

Subject: Extract from the proceedings of The Health & Wellbeing Board meeting held on the 19th April 2016 – Learning Disability Accommodation Service

Date of Meeting: 28th June 2016

Report of: Head of Legal & Democratic Services

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Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Policy & Resources Committee:***

To receive the item referred from the Health & wellbeing Board for consideration and determination:

Recommendation: That the Policy & Resources Committee having read and considered the consultation outcome and equalities impact assessment to inform its decision making recommends:

That the Learning & Disability Services should be re-provided as set out in paragraph 8 of the report.

SPECIAL HEALTH & WELLBEING BOARD

4.00pm 19 April 2016

**RONUK HALL,
PORTSLADE TOWN HALL**

DRAFT MINUTES

PART ONE

Present: Councillors Yates (Chair), K Norman (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Barford and G. Theobald, Dr. Christa Beasley, John Child, Dr. George Mack, Dr. Xavier Nalletamby and Jenny Oates Clinical Commissioning Group.

Other Members present: Mia Brown (Adult Safeguarding Board), Denise D'Souza, Statutory Director of Adult Social Care, Pinaki Ghoshal, Statutory Director of Children's Services, Frances McCabe Health Watch, Peter Wilkinson Acting Director of Public Health and Pennie Ford NHS England.

Also in attendance: Councillor Penn, Geoff Raw Chief Executive BHCC, Jenny Oates, CCG and Nigel Manvell Head of Financial Services, BHCC.

Apologies: Dr. Manas Sikdar, CCG.

73. LERNING DISABILITY ACCOMMODATION SERVICE

- 73.1 The Statutory Director for Adult Social Care introduced the report which detailed the outcome of a three-month consultation with all service users and their families, living in the Council's directly provided accommodation services for people with a learning disability. She noted that there were 51 service users and that there had been a mixture of views expressed to the proposed changes with some people clearly anxious about the implications for them and the staff that supported them.
- 73.2 The Head of Adults Provider stated that the council provided a range of services within supported and residential care homes for 51 service users. The Policy & Resources Committee had agreed to a consultation exercise last November based on three options, which involved a questionnaire, meetings with families, advocated meetings with users, social work assessments/reviews and provider engagement. A total of 31 families responded with 28 stating preference to remain in their existing homes with an alternative Provider. In view of the reservations raised by families about the availability of other Providers in the city, a provider event was held and attended by 9 families and 7 Providers. Having completed the

consultation process and looked at the options, it was felt that a procurement exercise should be undertaken with a view to support being made available from alternative providers. The Head of Adults Provider also noted that the people living in Beaconsfield Villas residential care home would move to the Beach House, and the people living in Ferndale Road would be supported to move together to alternative accommodation.

- 73.3 Jenny Oates referred to paragraph 5.34 and the need to demonstrate value for money and queried how the level of provision would differ with alternative Providers to the council given the difference in the level of cost.
- 73.4 The Head of Adults Provider stated that council staff would transfer across to an alternative Provider under TUPE regulations however any future recruitment would be based on the new Provider's terms and conditions. In relation to the costs, an alternative Provider was likely to have lower on-costs, have more staff flexibility which enabled them to have lower rates than the council. She also noted that an Independent review of Learning Disability Services last year recognised the quality of service and staff but was critical of the culture of not encouraging people to move to more independent living when they should be. This was something that was more likely to happen with an alternate Provider in place.
- 73.5 The Statutory Director for Adult Social Care noted that the Learning Disability Strategy had been developed following the Independent Review and stated that the independent expert had been shocked at the council's staff levels and resource provision and suggested that could be provided in a different way, e.g. the council's units were operated on an individual basis whereas under another Provider they would be operated differently.
- 73.6 Councillor Barford wished to thank everyone involved in the process of bringing the report to the meeting and was sure that officers and staff would work with partners, service users and families to ensure a suitable outcome was achieved for all concerned. It was not possible to maintain the status-quo and every support would be made available to all those affected by the level of change and the need to review their needs and adapt as necessary.
- 73.7 Councillor Mac Cafferty noted that a number of the respondents had said they were happy with their current situation and wanted the status-quo to remain. He also questioned what assurances there were for the service users that provision would remain and felt that the cumulative impact on these people was not reflected in the Equalities Impact Assessment (EIA), in terms of a way forward. He also queried whether there was any reason why some Providers did not attend the Provider event and if one was selected how would they engage with the users and what assurances were there that would meet the person's needs.
- 73.8 The Head of Adults Provider stated that the majority of people would remain in their homes that they were in and staff would TUPE across to the new Provider. Where there was a change then the council would work with those people to support any move. She noted that the Provider event had been called at short

notice and some Providers had been unable to attend, whilst of those that did some were accompanied by service users who were able to give assurances about provision. She also noted that 80% of services were delivered by the independent and voluntary sector and those Providers had a lot of experience in the city.

- 73.9 The Chair referred to the Independent Review and queried whether it was felt that the Council was providing a 'Gold Service' or was applying too much resource for the outcome of the individual.
- 73.10 The Statutory Director for Adult Social Care stated that in comparison to other authorities/Providers the Council had a high level of spend and was seen to be risk averse. The review was critical of the level of services provided and raised the need for a more individualised approach. It was considered to be too protective and should enable people to have a wider opportunity. She also noted that there were some people who wanted to move on and should be encouraged to do so.
- 73.11 The Statutory Director for Children's Services stated that there was a parallel situation for Children's Services and the themes reflected in the comments were similar for service provision. There was a need to have a regard to the use of public money and how the best outcomes were achieved for service users.
- 73.12 The Statutory Director for Adult Social Care noted that concerns had been expressed about those people who had specialist needs and had built particular relationships with staff. She stated that should there be any moves as a result of reviews it was intended that the staff would be fully involved to support that process.
- 73.13 Councillor Mac Cafferty stated that he felt there was an inference in the report that people would be forced to move and he sought an assurance that this would not be the case even if there was another Provider.
- 73.14 The Head of Adults Provider stated that there were some people whose needs were not best met by their current provision and this could be better with different accommodation. There would be individual reviews undertaken and discussions with the families to consider whether any needs had changed and/or alternative provision would be more suitable before any action was taken. The aim would be to ensure that all needs could be met fully.
- 73.15 The Chair thanked everyone for their comments and put the recommendations to the Board, with recommendation 3.2 being put to the vote and carried by 6 votes to 1.
- 73.16 **RESOLVED:** That the Health & Wellbeing Board having read and considered the consultation outcome and equalities impact assessment to inform its decision making recommends:
- (1) That the Policy & Resources Committee agree that the Learning & Disability Services should be re-provided as set out in paragraph 8 of the report.