

<b>Subject:</b>	<b>Day Activity Review Update</b>		
<b>Date of Meeting:</b>	<b>20<sup>th</sup> January 2014</b>		
<b>Report of:</b>	<b>Executive Director of Adult Services</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report provides an update on the progress of the Day Activities Review. Previous reports to committee have noted:
- The increase in demand for different community based day opportunities.
  - More flexibility in existing day services is required to promote independence for individuals, and to support carers.
  - The need for individuals to have a personalised day service.
- 1.2 As a result of the review consideration has been given to how people can be offered a wider choice of day activities. This has resulted in some individuals receiving innovative personalised services.
- 1.3 Information is provided in this report on the ongoing savings that need to be realised within day services, taking in to account that the Council will receive considerably less money from central government. It provides an update on the in-house learning disability Day Options service and its building bases.
- 1.4 There is a savings target against the in-house learning disability Day Options service and a corporate drive to review the use of buildings. This has led to a change in the way that two Council run learning disability Day Options buildings bases are used.
- 1.5 There are local and national developments that are having a significant impact on social care and these include demographic changes that predict increases in complex needs, legislative changes such as the Care Bill and unprecedented financial challenges.
- 1.6 All Adult Social Care directly-provided services are considering how best to meet statutory needs; provide crisis response services, support those people with the greatest needs and look to deliver short-term services that maximise independence. Brighton & Hove has a thriving independent and voluntary sector and 90% of all Adult Social Care services are already delivered at lower cost

through the Council purchasing these services rather than directly providing them.

- 1.7 The Council has a discretionary power to provide a day service when it is required to meet an eligible need and this may be within a building or within the community.
- 1.8 Committee is asked to agree to a consultation process on a proposal for the future of the service.

## **2. RECOMMENDATIONS:**

- 2.1 That Committee note the contents of the report.
- 2.2 That Committee agree to a formal 12 week consultation with users of the Council's learning disability Day Options service, their family carers and key stakeholders regarding the future service as set out in the proposal in section 4 of the report.
- 2.3 That a report returns to Committee in June 2014 with the outcome of the consultation to enable Committee to make a decision regarding the future of the learning disability Day Options service.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Day activities were first discussed at Adult Care & Health Committee in June 2012. It was acknowledged that the traditional model of building-based provision segregated by client group and age, coupled with a projected increase in demand, needed reviewing and modernising. This was particularly important in light of the personalisation agenda and service users being supported to exercise choice and control of the service they receive. Members agreed for Adult Social Care to commence consultation on the development of a commissioning plan for day activities that would include all client groups.
- 3.2 A full needs assessment was carried out in 2012 and this was reported to Committee in November 2012 and this highlighted that:
  - Day services are highly valued by service users and carers
  - Potential future users of adult social care services are reluctant to use the traditional day centre model
  - There are a range of costs, purchasing and contractual arrangements across the sector
  - There is a lack of awareness of what activities and/or alternative services are available in the city and how to access them
  - There is very little knowledge of personal budgets and direct payments
  - There is greater need for services for people with more complex needs
  - It is important that friendship and social groups are sustained as to some people these are more important than the activities that they engage in.

### **The Vision for Day Activities:**

- 3.3 The new Vision for Day Activities, that was co-produced with providers and service users, was agreed by Members in November 2012 and is a vision where:
- Day activities provide flexible, personalised care and support for service users and their carers.
  - Information is widely available about what activities and/or alternative services are on offer in the city, how to access them and what they cost for those who use personal budgets.
  - Council-provided services specialise in supporting people with the most complex needs
- 3.4 As part of the Day Activity Review, commissioners have worked closely with the Council's directly-provided day services for all client groups to ensure that any remodelling is in line with the agreed vision. Work is ongoing at Tower House to support older people and people with physical disabilities and to signpost them to activities in the community. The two day centres for older people with mental health needs (Ireland Lodge and Wayfield Avenue) are working closely with the third sector to ensure that buildings are used effectively, are open to the community more and make the best use of volunteers.
- 3.5 Providers of independent day activities have also been involved by ensuring that their services meet the aims of the vision. The Commissioning Prospectus has been used to commission older people services and from April 2014, day activities will be provided in three different locality areas across the city with the aim of supporting older people to be as independent as possible, reducing social isolation and supporting people to remain healthy and well for as long as possible. There will also be a city wide co-ordination service which will work in partnership across the sector and across client groups to support and facilitate a more joined-up approach.
- 3.6 Where necessary, independent sector providers of learning disability services are modernising to meet the aims of the vision by making the best use of community resources, providing more flexibility around opening times, such as at evenings and weekends, and ensuring that they are accessible for people with personal budgets. These providers are also subject to scrutiny with regard to their unit costs and value for money and the Budget Strategy highlights the need for a 10% reduction of the budget for commissioned services by ensuring only assessed needs are met. Commissioners are also exploring the best way of commissioning day activities in the future with colleagues in Assessment, Procurement and Finance.

### **Review of Council buildings:**

- 3.7 Independent of the Day Activity Review, the Council has been evaluating the use of its owned buildings in order to make the best use of its resources and three day services have been affected by the outcome:

3.7.1 **Craven Vale** no longer provides day services to older people from its resource centre and service users have since transferred to Tower House day centre along with service users with physical disabilities who transferred from Montague House day service.

3.7.2 **Connaught Day Service.** The learning disability Day Options service at Connaught Day Centre is required to move as the building is needed by Education for additional school places. As reported to Committee in November 2013, service users will be relocating to the Belgrave building once building works are completed in March 2014.

3.7.3 **Buckingham Road Day Service.** In September 2013, Policy & Resources Committee agreed to grant a long lease at Buckingham Road and it is anticipated that Property & Design will start marketing this property in the spring of 2014 with the view to completing a sale in 2015. Members were informed at the September and November Committee meetings that Montague Place had been suggested as an alternative location for the Our Art project but the building would have needed additional capital funding of £156k to make it accessible.

#### **Assessments of need:**

- 3.8 To ensure that people with learning disabilities using day services are receiving services that accurately reflect their needs and aspirations, and to enable effective planning, thorough assessments of individual service user needs are being carried out by a dedicated team of care managers. A detailed report was submitted to the November 2013 Adult Care & Health Committee with the numbers and outcomes of assessments. To date, approximately 50 assessments have been completed resulting in some really positive changes to services and consequently, some new and creative person-centred care packages, as highlighted in the case studies presented to the November 2013 Committee.
- 3.9 Priority for assessments have been given to people affected by the changes to the learning disability Day Options service and to people who have been identified as not having their current needs met. All learning disability Day Options service users will receive an assessment as well as some service users who are receiving a service from the independent sector. These assessments are holistic and will take account of all aspects of their day to day living including their accommodation circumstances and their carers' needs.
- 3.10 People who live in residential care and supported living who attend day services will be assessed to ensure that the current arrangements meet their needs. The needs assessment identified that some of the people who live in 24hr accommodation, both Council-provided and independent sector services, would sometimes prefer to stay at home but that they were unable to due to levels of staffing in their home and thus, limited activities were available for them. There are however some good examples of residential care providers facilitating person-centred activities for people during the day and this needs to be explored further.

- 3.11 The assessment process will offer service users and their carers the opportunity to reflect upon where they need support and encourage choice about how such needs can be met now and in the future. This will also provide an opportunity to consider what is important to and for the person and their carers and what alternative person-centred opportunities may exist to meet assessed need. These assessments will be undertaken in the context of budget savings but eligible needs will continue to be met. The outcomes of these assessments will contribute to, but not take the place of, any future consultation with service users and their family carers.
- 3.12 The outcomes of these assessments will also be used to improve choice and control for individuals and greater value for money by contributing to commissioning plans. The combined data from assessments will enable commissioners to plan services, meet individual needs and also make collective provision where appropriate.

### **Budget and Learning Disability Day Options Day Service:**

- 3.13 The 2013/14 direct expenditure budget for Learning Disabilities services is £32.9million of which Day Services is £3.4million, excluding the savings target of £0.4million, and represents 10.3% of the total budget.
- 3.14 The unit costs for in-house is £301 per client per week and £239 per client per week for the independent sector. These unit costs are taken from the 2012/13 Personal Social Services Expenditure & Units (PSSEX1) return after deducing Support Services, Capital Costs and Supported Employment.
- 3.15 There is however, a significant budget pressure on this service. There is a savings target of £400k as yet unachieved from 2012/13 and 13/14. Subject to council approval in February 2014, additional savings of £300k are required of it in 2014/15. To work towards achieving these savings within the 2014/15 year it is essential that formal consultations on proposed changes should commence in January 2014, as this would enable an informed decision to be made by Adult Care & Health Committee in June 2014.
- 3.16 Against this background, commissioners have been working closely with the Learning Disability Day Options Day Service and have jointly identified priorities for the service. The priorities are:
- People with additional needs: specifically those with profound and multiple needs who require access to a centre-based service as well as support to access the local community.
  - People with complex needs, specifically those whose behaviours may be challenging and who require a centre-based environment as well as support to access the local community.
  - A Day Options Matching Service for all client groups to support groups of people to meet up with friends and access community groups and facilities e.g. sport, leisure, volunteering.
  - That the Day Options Service will be able to respond to last minute emergency and crisis requests from the assessment team.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Careful consideration has been given to what the Council can offer in terms of providing more flexible personalised services, and what it can continue to provide within the given budget and the requirement to make savings. Work has been ongoing for the past year to find alternative sites for the activities at Buckingham Road, as reported to Committee but an alternative venue in-house is not financially viable. Montague Place was considered for Our Art and Wellington House for Feast but capital funding would be required in order to relocate the projects: Feast would need £52k to create a suitable kitchen in Wellington House and Montague Place requires £156k to make it accessible. As well as additional capital funding continuing these activities would result in no savings being achieved. In addition there are good quality art and catering activities provided within the community and voluntary sector.

##### **Proposal - Provide a reduced In-house learning disability Day Options service**

- 4.2 The proposal is to reduce the learning disability Day Options service to support people with learning disabilities and the most complex needs including additional physical health needs and/or challenging needs. To meet the savings target it is estimated that the service could support 20-30 people and the remaining service users (currently approximately 100 people) would receive assessments and be supported by the independent sector or within their community or residential care home.
- 4.3 This proposal would result in the following implications:
- 4.3.1 Adults Provider In-House Day Services would need to achieve savings in excess of the combined savings target of £0.7million, subject to Council approval in February 2014, in order to accommodate the re-provision costs of approximately 100 clients.
  - 4.3.2 If Committee were to implement the proposal and reduce in-house provision there would be an impact on staffing numbers. Formal staff consultation on these implications and how they would be managed would commence once decisions about the future of the service have been made.
  - 4.3.3 There would be a need to work closely with other day service providers in the city to enable them to increase their capacity. The outcome of social care assessments may mean that some providers of 24 hour accommodation services will provide the day activity element of support to their residents, subject to capacity.
  - 4.3.4 If approved full implementation of these changes would need to be timed to coincide with the re-provision of day support to service users whose needs would be met in the independent and voluntary sector.
- 4.4 The timescales for the proposals are as follows:
- 4.4.1 The timescales for completion relate to the outcomes of the remaining social care assessments which will take place during the consultation period and the provision of alternative day activities for approximately 100 learning disability Day Options service users.

- 4.4.2 Once the consultation with service users and families has been completed and a decision has been made formal consultation with affected staff if appropriate and necessary would then take place.
  - 4.4.3 Service users would continue to have their eligible needs met until their new service was ready to start.
  - 4.4.4 To ensure a contribution towards the savings target within 2014/15 it is essential that formal consultations commence in January 2014, as this would enable a decision to be made in June 2014.
- 4.5 There are risks associated with this proposal, particularly around the concerns of service users, carers and staff and about any delays to the consultation and the timeframe for completing assessments. A risk assessment has been completed for this proposal, with a summary attached as Appendix 1. Some of the risks are only relevant if the Committee were to decide to implement the proposal and reduce in-house provision following consideration of the results of the consultation.
- 4.6 Commissioners have been working closely with the city's 5 contracted independent sector providers of learning disability day services to look at their ability to potentially increase their capacity to support additional service users, subject to Committee approval. The 5 day services support the range of need in the city, from mild learning disability through to moderate, severe and profound and have some capacity to support additional service users. There are various factors that could affect the providers' ability to increase their services by large volumes, such as whether a building-base is needed and the complexity and level of service user need(s). With these variables in mind, most providers estimate that they would require on average of between 6-9 months in order to acquire a building (if needed), to successfully enable a service user's transition (where needed) and to recruit, induct and support staff. There will be a requirement of these services to work collaboratively with commissioners and assessment colleagues to establish where additional savings can be made in their services.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 If Committee agree to the recommendations in this report consultation will take place with people with learning disabilities who currently use the in-house learning disability Day Options service, carers, and other stakeholders including assessment staff and commissioners.
- 5.2 Service users and carers would be informed about the proposal for the future of the learning disability Day Options service. People would be asked for their views about the proposal and what they see as important in their current service and other alternative services. (For example service users and carers have previously said that friendship groups, varied activities and respite services are important to them).
- 5.3 Service users and carers will be reassured that they will have an individual reassessment, and that their assessed needs would continue to be met. This process will also ensure that their views inform the consultation process.

- 5.4 There are several communication channels that are already in place to support an effective consultation process. These are set out below. Additionally, more frequent meetings and individual sessions would be offered to service users and their families. Information would be produced in accessible formats for service users.
- 5.5 **Service users.** Each day centre has a regular user meeting which can be used to gather peoples' opinions about any proposed change to their services. The advocacy organisation, Speak Out, use the buildings to hold bigger meetings which could focus on consultation, and individual keyworkers can support people to complete questionnaires where appropriate.
- 5.6 Information would be communicated to service users in accessible formats and independent advocacy would be available to service users. This would include individual support sessions prior to assessments of need as well as the facilitation of group meetings.
- 5.7 **Families and Carers:** learning disability Day Options already has regular carer meetings which would be scheduled more frequently during any consultation process and held at a variety of times so that all carers could attend. Feedback would also be requested via the carer distribution list by questionnaires in addition to face to face meetings. Feedback would be gathered formally into one report. The Carers Centre would be engaged with to ensure family Carers have independent support if they required this. Regular newsletters would be issued
- 5.8 **Staff:** Formal staff consultation would commence once council decisions have been made about the future of the service. Prior to formal consultation current informal staff engagement processes will continue:
- The learning disability Day Options Service Manager meets with individual staff teams monthly and each service has regular team meetings where views on proposed changes can be collated.
  - Regular newsletters would be issued. Learning disability Day Options has a Staff Focus Group which meets monthly.

## **6. CONCLUSION**

- 6.1 In conclusion the recommendation is that Committee agree to consult on the proposal to reduce the in-house Day Options service, and continue to meet service users' eligible needs through alternative provision. A full report on the outcome of the consultation, stakeholder views, the budget implications, the implications of the individual assessments and potential impact on staff and premises would be brought to the June Committee for a decision on future provision.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The 2013/14 direct expenditure budget for learning Disabilities Day Services is £3.4million, of which £1.9million is allocated to in-house services and



£1.5million to the independent sector. This excludes the Day Activities savings target of £0.4million in 2013/14 and there is a further savings proposal of £0.3million in the 2014/15 budget strategy, subject to Council approval in February.

- 7.2 Day activities have been provided for approximately 270 service users during 2013/14 of which approximately 140 used the learning disability Day Options in-house services and 130 used independent providers. There are currently 124 in-house learning disability Day Options clients.
- 7.3 The 2012/13 unit cost for learning disability Day Options in-house services was £301 per client per week compared to £239 per day client per week for services provided in the independent sector. These figures are taken from the 2012/13 Personal Social Services Expenditure and Unit Cost Return (PSSEX1), published in December 2013 after deducting the cost of support services, capital costs and employment support services to provide a like for like comparison to the day services direct expenditure budget.
- 7.4 The reassessments of the current in-house service users need to be completed in order to determine the cost of re-providing services in the independent sector where appropriate. This will then enable the resources required for the in house service to be determined and the net contribution to the savings targets and timescales identified.

*Finance Officer Consulted: Neil J Smith Date: 8.01.14*

Legal Implications:

- 7.5 As described in the body of this Report the Council has a discretionary power to provide in-house day services to meet assessed need. Further, as also described the Council must have regard to the personalisation agenda and individual choice and control in ensuring any service it provides or commissions complies with these requirements and is person centred. Savings targets have not been achieved for the last two financial years in this area of provision and fiscal constraints imposed require further savings. Therefore when choosing to exercise its power to provide day services the Council has the dual task of providing a service that meets individuals' assessed needs within the available funds. Committee is asked to approve a consultation process over 12 weeks in accordance with national guidance. Consultation should be undertaken with all interested and potentially affected persons and take account of the specific needs and circumstances of the consultees. The outcome of the consultation will be necessary to inform future decision making on the exercise of the power to provide in-house day services in the city.

*Lawyer Consulted: Sandra O'Brien*

*Date: 8.01.14*

#### Equalities Implications:

- 7.6 An Equalities Impact Assessment has been carried out that takes account of the proposed changes to the learning disability Day Options service and the impact to service users and carers. This has been updated to incorporate the proposal set out in the report and is available in Members' Rooms. This will be revisited after the outcome of the consultation.
- 7.7 In addition, a separate Equalities Impact Assessment has assessed the impact of the proposal set out in the report on the independent and voluntary sector. This should be considered alongside the Needs Assessment November 2012 and both documents are also available in Members' Rooms. This will also be revisited after the outcome of the consultation.

#### Sustainability Implications:

- 7.8 The Day Activity Review continues to promote effective use of existing resources with positive implications for building occupancy and for the wider community,
- 7.9 There is an ongoing Transport review which will enable better understanding (and therefore, enable improved planning for the future) of how people use transport across the city. In the interim, some people may have to travel further to their new day service whilst some people may have less distance to travel.
- 7.10 The Council's review of its buildings demonstrates sustainability in practice. Those buildings that are part of the Workstyles evaluation programme typify best use of resources; enabling its workforce to work flexible and creatively whilst minimising the costly expenditure of ongoing maintenance charges alongside the usual running costs.

#### Any Other Significant Implications:

- 7.11 None

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Learning disability Day Options Proposal – Risk Assessment Summary

#### **Documents in Members' Rooms**

1. EIA 1 – Learning disability Day Options
2. EIA 2 – Independent Sector
3. Day Activities Needs Assessment 2012

## Appendix 1

### Learning disability Day Options Proposal – Risk Assessment Summary

Risk	Mitigation
1. Users/Carers concerns	The consultation and communications will stress that eligible needs will continue to be met, with no change to the criteria. The assessment process and communications will ensure this is clear. The consultation process will be clear and fair. Personalisation continues to offer choice and control.
2. Delay in undertaking reassessments for service users	Delay would mean prolonged uncertainty for service users, carers, staff and providers, and more difficult decisions at a future date. These risks will be made clear to decision makers to ensure delay is minimised. Resources for assessments will be maintained to ensure assessments are completed in parallel with the proposed consultation on changes to provision.
3. Service users moving on to alternative services to have their needs met	Commissioners are developing options with alternative providers as quickly as possible, informed by data from assessments. Some transitional funding is agreed for those whose needs are not currently being met. Service users can 'move on' to other services when ready to do so.
4. Providers ready to meet service users needs.	Commissioners are in discussion with providers on their potential capacity and resource issues. Provider capacity and their potential timetable will be reported for the Committee's future decision on in-house provision.
5. Staff concerns about the implications of the review	Regular staff forums are held to maintain good lines of communication. Managers are available for one-to-one meetings. Full consultation will be held with staff once a decision on the future for the in-house service has been made (anticipated at June Committee). HR are fully involved.
6. Under-occupancy of remaining bases if a decision is made to reduce in-house capacity.	Options for the future of day services premises will be explored as part of the consultation and presented to Committee.
7. Financial – Budget/Savings	Ongoing pressure on Adult Social Care day activities budget resulting from the delay in implementation. Achievement of savings is dependent on completion and outcomes of reassessments, costs of implementation and timescales/lead-in-time.
8. Legal framework	The consultation will be in accordance with legal advice and complementary to the separate assessments of need for individual service users and carers.