

# **CABINET MEMBER DECISION**

## **13 DECEMBER 2021**

### **A REVIEW OF DAY OPPORTUNITIES FOR ADULTS WITH LEARNING DISABILITIES**

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#### **Relevant Cabinet Member**

Cllr Adrian Hardman

#### **Relevant Chief Officer**

Strategic Director for People

#### **Local Member(s)**

As appropriate

#### **Recommendation**

**1. The Cabinet Member with Responsibility for Adult Social Care is recommended:**

- (a) To note the response to the findings of the public consultation held from the 2 August 2021 to the 31 October 2021 as outlined in paragraph 15,**
- (b) To approve the future day opportunities offer for adults with learning disabilities as outlined in paragraph 16 -18 and**
- (c) To authorise the Strategic Director for People to implement the proposed changes to day opportunities provision, which in time will mean the closure of council provided Connect Services.**

#### **Background**

1. As part of its duties under the Care Act 2014, the Council must meet the care and support needs of adults and the support needs of carers who are assessed as eligible under the Act's eligibility criteria. Eligible needs may be met by the provision of day opportunities to meet the adult's outcomes as identified in their needs assessment and will be recorded in their care and support plan.
2. There is a mixed market of day opportunities for people with learning disabilities within Worcestershire. Currently 197 people attend internally provided day opportunities while around 300 people attend services provided by the external market. This equates to a split of 60% external / 40% internal although these numbers do include some people who attend a mixture of both internal and external services. An increasing number of people also access external day opportunities by arranging their own care using a Council-funded direct payment.
3. The Council has directly provided internal day opportunity provision for over 25 years through Resource Centres and Connect Services. Resource Centres operate

Monday to Friday and provide a variety of activities for people with complex learning disabilities. Many of these activities are building based with some community-based activities planned according to individual needs and preferences. Support for individuals includes personal care, physiotherapy, occupational therapy, speech and language support, behaviour support, psychology support and support to access the community.

4. Connect Centre Services operate Monday to Friday and they provide mainly community-based day opportunities to adults with less complex learning disabilities. This service provides support such as: access to employment/work experience, education and volunteering, personal care, meeting friends, computer/IT literacy support.

5. The review of Council provided day opportunities commenced in October 2020, Cabinet received an update on the first stage of the review at their meeting on 4 February 2021. This stage focused on the current offer for people using Council provided Resource Centres. The findings demonstrated that there is clearly a need for the Council to continue to provide a Resource Centre / building based offer that meets the needs of individuals with more complex needs. However, it showed evidence that improvements and changes need to be made to ensure that individuals are receiving the most appropriate services to meet their assessed eligible needs in line with the Council's Statutory Duties. It also highlighted evidence that the Council needs to plan for the longer term taking into account the needs of young adults moving into the service and the ageing population of both service users and their families/carers.

6. In addition, the joint initiative with Worcestershire Children First, of an All Age Disability offer and approach, builds on the imperative within the 2014 Children and Families Act extending access to education up to 25 years old for those young people with special educational needs and/or disability (SEND). The current local Post 16 education provision is being reviewed to increase capacity and choice, which will have a positive contribution for our 18-25 year olds and provide further choice of purposeful day time activity. Assuming the upward trend of take up of education within Worcestershire for 18-25 olds continues, planning needs to consider that there may be new distribution of demand points for adult services provision for meaningful day activity at ages 19, 21 and 25. Increased local education provision for post 16 may increase some demands for "wrap" around support to match the current offer of Independent out of County provision.

7. As a result of these findings, Cabinet agreed to commence the second phase of the review which has focused on the Connect Service offer as well as developing a deeper understanding of the capability and capacity within the external market. Following the same approach as the first phase, service users, their families/carers and staff have been engaged in the review. The second phase concluded the day opportunities review and made recommendations for the long term and future "offer" of day opportunity provision. This was summarised in the Cabinet report in July 2021, where Cabinet agreed to commence a formal public consultation on the future 'offer' and delegated the final decision to the Cabinet Member with Responsibility for Adult Social care.

8. This report provides a summary of the public consultation, proposes the final recommendations for the future offer of day opportunities for adults with a learning disability and outlines the implementation plan on how the future offer will be delivered.

### **Public Consultation**

9. Following Cabinet on 22 July 2021, the consultation officially launched on 2 August and closed on 31 October 2021, based on the recommendations from the second phase of the review. The consultation involved using a range of formats e.g., email, face to face and telephone/videocall, to enable as many people as possible to feedback their thoughts on the proposals. Outlined below is a summary of the activity that took place between the 2 August and 31 October 2021:-

- A paper survey was issued to all those within the Connect and Resource Centres, along with Consultation Paperwork and an easy read version on 30 July to ensure this reached everyone from 2 August.
- An online survey was created and went live for responses on 2 August – this was promoted through various communication channels
- A staff briefing was held for Connect/Resource Centre staff on 2 August which 21 staff attended
- An ‘About me’ questionnaire was issued to all individuals using internal day opportunities
- Nine face to face sessions for carers took place across the County between 16 – 25 August. A standard presentation was used to outline the proposals followed by questions and queries.
- Service user face to face sessions took place from 18 – 22 October. This created the opportunity to meet service users and to discuss with them how they feel about the proposed changes and what their interests are. A total of 24 people attended these.
- A total of eight individuals made direct contact with the Council through emails/letters to feedback their thoughts
- Further analysis has taken place regarding the market and capacity
- A document responding to frequently asked questions has been drafted and circulated to each individual carer/service user, to share outlining the consultation outcome.

10. A total of 33 responses were received for the survey. 53% of the respondents attended the Resource Centres. 61% of respondents to the survey were either the parent or the carer of an individual who uses Day Opportunities, 33% directly used the services and 6% were either staff or part of a voluntary organisation.

11. The survey was split into three key areas; the first section consisted of 13 questions which were based around the individual’s needs, the second section was around day services as a whole and the final section was to capture personal data in line with equal opportunities monitoring. A full analysis of the survey can be read in Appendix 1. A response to the findings is covered in paragraph 15.

12. In addition to the online survey, a questionnaire titled “About Me” was circulated to every individual that currently uses internal day opportunities asking them what they felt was important to them when being supported through a day opportunity. This focused on making sure each service user had their say. Service users were supported by staff and carers to fill in the questionnaire.

13. In conjunction with the “About Me” survey, one-page profiles were completed by each individual, again with support, to gauge the types of activities and support that individuals were requiring in the future. The findings and feedback from these documents contributed towards the whole consultation process and aligned to the on-line survey which was open to everyone to share their views about the whole process. A full analysis of the About Me questionnaire can be read in Appendix 2

14. A total of 89 people attended the nine face to face sessions for carers. The sessions gave carers the opportunity to hear from Council officers on the proposed plans and to raise questions and queries. Feedback was gathered after each session (see Appendix 3) and a record was kept of the questions that were asked and a full report is available in Appendix 4. A summary of the main headlines are:-

- Carers' appreciation for the role Connect/Resource Centre staff have performed throughout the COVID-19 pandemic
- Lack of understanding or awareness of the broader range of day opportunities
- A desire to maintain friendship groups that have developed whilst attending day opportunities
- Concerns around how any change to provision will be managed more generally to individuals who in some cases have been attending Connect services for decades
- Concerns on the quality of external provision available
- Understanding of the increase in demand on provision, as young people transition into adult services, and the need to make changes

### Response to the public consultation

15. The following section provides a response to feedback captured throughout the public consultation and how this will be used to inform the final decision and future plans.

15.1 Responses to the survey, discussion at face-to-face sessions and informal engagement with the market demonstrates that there continues to be a need for a **building-based offer for those individuals who have more complex needs**. While there is some external provision for people with more complex needs, this is currently relatively limited in scale and appetite to develop. Therefore, the County Council will continue to provide this provision through its Resource Centres, operating alongside the external provision. The provision delivered from the Resource Centres will be reviewed and improved, in collaboration with staff and service users and is likely to include:

- Reviewing access to vehicles/transport and the opportunities this brings
- Develop a more diverse staff team including ages and genders
- Developing a daily living skills programme

15.2 Service users including parents and carers raised their concerns around a **lack of knowledge of external provision**. The County Council, in collaboration with a wide range of partners, has developed a Community Service Directory to provide information and advice on local organisations. This is published through the Here2Help website and also includes a link to the local Care Directory. This Directory will be developed and maintained by the Council's Here2Help service and promoted through a variety of communication platforms. External day service providers are being encouraged to sign up to the Directory and many have already registered as part of the 276 organisations who have registered to date. Work is also in progress to train social workers (and other practitioners) in the use of this information, so they can work with service users to promote and support access to local services and opportunities.

15.3 The importance of **maintaining friendships** was highlighted as a key priority for service users. For those that can and would like to, the Council is pursuing the development of a virtual communication platform to enable service users to keep connected with one another. For those service users affected by any change to

community-based provision (i.e. Connect Services), the transition to new arrangements will be managed on a centre by centre basis to enable friendship groups to be maintained and to smoothly manage changes to someone's regular and often long-standing routine. The implementation plan is outlined more in paragraphs 19-25

15.4 Questions relating to the **quality and capacity of external provision** were raised during the face-to-face sessions with parents and carers with the perception that Council provided services are of better quality. There were also questions raised around availability of external provision. Worcestershire County Council currently has a contract with 35 external providers of day services for people with Learning Disabilities. In order to have a contract, providers must meet quality criteria and the contract includes a number of quality-based outcomes. Further work is underway by commissioners, working with the external market to develop existing and new provision to meet future need, with a new and updated contract due to be commissioned and in place by September 2022. This market development work will specifically look to address any gaps identified, both in terms of any geographical gaps and/or gaps in types of service, as identified through the commissioning needs analysis.

15.5 **Promoting independence** to access a greater variety of provision was raised when talking to service users who stated that they liked attending community run opportunities e.g., leisure activities, gardening, volunteering. Some service users also highlighted their desire to enter employment. Work will progress in conjunction with the Adult Services Supported Employment Team who specifically work with adults with a Learning Disability to support their progression into paid employment. There are also plans to develop an 'independence service offer' to enable, equip and empower people to be as independent as possible. This service offer will:-

- Promote and support our communities in work, leisure and neighbourhoods to be inclusive.
- Provide a consistent offer to support people to retain, regain or increase their independence and wellbeing, by providing ease of access to information, advice and guidance – within the Council's Here2Help Framework
- Connect people with their local community resources to meet identified needs wherever possible.
- Offer support through focused interventions that responds to community organisations' anxieties and ability to meet disabled people's needs, in parallel to helping with the individuals' anxieties and skills to enable them to participate.
- Ensure individual co-production of 'destinations' and outcomes striving together to achieve the individuals' aspirations
- Provide a platform for services to operate from, providing a safe single point of contact, encouraging co-ordination of meetings across services and agencies
- The ambition and aim for these hubs is to reduce the need for ongoing long-term support, by providing the opportunity to maximise independence as much as possible; by providing a safe, familiar and local environment:

### **Future Day Service Offer – Recommendations**

16. Taking into account the findings of the day service review and the feedback from the public consultation it is recommended that the future offer for day opportunities is:-

- A Council provided Resource Centre/building based offer for service users with complex needs where a staff to service user ratio is 1:1/1:2/ 2:1 including young people transitioning into adult services
- An externally provided friendship/peer support offer for individuals who may be older, or for those whose primary need is support for social skills
- An externally provided community-based offer for individuals with less complex needs (staff to service user ratio of 1:5/1:8)

17. In addition to the above and to address the concerns raised by users/carers in the feedback the Council create an 'Independence Hub/s' as outlined in paragraph 15.5. This provision will also support the access into day opportunities for current and future service and include the facilitation of friendship groups, access into community-based activities, volunteering, training and employment opportunities.

18. This offer will be complemented by the wide range of informal day opportunities that take place in communities with the intention being that these are promoted through the Here2Help community service directory and developed further through collaboration with the local voluntary and community sector.

### **Implementation Plan**

19. This proposed service offer will require a change for some service users. This change will be managed on a centre-by-centre basis taking into account existing capacity within the external market and the use of service user profiles which identify levels of need.

20. Changes to service users' provision will be managed by named social workers. The Council is investing resource into additional social work capacity in its North and South teams to undertake assessments and work with individuals to identify alternative support. Having the additional social workers will ensure stability for the teams, continuity for Service Users and Carers whilst reducing anxiety and the risks of not maintaining timescales.

21. The proposed order for changes to provision will be in 3 phases: -

- Phase 1 – Individuals with lower level needs in Worcester, Wyre Forest and Redditch
- Phase 2 – Individuals with lower level needs in Evesham and Bromsgrove
- Phase 3 – Individuals with lower level needs in Malvern

The aim is all changes will be implemented by July 2022.

22. For each individual, carers, existing staff and professionals will be involved, taking into account existing service user profiles, communication preferences, transport needs and advocacy support to ensure each individual will have a clear transitional plan to the new activity/service.

23. Concurrent with phase 1-3, further work will take place on the transition cohorts that promotes opportunities, independence and integration in the local community that will reduce demand but may require a different type of support to enable this. Within these new initiatives there will be opportunities to joint commission with Worcestershire Children First and Health. This work will need to coordinate with the POST16 Education

offer review and the All Age Disability developments. The improvements being made to Education Health and Care Plan annual reviews will provide earlier identification of needs and subsequent demand which will better inform commissioning and service delivery in a timelier way.

24. Alongside the direct work with service users, informal discussions with staff around employment options will take place, from January 2022, with formal staff consultation to take place at each centre review. For those staff directly affected by the changes to Connect Services, re-deployment opportunities will be offered to maintain the skill set/capability of staff within the social care sector and minimise any compulsory redundancies.

### **Implications for Connect Centres**

25. Implementing the future service offer will result in the eventual closure of Connect Services, in line with the phased approach outlined in paragraph 21. A number of properties are leased, and conversations will be had in due course relating to alternative use of space or cessation of leases. The total cost of property including service charges is c£56k, and any reduction in leasing and premise costs will be re-invested in alternative provision for service users.

### **Legal, Financial and HR Implications**

26. As part of its duties under the Care Act 2014, the Council must meet assessed eligible needs for those people in Worcestershire with a Learning Disability who are eligible for care and support. The Council funds a wide range of day services and opportunities for adults with learning disabilities, currently commissioned from two types of provision – from external providers, through a Dynamic Purchasing System contract and services provided internally by the Council's Adult Social Care Provider Services.

27. The first and second phases of the day opportunities review indicated that services may be delivered in a different way. For those attending the Council provided Connect Services the proposal is for these people to transfer to external provision, which will result in the closure of Council provided service. The Council has formally consulted on this proposal and the final decision will be made by the Cabinet Member with Responsibility for Adult Social Care

28. In the case of *R (Bishop) –v- Bromley LBC [2006] EWHC 2148* the Court confirmed that it is only in exceptional circumstances that a comprehensive multi-disciplinary assessment will be required before any decision to close a day service provision. The Council, as part of the review, has a thorough understanding of the needs of those that might be affected by the proposal to close the Connect Service and this will inform the final transition plan that will be developed in line with the phases in paragraph 21. Nevertheless, if, following consultation, the decision is to approve the recommendation to close the Connect Service, all those affected will have a reassessment of their needs, to ensure that their needs can and will be met in the alternative provision before any transition to a new service can take place.

29. The Council's 2020/21 budget for the provision of internal day opportunities is £3.768 million, of which c£0.6 million relates to central recharges including allocations for ICT, property and HR as well as legal and finance support. In addition to the spend on internal provision, the Council funds the costs for transporting individuals at an

annual value of c£1.5 million. The Council also has a budget of £2.8 million for provision within the external day service market. All aspects of spend are included in scope of this review.

30. The total funding envelope for this service totals £5.9 million (excluding recharges) and the delivery of the revised service will be managed within this allocation. It is expected that there will be some efficiencies generated by offering less costly services for some clients, but it is expected that any savings will be utilised to support new clients, particularly those transitioning from children's services. The impact of this is cost avoidance as ultimately the service is expecting to be able to support more service users within the existing budget i.e. supporting demand management. This is along with the potential saving of c£56k relating to property costs.

31. There are 121 full time equivalents currently working within the Council operated Day Opportunities (148 headcount). Where changes may directly affect staff, we will prioritise redeployment opportunities to retain their valuable skill set and minimise any compulsory redundancies. These opportunities would include known vacant positions within Resource Centres, Residential Units and Reablement Services. We will also support staff to set up social enterprises/external provision that could form part of the external offer.

### **Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments**

A **joint impact assessment (JIA)** screening (and any full impact assessments – if screening indicates that they are required) **must** have been completed before the cabinet member decision report is submitted.

A full (Equality and Public Health, Data Protection, and Sustainability) Impact Assessment has been carried out in respect of the recommendations. This identified potential negative impact for: Carers, Service Users and Staff. The potential negative impact relates to: A risk that changes to internal Connect Day Services could have a negative impact on staff, Carer's and Service users. Notwithstanding the potential negative impact, the recommended course of action can be justified because: The Council will continue to engage with SU's, carers and staff to reduce any negative impact and ensure the social workers complete individual led assessments. Where possible staff will be redeployed in other vacancies within the Council to maintain skills. Only changes will be made when an alternative option has been found.

The full assessment can be found in Appendix 5

### **Supporting Information**

- Appendix 1 – Online Survey Analysis
- Appendix 2 – About Me questionnaire analysis
- Appendix 3 – Feedback from face to face sessions
- Appendix 4 – Frequently asked questions and answers
- Appendix 5 – Joint Impact Assessments



## Contact Points

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## Background Papers

In the opinion of the proper officer (in this case the Strategic Director for People) the following are the background papers relating to the subject matter of this report:

Cabinet Report – October 2020 [Agenda for Cabinet on Thursday, 22nd October, 2020, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

Cabinet Report – February 2021 [Agenda for Cabinet on Thursday, 4th February, 2021, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

Cabinet Report – July 2021 [Agenda for Cabinet on Thursday, 22nd July, 2021, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)