

## **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**

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#### **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**

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## **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](#)