

Adult Care and Well Being Overview and Scrutiny Panel

Monday, 15 November 2021, 2.00 pm, County Hall, Worcester

Membership

Councillors:

Cllr Shirley Webb (Chairman), Cllr Jo Monk (Vice Chairman), Cllr David Chambers, Cllr Lynn Denham, Cllr Paul Harrison, Cllr Matt Jenkins, Cllr Adrian Kriss, Cllr James Stanley and Cllr Emma Stokes

Agenda Supplement

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Date of Issue: Friday, 5 November 2021

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ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL 15 NOVEMBER 2021

REVIEW OF THE CONSULTATION ON COUNCIL PROVIDED DAY SERVICES FOR ADULTS WITH LEARNING DISABILITIES

Summary

1. The Adult Care and Well Being Overview and Scrutiny Panel is to receive an update on the Review of Council provided Day Services for adults with learning disabilities.
2. Senior Officers from the Directorate of People and the Cabinet Member with Responsibility for Adult Social Care have been invited to the meeting.

Background

3. The Panel will be aware that a Review is being carried out of Council provided Day Services for adults with learning disabilities. Prior to the County Council elections, progress on phase one of the review were discussed with this Panel (on 28 January 2021), ahead of the Directorate's report to Cabinet (4 February 2021) on the findings from phase one of the Review.
4. The aim of the review is to ensure the Council's offer to people with learning disabilities is equitable in accordance with assessed eligible need, promotes independence and meets individual outcomes in the most efficient and cost-effective way.
5. Overall, Panel members supported the aim to have a service which was relevant, future-fit and facilitated independence, and a further update was requested to enable the Panel to hear the outcomes of phase two and the proposed way forward for Day Opportunities.
6. In July 2021, Cabinet was updated on phase two of the Review and approved consultation on proposals for Day Service offer of:
 - 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 befriending 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)

7. This report provides the first opportunity to feedback on the consultation ahead of the Cabinet Member with responsibility for Adult Social Care making the final decision around the future day service offer.

Consultation on Day Opportunities

8. Following the Cabinet meeting on the 22 July 2021, the consultation officially launched on the 2 August 2021 and closed on the 31 October 2021. 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 feed back 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 Connect and Resource Centres, along with Consultation Paperwork and an easy read version on the 30 July to ensure this reached everyone from the 2 August 2021.
- An online survey was created and went live for responses on the 2 August 2021 – this was promoted through various communication channels
- A staff briefing was held for Connect/Resource Centre staff on 2 August 2021 which 21 staff attended
- Nine face to face sessions for carers took place across the County between 16 – 25 August 2021. 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 2021 and 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 41 people attended
- A total of eight individuals made direct contact with the Council through emails/letters to feed back their thoughts
- Individual service user profiles have been created to articulate what individuals wanted within their own area – this will help inform market development to meet those needs
- A profile of each service user has been created to better understand their needs and the type of provision required to meet those needs
- Further analysis has taken place regarding the market and capacity
- A document responding to frequently asked questions has been drafted to share with the consultation outcome.

9. A total of 33 responses were received from 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 the manager of someone who uses the service or part of a voluntary organisation. A full analysis of the survey will be published with the final decision paper, with a verbal update provided at the Scrutiny Panel.

10. 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 1) and a record was kept of the questions that were asked and a full report is available in Appendix 2. A summary of the main headlines are:-

- a. Carers appreciation for the role Connect/Resource Centre staff have performed throughout the COVID-19 pandemic
- b. Lack of understanding or awareness of the broader range of day opportunities
- c. Concerns around how any change to provision will be managed and how friendship groups will be maintained
- d. Concerns on the quality of external provision available
- e. Understanding of the increase in demand on provision, as young people transition into adult services, and the need to make changes.

11. Early indications from the results of the consultation suggests that the proposals outlined at Cabinet in July 2021 will be recommended to the Cabinet Member with Responsibility for Adult Social Care to approve. If agreed, the Council will work with the external market to increase capacity and variety of provision available for individuals to access. Coinciding with this growth in the external market, discussions with service users and their carers, as part of their assessment review, will commence, to confirm provision that meets assessed eligible need. A more detailed plan will be published as part of the final decision paper.

Legal, Financial, and HR Implications

12. 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.

13. As a consequence of the Covid-19 pandemic and the national lockdown, both internal and most external day services temporarily closed in March 2020. With the temporary closure of day opportunities and the limited reopening of some Resource Centres due to Covid-19 restrictions, this has meant that the Council has been required to look at different ways to meet eligible needs during the pandemic and it now wishes to take stock and review its internal provision to ensure that services can continue to be delivered, to meet eligible needs during the pandemic and in the longer-term.

14. The first and second phases of the day opportunities review have 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 with the final decision being delegated to the Cabinet Member with Responsibility for Adult Social Care.

15. 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 published with the decision paper. 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.

16. 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.

17. 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.

18. 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.

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

19. A joint impact assessment (JIA) screening has been carried out in respect of these recommendations and a full assessment will be completed to form the recommendations for longer-term plans for the delivery of day opportunities. Although there may be changes to the provision for current service users, the focus will still be on meeting assessed care needs so impact will be minimalised.

Purpose of the Meeting

20. Members are invited to consider and comment on the information discussed and agree:

- whether any further information or scrutiny work is required at this time
- the frequency of further updates required as this review progresses
- whether there are any comments to highlight to the relevant Cabinet Member

Supporting Information

Appendix 1 – Feedback on face to face sessions

Appendix 2 – FAQs

Contact Points

Emma James/Jo Weston, Overview and Scrutiny Officers, Tel: 01905 844964 / 844965

Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) the following are the background papers relating to the subject matter of this report:

- Agendas and minutes from Cabinet on 22 July and 4 February 2021 and 22 October 2020 [Agenda and minutes for Cabinet](#)
- Agendas and minutes from the Adult Care and Wellbeing Overview and Scrutiny Panel on 28 January 2021, 27 July and 27 January 2020, 18 July, 18 May, 21 March and 22 January 2018 - [Panel agendas and minutes](#)

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Worcestershire Day Opportunities Sessions

The following is a summary of the feedback forms following on from the face to face carer consultations held in September 2021. 15 forms in total were completed.

1) Did you find the day to be helpful?



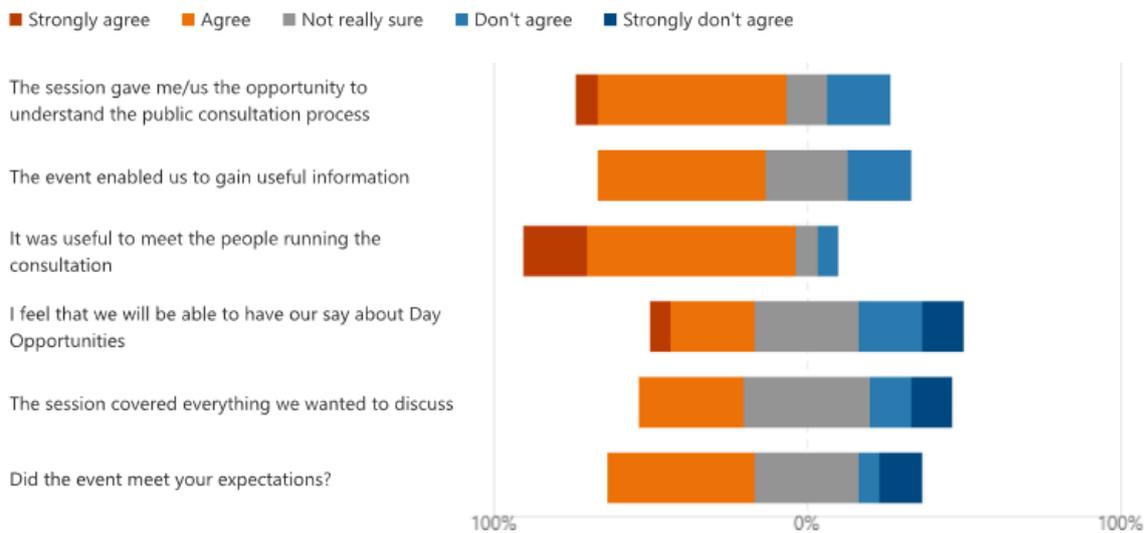
2) What was good about the session?



3) What could we have improved?



4) Please read the statements below that indicate why, if at all the Day Opportunities session has been useful. Place a tick in the box to indicate how strongly or not you agree with the statements.



5) Did you get enough information before the event?

- Not at all 1
- Not really 2
- Enough 5
- Pretty much 5
- Very much so 2



6) Any comments about the information you received?

decisions **services** **informative**
start Council meetings **clear** **worrying**
little information **plenty of time**

7) Any other comments about the event?

good that it was face **poor attendance**
speaker able **face to face** **honest open**
answers to the questions **hear properly**

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What does a befriending service look like?

These are some of the individuals who have been in the services quite a long time whom it has been identified may need a different kind of support rather than a Resource Centre offer. However, as part of the engagement it has become really clear that friendships and social interaction are really important to this group, so we want to ensure these are maintained. The feedback from the public consultation will help to shape what this service will look like and firm this offer up depending on what carers and individuals feedback around this service.

Is the befriending service just for a few hours or would it be a full Day Service Opportunity?

This will be dependent on individual's assessed need and will not be a reduction in service but could be provided in a different way. It is more around the type of support than the amount of support provided, but could certainly be flexible to suit individual and carers needs.

What will happen to the Connect staff?

We can't really comment yet as we don't know what the outcome of the public consultation will be. Staff will have their own consultation, if required, based on the outcome of the public consultation but where possible we will seek alternative solutions i.e. independence hub, reablement, resource centres etc. We acknowledge we have excellent staff who we would seek to retain within Worcestershire County Council where possible.

What about the older group who currently have 5 days a week in day care, will they get like for like or end up staying at home with older carers?

This is why it is critical that each person has their own individual assessment and support planning is undertaken with the person and involving family/carers. This isn't about reducing support to individuals but maybe doing it in a different way. If they are assessed as requiring 5 days support then we have a duty of care to ensure the same level of support is maintained and in accordance with their needs assessment. We also recognise the importance of carers' wellbeing and the need for carers to have support to maintain their caring role.

Is the Cost of supporting people at Resource Centres the same as Connect Centres?

Currently Resource Centres and Connects are costed the same. However we are aware Resource Centres need to be staffed in line with meeting more complex needs so when we increase capacity we expect the cost of that service to increase slightly.

What are external services and how will you ensure a variety for people?

External Providers are organisations that are not directly employed by the Local Authority. In some cases, the Local Authority contracts with private, voluntary or charitable organisations to provide a wide range of day service activities. Or this could be venues or activities within the community that an individual may want to access, with appropriate support, through a direct payment such as Bowling, Archery, Leisure Centres, course/classes etc.

It's a shame to lose friendship groups through this change how will you try to maintain these?

We absolutely agree, which is why within the recommendations we will explore options to maintain friendships as much as possible.

I don't know what is available within my Community can you provide us some information?

We are creating a local directory of community services available within each of the Districts in Worcestershire. This will be available for all Social Workers to share with you at the point of assessment. Due to the impact of Covid we are still updating details which is why this couldn't be shared at the time of Consultation briefing sessions.

Any services being developed - will they be run by Worcestershire County Council?

The aim is that this service will be externally provided through a contract. However, if we are unable to source appropriate provision externally, we will always ensure we meet our duties under the Care Act, using internal provision if necessary. Any services we are involved in developing will have to adhere to the same contractual obligations we have with other providers in Worcestershire.

What would happen in phase 5 (March to May) if no external services are available/could be developed in time?

We have a duty under the Care Act to meet need, and throughout this process we have emphasised that no changes will happen within Phases where the market isn't able to meet the need. So in this example Connect will continue until suitable alternatives can be sourced.

Would we be open to some services staying open?

We have recommended that Resource Centres remain open as we know there is limited capacity within the external market to meet complex needs. We are keen as part of this consultation to hear alternative ideas. We cannot at this stage confirm that Connects will close or stay open until the end of the Consultation period where we have heard everyone's views and opinions on the proposals.

Will the external services be CQC checked?

CQC does not regulate day services. However, all services which Worcestershire County Council contracts with, have to meet our contractual terms and conditions and quality standards.

What does "in the Community" mean?

These are services that are provided out and about in the community e.g the towns you live in. As opposed to the building-based provision provided within Day Centres.

The service at Connect is excellent so why lose it when external services cannot meet the personal needs/touches that WCC can offer?

We are aware through the meetings that staff play a very important role in caring for your loved ones. We know we have excellent staff here in Worcestershire. Covid has meant we have had to do things in a different way. Through our contracts with external providers we would aim to ensure that high quality services are being provided.

What are the transitional needs that are coming through in children's? Is this something that has just become apparent?

Through the review and more joined up working with Children's Services we have the data for the next 5 years which identifies the numbers of individuals who may require a future Day opportunity. This data has highlighted increasing levels of complexity of needs of those individuals which will allow us to future proof services in the right way.

What you're offering is community based so why are you closing it down?

The decision has not been made to close the services down. At this stage there is a proposal to provide services in a different way which would offer more choice for individuals. There is also an issue around inequity in Worcestershire (i.e. different levels of service in different parts of the county) which we need to address to ensure each individual has the same options and opportunities no matter where they live.

How do you propose to continue to ensure individuals have rich fulfilled lives through the model you proposed?

This will be ensured through peoples individual needs assessments (Conversation 3) and active involvement in support planning to identify solutions that will enable the individual to engage with their community and live a successful life.

What is a good quality service?

This is why we are consulting with you to establish what you believe is a good quality service and what is important to you and the individuals. From a Local Authority perspective we will ensure robust quality monitoring processes are in place both internally and externally.

Can you give clarity over what the Winter offer should/will look like for our individuals at Connect?

We're currently working through the service arrangements for autumn and winter and will be communicating this directly with service users as soon as possible.

Are you responsible for Safeguarding within Worcestershire?

We are responsible for the safeguarding all adults within Worcestershire who have needs for care and support (whether or not we are meeting those needs) who are experiencing, or are at risk of abuse or neglect and are unable to protect themselves because of those needs.

Do you monitor external providers for Quality?

Through our contract, we require providers to meet quality outcomes and the contract includes a monitoring framework which enables us to work with providers to ensure these outcomes are being met on an ongoing basis.

When you talk about External Services is this a building-based provision or Community based?

It could be either depending on the activity you want to do. We have a range of different types of providers in Worcestershire.

Is it cheaper to have an External provision than Internal?

All providers charge different rates within Worcestershire. Some are higher and some are lower than internal services.

Are you taking money out of Services?

There are no savings attached to this programme of work.

Are the Council pushing Direct Payments?

As a Council we recognise that Direct Payments can offer wider opportunities for certain individuals. So we will support people to access Direct Payments as much as possible if this is appropriate for them.

What happens if we don't want to do Direct Payments?

That is each individual's choice.

What if we want our son or daughter to go to a provider further away, would you pay that Transport?

Where possible, we would aim to support individuals in local communities to avoid long journeys, higher costs and have closer links to home. However, if it is decided through the support plan that a service which is further away is the best one to meet need, the council will ensure that appropriate transport is provided to meet this need.

Why are we receiving a letter advising a reduction in demand when Covid has meant individuals couldn't go?

This was at the start of Covid where we did have a reduction in people attending services. However we are aware that demand for Day Services is increasing which is why we know our current buildings need to be reviewed and we need to grow the market to help meet individual's needs.

Will the assessments be face to face by Social Workers?

Yes wherever possible meetings will be face to face and in line with Covid guidance.

Where is the money coming from to grow services in the Community? Cuts must have to be made somewhere?

Additional capacity will be created through some existing providers already. Use of Direct payments will also contribute towards growth of services.

Who is looking after the Psychological effect on individuals?

Social Workers will undertake holistic needs assessment of the individual including mental health and wellbeing.

Is this meeting just a tick box exercise?

Absolutely not, we have wanted to have this exercise to ensure we capture your thoughts and opinions/ideas on how we can deliver services in the future. All of the meetings and consultation will inform the final decision to be made in November. We held previous engagement sessions via zoom where we invited carers to join us to have their say prior to the formal process.

Have you met individuals to get their views?

Through previous engagement sessions, some individuals participated. Within the public consultation, sessions are booked mid-September to meet with individuals and advocates to ensure their voices are heard where possible.

Will you ensure all individuals are supported/transitioned into their new service before closing the Connects?

Absolutely yes

Do you have a list of people that you will move out of the Services?

We have a list of service users within each of the services. However, until individual needs assessments have been completed we won't know what impact this will have for each individual.

Can you say that if we as Carers say no to the provision offered that you can guarantee that we can stay at Connects?

If there is alternative provision that can meet assessed need, then Connect services will be impacted and will need to be reviewed as they reduce in numbers. There is no guarantee that any service will stay the same forever, only that the LA has a duty to meet eligible assessed need. We cannot force someone to accept a care package, however, in some cases if a care package is rejected the Council may conclude that it has discharged its statutory duty to meet eligible need.

There is a massive shortage of carers across the County what will happen to staff?

As mentioned previously and depending on the outcome of the consultation we will aim to retain staff where possible.

Are Social Workers given a budget for each person to use prior to assessment?

No, a budget is allocated following the needs assessment of each individual and is based on meeting those needs.

Can you not set up another building provision just for the younger individuals?

As you know the Council is working within budget constraints and it would be costly to set up/build a new building/provision solely for younger people when we have been informed that relationships between the elderly and young individuals are important to keep.

Are you cutting services for the elderly so you can make space for younger people?

No. But we do recognise that individuals and their carers have expressed that they would wish to seek an alternative provision for older people in a more suitable environment and in trying to keep friendship groups together.

Why haven't you considered having options for people prior to starting Consultation?

Some areas have lots of external opportunities for individuals, however we are aware certain areas have limited external options. We were unable to share these due to the impact of Covid but also because we know we want to grow the market and work with providers to increase choice and capacity. It would be unfair for us to provide options now when there will hopefully be more opportunities following consultation. Options will also be determined by individual need on a case by case basis.

Could you clarify is everyone going to be given a reassessment even if they are 1-1 or 1-2?

Everyone will either have a reassessment or an annual review regardless of needs ratio.

Are the dates that been shared set in stone or could these change?

No, these will vary according to capacity in the market and ensuring we can meet individual need.

How do you cope with a non-growing budget?

We must continually review the offer to ensure that we are using the budgets we do have available in the most effective and efficient way.

Who will lead on assessing individuals assessments of need?

Social Workers will lead on any assessments but ensure all the key people involved within the individual's care are part of the assessment.

Is there an upper age limit for people attending Day Opportunities?

No, you can continue to attend Day Opportunities regardless of your age.

Will the Worcester Resource Centre still be here in 5 years time?

There are no plans to close Worcester Resource Centre however we will continue to review suitability of buildings in supporting people with complex needs.

Does mobility issues come into complex needs or just Mental Health and Learning Disabilities

Mobility is part of the holistic assessment as well as mental health and any learning disabilities.