

CABINET
22 JULY 2021**A REVIEW OF DAY OPPORTUNITIES FOR ADULTS WITH
LEARNING DISABILITIES**

Relevant Cabinet Member
Councillor A Hardman

Relevant Chief Officer
Strategic Director for People

Local Member(s)
None

Recommendations:

1. **The Cabinet Member with Responsibility for Adult Social Care recommends that Cabinet:**
 - a) **Building on the previous Cabinet report in February 2021, notes the findings of the second phase of the day opportunities review as summarised in paragraph 13 and outlined in detail in the full report in the supporting information;**
 - b) **Notes the recommendations in the Day Opportunity Review for the proposed future 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/peer support service 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)**
 - c) **Approves the commencement of formal public consultation on the proposed future day opportunities offer which, if approved, will result in the closure of Connect Services as need is met within external provision; and**
 - d) **Delegates the final decision, following the outcome of the public consultation to the Cabinet Member with Responsibility for Adult Social Care.**

Background

2. 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.

3. There is a mixed market of day opportunities for people with learning disabilities within Worcestershire. Currently 206 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.

4. 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.

5. There are five Connect Service locations across the county, which operate Monday to Friday, providing 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.

6. Following the changes to the Council's Day Opportunities provision, as a result of Covid-19, Cabinet agreed at its meeting on 22 October 2020 the need to review the Council's long-term position in providing access to day service support both internally and externally in order to continue to meet assessed eligible need.

7. Cabinet received an update on the first stage of the review at its meeting on 4 February 2021. This stage focused on the current offer for people using Council provided Resource Centres. The findings of the review 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.

8. In addition the joint initiative with Worcestershire Children First, of an All Age Disability offer and approach, drives the imperative within the 2014 Child and Family 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 choice of purposeful day time activity. Assuming the upward trend of take up of education for 18-25 olds continues, planning needs to consider that it is anticipated there maybe 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.

9. 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 also concludes the day opportunities review and makes recommendations for the long term and future “offer” of day opportunity provision, which require formal consultation.

Day Opportunities Review

10. The purpose of the Day Opportunities Review was to consider how the Council may continue to meet assessed eligible need in the most efficient and cost-effective way that promotes independence, social inclusion and positive outcomes for individuals and carers. The Council’s preferred approach, which was agreed and approved at the October Cabinet meeting, is to move to the position where internal day opportunities will only be provided where there isn’t the capacity or capability within the external market to meet eligible need. The aim of the review was to explore and test this approach. There have been several stages to the review all underpinned by engagement with service users and their families/carers. This report concludes the outcome of the review and makes recommendations around future service delivery.

11. The review reiterates the importance of recognising that people with learning disabilities have a wide range of abilities and complexity of needs. It is for this reason that the review acknowledges that a service which meets the needs of one individual with a learning disability, may not meet the needs of everyone with learning disabilities and that all services should be delivered in line with the Care Act 2014 statutory guidance, as well as delivering the best outcomes for people with a disability promoting key principles:

- People should be treated as individuals.
- People with learning disabilities should have equality of opportunity and be able to use the same services as other people.
- People should have choice and be able to have some control over the services they use.
- People should be part of the community where they live.
- People should feel safe.

These principles should apply to all services irrespective of the level and complexity of need of the people using the services.

12. The review was managed by a project group that included a wide cross section of stakeholder representation. The activities carried out included in the review are

listed below and a copy of the review report can be found in the supporting information section

- Stakeholder engagement which took place with:
 - WCC staff including the Day Services Manager, the Connect Services Team Leaders, and the senior support workers.
 - Carers representatives from WAC Carers Group Meeting
 - Speakeasy Now who carried out an engagement exercise with service users and carers
 - Carers session held with each of the five Connect Services

Summary of findings

13. The section below summarises the findings from the second phase. A full report can be found in the supporting information.

- 82 % of service users within the Connect services are over 40 years old
- 56% of the service users have attended the Connect services for over 15 years and 66% over 10 years
- The numbers of people within the Connect Services ranges from 12 service users - 26 service users
- In terms of younger adults with a Learning Disability;
 - 127 individuals who are currently transitioning into Adults Services, have been identified as potentially requiring some sort of Day Care Opportunity
 - As in the Resource Centre review findings, currently there is a small proportion of younger adults within the Connect services, only 6 % are under twenty-four years old
- 76% of individuals were identified as being suitable for just a Connect service
- 15 people were identified as being more suitable for a befriending/peer support service
- There is still a blurring of the service offers between the Resource Centres and Connect Centres, due to referral processes and a lack of clarity about the service offers. This has identified that maybe the staffing levels and ratios of staff to individuals within the two types of provision are incorrect.
- 10% of service users have been identified as needing 2:2 or 2:1 support
- Just over 50% of service users only require an 8:1 ratio of support
- There is a heavy reliance on transport from individuals attending the Connect services, with an annual cost to the Council of approximately £264K
- 3 of the Connect Services identified that all their service users would require advocacy support.
- Overall, there are only 2 out of area placements
- Some individuals may benefit from alternative support i.e. people who are older and need a befriending/peer support type of service.
- Engagement with carers has shown the importance of friendship groups and there is a lack of awareness and usage of direct payments.
- Market engagement with external providers has demonstrated that there is some additional capacity in Worcestershire, particularly for adults with less complex needs, as providers adapt to the ongoing COVID situation and develop more community-based services. However, in terms of geography, this is not currently

spread evenly across the county and would take a number of months to develop fully.

Recommendations and next steps

14. As a result of the findings of both the first and second phases of the day opportunities review, it is proposed that assessed eligible need can be met more appropriately through the following future service offer. This offer confirms the approach the Cabinet has previously agreed, which is the Council will only provide services directly where there isn't the capacity or capability within the external market to meet eligible need. The future offer will be: -

- 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 / peer support service 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)

15. If agreed, this proposed service offer will mean an increase of capacity within the external market, the cessation of council provided Connect Services and a change for some service users. These changes are outlined below.

- There are currently 109 service users accessing Resource Centres. 12 Service users' needs would be better met through a befriending service. 20 services users have lower level need and would benefit from a community-based offer that promotes greater independence. The remaining 77 Service Users would continue to have their needs met within Resource Centres and four individuals accessing Connect Services will be supported to move to have their higher needs met within the Resource Centre. This would give a total of existing 81 individuals within the Resource Centre. This allows for additional capacity to meet the needs of young people transitioning into adulthood, who require a specialist service, which over the next few years will be approximately 50 individuals.
- There are currently 97 service users accessing Connect Services. As highlighted above four individuals would be better supported through the Resource Centres. In addition, nine individuals would have their needs met better through a befriending service. The remaining 84 service users, along with the 41 young people transitioning into adult services, would have their needs met through external based opportunities under these proposals.

16. If approved, following consultation, the implementation of this new service offer will be managed in a number of phases and begin in November 2021. These phases have been planned as part of assessment reviews with service users, which will be led by their social worker and the need to work with external providers to increase their capacity and quality of provision to meet assessed eligible need. The service user assessments will include understanding the impact of the move and consider the

preservation of friendship groups where possible. The timescales are indicative and wherever possible changes will be implemented sensitively but as quickly as possible so as not to pro-long impact on service users

- Phase 1 (Supporting individuals requiring befriending services to transition from Resource Centres) -November 2021
- Phase 2 (Supporting individuals requiring befriending service to transition from Connect Centres) – December 2021 – January 2022
- Phase 3 (Supporting individuals to transition from Connect Centres to Resource (1-1 needs) – January – February 2022
- Phase 4 (Supporting individuals from Resource Centres to transition to external Community Based Services (1-8 needs) – March 2022
- Phase 5 (Supporting individuals from Resource Centres and Connects to Community Based Services (1-5/1-8 needs) following which all Council Connect buildings will close – March to May 2022

17. Concurrent with phase 1 and 2, 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 WCF 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.

Consultation

18. Given the scale of change outlined in the section above, formal public consultation is required. Using the information within this report and the supporting information documents, the consultation will focus on the rationale for the change, the impact on existing services and service users along with the proposed implementation plans. The public consultation will commence on Monday 2 August and run for 90 days until Sunday 31 October. The methodology used will follow a mixture of online surveys and face to face sessions, either virtually or physically depending on the COVID-19 latest guidance.

Legal, Financial and HR Implications

19. 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.

20. As a consequence of the Covid-19 pandemic and the national lockdown both internal and external day services were required to temporarily close in March 2020, due to national lockdowns. 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.

21. 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 now wish to formally consult on this proposal and seeks Cabinet's permission to do so.

22. 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 has informed the transition plan detailed at paragraph 16 above. 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.

23. 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.

24. 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.

25. 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

26. 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. The screening report is included as an appendix to this report.

Supporting Information

Appendix 1 – Day Opportunities Review Report
Appendix 2 – Joint Impact Assessment
Appendix 3 – Consultation Timeline

Contact Points

County Council Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Strategic Director for People) In the opinion of the proper officer there are no background papers in support of this report.