource Centre users.

12. The Cabinet Member with Responsibility for Adult Social Care and Director of Adult Services and Health met on 19 November 2014 with the lead commissioner and managers from the Learning Disability (LD) integrated service to review the care and support plans. They heard from the LD integrated service that the assessed eligible needs of all day service users can be met with the proposed new use of buildings. They reviewed a random sample of 5 personal support plans from Wyre Forest and all of these included clear information and an unequivocal statement that the proposed service in the proposed location met the individuals' assessed eligible needs. They sought clarity as to whether there was anyone's needs who could not be met and heard from the LD integrated service that in every case the Council's legal duties would be met by the proposed new use of buildings.

Interim action required

13. The lease for Offmore Road expired on 25 November 2014, and as an interim arrangement all service users are being accommodated at Orchard Street, pending the Cabinet Member decision. This arrangement has been risk assessed and deemed safe to meet people's needs in the short term. Service users will be able to access the Connect service at Blackwell Street by January 2015 once the staff recruitment process has been completed.

Next steps

14. Ongoing work will ensure that any and all mitigation required to address service user and/or carer concerns -

e.g. how existing friendships and contact with their communities will be maintained - will be put in place.

15. Carers will continue to have access to a named member of staff throughout the transition process to assist with any initial transition difficulties or to provide support if this is needed.

16. Currently there is one service user funded from another local authority attending day services in Wyre Forest. The local authority is aware of the work we have undertaken and will work with the service user and their carers to identify the appropriate service to meet their needs.

Future provision

17. With the Council's ambition to become a commissioning organisation, options for future providers of these services were agreed by Cabinet on 17 July 2014. The Council is actively seeking to develop the market for adult social care services, including day services for adults with a learning disability. Support is available through the Changing Futures Fund for voluntary organisations who wish to establish themselves as adult social care providers or develop an existing business. This could result in alternative services from external providers being available in response to meeting identified outcomes for service users. All service users have personal budgets, some of which are taken as direct payments, and have a choice about how their money is spent.

Finance

18. The financial context for the Council is well known, and the new model of day services was estimated to achieve savings of £1.1m per annum countywide from a budget of £4.1m per annum. Of these, £0.8m is being achieved by a reorganisation and reduction in staffing. A further £0.3m would be achieved by the proposed change in use of buildings, although approximately £0.1m of this would be offset by the increased transport costs resulting from the new model. Therefore overall savings are estimated to be £1m.

Equality Duty

19. The Equality Act 2010 requires the Council to have due regard to the aims of the Equality Duty in developing policies and planning/providing services. These aims are to:

- Eliminate unlawful discrimination
- Eliminate harassment and victimisation
- Advance equality of opportunity
- Foster good community relations between

people who share any of the defined Protected Characteristics and those who do not.

20. The Act lists nine groups with Protected Characteristics, but, clearly, it is highly unlikely that they will all be of relevance in all circumstances. Disability and age are clearly the most relevant Protected Characteristic in the current context. The level of regard which is "due" in respect of the Equality Duty should always be proportionate and is dependent on the potential of the proposed policy/action to contribute to or detract from the aims of the Duty.
21. Due regard means that the Cabinet Member must adopt a "substantial, rigorous and open-minded approach" in considering the specific needs of those groups covered by the Equality Duty and show that she has considered all the relevant material. In order to show due regard the Cabinet Member is required to consider relevant factors and where there is potential disproportionate, adverse, impact on those with protected characteristics, show how that impact may, if possible, be mitigated. That may mean giving consideration to alternative proposals. Where it is identified that an individual may be adversely affected by e.g. excessive travel time, mitigating actions will be put in place. This may take the form of individual transport rather than group transport to minimise pick up and drop off time.
22. All the people using Council provided day services for adults with a learning disability have at least one of the Protected Characteristics covered by the Equality Duty. An overarching Equality Impact Assessment was carried out in July, 2010, on the proposed new delivery model for day services. As well as some positive impact the assessment identified that the proposed model could have some negative impact for service users. Aspects of the pilot for the new model were amended to mitigate possible negative consequences. Mitigating action included (see Appendix 2): greater community integration (more positive roles and better public perception of people with learning disabilities); greater choice of age/gender appropriate activities; and improved resources, such as personal care facilities, to support community access for people with multiple disabilities.
23. Further Equality Impact Assessments (EIAs) have been undertaken to identify the impact of the proposed changes to service provision. A copy is attached at

Appendix 2. A significant number of service users were concerned about disintegration of valued friendship groups (which could result from changes in location and re-assessment of need). Potential positive impact was identified for many service users who would benefit from an increased range of opportunities and increased community integration. Any adverse impacts have been highlighted within the support planning process and will be mitigated by offering opportunities for service users to maintain contact and undertake activities with their friends in their local communities.

Supporting Information

- Appendix 1 – Service User Tracker
- Appendix 2 – EIA documents

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Adult Services and Health) the following are the background papers relating to the subject matter of this report:

Agenda and background documents for the meetings of the Cabinet held on 8 November 2012, 7 November 2013 and 17 July 2014

Agenda and background documents for the meeting of the Adult Care and Wellbeing Scrutiny Panel on 7 March 2013

"Raising Our Sights: Services for Adults with Profound Intellectual and Multiple Disabilities" (DH 2010).